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Abstract
This essay argues that the systemic turn in deliberative democracy has opened up avenues to think about disabled citizenship within discursive processes. I highlight the systemic turn's recognition of the interdependence of individuals and institutions upon each other in a system as key to this project. This recognition has led to three transformations: (1) a more generous account of deliberative speech acts and behaviors; (2) recognition of the role of enclaves; and (3) incorporating the role of discursive representatives. These changes normalize the participation of cognitively disabled individuals and suggest institutional opportunities for more effective participation.

Keywords
deliberative democracy, cognitive disability, inclusion, systematic turn, deliberative systems

We often think, talk, and write about disability in terms of a shortcoming or deficiency in either body or mind. It is to be diagnosed, treated, and fixed. Our everyday lexicon includes terms such as "crippled, afflicted, deficient, inferior, defective, disordered, handicapped, feeble-minded, idiot, imbecile, moron, lame, retard, spaz."[1] It is of little wonder that much of political theory erases people with disabilities (PWDs) from discussions of equality, justice, freedom, and democratic decision-making. Deliberative democracy is not an exception.

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This essay addresses the tension between cognitive disability and deliberative democracy. Theories of deliberative democracy are built upon the discursive participation of *all affected*. As Jürgen Habermas argues, "[t]he political public sphere can fulfill its function of perceiving and thematizing encompassing social problems only insofar as it develops out of the communication taking place among those who are potentially affected."[2] However, fulfilling this principle runs into problems when considering community members with cognitive disability. The democratic principle, therefore, is undermined by the discursive principle. While a key concern, this tension has largely been left unaddressed within the literature on deliberative democracy.

While acknowledging that we cannot simply theorize ourselves out of the tension between deliberative democracy and cognitive disability, this essay argues that the systemic turn in deliberative democratic theory has opened up avenues to think about disabled citizenship within discursive processes.[3] The systemic turn normalizes the participation of cognitively disabled (CD) individuals and suggests *institutional opportunities* for their effective participation. It begins with the acknowledgement that "no single institution can perfectly maintain ideal deliberative standards"; instead, different "components within a system can compensate for the deficiencies of other parts by providing an interconnected outlet for deliberation."[4]

The key contribution of the systemic approach to deliberation is the recognition of the inherent interdependence of citizens as well as institutions on one another.[5] This recognition underpins three key transformations that have opened up the space for us to consider and include the contributions of CD individuals. First, since there is a division of labor, and different arenas of the system work together, the systemic turn does not summarily dismiss *nondeliberative* or *antideliberative* behaviors. In fact, it considers the ways in which they contribute to the overall quality of deliberation in the larger deliberative system. Second, the systemic turn recognizes the importance of sites of enclave deliberation within an interdependent deliberative system and incorporates their contributions into the larger system. Finally, the systemic turn is more amenable to a rich conceptualization of discursive representation as a way to get as close as possible to fulfilling the maxim of inclusivity and the all-affected principle.

This essay begins with a discussion of the treatment of CD individuals within theories of popular sovereignty, generally, and deliberative democracy, specifically. I, then, give an account of the systemic turn, especially the recognition of the interdependence of citizens and institutions upon each other in deliberative systems. I follow this with a discussion of three transformations as a result of this recognition: expansion of the scope of "deliberative" speech, incorporation of enclaves, and taking advantage of discursive

representatives. Each transformation has opened up the space to better account for the participation of CD individuals within deliberative democracy. I conclude with a discussion of opportunities and limitations provided by the systemic turn.

From the outset, I must explain what I mean by the term cognitive disability. Following Eva Feder Kittay and Licia Carlson and Anna Arstein-Kerslake, I use the term cognitive disability instead of intellectual disability or cognitive impairment as it is broader and includes "intellectual, developmental, learning, psycho-social disabilities, dementia, Alzheimer's, and acquired brain injury,"[6] some of which "do not imply diminished intellectual capacity (e.g., autism)."[7] Cognitive disability "results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others."[8]

Disability and (Deliberative) Democratic Theory

Deliberative democratic theory rests upon a communicatively generated form of popular sovereignty. In the public sphere, Habermas notes, "two contrary processes encounter and cut across each other: the communicative generation of legitimate power [. . .], and the political-systemic acquisition of legitimacy, a process by which administrative power becomes reflexive."[9] The purpose of democratic procedures is to "institutionalize the forms of communication necessary for a rational will-formation."[10] The emphasis on *rational* will-formation excludes those commonly perceived incapable of engaging in rational-critical thought and debate. This exclusion, far from the exception, underpins other theories of popular sovereignty and consent. One need only look to Thomas Hobbes, John Locke, and Jean Jacques Rousseau to establish such a pattern.

Hobbes calls the ability to form a commonwealth "the greatest of human powers [. . .] which is compounded of the powers of most men, united by consent, in one person, natural or civil, that has the use of all their powers depending on his will."[11] This *will* is what makes a person free. As Hobbes notes, to be a free person, one needs to be able to make use of "strength and wit" to achieve his will.[12] This requires one to be aware of his will and reason about the ways in which this will can be acted upon in the world. This leaves out those who cannot reason. Indeed, it leaves out those who cannot use speech as well since Hobbes ties reason and speech together: "children [. . .] are not endued with reason at all, till they have attained the use of speech."[13] Therefore, certain physical disabilities, in addition to cognitive ones, render individuals without reason.

Locke similarly ties reason, freedom, consent, and legitimacy together: "we are born free, as we are born rational."[14] Since we are both free and, thus, rational, "no one can be put out of this estate, and subjected to the political power of another, without his own consent."[15] If one is perceived to be without reason, he is not free, cannot give consent, and is left outside of any schemes of legitimacy. Locke states this clearly:

> But if, through defects that may happen out of the ordinary course of nature, any one comes not to such a degree of reason wherein he might be supposed capable of knowing the law, and so living within the rules of it, he is never capable of being a free man, he is never let loose to the disposure of his own will, (because he knows no bounds to it, has not understanding, its proper guide) but is continued under the tuition and government of others, all the time his own understanding is incapable of that charge. And so lunatics and idiots are never set free from the government of their parents.[16]

The same pattern can be seen in Rousseau's notion of popular sovereignty. The social pact, "by its nature demands unanimous consent." The decision to consent to and join this civil association is "the most completely voluntary of acts" and is a necessity since "each man [is] born free and master of himself." If one was to be subject to laws without this consent, we can "conclude that he is not born a man."[17] This means that self-mastery and the ability to consent and see oneself in the general will are considered to be the key characteristics of what being a man means. Therefore, CD individuals, likely, would fall outside of this notion of personhood. In each theory, legitimacy rests on consent, which, in turn, demands participation in *rational* discourse and decision-making.[18]

The same is echoed in deliberative democracy's *all-affected* principle. This principle requires "that all those affected by a political decision ought, directly or indirectly, to have a say in its making."[19] This idea is reflected in the discourse principle as well: "only those action norms are valid to which all possibly affected persons agree as participants in rational discourses."[20]

This is a radically democratic and emancipatory principle as it extends the boundary of who has a legitimate claim to be part of the decision-making process. It encompasses all those who can *potentially* and even *indirectly* be affected by a decision. It sets a very high bar for achieving legitimacy in the processes of democratic decision-making and its outcomes.

At the same time, however, as an underlying principle of deliberative democracy, the all-affected principle requires individuals to participate in very specific ways—through offering and justifying mutually understandable and criticizable claims. Deliberative democracy can be characterized as a

"talk-centric" critical theory. It is talk-centric as it "focuses on the communicative processes of opinion and will-formation that precede voting."[21] It is rooted in critical theory as its framework "is embedded in the inherent structures of language, speech, and communication rather than in an ideal normative aspiration."[22] For Habermas, "rationality is understood to be a disposition of speaking and acting subjects."[23] It is, therefore, social and exists in our communicative relationships. Communication is "oriented to achieving, sustaining, and renewing consensus—and indeed a consensus that rests on the intersubjective recognition of criticizable validity claims."[24]

Deliberative democracy expects individuals to demonstrate "linguistic agency"—or the ability to not only reason but to formulate and express those reasons publicly. This serves as a "threshold capacity,"[25] and those who are not capable of engaging in rational debate are excluded from participating in processes that develop and execute policies—even those that directly affect them.[26]

While we may concede the impossibility of conceiving of a deliberative form of democracy that does not require reasoned deliberation, the rules of engagement are in fact much stricter. Without "[internalizing] the rules of the particular form of communication deemed to be the universally valid form of democratic engagement," individuals are not seen as "legitimate deliberators."[27] This places a high burden on all but especially on those who are unwilling and, more pertinently, incapable of continuously engaging a rational/critical dialogue.

This problem is not purely theoretical either. Our failure to grapple with disability, especially cognitive disability, has tangible and material consequences as well. It extends into social, political, and economic spheres that exclude PWD and see able-bodied and able-minded individuals as ideal or normal. This exclusion takes place at every level, from formal laws that prevent their full political participation, in some countries, to informal policies and guidelines that hinder their ability to enroll in schools, register for activities, or participate in group programs.[28]

Individuals with cognitive disabilities are either barred from political participation[29] or do so at noticeably lower rates in the absence of legal prohibitions.[30] PWD are more likely to "live under the national poverty line"[31] as "lack of accessibility [. . .] and discrimination" often prevents PWD "from entering the school system" as well as "the labour market."[32] Similarly, they are much more likely to suffer from poor health as impairments—"discriminatory practices and policies, [and] lack of access to information" affect PWD.[33] All these factors can indirectly affect their ability to fully participate in politics.

With these tangible and material consequences in mind, I consider the ways in which the systemic turn in deliberative democracy has opened up pathways for the participation of CD individuals in discursive practices.

Interdependence in Deliberative Systems

After an almost hegemonic focus on the design and execution of minipublics as sites of deliberative democracy, the systemic turn acknowledges that "deliberative democracy cannot easily be sought in a single forum" but rather exists and requires "the contributions of multiple sites,"[34] including "formal and binding assemblies," "interest groups," "media," and "everyday [political] talk."[35] It recognizes that "political systems in developed democracies are complex, with numerous sites of politics, multiple separations of functions that require coordination, and many points of pressure, entry and influence."[36] Deliberative systems, by definition, function through relationships between interdependent, rather than autonomous, citizens and institutions.

Much of political theory, in general, and deliberative democratic theory, in particular, has conceptualized the ideal citizen as an autonomous agent. Autonomy was, in fact, seen as both a precondition and a potential outcome of deliberation. For example, Amy Gutmann and Dennis Thompson, in their account of deliberative democracy, argue that individuals "should be treated not merely as objects of legislation, as passive subjects to be ruled, but as *autonomous* agents who take part in the governance of their own society, directly or through their representatives."[37] At the same time, the cultivation of autonomous citizenship is also a positive potential *outcome* of public discussion in deliberative democracy.[38] Autonomy is both needed before and expected after deliberation.

Such a relationship with autonomy is directly tied to deliberative democracy's historical origins. Deliberative democracy, especially those based on Habermas's conception of it, retains "his liberal Kantianism," which emphasizes autonomy.[39] However, even as a theorist of "autonomy," Kant's account of critical thinking and dialogue offers a vision of individuals who are far from autonomous and are, indeed, fully interdependent on one another.[40] For Kant, "we cannot engage in any project—be it finding the limits of reason, ascertaining the principles of moral law, or engaging a rational-critical debate aimed at securing legitimacy and driving progress—without others to share the burden."[41] This means that interdependence of citizens on one another is an unspoken, disregarded, and forgotten assumption of deliberative democratic theory.[42]

This recognition of the interdependence of citizens and institutions on one another, when taken seriously and applied to deliberative democratic

participation, can decenter and refocus it. It pushes us to consider how possible it is for us to deliberate without others.[43] Recognizing this fact explicitly allows us to reflect on the different ways in which all citizens and institutions are dependent on one another within the larger deliberative system. Instead of being solely concerned with individual contributions, it now accepts that we need others to enable our full participation as citizens.

Systemic turn recognizes that citizens do not participate the same way and to the same degree all the time. Instead, a deliberative system is one of "division of labor" among different and interdependent parts, groups, and individuals.[44] In other words, similar to the way that different sites of deliberation are interdependent on one another to ensure the overall health of the system, participants, too, depend on one another to ensure ample as well as quality participation and deliberation, "whether they [personally and continuously] are speaking or not."[45]

What does interdependent citizenship look like? First, it recognizes that "depending on the particular stage we are at in the life cycle as well as the degree to which the world is structured to respond to some variations better than others,"[46] we are all mutually interdependent. This recognition reframes dependence as a universal feature of the system as opposed to a distinct feature that sets CD individuals apart from others. The dependence of CD individuals, even at higher rates than the able-minded, is no longer a difference of kind; rather it is one of degrees.

Second, it emphasizes that the dependency in interdependency is not "an antonym to autonomy or freedom [. . .] but its precondition and correlate."[47] Interdependence, therefore, is posited as part of the human condition. An interdependent account of citizenship means that we can relax the standards of participation in the public sphere in a way that does not require autonomous, individual, and independent contributions at all times and under all circumstances. Moreover, such a move is no longer presented as antithetical to the aims or the development of deliberative democratic theory.

Deliberative systems approach allows us to better take stock of the different modes and degrees of participation by citizens. Some contributions do not meet the previously held deliberative ideal of autonomy and some require others for their formulation and expression. Interdependent citizenship in the context of deliberative democracy means that moments where communicative and/or technical assistance are required to make participation possible are not anomalies but a feature of participation in a deliberative system. Indeed, we can imagine a spectrum of sorts that tracks the participation of the CD. On one end, CD individuals participate with very little assistance from others; on the other end, more robust translation takes place in order for us to include those who interact and convey their interests in alternative ways.

Severely cognitively disabled individuals, for example, cannot meaningfully participate on their own or be discursive representatives (see below). However, their participation can be accommodated through the inclusion of their caregivers. Contributions to the deliberative system can take place, while receiving assistance from others, in a manner not much different from everyone else.

In the next sections, I outline the specific ways in which the systemic turn with its recognition of interdependence has opened up opportunities for participation of CD individuals. These are: (1) a more generous account of *deliberative* speech acts and behaviors; (2) recognition of the role enclaves; and (3) incorporating the role of discursive representatives. These changes *normalize* the participation of CD individuals and suggest *institutional opportunities* for more effective participation.

1. Expanding the Scope of Speech Acts

As noted in the previous section, the deliberative systems approach envisages participation in the public sphere as a form of "division of labor." This means that it does not require "every citizen [. . .] to be equally knowledgeable" or to "become an ideal deliberator" in order to meet the deliberative ideal at every moment or instance of deliberation.[48]

This is an important and consequential shift. Much of the literature on deliberative democracy has focused on *deliberative ideals*—sets of desired preconditions and behaviors—that have to be met in order for a deliberative democratic endeavor to be deemed successful. The aim has been to design settings that match the ideal deliberative conditions with the hopes that the setup can guarantee the fulfilment of the desired outcomes associated with deliberation. These ideals have similarly been used to judge the quality of speech in highly controlled deliberative moments.[49]

These ideals, however, have been the source of much criticism lodged against deliberative democracy. Put simply, critics have pointed to the ways in which ideals of rational and dispassionate discourse can limit the full participation of the most marginalized members of society and contribute to the reproduction of gaps in discursive time and influence.[50]

The deliberative systems approach comes out of the recognition that these ideals are likely unachievable in practice in every instance of deliberation. While we may try to replicate these ideal preconditions and behaviors within highly structured small deliberations, communication on the ground is messier and more complicated. The deliberative systems approach acknowledges that requiring everyone, who might be in very different social and political positions of power and influence in society, to follow the same rules will

likely undermine the emancipatory potential of deliberative democracy. As such, it expands the range of acceptable behaviors to include behaviors that were previously considered "nondeliberative" and even "antideliberative."

An example of such behavior is that of activists and hard partisans who often engage in behavior that is characteristically antideliberative but increase the overall health of a deliberative system by opening it up to " [new] voices, interests, perspectives, and claims."[51] Other examples of antideliberative behavior can include "Kill cops" or "All my heroes kill cops"—both of which have been used in protests against police brutality. Alternatively, "All men are trash" or "Men are scum" are examples of antideliberative statements made during the height of #MeToo movement on Facebook and Twitter. While these speech acts do not fit the deliberative ideal of respect, the systems approach does not dismiss them since they are statements made by members of groups who have been historically marginalized and have been victims of failures of reciprocity.[52] Furthermore, the meanings of these statements are different from their first-order interpretation. Their intention is to open dialogue to include issues that are easily, historically, and structurally ignored—antiblack racism and sexual harassment and assault. Therefore, far from being defects, these speech acts fulfil deliberative goals by ensuring "new agendas, broader inclusions, publicity for important causes, consciousness raising, and information transmission."[53]

I retain the term nondeliberative and antideliberative since they are discussed as such in the literature on deliberative democracy. While this may denote that such behaviors are valued less, this is not the intention. They are seen as necessary, especially, in cases where speakers are marginalized and lack political and social power. In these cases, speech acts that do not strictly follow norms of respect and reciprocity are seen as a byproduct of the "material and political inequality and failures of reciprocity" that underpin the political system and are thus permissible.[54]

They are called so to distinguish them from the strict standards of behavior previously identified and touted by us (deliberative democratic theorists). The systemic turn does away with the belief that certain (*deliberative*) contributions are valuable while others (*antideliberative* and *nondeliberative*) are not. The purpose behind the use of such terms as opposed to *deliberative* is to highlight the exact fact that a deliberative system requires speech acts that are not strictly *deliberative*. [55]

People with cognitive disabilities who face marginalization, inequality, and failures of reciprocity fit this mandate. While the literature on deliberative systems approach has been silent on whether we can expand the definition and scope of what counts as deliberative speech beyond verbal communication, its concern with including as many ideas, perspectives, voices, and claims

necessitates this expansion nonetheless. This means that their participation, even if it does not conform to previously held deliberative ideals, is not only justified but considered valuable in a deliberative system.[56]

What does this look like? First, it would involve moving beyond simply "[making] transparent the *reasonings* behind positions"[57] to publicizing not only the experiences of individuals and groups but also highlighting the ways in which their manner of living in the world might substantially and meaningfully differ from our own.

For example, imagine a public deliberation over government funding for music programs in schools, in community or assisted living facilities, and in part-day community centers. Reasons for such funding would include a range of interests from the importance of art and music in boosting cognitive development, to reducing stress, to preserving cultural heritage. However, for CD people, their parents, and their caregivers, music does not only have therapeutic benefits[58] but often serves as a method of communication—a way for CD individuals to express their mood, interests, and even ideas. Consider the case of a CD individual who enjoys, demonstrated through smiles and movements, listening to Bach concertos suddenly not reacting or reacting negatively to the music—preferring instead, perhaps, Brahms string quintets. Such a shift may indicate a change in musical interests, a desire for fresh music, or perhaps physical or mental unease or illness.

Alternatively, consider the case of Jam2Jam, an online tool that "provides the resources for [. . .] loosely structured musical performances" or jamming.[59] Jam2Jam is innovative, as it enables improvisation through easy drag and drop tools and "the opportunity to develop musical ideas through the observation and imitation of others,"[60] encouraging both "experimentation and engagement"[61] and a robust exercise of aesthetic agency for individuals with intellectual disability.

These examples demonstrate how the description of lived experiences that are radically and meaningfully different from ours can form the basis of a reason that we would not have had access to otherwise. If music is seen as necessary for communication and expression of agency, our assessment of its importance and its associated costs will be radically different than if we conceive of it merely as a tool for cognitive development or a product of our culture.

Second, it requires an acknowledgement that these contributions might not be made in exactly the same way or to the same degree as those members of society who are able-bodied and able-minded. These contributions may be made through embodied participation, including body posture, stance, and facial expressions. They also include partial or intermittent speech and assisted speech through caregivers or communication devices, as well as writing, typing, or pointing using purpose-built tools.

Expanding the scope of allowable contributions means that participation can be *embodied* in addition to, or even instead of, verbal.[62] Embodied participation or "the physical presence of disabled bodies [and minds]" can "[provoke] new conversations similar to rational speech acts."[63] Once again, this is not radically different for able-minded and able-bodied individuals. We frequently convey messages and pose questions using nonverbal cues and gestures. Think of "an awkwardly placed elbow and a subtly raised eyebrow,"[64] or a nod and a smile, and how they can affect a conversation. Since we take notice of such behavior when they are carried out by able-bodied and able-minded individuals, it makes little sense to exclude such behavior as forms of participation when they are exhibited by CD individuals.

This expansion also encompasses partial and assisted speech and takes into account the importance of the role that may be played by caregivers by *supporting* or, in some cases, even contributing in *place of* those with disabilities. Under these circumstances participation may rely on "collaborative speech" that coordinates "speech and actions [. . .] among differently situated" individuals.[65] In doing so, it "[integrates] the political needs of individuals who have little ability to articulate their own demands."[66] Such collaboration may require mediation from coaches and translators. This may take the form of, first, translating the communication from other participants, experts, and written material into more easily understandable language for CD individuals, and second, translating the communications of CD participants to others, if need be.[67] This requires us to, first, be sensitive to the specific ways in which CD people can claim their voice within deliberative systems and the particular forms of accommodation that they may need in order to do so.

Second, it highlights the importance of communicative responsiveness on the part of the collaborators in order to ensure that the speech best represents the volitions of CD individuals. Communicative responsiveness refers to the degree to which the caregiver responds to the reactions of the person they are representing. Being responsive requires continuous *reflection* and *checking in* on the part of the caregiver to ensure the accuracy of his or her interpretation and satisfaction of the represented.[68] Without robust communicative responsiveness, we run the risk of undermining CD subjects' ability to claim their own voice and exercise their agency within deliberative systems by assuming that our situated understanding and interpretations of their needs, views, and goals are objective.[69]

2. Role of Enclaves

Another consequence of recognizing the interdependence within deliberative systems is that the role and goals of enclave deliberations are taken more

seriously. Enclaves consisting of individuals with varying degrees of cognitive disabilities; their caregivers, coaches, and family members; activists; and advocates can increase inclusivity, empower participation, and strengthen the influence of CD individuals.

We have long accepted that enclave publics—which differ in their demographic makeup and size from "the Public Sphere"—are necessary to ensure that the emancipatory potential of deliberative democracy is fulfilled. Subpublics, counterpublics, social enclaves, and "alternative" publics have all been suggested as possibilities.[70] Enclaves made up of marginalized and disempowered groups can incentivize their participation, enlarge the pool of opinions and ideas included within the deliberative system, and equalize speaking time since people in enclaves are more comfortable "to confront disagreement, and [therefore] are more likely to speak."[71]

Most importantly, enclaves provide disadvantaged groups with an "opportunity to develop their own unique arguments and preferences"[72] and put words to their common experiences. In doing so, enclave deliberation can be a solution to the problems of hermeneutical or conceptual exclusion faced by many marginalized groups. Hermeneutical exclusion undermines the ability of marginalized groups to participate in two ways—first, it can "[inhibit]" their ability "to express certain political claims"; and second, it can "[reduce] the likelihood that their political claims will be easily assessable by the public at large."[73] Enclave deliberations can, therefore, provide a space for marginalized groups to put words to their common experiences, as a *first step*, in order to more effectively partake in deliberation.

From this description, it becomes clear why enclaves are key in thinking about the inclusion of CD individuals in deliberative systems. Enclaves can provide a space where people with cognitive disabilities can share, to the best of their abilities, their experiences with one another. They can develop their own voice and unique perspectives, highlight their interests and needs, and "create [and comment on] joint experiences."[74]

An example of such an enclave is a 2011 Citizens' Jury for people with disabilities in Finland. The Citizen's Jury in question was implemented by the National Development Programme for Services for People with Disabilities. The purpose of the Citizens' Jury was "to strengthen the voice of people with disabilities and to offer a new way of influencing societal decision-making, especially related to disability policies."[75] Participants in the Citizens' Jury included those with physical and mental disabilities, hearing and visual impairments, and individuals with mental and neurological disorders.[76] In order to ensure their effective participation, they were "contacted beforehand to make sure that everything would function according to their needs."[77] As a

result, their assistants were included within the deliberation and "aids were provided."[78]

This example demonstrates the value of enclaves. By being able to control their own participants, settings, rules, and subject matter, enclaves become useful interventions in enabling a richer and more inclusive account of participation—one that incorporates people with cognitive disabilities.

Furthermore, enclaves can more easily incorporate the contributions of CD individuals who may in some occasions require and benefit from the aid of coaches, caregivers, parents, advocates, and activists. But most importantly, enclave deliberations create the conditions for participation by CD individuals that is not simply delegated out to their caregivers and advocates who will *speak on behalf* of individuals with disabilities. In doing so, they preserve the authentic and agential voice and lives of individuals with disabilities while recognizing that they may, at times, need more assistance, time, and tools to fully participate.

However, it is important to note that enclave deliberation, properly conceptualized and operationalized, is only a first step intervention as part of the larger deliberation in the public sphere that includes a larger and more diverse set of participants. Enclaves such as those implemented in Finland can and should become standard within any deliberative engagement. We can envisage a scenario in which PWD deliberate within a smaller group—their own enclave—for the first few rounds of deliberation, before switching tables and continuing the process with other interlocuters. Similarly, we can contemplate the ways in which (self)advocacy and support organizations for CD individuals can be included as experts within deliberation or as discursive representatives in legislative debates and stakeholder consultations during policy-making processes.

3. Discursive Representatives

Deliberative systems approach takes seriously the task and importance of discursive representation. I borrow the term from John Dryzek who defines it as the "the representation of discourses"[79] that "involves (in [Anne] Phillips's terms) a 'politics of ideas.'"[80] While Dryzek sets his notion of discursive representation apart from Iris Marion Young's notion of "communicative democracy" in which more "complex representations of perspectives, interests, opinions, and groups" are required,[81] I expand Dryzek's definition to include representation of perspectives, interests, and experiences as well. Discursive representation is not a new phenomenon. In reality, "given the limits on number of participants, real-world deliberation is inherently representative."[82]

Discursive representation is not about the representation of "selves" but rather representation of discourses, perspectives, and lived experiences. This means that it can never find "complete resonance with any individual" but rather "partial resonance with many."[83] It always remains limited in its ability to fully counter the challenges posed by cognitive disability to deliberative democracy's *all-affected* principle.

Discursive representation, properly conceptualized and put to use, serves three important functions within a deliberative system. First, it connects the independent parts of the deliberative system to one another.[84] It connects the space in which public opinion is formed with few to no restrictions to the space in which rigorous deliberation and formal decision-making take place.[85]

Second, it has a transformative and emancipatory force as well. "Representing a previously marginalized discourse may mean that a particular category of people gets constituted as agents within the discourse."[86] This newly constituted agency comes about through two functions—first, by introducing new discourses, lived experiences, and concerns into the deliberation, and second, by giving weight and standing to these discourses that might have otherwise been ignored and further marginalized.

Finally, discursive representation alleviates some of the practical difficulties in fulfilling the *all-affected* principle. Discursive representation expands the participation of *all-affected* to their representatives as well. In doing so, it allows us to "redeem the promise of deliberative democracy when the deliberative participation of all affected by a collective decision is infeasible."[87]

In the context of cognitive disability, discursive representation allows us to expand the notion of participation in a deliberation to include representation of not only the interests, values, and views of those who are (temporarily) unable to do so on their own, but their emotions, lived experiences, daily achievements, and struggles.

Discursive representatives function as representatives and translators. They are translators insofar as they are tasked with generalizing and making comprehensible the contributions of those who would otherwise be misunderstood or less understood. They are representatives insofar as they stand in for the discourses that CD individuals would contribute to the larger pool if they could. Discursive representation further allows for and envisions a role for activists and (self)advocates who often give voice to the experiences shared by CD individuals.

I want to emphasize at this point that I am far from arguing that we can simply resolve the issue of exclusion by having CD individuals be represented by able-bodied and able-minded representatives. Indeed, we can think of "Marc Trudel, a 22 year old with autism, and Brian Heffernan" with Down Syndrome who, in 2019, testified "before the Joint Committee on Higher

Education" of Massachusetts in support of inclusive higher education,[88] or Elizabeth Weintraub, a "senior advocacy specialist at the Association of University Centers on Disabilities" with "cerebral palsy and an intellectual disability" testifying before the United States Senate against the confirmation of Brett Kavanaugh,[89] as effective discursive representatives. These examples clearly demonstrate that discursive representatives can and should be those who have the physical and social experience of cognitive disability.

While CD discursive representatives have existed and carried out the task of representation and (self)advocacy, the systemic turn creates opportunities for discursive representation to be institutionalized and mainstreamed within a deliberative system. Within a deliberative system, discursive representation can be built into the system in a way to increase the agency and empowerment of disabled individuals. This can be achieved by *sequencing* deliberation. This means allowing for moments and spaces of deliberation that are less concerned with a substantive airing of issues, resolving conflict, and reaching agreements, and more oriented toward capacity building and communicative training.[90]

In this sense, the early phase of deliberation can become an opportunity for all parties to hone their skills for participation. This is different from an enclave deliberation, previously discussed, because the goals are not to deliberate on common and new concerns but rather to find ease with the task of deliberation and with the demands of representation. During this stage, CD individuals who feel ready to take on the task of deliberation and representation in the larger system can be chosen as discursive representatives from the group. The task of deliberative democrats is to mainstream the participation and contribution of CD discursive representatives in real-world deliberations in more systemic and continuous ways. Contributions of discursive representatives such as Marc Trudel, Brian Heffernan, Elizabeth Weintraub, Sarah Trites, Kile Pelletier, and Kathy Bates, to name a few, need to be incorporated—if not mainstreamed—within the deliberative system and heard from during every local, national, and transnational legislative debate, deliberation, and policy-making process.

Discursive representation respects the difference between CD individuals and able-bodied and able-minded people. This means that it does not erase their unique and broadly different experience of the world or their voices, concerns, and needs. It does not simply delegate these out to caregivers and coaches who, often with the best of intentions, can only go so far as to represent their own voices, concerns, and needs in relation to the CD people for whom they care.

Discursive representation is only a part of the larger puzzle of a deliberative system that is open to different forms of participation and the different

ways *voice* can be expressed even in the absence of the physical or mental ability to do so. While it is not a panacea to the exclusion of disabled citizens, it is a way to ascertain that diverse discourses and lived experiences are included in both arenas of deliberation and decision-making.

Disabled Lives in Deliberative Systems

The driving force behind this essay is a concern with the seemingly accepted and disregarded exclusion of people with cognitive disabilities from theories of political deliberation and participation. This concern is rooted in four key contentions. First, at a bare minimum, we should be concerned with both formal and informal barriers to the participation of people with disabilities in public political life. Continued, and often enforced, silence, marginalization, and exclusion of segments of a citizenry pose not only ethical and moral problems but challenge the practical legitimacy of a democratic state. While we have made some headway, we are a long ways off from ensuring the full enfranchisement and participation of people with disabilities. The transition from guardianship laws to assisted decision-making demonstrates how far we have come and how far we still need to go.[91]

Second, people with disabilities should be able to raise questions and voice concerns about issues that affect them in everyday life. This is necessary to ensure that our democratic state is open and responsive to the claims made by individuals who reside in it. This may require us to rethink some of our approaches and institutional measures to make the system more accessible, open, and assistive. Such changes, far from undermining core democratic principles of freedom and autonomy, make their fulfillment possible. This is not a task that can be easily relegated and delegated out to caregivers and advocates—though their roles are crucial within the system. It is crucial for CD individuals to retain their ability to self-define and self-advocate. In many ways, the (lack of) definition of *disability* in the United Nations Convention of the Rights of People with Disabilities is a step toward the right direction. It allows PWD to define what counts as a disability and what does not for themselves. As Collins would remind us, self-definition or "speaking for oneself and crafting one's own agenda is essential to empowerment." When this power rests with others, "no matter how well-meaning or supportive of [CD individuals] they may be," "existing power hierarchies" are replicated.[92]

Third, and directly connected to the previous point, people with disabilities should have a say and influence in the decisions that will directly or indirectly affect their lives. Without attempting to make this possible, the *all-affected* principle will be inapplicable to some members of society. This should be a key concern for us all since the *all-affected* principle is an

interdependent concept. This means that my ability to draw on this principle to make claims in society depends on the ability of others to do the same, and vice versa. While we may likely never achieve the complete fulfillment of this principle, it does not mean that we can simply abandon our attempts to do so—after all, as disability activists would remind us, "nothing about us without us."[93]

Finally, being able to participate in democratic decision-making processes, including the highly deliberative ones, increases the visibility of individuals and groups in society and strengthens their standing as equal members worthy of respect and dignity.

My aim in this essay has been to show how the systemic turn in deliberative democracy has created opportunities for us to, first, normalize the participation of CD individuals; and, second, suggest institutional innovations to increase this participation and ensure its effectiveness. The recognition of the interdependence of individuals and institutions upon each other in a deliberative system is key to my endeavor. This recognition means that we can accept and engage with different forms of participation—intermittent, embodied, and assisted. It also means that we can make better use of enclaves and mainstream the presence of discursive representatives to ensure that people with cognitive (and indeed, physical) disabilities are not an afterthought, if not forgotten altogether.

However, it behooves us not to lose sight of the danger of assuming that this inclusion would come without proper accommodative measures. Such measures are necessary in both physical spaces as well as cyber ones. They can include mainstreaming the integration of assistive communication devices and tools, normalizing collaborative speech, and supporting enclave communities, in either short- or long-term basis, "in addition to treatment and rehabilitation services."[94]

They can further include reducing barriers to electronic communication by accommodating diverse conditions and needs.[95] This is particularly important in order to the enhance the accessibility to online democracy tools, information, and services that can greatly increase the opportunities for CD individuals to have their voices heard in our democracies.[96]

Finally, it also requires us to remain cognizant of the ways in which the set-up of deliberative engagements can be ableist. A non-ableist approach to deliberative democracy requires that we pay attention to how simple things that we take for granted can exclude individuals from participating. If for instance, an invitation to deliberative engagement is sent "only through written information," it can discourage or exclude those individuals with "dyslexia or limited vision." If we hold the engagement in a building with no or limited wheelchair access, "persons with limited mobility" will be left out. If

we choose to deliberate "in a room with poor acoustics" or one "filled with sensory stimulates" such as "flickering [. . .] lights," those with hearing and attention challenges and individuals on the autism spectrum are respectively shut out.[97] Finally, if the organizers do not take into account the prohibitive costs associated with assistive technologies as well as human assistants, participation of many PWDs, especially CD individuals, will be undermined. A non-ableist theory of deliberative democracy recognizes that in order to deliver on the possibilities of participation of cognitively disabled individuals, we need to remain reflective and responsive to the conditions that enable that participation.

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Notes

1. Barbara Arneil, "Disability in Political Theory Versus International Practice: Redefining Equality and Freedom," in *Disability and Political Theory*, ed. Barbara Arneil and Nancy J. Hirschmann (Cambridge, United Kingdom: Cambridge University Press, 2016), 28.
2. Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy* (Cambridge, MA: MIT, 1996), 365.
3. At this point, I should acknowledge that I use terms such as disabled *citizenship* and cognitively disabled *citizens.* While the argument advanced in this essay can

apply to any person or groups who participate in deliberative processes, I have chosen to focus on citizens here since with very few exceptions, the literature on deliberative democracy focuses on citizens. The reason is that deliberative democracy does not claim to be an alternative to aggregative and representative democracy. It is instead an addition. Since aggregative and representative democratic institutions are nearly all limited to citizens, this limitation is carried over here as well. I am far from suggesting that this limitation is normatively desirable. However, it is a limitation that is commonly accepted when discussing democratic decision-making processes of any kind.

4. Jonathan Kuyper, "Democratic Deliberation in the Modern World: The Systemic Turn," *Critical Review* 27, no. 1 (2015): 54.

5. See Jane Mansbridge et al., "A Systemic Approach to Deliberative Democracy," in *Deliberative Systems: Deliberative Democracy at the Large Scale* (2012), John Parkinson and Jane Mansbridge (eds.), Cambridge: Cambridge University Press: 1, 4–5; Yannis Papadopoulos, "On the Embeddedness of Deliberative Systems: Why Elitist Innovations Matter More," in *Deliberative Systems: Deliberative Democracy at the Large Scale* (2012), John Parkinson and Jane Mansbridge (eds.), Cambridge: Cambridge University Press: 145.

6. Anna Arstein-Kerslake, *Restoring Voice to People with Cognitive Disabilities* (Cambridge, United Kingdom: Cambridge University Press, 2017), 220.

7. Eva Feder Kittay and Licia Carlson, *Cognitive Disability and Its Challenge to Moral Philosophy* (Maldon MA: John Wiley & Sons, 2010), 1, n.1.

8. UNCRPD, "Convention on the Rights of Persons with Disabilities : Resolution," in *A/RES/61/106* (UN General Assembly, 2007), para. E.

9. Jürgen Habermas, "Popular Sovereignty as Procedure," in *Deliberative Democracy: Essays on Reason and Politics*, ed. James Bohman and William Rehg (Cambridge, MA: The MIT Press, 1997), 55.

10. Ibid., 56.

11. Thomas Hobbes, *Leviathan* (Oxford; New York: Oxford University Press, 1998), 58.

12. Ibid., 139.

13. Ibid., 31.

14. John Locke, *Two Treatise of Government and a Letter Concerning Toleration*, ed. Ian Shapiro (New Haven: Yale University Press, 2003), 125.

15. Ibid., 141.

16. Ibid., 125.

17. Jean-Jacques Rousseau, *Discourse on Political Economy and the Social Contract*, trans. Christopher Betts (Oxford: Oxford University Press, 1994), 137.

18. For a more in-depth discussion of disability within political theory, especially social contract theory, see Barbara Arneil, "Disability, Self Image, and Modern Political Theory," *Political Theory* 37, no. 2 (2009); Arneil, "Disability in Political Theory"; Lucas G. Pinheiro, "The Ableist Contract: Intellectual Disability and the Limits of Justice in Kant's Political Thought," in *Disability and Political Theory*, ed. Barbara Arneil and Nancy Hirschmann (New York:

Cambridge University Press, 2017); Stacy Clifford, "The Capacity Contract: Locke, Disability, and the Political Exclusion of 'Idiots,'" *Politics, Groups, and Identities* 2, no. 1 (2014); Stacy Clifford Simplican, *The Capacity Contract: Intellectual Disability and the Question of Citizenship* (Minneapolis: University of Minnesota Press, 2015).

19. Sofia Näsström, "The Challenge of the All-Affected Principle," *Political Studies* 59, no. 1 (2011): 117.

20. Habermas, *Facts and Norms*, 107.

21. Simone Chambers, "Deliberative Democratic Theory," *Annual Review of Political Science* 6, no. 1 (2003): 308.

22. Afsoun Afsahi, "Can We Talk? Examining Willingness and Facilitating Deliberative Capital" (PhD diss., University of British Columbia, 2016), 40.

23. Jürgen Habermas, *The Theory of Communicative Action*, trans. Thomas McCarthy (Boston: Beacon Press, 1984), 22; also see, James Bohman, "Critical Theory as Practical Knowledge: Participants, Observers, and Critics," in *The Blackwell Guide to the Philosophy of the Social Sciences*, eds. Stephen P. Turner and Paul A. Roth (Malden, MA: Blackwell Publishing, 2003), 97.

24. Habermas, *The Theory of Communicative Action*, 17; also see, Christian F. Rostboll, *Deliberative Freedom: Deliberative Democracy as Critical Theory* (Albany: SUNY Press, 2008); Marit Hammond, "Deliberative Democracy as a Critical Theory," *Critical Review of International Social and Political Philosophy* 22, no. 7 (2019).

25. Sue Donaldson and Will Kymlicka, "Rethinking Membership and Participation in an Inclusive Democracy: Cognitive Disability, Children, Animals," in *Disability and Political Theory*, ed. Barbara Arneil and Nancy J. Hirschmann (Cambridge, United Kingdom: Cambridge University Press, 2016), 169.

26. This exclusion is remarkable considering that Jürgen Habermas recognizes "dependence [as] a universal human characteristic" and admits that "non-verbal speech pervades non-ideal settings." Stacy Clifford, "Making Disability Public in Deliberative Democracy," *Contemporary Political Theory* 11, no. 2 (2012): 224, 14.

27. Lincoln Dahlberg, "The Habermasian Public Sphere and Exclusion: An Engagement with Poststructuralist-Influenced Critics: The Habermasian Public Sphere," *Communication Theory* 24, no. 1 (2014): 27.

28. Consider, for example, the context of Finnish Health Care Reform. Consultation with a group of Finnish Citizens as well as representatives of Finnish patient and disability NGOs demonstrated that "respondents [including a survivor of polio] did not have much trust in the knowledge of decision-makers" to make decisions about healthcare without having the requisite knowledge of the experiences of other individuals, including those with cognitive and physical disabilities. See Harri Raisio, "The Public as Policy Expert: Deliberative Democracy in the Context of Finnish Health Care Reforms and Policies," *Journal of Public Deliberation* 6, no. 2 (2010): 27. This case clearly demonstrates the importance, including the voice and experience, of PWDs in decisions that affect their lives.

29. For example, CD individuals are barred from participating in elections in several European countries, including Bulgaria, Hungary, the Czech Republic, Denmark, Estonia, Greece, Lithuania, Luxembourg, Malta or Poland, and Portugal, among others. See European Union Agency for Fundamental Rights, *The Right to Political Participation of Persons with Mental Health Problems and Persons with Intellectual Disabilities* (Belgium 2010).

30. Lisa Schur et al., "Enabling Democracy: Disability and Voter Turnout," *Political Research Quarterly* 55, no. 1 (2002); Lisa Schur, Mason Ameri, and Meera Adya, "Disability, Voter Turnout, and Polling Place Accessibility," *Social Science Quarterly* 98, no. 5 (2017).

31. UN Department of Economic and Social Affairs, *Disability and Development Report: Realizing the Sustainable Development Goals by, for and with Persons with Disabilities* (New York: United Nations 2019), 34.

32. Ibid., 32, also 73.

33. Ibid., 47.

34. John S. Dryzek, *Foundations and Frontiers of Deliberative Governance* (Oxford: Oxford University Press, 2010), 66.

35. Jane Mansbridge, "Everyday Talk in the Deliberative System," in *Deliberative Politics: Essays on Democracy and Disagreement*, ed. Stephen Macedo (Oxford: Oxford University Press, 1999), 228.

36. Edana Beauvais and Mark E Warren, "What Can Deliberative Mini-Publics Contribute to Democratic Systems?" *European Journal of Political Research* 58, no. 3 (2019): 895.

37. Amy Gutmann and Dennis Thompson, *Why Deliberative Democracy?* (Princeton: Princeton University Press, 2004), 3 (emphasis added).

38. Donald D. Searing et al., "Public Discussion in the Deliberative System: Does It Make Better Citizens?" *British Journal of Political Science* 37, no. 04 (2007).

39. Simone Chambers, "A Critical Theory of Civil Society," in *Alternative Conceptions of Civil Society*, ed. Simone Chambers and Will Kymlicka (Princeton: Princeton University Press, 2002), 92.

40. I make this point by tracing Kant's emphasis on interdependence across his different writings, including *Critique of Pure Reason, Critique of Judgment*, the *Rechtslehre*, and his shorter political writings. See Afsoun Afsahi, "Kantian Democracy: Interdependence, Legitimacy, and Progress," *Telos* 188, fall 2019.

41. Ibid., 196.

42. Ibid., 174.

43. For an alternative view, see Robert E. Goodin, "Democratic Deliberation Within," in *Debating Deliberative Democracy*, ed. James S Fishkin and Peter Laslett (Malden, MA: Blackwell, 2003).

44. Simone Chambers, "The Many Faces of Good Citizenship," *Critical Review* 25, no. 2 (2013): 202.

45. Toby Rollo, "Everyday Deeds: Enactive Protest, Exit, and Silence in Deliberative Systems," *Political Theory* 45, no. 5 (2017): 601.

46. Arneil, "Disability, Self Image, and Modern Political Theory," 234.

47. Arneil, "Disability in Political Theory," 41.

48. Simone Chambers, "Balancing Epistemic Quality and Equal Participation in a System Approach to Deliberative Democracy," *Social Epistemology* 31, no. 3 (2017): 268.

49. See Marco R. Steenbergen et al., "Measuring Political Deliberation: A Discourse Quality Index," *Comparative European Politics* 1, no. 1 (2003).

50. See Andrea Cornwall and Anne Marie Goetz, "Democratizing Democracy: Feminist Perspectives," *Democratisation* 12, no. 5 (2005); Nancy Fraser, "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy," *Social Text* 25–26 (1990); Ilan Kapoor, "Deliberative Democracy or Agonistic Pluralism? The Relevance of the Habermas-Mouffe Debate for Third World Politics," *Alternatives: Global, Local, Political* 27, no. 4 (2002); Tali Mendelberg, Christopher F Karpowitz, and J. Baxter Oliphant, "Gender Inequality in Deliberation: Unpacking the Black Box of Interaction," *Perspectives on Politics* 12, no. 01 (2014); Chantal Mouffe, "Deliberative Democracy or Agonistic Pluralism?" *Social Research* 66, no. 3 (1999); Lynn M. Sanders, "Against Deliberation," *Political theory* 25, no. 3 (1997); Iris Marion Young, "Activist Challenges to Deliberative Democracy," *Political Theory* 29, no. 5 (2001); Melissa Williams, "The Uneasy Alliance of Group Representation in Deliberative Democracy," in *Citizenship in Diverse Societies*, ed. Will Kymlicka and Wayne Norman (London: Oxford University Press, 2000).

51. Chambers, "Good Citizenship," 207; also see John Parkinson, *Deliberating in the Real World: Problems of Legitimacy in Deliberative Democracy* (Oxford: Oxford University Press, 2006), 96.

52. It should be emphasized that this expansion of "deliberative" speech acts is cognizant of unequal power relations in society and is geared toward increasing inclusivity in deliberative systems by ensuring that the most marginalized are not excluded by the strict rules of deliberation. As such, the latitude to make speeches that directly undermine deliberative ideals does not extend to speech acts that are geared toward further marginalization of traditionally excluded groups. For example, racist speech such as "shoot all N******" would not be given the same treatment in a deliberative system.

53. Chambers, "Good Citizenship," 203.

54. David Owen and Graham Smith, "Survey Article: Deliberation, Democracy, and the Systemic Turn," *Journal of Political Philosophy* 23, no. 2 (2015): 225.

55. I recognize the danger that such a characterization runs the risk of excluding CD individuals from deliberative democratic theory and practice. However, I have decided to keep these terms in order to speak to the larger literature on deliberative democracy that makes use of such concepts.

56. This move can leave the deliberative system with certain "limitations, exclusions, blind spots, and some communication that is very un-deliberative" and the likely possibility of *poor*- or low-quality deliberation at certain times and spaces within the larger system. However, it does not undermine the quality of deliberation in the system as whole since "low deliberative quality in one location [. . .] may be compensated by, or even inspire, high deliberative quality in another location." Dryzek, *Foundations and Frontiers*, 131, 40.

57. Marian Barnes, "Passionate Participation: Emotional Experiences and Expressions in Deliberative Forums," *Critical Social Policy* 28, no. 4 (2008): 469.

58. Music therapy can help in both the acquisition and strengthening of skills necessary for communication in CD individuals. See, for example, Tony Meadows, "Music Therapy for Children with Severe and Profound Multiple Disabilities: A Review of Literature," *Australian Journal of Music Therapy* 8, no. 1997 (1997); Mary M. Rainey Perry, "Relating Improvisational Music Therapy with Severely and Multiply Disabled Children to Communication Development," *Journal of Music Therapy* 40, no. 3 (2003); Jeff Hooper, "Using Music to Develop Peer Interaction: An Examination of the Response of Two Subjects with a Learning Disability," *British Journal of Learning Disabilities* 30, no. 4 (2002); Darren Savarimuthu and Toni Bunnell, "The Effects of Music on Clients with Learning Disabilities: A Literature Review," *Complementary Therapies in Nursing and Midwifery* 8, no. 3 (2002).

59. Barbara Adkins et al., "Digital Technologies and Musical Participation for People with Intellectual Disabilities," *New Media & Society* 15, no. 4 (2013): 506.

60. Ibid., 507.

61. Ibid., 514.

62. The notion of embodied presence and experience is well-situated within feminist literature. Feminist theories have effectively argued and demonstrated that politics does not treat all bodies equally. Political equality, therefore, does not extend to those "certain bodies, ostensibly more embodied than others," that are more likely to be excluded. Amanda Machin, "Deliberating Bodies: Democracy, Identification, and Embodiment," *Democratic Theory* 2, no. 1 (2015): 44. Alongside of this exclusion, we also see that some bodies are more likely to be privileged. Female bodies, bodies of individuals of color, and disabled bodies all fall into the category of "more embodied" and are routinely and systematically excluded. See, also, Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* (New York: Routledge, 2000); Combahee River Collective, "A Black Feminist Statement," *Monthly Review* 70, no. 8 (2019); Donna Haraway, "Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective," *Feminist Studies* 14, no. 3 (1988); Audre Lorde, "The Master's Tools Will Never Dismantle the Master's House," in *Sister Outsider: Essays and Speeches* (Berkeley, CA: Crossing Press, 2007).

63. Clifford, "Making Disability Public," 211.

64. Machin, "Deliberating Bodies: Democracy, Identification, and Embodiment," 47.

65. Clifford, "Making Disability Public," 223.

66. Ibid., 220. Clifford uses the example of Sue Swenson and her son Charlie to demonstrate what embodied participation and collaborative speech look like. Sue took her son with her to the United Nations's drafting of the Convention on the Rights of Persons with Disabilities. Through his presence at the UN, Charlie was able to "[express] a wide array of needs that the delegation had formally

neglected" through "his body, grunts and surrounded by his support team." This demonstrated the fallibility of the belief that a "delegation of disabled advocates could intuit" the "political rights and needs" of PWD and "represent their needs autonomously." Ibid., 221.

67. See Amber Knight, "Democratizing Disability: Achieving Inclusion (without Assimilation) through 'Participatory Parity,'" *Hypatia* 30, no. 1 (2015).

68. Communicative responsiveness corresponds to Nodding's "completion of care" and Tronto's "reception of care;" Nel Noddings, *Caring, a Feminine Approach to Ethics & Moral Education* (Berkeley: University of California Press, 1984); Joan C. Tronto, *Moral Boundaries: A Political Argument for an Ethic of Care* (New York: Routledge, 1993). It is also similar to "the important but neglected idea that actions intended as care require that the individual being cared for accepts them in order for the actions to be considered care." Eva Feder Kittay, "The Completion of Care—with Implications for a Duty to Receive Care Graciously," in *Care Professions and Globalization: Theoretical and Practical Perspectives*, ed. Ana Marta González and Craig Iffland (New York: Palgrave Macmillan, 2014), 33.

69. For a discussion of the dangers of *speaking for others* without proper communicative responsiveness, *see* Linda Alcoff, "The Problem of Speaking for Others," *Cultural Critique*, no. 20 (1991); Chandra Mohanty, "Under Western Eyes: Feminist Scholarship and Colonial Discourses," *Feminist Review* 30, no. 1 (1988); Ann DuCille, "The Occult of True Black Womanhood: Critical Demeanor and Black Feminist Studies," *Signs: Journal of Women in Culture and Society* 19, no. 3 (1994); Joan W. Scott, "The Evidence of Experience," *Critical Inquiry* 17, no. 4 (1991); Uma Narayan, "The Project of Feminist Epistemology: Perspectives from a Nonwestern Feminist," in *The Feminist Standpoint Theory Reader: Intellectual and Political Controversies*, ed. Sandra G. Harding (London: Routledge 2004).

70. See James Bohman, *Public Deliberation: Pluralism, Complexity, and Democracy* (Cambridge, MA: MIT Press, 1996); Fraser, "Rethinking the Public Sphere"; Mansbridge, "Everyday Talk"; Habermas, *Facts and Norms*, respectively.

71. Michael Warren Habegger, "Learning to Do Democracy: Deliberative Capacity in Political Blogging Communities" (PhD diss., Virginia Tech, 2011), 107.

72. Christopher F. Karpowitz and Chad Raphael, *Deliberation, Democracy, and Civic Forums: Improving Equality and Publicity* (New York: Cambridge University Press, 2014), 143.

73. Brandon Morgan-Olsen, "Conceptual Exclusion and Public Reason," *Philosophy of the Social Sciences 40(2)* (2009): 215; also see Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (Oxford: Oxford University Press, 2007).

74. C. J. Nierse and T. A. Abma, "Developing Voice and Empowerment: The First Step Towards a Broad Consultation in Research Agenda Setting: Developing Voice and Empowerment," *Journal of Intellectual Disability Research* 55, no. 4 (2011): 416.

75. Harri Raisio, Katja Valkama, and Elina Peltola, "Disability and Deliberative Democracy: Towards Involving the Whole Human Spectrum in Public Deliberation," *Scandinavian Journal of Disability Research* 16, no. 1 (2014): 85.

76. Ibid.

77. Ibid., 86.

78. Ibid., 85.

79. Dryzek, *Foundations and Frontiers*, 43.

80. Ibid., 52.

81. Ibid., 46; also see Iris Marion Young, "Communication and the Other: Beyond Deliberative Democracy," in *Democracy and Difference: Contesting the Boundaries of the Political*, ed. Seyla Benhabib (Princeton, NJ: Princeton University Press, 1996).

82. James Bohman, "Representation in the Deliberative System," in *Deliberative Systems: Deliberative Democracy at the Large Scale*, ed. Jane Mansbridge and John Parkinson (Cambridge: Cambridge University Press, 2012), 76.

83. Dryzek, *Foundations and Frontiers*, 58.

84. Bohman, "Representation in the Deliberative System," 73.

85. John Dryzek uses the terms *deliberative space* and *empowered space* to make this distinction clear. A deliberative system includes both "a deliberative space" that does not place constraints on *who* and *what* of participation—i.e., who can engage and what can be said—in addition to an "empowered space," which is a rigorous space for deliberative and collective decision-making. We can determine that a deliberative system is functioning properly when there is ample communication between the two spaces. Dryzek, *Foundations and Frontiers*.

86. Ibid., 51.

87. Ibid., 44.

88. Massachusetts Advocates for Children, "Advocates Testify in Support of Inclusive Higher Education Bills," Massachusetts Advocates for Children, https://massadvocates.org/advocates-testify-in-support-of-inclusive-higher-education-bills/. June 18th, 2019.

89. Robyn Powell, "'Please Do Not Vote to Turn the Clock Back': People with Disabilities Testify against Kavanaugh," *Rewire.News*. https://rewire.news/article/2018/09/11/please-do-not-vote-to-turn-back-the-clock-people-with-disabilities-testify-against-kavanaugh/. September 11th, 2018.

90. Stephanie Burkhalter, John Gastil, and Todd Kelshaw, "A Conceptual Definition and Theoretical Model of Public Deliberation in Small Face-to-Face Groups," *Communication Theory* 12, no. 4 (2002); Donald Braman, Dan M. Kahan, and James Grimmelmann, "Modeling Facts, Culture, and Cognition in the Gun Debate," *Social Justice Research* 18, no. 3 (2005); Magdalena Dembinska and Françoise Montambeault, "Deliberation for Reconciliation in Divided Societies," *Journal of Public Deliberation* 11, no. 1 (2015); John Forester, *Dealing with Differences: Dramas of Mediating Public Disputes* (Oxford University Press, 2009).

91. Shih-Ning Then, "Evolution and Innovation in Guardianship Laws: Assisted Decision-Making," *Sydney Law Review* 35 (2013).

92. Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* (Abingdon, United Kingdom: Routledge, 2002), 36.

93. See James I. Charlton, *Nothing About Us without Us: Disability Oppression and Empowerment* (Berkeley: University of California Press, 1998).

94. James M. Mandiberg, "Another Way: Enclave Communities for People with Mental Illness," *American Journal of Orthopsychiatry* 80, no. 2 (2010): 175.

95. This can mean, for example, ensuring that web platforms have options for both "simpler interfaces" that help those with "dyslexia or autism" as well as "richer multimedia interfaces" that support "users with learning disabilities." Johan Borg, Ann Lantz, and Jan Gulliksen, "Accessibility to Electronic Communication for People with Cognitive Disabilities: A Systematic Search and Review of Empirical Evidence," *Universal Access in the Information Society* 14, no. 4 (2015): 559.

96. See Paul T. Jaeger, "The Social Impact of an Accessible E-Democracy: Disability Rights Laws in the Development of the Federal E-Government," *Journal of Disability Policy Studies* 15, no. 1 (2004).

97. Raisio, Valkama, and Peltola, "Disability and Deliberative Democracy: Towards Involving the Whole Human Spectrum in Public Deliberation," 84.

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