

Experiments in Empowered Deliberative Democracy:

Introduction

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As the tasks of the state have become more complex and the size of polities larger and more heterogeneous, the institutional forms of liberal democracy developed in the nineteenth century — representative democracy plus techno-bureaucratic administration — seem increasingly ill-suited to the novel problems we face in the twenty-first century. “Democracy” as a way of organizing the state has come to be narrowly identified with territorially-based competitive elections of political leadership for legislative and executive offices. Yet, increasingly, this mechanism of political representation seems ineffective in accomplishing the central ideals of democratic politics: facilitating active political involvement of the citizenry, forging political consensus through dialogue, devising and implementing public policies that ground a productive economy and healthy society, and, in more radical egalitarian versions of the democratic ideal, assuring that all citizens benefit from the nation’s wealth.

The Right of the political spectrum has taken advantage of this apparent decline in the effectiveness of democratic institutions to escalate its attack on the very idea of the affirmative state. The only way the state can play a competent and constructive role, the Right typically argues, is to dramatically reduce the scope and depth of its activities. In addition to the traditional moral opposition of libertarians to the activist state on the grounds that it infringes on property rights and individual autonomy, it is now widely argued that the affirmative state has simply become too costly and inefficient. The benefits supposedly provided by the state are myths; the costs—both in terms of the resources directly absorbed by the state and of indirect negative effects on economic growth and efficiency—are real and increasing. Rather than seeking to deepen

the democratic character of politics in response to these concerns, the thrust of much political energy in the developed industrial democracies in recent years has been to reduce the role of politics altogether. Deregulation, privatization, reduction of social services, and curtailments of state spending have been the watchwords, rather than participation, greater responsiveness, more creative and effective forms of democratic state intervention. As the slogan goes: “The state is the problem, not the solution.”

In the past, the political Left in capitalist democracies vigorously defended the affirmative state against these kinds of arguments. In its most radical form, revolutionary socialists argued that public ownership of the principal means of production combined with centralized state planning offered the best hope for a just, humane and egalitarian society. But even those on the Left who rejected revolutionary visions of ruptures with capitalism insisted that an activist state was essential to counteract a host of negative effects generated by the dynamics of capitalist economies -- poverty, unemployment, increasing inequality, under-provision of public goods like training and public health. In the absence of such state interventions, the capitalist market becomes a “Satanic Mill,” in Karl Polanyi’s metaphor, that erodes the social foundations of its own existence.¹ These defenses of the affirmative state have become noticeably weaker in recent years, both in their rhetorical force and in their practical political capacity to mobilize people. Although the Left has not come to accept unregulated markets and a minimal state as morally desirable or economically efficient, it is much less certain that the institutions it defended in the past can achieve social justice and economic well being in the present.

Perhaps this erosion of democratic vitality is an inevitable result of complexity and size. Perhaps the most we can hope for is to have some kind of limited popular constraint on the activities of government through regular, weakly competitive elections. Perhaps the era of the “affirmative democratic state” -- the state which plays a creative and active role in solving problems in response to popular demands -- is over, and a retreat to privatism and political passivity is the

¹ Karl Polanyi, *The Great Transformation* (New York: Rinehart & Co., 1944). The phrase appears originally in William Blake’s *Jerusalem: The Emanation of the Giant Albion* (1804).

unavoidable price of “progress”. But perhaps the problem has more to do with the specific design of our institutions than with the tasks they face as such. If so, then a fundamental challenge for the Left is to develop transformative democratic strategies that can advance our traditional values—egalitarian social justice, individual liberty combined with popular control over collective decisions, community and solidarity, and the flourishing of individuals in ways which enable them to realize their potentials.

This volume of the *Real Utopias Project* explores five innovative real-world experiments in such institutional redesign, experiments that in different ways enlist the energy and intelligence of ordinary people—often drawn from the lowest strata of society—in the solution of problems that plague them:

- *Neighborhood governance councils* in Chicago address the fears and hopes of inner city Chicago residents by turning an urban bureaucracy on its head and devolving substantial power over policing and public schools.
- *The Wisconsin Regional Training Partnership (WRTP)* brings together organized labor, large firm management, and government to provide training and increase the transparency in employment transitions in order to help workers assemble jobs into meaningful careers in volatile economic times,
- *Habitat Conservation Planning* under the Endangered Species Act convenes stakeholders and empowers them to develop ecosystem governance arrangements that will satisfy the double imperatives of human development and the protection of jeopardized species.
- *The participatory budget* of Porto Alegre, Brazil enables residents of that city to participate directly in forging the city budget and thus use public monies previously diverted to patronage payoffs to pave their roads and electrify their neighborhoods.
- *The Panchayat reforms* in West Bengal, India, has created both direct and representative democratic channels that devolve substantial administrative and fiscal development power to individual villages.

Though these five reforms differ quite dramatically in the details of their design, issue areas, scope, and participatory particulars, they all aspire to deepen the ways in which ordinary people can effectively participate in and influence policies which directly impact on their lives. From their common features, we call this reform family *empowered deliberative democracy*. The experiments are democratic in the radical sense that they rely upon the participation and capacities of ordinary people. They are deliberative since they institute reason-based decision-making. And they are empowered because they tie action to deliberation; the varieties of deliberation explored below directly deploy state and private power, and so are not just exercises in criticism or justification.

We hope that injecting empirically centered examination into current debates on deliberative democracy will paradoxically expand the imaginative horizons of that research at the same time that it injects a bit of realism. Much of that scholarship drives deliberative democracy in institutionally conservative directions, for instance by leaving most of the deliberation to authorized elites,² imagining deliberation as a primarily a critical³ or justificatory⁴ activity divorced from the exercise of real power, and by using the concepts of deliberation to re-interpret the commonplace institutions of courts and parties rather than using those ideas as a touchstone to generate more fair and effective arrangements in the real world. The experiments which we explore in this volume, and the more abstract model which we believe these experiments embody, challenge the restrictive parameters of much of this recent debate.

In what follows, we will begin by elaborating the central principles underlying the idea of empowered deliberative democracy and then explain why we think, in principle, these arrangements will generate a range of desirable social effects. A brief sketch of the experiments follows this, and we conclude this introduction with an agenda of questions to interrogate several cases of actually-existing empowered deliberative democracy.

² Cite Rawls, Ely, others.

³ Cite Habermas.

⁴ Cite Gutman and Thompson, others.

I. The general principles underlying empowered deliberative democracy

Though each of these experiments differs from the others in its ambition, scope, and concrete aims, they all share surprising similarities in their institutional design principles. In part, this volume explores whether the experiments have enough in common to warrant describing them as instances of a novel, but generalizable model of deliberative democratic practice that can be expanded both horizontally—into other policy areas and other regions—and vertically—into higher and lower levels of institutional and social life. We begin, tentatively and abstractly, to construct that model here by laying out the distinctive general principles that seem fundamental to all these experiments. Six design elements stand out: these experiments (1) focus on specific, tangible problems, (2) develop solutions to these problems through deliberation, (3) that involves both the ordinary people affected by problems and officials close to them, (4) and consequently devolves public decision authority to empowered local units, (5) that are in turn linked together to coordinate the distribution of resources between them and generate inter-unit learning, and (6) do all of this primarily through the transformation of state institutions rather than in voluntaristic fashion in civil society, secondary associations, or the market.

1. Pragmatic Orientation

The first distinctive characteristic of our experiments is that they all develop governance structures geared to solving quite concrete problems. These experiments, though often linked to social movements political parties, differ from both in that they focus on practical problems such as providing public safety, training workers, caring for ecosystems, or constructing sensible municipal budgets. If these experiments make headway on these issues, then they would offer a potential retort to the widespread doubt that state action can be effective. More importantly, they would deliver goods to sectors of society that are often most grievously denied them. Another feature of this practical focus is that parties and agents accustomed competing with one another for power or resources may be able to cooperate with one another and begin to build more congenial relations by solving a limited set of common problems. This problem focus,

however, may distract agents from more important, broader conflicts (e.g. redistributive taxation) by concentrating their attention on a constrained set of issues.

2. *Deliberative Solution Generation*

These experiments pursue agenda-setting and problem-solving through deliberative decision mechanisms rather than through more common methods of aggregating interests through voting or hierarchical command based upon political or technical authority. The distinctive characteristic of deliberation is that participants listen to each other's positions and generate group decisions after due consideration. Ideally, this process yields fair outcomes because reasons and proposals that everyone can accept will win the day. Individuals come together not primarily to press pre-formed agendas or visions, but rather they expect that strategies and solutions will be forged through *deliberation* and *planning* with the other participants. Though they often have little in common, indeed often have histories of animosity, participants in these groups are united in their ignorance of how best to improve the general situation that brings them together; if they were confident in a particular course of action, some other strategy (such as management decree or partisan attempts to ascend to the commanding heights) might be more attractive than engaging in these experiments.

The second characteristic of these experiments, then, is that the individuals who participate in them transform and forge their understandings of what measures will further their goals through its *continuously deliberative processes*. Deliberation as reasoned argument or discussion might proceed first with the construction of an agenda; parties offer proposals about what the group's priorities should be. They justify these proposals in terms of the interests that are common to everyone in the group, and the groups' agenda—its priorities—are simply those which all can accept as advancing their common interest. Ideally, according to the norms of deliberation, the best proposal is the one that most accords with the groups' common interest, not the one that garners the greatest numerical support or political influence. Similarly, participants then reason about the strategies that will best advance that group agenda and adopt that set which seems

prospectively most promising. Since great uncertainty characterizes each step of those process, they also know they must later revisit both agendas and strategies in further rounds of deliberation, in light of the outcomes of past decisions.

Unlike a political party that states its solutions in a platform, an interest group that presses for its programs among legislators, a social movement that attempts to elevate a particular set of interests in the popular consciousness, or a negotiation that splits the difference between positions, individuals in our experiments hold much less rigid understandings of their interests and even less confidence in how best to advance them.⁵ They thus realize that they must discover appropriate programs and solutions through discussion and tentative implementation. Whereas the agenda-setting moment of deliberative experimentation is somewhat less “political” than these standard approaches, its problem-solving stages are more so. Whereas command-and-control administrations or corporations attempt to solve their problems apolitically by deploying dispositive expertise in the policy, financial, management, planning, or various disciplinary “sciences,” these experiments typically arose in the wake of the failure of such experts. Participants in these experiments, therefore, typically open up the recommendations of experts to deliberative scrutiny and re-formulation. Finally, this problem-focussed deliberation proceeds iteratively; since the experiments operate in functional areas where optimal programs are unclear or change quickly, these experiments seek to institutionalize arrangements that are themselves capable of reflexive self-transformation.

⁵ Deliberative processes can affect the understanding individuals have both of their interests and of the optimal strategies for satisfying those interests. In general it would be expected that when people enter such deliberative processes they have a better sense of their basic goals than they do of the best means for accomplishing their goals, and thus much of the deliberative process concerns problem-solving discussions over alternative courses of action. Still, because interests are complex and often quite vague, and because individuals often define their interests over variable sets of other actors, deliberative practices can also affect how people understand the interests themselves. For a discussion of modes of interest transformation through deliberation, see **Jane Mansbridge**, “A Deliberative Theory of Interest Transformation,” in *The Politics of Interests: Interest Groups Transformed* (Boulder, CO: Westview Press, 1992): 32-57.

3. Bottom-Up Participation

All of the reforms discussed in this volume establish new channels for those most directly affected by targeted problems—typically ordinary citizens and officials in the field—to apply their knowledge, intelligence, and interest to the formulation of solutions. We offer two speculative justifications for this turn away from the commitment that complex technical problems are most effectively and cheaply solved by experts trained to the task. First, effective solutions to certain kinds of novel and fluid public problems may require the variety of experience and knowledge offered more by diverse, relatively more open-minded, citizens and field operatives, than distant and narrowly trained experts. In Chicago school governance and policing, for example, we will see that bottom-up neighborhood councils invented effective solutions that police officials acting autonomously would never have developed. Second, direct participation of grassroots operators increases accountability and reduces the length of the chain of agency that accompanies political parties and their bureaucratic apparatus. In developing areas like Porto Alegre, Brazil and West Bengal, India, one of the main accomplishments of enlarged participation has been to plug the leakages from patronage payoffs and loosen the grip of traditional political elites.

Whether these gains from popular participation outweigh the potential costs of reduced expert power is an empirical matter that the authors treat extensively below.

4. Devolution

Since empowered deliberative democracy targets problems and solicits participation localized in both issue and geographic space, its institutional reality requires the commensurate reorganization of the state apparatus. It entails the administrative and political devolution of power to local action units—such as neighborhood councils, personnel in individual workplaces, and delineated eco-system habitats—charged with devising and implementing solutions and held accountable to performance criteria. The bodies in the reforms below are not merely advisory bodies, but rather

creatures of a transformed state endowed with substantial public authority to act on the results of their deliberation.

This devolution departs profoundly from centralizing progressive strategies, and for that reason many on the Left may find it disturbing. Just as the participatory dimensions of these reforms constitute a turn away from authorized expertise, delegating to local units the power of task-conception as well as execution stems from skepticism about the possibility that democratic centralism can generate effective solutions in targeted issue areas. So, for example, the Chicago cases offer neighborhood governance of policing and public education as an supple alternatives to conventional centralized solutions such as more stringent penalties and more police on the street for public safety issues, national testing, school finance reform, implementing the one best curriculum, racial desegregation, vouchers, and privatization for educational problems. Habitat Conservation Planning gives up the centralized and uniform standard of no development under the Endangered Species Act in favor of a regime in which local stakeholders produce highly tailored eco-system management plans that advance both development and species protection. Rather than allocating funds and staff to pave, electrify, and build sewers according to uniform standards or centralized judgement, Porto Alegre's participatory budgeting system invites neighborhood residents and associations into the direct, repeated process of establishing, implementing, and monitoring these priorities.

5. Recombinant

Though they enjoy substantial power and discretion, local units do not operate autonomously in empowered deliberative democracy. In each case offers, linkages between the local units and larger state structure coordinate the distribution of resources, solve problems which local units cannot address by themselves, and diffuse innovations and learning across boundaries. For example, both the Panchayat system in West Bengal and participatory budgeting in Porto Alegre feed relevant village and neighborhood decisions to higher levels of government. Both of the Chicago neighborhood governance reforms establish capacities for benchmarking the performance

of comparable units (schools, police beats) against one another to base standards on best achievable outcomes. Finally, the U.S. Fish and Wildlife Service coordinates the activities of some 250 Habitat Conservation Plans through centralized monitoring, information pooling, and permit and performance tracking.

Unlike New Left political models in which concerns for liberation lead to autonomous decentralization, empowered deliberative democracy suggests new forms of coordinated decentralization. Driven by the pragmatic imperative to find solutions that work, these new models reject both democratic centralism and strict decentralization as unworkable. The rigidity of the former leads it too often to disrespect local circumstance and intelligence and it has a hard time learning from experience. The latter would isolate citizens into small units, surely a foolhardy measure for those who don't know how to solve a problem but suspect that others, somewhere else, do. Thus these reforms attempt to construct connections that spread information between local units and hold them accountable.

6. State Centered, Not Voluntaristic

A sixth design characteristic of these experiments is that they colonize state power and attempt to permanently transform central governance procedures according to the first five characteristics of problem-orientation, deliberation, participation, devolution, and recombination. Whereas many spontaneous activist efforts in areas like neighborhood revitalization,⁶ environmental activism and remediation, local economic development, and worker health and safety seek to influence state outcomes through outside pressure or by seizing the commanding political heights, these experiments seek to transform the mechanisms of state power into permanently mobilized deliberative-democratic, grassroots forms. Such transformations happen as often as not in close

⁶ See, for instance, Harry Boyte's *Backyard Revolution: Understanding the New Citizen's Movement* (Philadelphia: Temple University Press, 1980) and Peter Medoff and Holly Sklar's *Streets of Hope: The Fall and Rise of an Urban Neighborhood* (Boston, MA: South End Press, 1994). For one prominent concrete example discussed from the perspective of its leader, see Ernesto Jr. Cortes, "Reweaving the Social Fabric," *The Boston Review* 19, no. 3&4 (Jun-Sep 1994): 12-14, on the activities of the Industrial Areas Foundation (IAF) group Communities Organized for Public Service (COPS) in San Antonio, Texas.

cooperation with state agents. These experiments are thus *less* “radical” than most varieties of activist self-help in that their central activity is not “fighting the power.” But they are more radical in that they have larger reform scopes, are authorized by state or corporate bodies to make substantial decisions, and, most crucially, try to change the central procedures of power rather than merely attempting to shift the vector of its exercise in particular instances. Whereas parties, social movement organizations, and interest groups often set their goals through internal deliberative processes and then fight for corporate or political power to implement those goals, these experiments re-constitute decision processes within the state and firm. When this reorganization is successful, participants have the luxury of taking some exercise of power for granted, they need not spend the bulk of their energy fighting for power (or against it), and they deliberate about how to use the power that they have rather than what they would use it for if only they had it.

By implication, these transformations of the state attempt to institutionalize the on-going participation of ordinary citizens, most often in their role as consumers of public goods, in the direct determination of what those goods are and how they should be best provided. This perpetual participation stands in contrast, for example, to the relatively brief democratic moments in both outcome-oriented, campaign-based social movements and electoral competitions in ordinary politics in which leaders/elites mobilize popular participation for a specific outcome or series of outcomes. If popular pressure becomes sufficient to implement some favored policy or elected candidate, the moment of popular participation ends and the implementation of a policy or legislative activity of an official takes place in the largely isolated state sphere. Rousseau, a harsh and extreme critic of democracy as only periodic participation, wrote that “The English people believes itself to be free. It is greatly mistaken; it is free only during the election of the members of parliament. Once they are elected, the populace is enslaved; it is nothing.”⁷

⁷ Jean-Jacques Rousseau, *The Social Contract*, trans. Donald A. Cress (Cambridge: Hackett Publishing, 1987): Book III, Chap. 15, Para. 5.

To recap, our experiments seem to share six institutional design principles:

- First, each experiment addresses a specific area of public problems.
- Second, each experiment attempts to solve those problems through processes of reasoned deliberation.
- Third, this deliberation relies upon the bottom-up involvement of ordinary citizens and officials in the field.
- Fourth, these experiments devolve decision and implementation power to local action units.
- Fifth, these local action units are not autonomous, but rather recombinant and linked to each other and to supervening levels of the state in order to allocate resources, solve common and cross-border problems, and diffuses innovations and learning.
- Finally, the experiments colonize and transform existing state and corporate institutions in such a way that the administrative bureaucracies charged with solving these problems are restructured into these deliberative groups. The power of these groups to implement the outcomes of their deliberations, therefore, comes from the authorization of these state and corporate bodies.

Shortly, we shall deepen and clarify these common principles by illustrating how each of the five experiments puts them into practice. Before moving to that concrete level, however, we need to clarify some of the potential benefits that institutions designed with these principles in mind are supposed to deliver.

II. Institutional Objectives: Consequences for Effectiveness, Equity, and Participation

The procedural features of institutions designed according to the principles specified above may be desirable in themselves; we often consider deliberation and participation as important independent values. However, scholars, practitioners, and casual observers will judge these

experiments by their consequences rather than these process values. In this section, we describe how institutions following the design principles above might yield advance in three especially important democratic values: state action that is (1) effective, (2) equitable, and (3) invites broad, deep, and sustained participation. Whether properly designed institutions can advance these values or will instead yield a host of negative and unintended consequences must be settled primarily through empirical examinations, and we offer here a set of optimistic expectations that might guide those investigations.

1. Effective Problem Solving.

The first, perhaps most important, institutional objective of these deliberative democratic experiments is to advance public ends — such as skill upgrading for workers, good schools, safe neighborhoods, protecting endangered species, and sensible urban budget allocations — more effectively than alternative institutional arrangements. If they cannot produce such outcomes, then they are not very attractive reform projects. If they perform well, on the other hand, then this flavor of radical democracy has the potential to gain widespread popular and even elite support. Why, then, might we expect these deliberative democratic institutions to produce effective outcomes?

The anticipated effectiveness of these experiments rests on the capabilities of its component deliberative groups. Investing the power to make decisions and act upon them in these groups, constituted at the operational level, can produce superior public outcomes for four reasons. First, these experiments convene and empower individuals close to the points of action who possess more intimate knowledge about relevant situations and how best to improve them. Second, the deliberative process that regulates these groups' decision making is likely to generate superior solutions than hierarchical or less reflective aggregation procedures (such as voting) because all participants have opportunities to offer useful information and to consider alternative solutions more deeply. Beyond this, deliberation heightens participants' commitment to implement decisions because they themselves produce it; it is not imposed from above. Third, these

experiments shorten the feedback loop—the distance and time between decisions, action, effect, observation, and reconsideration—in public action and so create a nimble style of collective action that can quickly recognize and respond to erroneous or ineffective strategies. Finally, each of these experiments creates hundreds of such component groups, each operating with substantial autonomy but not in isolation. This proliferation of command points allows multiple strategies, techniques, and priorities to be pursued simultaneously in order to more rapidly discover and diffuse those that prove themselves to be most effective.

2. Equity

In addition to promising more effective public action, three considerations suggest that these experiments will also generate more fair, equitable outcomes. First, the normative goals of equity and fairness are well served by these experiments if they deliver effective public action to those not accustomed to this good. Since most experiments concentrate on problems of disadvantaged people — ghetto residents in Chicago and Milwaukee, those from poor neighborhoods in Porto Alegre, Brazil, low status villagers in West Bengal, and industrial workers in Wisconsin facing technological displacement — sheer effectiveness is an important component of social justice.

A second source of equity and fairness stems from the inclusion of disadvantaged individuals — residents and workers — typically excluded from public decisions. Following a classic justification for democratic rule over paternalist or otherwise exclusive modes, a decision is more likely to treat those affected by it fairly when they exercise input. These experiments push this democratic notion quite far, however, by attempting to devise procedures whereby those most affected by these decisions exercise unmediated input while avoiding the paralysis or foolishness that so often results from such efforts.

These experiments' deliberative procedures constitute yet a third way to advance equity and fairness. Unlike bargaining procedures (in which outcomes are determined by the powers that parties bring to negotiations), hierarchical procedures (in which outcomes are determined by

according to the preferences of the highly placed), markets (in which money mediates outcomes), or aggregative voting (in which outcomes are determined according to the quantity of mobilized supporters), these experiments establish groups that ostensibly make decisions according to the rules of deliberation. Parties make proposals and then justify those proposals with reasons that the other parties in the group can support. A procedural norm of these groups is that they generate and adopt proposals that enjoy consensus support, though strict consensus is never a requirement. Groups select proposals, or combinations of proposals, that upon reflection win the deepest and widest appeal. In the ideal, such procedures are regulated according to the lights of reason rather than money, power, numbers, or status. Since the idea of fairness is infused in the practice of reasonable discussion, truly deliberative decision-making should tend toward more equitable outcomes than those regulated by power, status, money, or numbers.⁸ There will no doubt be some distance between this lofty deliberative ideal and the actual practices of these experiments, and much of the rest of this volume will explore the character and extent of that distance.

3. Broad and Deep Participation

Beyond achieving effective and fair public outcomes, these experiments also attempt to advance the classical democratic value of engaging ordinary citizens in sustained and meaningful participation. They rely upon popular engagement as a central productive resource. Lay participation provides local information on the prospective wisdom of various policies, retrospective data on their effects that in turn drives feedback learning, and additional energy for strategy execution. The experiments invite and attempt to sustain high levels of lay engagement in two main ways. First, they establish additional channels of voice over issues about which potential participants care deeply, such as the quality of their schools and of their lived spaces, their ability to acquire skills on which their employment security rests, and the disposition of public resources devoted to local public goods. The experiments increase participation, then, by

⁸ For a crisp account of *deliberative* democracy, see Joshua Cohen, "Procedure and Substance in Deliberative Democracy" in Selya Benhabib ed. *Democracy and Difference: Contesting the Boundaries of the Political* (Princeton: Princeton University Press, 1996): 95-109.

adding important channels for participation to the conventional avenues of political voice such as voting, joining pressure groups, and contacting officials. Beyond increasing democratic opportunities, however, these experiments offer a distinct inducement to participation: the real prospect of exercising state power.⁹ With most other forms of political participation, the relationship between, say, one's vote or letter to a representative and a public decision is tenuous at best. In these experiments, however, participants exercise influence over state strategies. This input often yields quite palpable responses. Often, the priorities and proposals of lay participants are adopted immediately or in some modified form. Even in cases where one's proposals are rejected through deliberative processes, one at least knows why.

In addition to incentivizing broader participation, we might also expect the quality of participation—as gauged by the degree to which participants' opinions and proposals are informed and the quality of their interactions with one another—to be higher under these experiments in deliberative public action than under more conventional political forms such as voting, interest group competition, or social movements. Following John Stuart Mill's comment that the success of democratic arrangements can be measured in two ways: by the quality of its decisions and the quality of citizens it produces,¹⁰ we say that the character of participation, quite apart from its level (as measured by voting turnout, for example) is an independent desiderata of democratic politics. Modern critics from both the left and the right seem to be unified in their low opinion of the political capacities of mass publics. Explanations from the left include the rise of the “culture industry” and the concomitant decline of autonomous “public spheres” in civil societies where a competent public opinion might be formed. The political right agrees with this diagnosis, but recommends elite democracy and techno-bureaucratic administration as a solution that does not require healing the public body. Against the background

⁹ One classic problem of political science is explaining why people vote at all, given the complete absence of effect associated with a single vote. For an attempt to explain this apparently irrational behavior from the rational choice perspective, see William Riker and Peter Ordeshook, “A Theory of the Calculus of Voting,” *American Political Science Review*, Vol. 62 (March 1968): 25-42.

¹⁰ John Stuart Mill. *Considerations on Representative Government* (New York: Prometheus Books, 1991), Chap. 2.

of this alarming diagnosis and even more alarming cure, concern for the public wisdom of private individuals is even more urgent than in Mill's time.

Individuals' capacities to deliberate and make public decisions atrophy when left unused, and participation in these experiments exercises those capacities more intensely than conventional democratic channels. In national or local elections, for example, the massive amounts of information sold to them from many vantage points tempts even engaged, well- educated citizens to throw their hands up in frustrated confusion or to focus on more easily understood dimensions of character, personality, or party identity. These experiments reduce these expertise-based barriers to engaged participation and thus encourage participants to develop and deploy their pragmatic political capabilities in several ways. First, these experiments allow casual, non-professional, participants to master specific areas of knowledge necessary to make good decisions by shrinking — through decentralization — decision scopes to narrow functional and geographic areas. Each of our experiments doubly focuses decisions — training at a single firm, safety in a neighborhood, the effectiveness of a particular firm — and so allows participants to plausibly master materials necessary to make high quality decisions. Furthermore, citizens have incentives to develop the capacities and master the information necessary to make good decisions because they must live with the consequences of poor ones — these experiments institute “direct democracy” in the sense that these groups' decisions are often directly implemented by relevant state agencies. Again, this contrasts with most forms of political voice such as voting or letter writing, where the consequences of one's decisions are statistically negligible.

Beyond the proximate scope and effect of participation, these experiments also encourage the development of political wisdom in ordinary citizens by grounding competency upon everyday, situated, experiences rather than simply data mediated through popular press, television, or “book-learning.” Following Dewey and contemporary theorists of education and cognition, we expect that many, perhaps most, individuals develop skills and competencies more easily when those skills are integrated with actual experiences and observable effects. Since these experiments rely upon practical knowledge of, say, skill training or school operation, and provide

opportunities for its repeated application and correction, individuals develop political capacities in intimate relation to other regions of their professional and private lives. Many participants will find it easier (not to mention more useful) to acquire this kind of “situated” political wisdom and capacity compared to the more free-standing varieties of political knowledge required for, say, voting or interest group participation. Finally, each of these experiments contributes to the political development of individuals by providing specialized, para-professional training. Leading reformers in each of our experiments realized, or learned through disappointment, that most non-professionals lack the capacities to participate effectively in the kinds of functionally-specific, empowered groups described above. Rather than retrenching into technocratic professionalization, however, the reformers have established procedures to impart the necessary foundational capacities to participants who lack them. For example, the Chicago local school governance reform requires parents and community participants to receive training in democratic process, school budgeting and finance, strategic planning, principal hiring, and other specific skills. Each of these experiments not only consists of fora for honing and practicing deliberative-democratic skills, but each also literally establishes schools of democracy to develop the political capacities of participants.

III. Five Deliberative-Democratic Experiments

To fix these abstract principles and intended consequences of democratic design and to presage the empirical treatments that follow, we now offer brief profiles of each experiment. The first is an urban budgeting experiment that comes from the city of Porto Alegre, Brazil. The second consists of two functionally specific administrative reforms geared to improve the performance of the police and public education systems in the city of Chicago. The third connects workers and employers in an attempt to develop internationally competitive human capital in the rust belt city of Milwaukee, Wisconsin. The fourth devolves authority over development planning and financing to village councils in West Bengal, India. The final case attempts to balance human development and the protection of endangered species through stakeholder governance under the U.S. Endangered Species Act.

*1. Participatory City Budgeting in Porto Alegre, Brazil*¹¹

Porto Alegre is the capital of the state of Rio Grande do Sul in Brazil and home to some 1.3 million inhabitants. Like many other local and national states in Latin America, a clientelistic government has ruled the city in recent decades through the time-tested machinery of political patronage. This system allocated public funds not according to public needs, but rather to mobilize support for political machines. As a result, “the budget becomes a fiction, shocking evidence of the discretion between the formal institutional framework and the actual state practices.” Under similar arrangements elsewhere in Brazil, investigators revealed that these patronage-based “irregular allocation of social expenditures amounted to 64 percent of the total [budget].”

In 1988, a coalition of left parties led by the Workers’ Party, or Partido dos Trabalhadores (PT), gained control of the municipal government of Porto Alegre and went on to win successive elections in 1992 and 1996. Their most substantial reform measure, called “Participatory Budgeting” (PB), attempts to transform the clientelistic, vote-for-money budgeting reality into a fully accountable, bottom-up, deliberative system driven by the needs of the city’s residents. This multi-tiered interest articulation and administrative arrangement begins with the sixteen administrative regions that compose the city. Within each region, a Regional Assembly meets twice per year to settle budgetary issues. City executives, administrators, representatives of community entities such as neighborhood associations, youth and health clubs, and any interested inhabitant of the city attends these assemblies. They are jointly coordinated by members of municipal government and by community delegates. These bodies are charged with (i) reviewing and discussing the implementation of the prior year’s budget, (ii) setting the region’s spending priorities — among issues such as transportation sewage, land regulation, and health care — for the coming year, and (iii) electing delegates and substitutes to represent them at in a

¹¹ The description here of this experiment must be treated as provisional since it is based on quite limited sources. We will revise this description as we know more about the structure and trajectory of the experiment in question.

city-wide body called the Participatory Budgeting Council (COP). The priorities of these fairly large, infrequent regional assemblies are in turn set from below, by many less formal “preparatory meetings” in which “individual citizens, grassroots movements, and community institutions” organize themselves for discussion in the regional assemblies.¹²

The COP, an higher level group of citizens and officials, aggregates the decisions of the lower assemblies into a city budget. The COP is composed of two elected delegates from each of the regions, two elected delegates each from each of five “thematic plenaries” representing the city as a whole, a delegate from the municipal workers’ union, one from the union of neighborhood associations, and two delegates from central municipal agencies. The group meets intensively, at least once per week from July to September, to discuss and establish a municipal budget that conforms to priorities established at the regional level while still coordinating the needs of the city as a whole. Since citizen representatives are in most cases non-professionals, city agencies offer courses and seminars on budgeting for COP delegates as well as for interested participants from the regional assemblies. On September 30 of each year, the Council submits a proposed budget to the Mayor, who can either accept the budget or through veto remand it back to the COP for revision. The COP responds by either amending the budget, or by over-riding the veto with a super-majoritarian vote of 2/3. City officials estimate that some 100,000 people, or eight percent of the adult population, participated in the 1996 round of Regional Assemblies and intermediate meetings.

This bare description glosses over many important institutional details and the PB’s substantial evolution since the first round of Assemblies met in 1989. Nevertheless, all of the institutional design principles discussed in section I above can be seen even in this summary account: more intimate linkages between neighborhood residents and the formal state, the formation of diverse groups of citizens and bureaucrats deliberating as equals to solve the complex problems in municipal budgeting, the transfer of this central government function from old institutions such as the legislature to this new *sui generis* system, and the sustained engagement of lay citizens in this

¹² Santos, p. 19.

public process. Some of the essays later in this volume explore whether Porto Alegre's imaginative system achieves the democratic objectives that we have attributed to it — increased effectiveness through leverage of local knowledge, monitoring, and feedback-learning, more equitable outcomes, sustained political engagement, more competent citizens, and greater solidarity grounded in cooperation.

2. Functionally Specific Neighborhood Councils in Chicago, USA.

Our second experiment concerns public education and policing in another city characterized by great poverty and inequality: Chicago, Illinois, whose 2.5 million residents make it the third largest city in the United States. In the late 1980s, the Chicago Public School system (CPS) suffered attacks from on all sides — parents, community members, and area businessmen, charged that the centralized school bureaucracy was failing to educate the city's children on a massive scale. These individuals and groups formed a small but vocal social movement that managed to turn the top-heavy, hierarchical school system on its head. In 1988, the Illinois legislature passed a law that decentralized and opened the governance of Chicago schools¹³ according to the institutional design principles discussed above. The reform law shifted power and control from a centralized city-wide headquarters to the individual schools themselves. For each of the some 560 elementary (grades K-8) and high schools (grade 9-12) within city limits, the law established a Local School Council (LSC). Each LSC is a body elected every two years and composed of six parents, two community members, two teachers, and the principal of the school. High school LSCs add to these eleven members one non-voting student representative. The law shifts governance power from principals and central offices to these LSCs: they are empowered, and required by law, to hire and fire the principal, write principal performance contracts that they monitor and review every three years, develop annual School Improvement Plans (SIPs) that address staff, program, infrastructure issues, monitor the implementation of those plans, and approve school budgets. These bodies typically meet monthly during the school year, and less frequently in the summer. Similar to Porto Alegre, program designers discovered that individuals

serving on LSCs often lacked the skills necessary to competently execute their responsibilities, and so new legislation requires each LSC member to undergo some 20 hours of training, provided by the central school administration, on topics such as budgeting, school improvement planning, principal selection, group process, and LSC responsibilities.

This reform created the most formally directly democratic system of school governance by far in the United States. Every year, more than 5,000 parents, neighborhood residents, and school teachers are elected to run their schools. By a wide margin, the majority of elected Illinois public officials who are minorities serve on LSCs. As with the local and city-wide budgeting councils of Porto Alegre, LSCs embody the five principles of deliberative democratic design laid out above. They build new bridges between state and society at the operational level by empowering individuals who had previously lacked substantial power over “neighborhood” school decisions — parents, teachers, and community members — in diverse governance groups. School level process of governance — composing and implementing School Improvement Plans, reviewing budgets, and finding solutions to the most urgent school wide problems — are explicitly deliberative and not intended to be adversarial interest-based contests. Furthermore, these new bodies assume function previously performed by central school apparatus such as personnel, planning, and setting spending priorities. Finally, the central office has adopted the principle of recombancy by transforming itself from an organization that issues command directives into one that performs supportive functions — such as providing training and technical assistance to LSCs. It also benchmarks schools against one another using standardized test results. While measuring school quality quite imperfectly, these initial attempts at inter-school comparison nevertheless begin to provide new accountability mechanisms and diffuse educational innovations.

In a second experiment in functionally-specific participatory councils, the Chicago Police Department (CPD) recently restructured itself along deeply decentralized and democratic lines that resemble (but were conceived and implemented quite independently from) that city’s school reform. In response to the perception that conventional policing practices had proved largely

¹³ The law affects only schools in the city of Chicago, which is its own school district.

ineffective in stemming the rise of crime or in maintaining safety in many Chicago neighborhoods, the Mayor's office, several community organizations, and officials inside the police department itself began to explore possible reform directions that fell under the general rubric of "community policing" in 1993. By 1995, reformers from these groups had implemented a wide ranging reform program, called the Chicago Alternative Policing Strategy (CAPS), that shifts the burden of maintaining public safety from police professionals to hundreds of joint-partnerships between police and neighborhood residents.

Consider its basic institutional features. The city is divided into some 280 neighborhood "beats." The beat is the administrative atom of policing; at any given time, one patrol car is assigned to each of the city's beats. CAPS's first major plank opens up beat-level public safety operations to the observation, participation, and direction of neighborhood residents. Interested residents and the police officers serving the area attend "community beat meetings" held monthly in each of the city's beats. CAPS's second major reform redefines the "how" of policing. In these meetings, neighborhood residents and police discuss the neighborhood's public safety problems in order to establish, through deliberation, which problems should be counted as priorities that merit the concentrated attention of police and residents. They then develop strategies to address these problems; responsibility for implementing some of these strategies is assigned to police (e.g. obtaining and executing search warrants) while other strategies are assigned to groups of residents (e.g. meeting with landlords to discuss building dilapidation). At successive meetings, participants assess the quality of implementation and effectiveness of their strategies, revise strategies if necessary, and raise new priorities.

As with the participatory budgeting and school reform experiments, CAPS embodies our six deliberative-democratic principles. It establishes newly empowered formations at the point of contact between police officers in the formal state-public sphere and neighborhood residents in the private-civic sphere. Often times, individuals that come together in these beat groups harbor suspicions about each other that stem from media-induced prejudices or adversarial histories. Community beat meeting construct opportunities for each side — say police officers and

minority residents — to test the real intentions and sensibilities of the other and to haltingly build working relationships where none existed before. These community beat groups operate through a problem-solving process that is explicitly deliberative in the way that it sets priorities for the group, develops strategies to address priorities, and holds members of the group accountable for the performance of those strategies. Finally, these new groups assume much of the directive power over patrol officers that previously resided in various levels of the bureaucratic hierarchy.

3. Labor Market Transparency and Skill Formation in Milwaukee, Wisconsin

Our third experiment moves away from the reconstruction of municipal government to new economic institutions that bring together workers and managers for the common cause of managing industrial labor markets. The Wisconsin Regional Training Partnership (WRTP) is a consortium of some 40 firms employing over 60,000 workers in the Milwaukee, Wisconsin, area. WRTP, jointly governed by representatives from organized labor, managements of member firms, and public sector institutions such as area Technical Colleges and the Wisconsin State Department of Labor, aims to improve the health of area industry by joining labor and management to provide modernization and training services that isolated firms would be unlikely to provide for themselves.¹⁴ Though the WRTP is also active in firm modernization and school-to-industrial work transitions, its most distinctive and developed efforts lie in incumbent and entry level worker training.

Against a competitive background that demands continuous modernization of fixed and human capital in the late 1970s and 1980s, many Milwaukee area industrial firms responded to the failure of public and private training systems to keep pace with technological change by attempting to impose compensatory wage reductions or by moving productive facilities to areas of higher skill or lower labor cost. Beginning with an early prototype in 1988, the WRTP

¹⁴ Either because they are public goods or because existing arrangements within firms do not meet these challenges for lack of know-how, inventiveness, or simple resources.

attempted to combat this de-industrialization by improving the quality of area skill training through new Worker Education Centers (WECs). WECs are miniature schools located within firms that train workers in the most urgently needed basic or advanced skills. As of early 1998, the WRTP has established more than 40 WECs in the facilities of its member firms and others who have requested technical assistance. Under the WRTP program, each WEC is jointly designed and operated by a labor-management committee that selects skill priorities, designs classes, markets those classes to the incumbent workforce, re-negotiates labor contract terms that may be incompatible with such skill training (such as seniority rules, job classifications, and work rules), and administers the center. WECs sometimes receive their funding through public sources, but most often through firm-side contributions. They frequently employ instructors from area technical colleges to teach classes on-site.

These firm-based, labor-management training efforts promise to succeed where prior efforts had failed. WECs take advantage of worker cooperation first by developing classes and training priorities based shop-floor experiences and perceptions of need. Neither technical college nor management-led training efforts can access this level of high-quality, front-line information about which skill areas deserve immediate investment and whether training routines are effectively imparting skills and knowledge to workers. WECs also use “peer-networks” to market this training to other workers and thus build a degree of worker acceptance that management acting alone could not. Finally, the mutual confidence that comes from this cooperative effort gains management support in the form of resource-investment in training and labor support that is manifest in less adversarial bargaining positions. WECs embody the deliberative-democratic principles by beginning to shift the power of design and implementation of incumbent-worker training from a state-centered technical college system to decentralized, firm-based learning centers.¹⁵ These centers, furthermore, bring together managers and workers accustomed to operating on opposite sides of a bargaining table in a deliberative effort to solve training problems.

¹⁵ Actual, WECs fill a gap rather than transfer power, because training of incumbent workers has been a relatively minor part of technical college educational missions (I think)

4. Panchayat Village Governance in West Bengal, India¹⁶

Like the participatory budgeting reforms in Porto Alegre Brazil, a left wing party revitalized substantive local governance in West Bengal as a central part of its political program. Though Indian states have enjoyed many formal arrangements for local self government since independence, these institutions have been doubly constrained. Externally, larger state bureaucracies enjoyed the lion's share of financing and formal authority over most areas of administration and development over this period. Internally, traditional elites used social and economic power to dominate formally democratic local structures. Until 1957, the franchise was restricted on status grounds,¹⁷ but even after the universal franchise traditional leaders managed to control these bodies and their resources. The Left Front Government (LFG), which took power in West Bengal in 1977 and has enjoyed a growing base of support ever since, saw the Panchayat village governance system as a opportunity for popular mobilization and empowerment. In several distinct stages from 1977 to the present, West Begali Panchayats have offered increasing opportunities for members of disadvantaged classes to wield public power.

Structurally, the Panchayat system consists of three aggregated layers.¹⁸ The lowest level is an elected body called the Gram Panchayat (GP), which typically covers some 10-12 villages totaling 10,000 residents. Each GP has 15-20 seats of representatives elected every five years. The responsibilities of GPs have changed through time, but typically now include the administration of public health, drainage and sanitation; supply of safe drinking water; maintenance of public utilities, primary education, agricultural development, irrigation, land reform, poverty alleviation, rural industrialisation, electrification, and housing provision. The second tier is called the Panchayat Samity (PS), governs a unit of area called the development Block that usually consists of ten GPs. Each PS consists of 20-30 elected members and is charged

¹⁶ Much in the account that follows has been drawn from G.K. Lieten, *Development, Devolution, and Democracy: Village Discourse in West Bengal* (New Dehli: Sage Publications, 1996).

¹⁷ Lieten, p. 50.

¹⁸ From Maitreya Ghatak and Maitreesh Ghatak. "A Study of the Panchayat System in West Bengal" (1998, unpublished draft).

with the same responsibilities as the GP but coordinates their activities and combines their village level plans into Block plans. Above this still is a district governance body called the Zilla Parishad (ZP), which aggregates and coordinates the PS level plans.

Since the West Bengal Panchayat Act of 1973, village councils have been responsible for most of the GP functions list above. However, GPs exercised these functions in moribund fashion and elections were treated as non-party affairs and dominated by local elites. After the LFG took power in 1977, they began to organize to win GP elections and used the formal powers residing in those bodies to implement land reform and tenancy measures. The LFG organized at GP elections to self consciously break the hold of traditional power and, according to many observers, partially succeeded in doing after sweeping victories.¹⁹ The next step in Panchayat empowerment came in 1988, when the state government shifted responsibility for implementing many development programs from state ministries directly to Panchayats. Simultaneous with this expansion in function, their budgets more than doubled to approximately 2 million rupees per Panchayat.

The most dramatic expansion in Panchayat democracy came with a series of Constitutional and state statutory amendments in 1993 that altered the system in three ways. First, it increased the financing capacity of GP by imposing a revenue sharing scheme with the Districts and gave GPs their own taxing power. Second, these measures stipulated that one third of GP, PS, and ZP seats and leadership positions would be occupied by women and that lower caste—Scheduled Caste and Scheduled Tribe (SC/ST)—persons would occupy leadership positions in all of these bodies in proportion to their population in the District. Finally, and most importantly for our purposes, the 1993 reforms established two kinds of directly deliberative bodies to increase the popular accountability of GP representatives. The Gram Sabha consists of all of the persons within a GP area (typically around 10,000) and meets once per year in the month of December. At this meeting, elected GP representative review the proposed budget for the following year and review the accomplishment (or lack thereof) of the previous year's budget and action items. At an even

more disaggregated level, a Gram Sansad consists of all of the members of a GP representative's constituency. The Gram Sansads meet twice per year, in May and November, to review the past and proposed programs of their GP and their beneficiaries. Based upon a discussion of activities and expenditures with the GP representative, the Gram Sansad issues a report which will be incorporated into future GP plans.

The most recent wave of reforms to the West Bengal village governance system, then, builds a formal apparatus that contains all of the elements of empowered deliberative democracy.

According to some observers, the system has already produced impressive results in both agricultural productivity, wealth, and political inclusion. The percentage of rural population in poverty in West Bengal has fallen much more quickly than the India-wide figure since 1977 and the representation of SC/ST persons on several surveyed Panchayats more than tripled since 1978, to the point where such persons are only slightly under-represented on these governance councils.²⁰ Whether empowered deliberative democracy can enhance these outcomes or even whether it properly characterizes the substantive activities of Panchayat governance will be explored in the essay by Maitreya Ghatak and Maitreesh Ghatak below.

5. Stakeholder Ecosystem Governance Under the U.S. Endangered Species Act²¹

For most the time since its establishment in 1973, the U.S. Endangered Species Act has been the antithesis of deliberative democratic state action. Section 9 of that Act prohibits the “taking”—killing or injuring—of any wildlife listed as an endangered species through either direct means or indirect action such as modification of its habitat. In practice, this often imposed a bar on any development or resource extraction activities in or near the habitats of endangered species. The main defects of this law are twofold. First, it stopped very productive development projects that may not affect the ultimate viability of an endangered species. Less obviously, the law

¹⁹ Lieten, p. 52.

²⁰ Lieten, p. 117.

²¹ This account draws from Archon Fung, Bradley Karkkainen, and Charles Sabel. “After the Backyard Revolution: Toward a Performance-Based Regime of Environmental Regulation” (unpublished draft, 1999).

protects only the those species that have been successfully listed, and so transforms the listing process into a very high stakes political battle between developers and conservationists, with the result that too few species receive protection and some are nearly decimated by the time they do qualify.

In 1982, Congress created an option to escape these deep deadlocks called an “incidental take permit.” Under these provisions, an applicant must produce a “Habitat Conservation Plan” that allows human activity in the habitat of an endangered species so long as “take” occurs only incidentally, the plan includes measures to mitigate take, and the human activity does not impair the chances of the species’ survival and recovery. For most of its life, this relief option was little used because permitting procedures were unclear and plan production costs high. Only 14 HCPs were produced between 1982 and 1992. Since 1993, however, HCPs and their associated permits have proliferated. By April 1999, 254 plans covering more than 11 million acres had been approved and 200 more were in various stages of development. This explosion in HCP activity grew out of an interest by Interior Secretary Bruce Babbitt and several associates in using the incidental take permit process to construct large-scale, eco-system conservation plans driven by stakeholders such as developers and environmentalists that avoid the lose-lose outcomes generated by strict application of ESA’s section 9.

The most advanced HCPs have met these ambitious goals in part by incorporating the design of empowered deliberative democracy. Large acreage, multi-species Conservation Plans in Southern California, for example, were developed by stakeholder committees that include officials from local and national environmental agencies, developers, environmental activists, and community organizations. Though deliberative processes, these stakeholders have developed sophisticated management plans that set out explicit numerical goals, measures to achieve those goals, monitoring regimes that assess plan effectiveness through time, and adaptive management provisions to incorporate new scientific information and respond to unforeseen events.

Beyond devolving responsibility and power for endangered species protection to deliberative bodies of local stakeholders, recent improvements to the national HCP regime proposed by the U.S. Fish and Wildlife Service (FWS) create some of the centralized recombinant devices discussed in section I above.²² It has been widely recognized that high quality HCPs possess common features such as quantitative biological goals, adaptive management plans, and careful monitoring regimes. Yet a study²³ of more than 200 plans revealed that less than half of all plans incorporate these basic features. In a proposed guidance, the FWS would instruct field agents to require these plan features in the development of HCPs and a condition of permit approval. To make HCP provisions and performance a matter of transparent public accountability and enable stakeholders of different HCPs to assess and learn from each other, this same FWS guidance will establish an HCP information infrastructure that tracks the details of HCP permits as well as plan performance.

Thus the preferred method for protecting endangered species has moved from one of the most rigid and centralized commanding regulations to a quite elaborate institutional articulation of empowered deliberative democracy. Craig Thomas's essay in this volume explores the reality of this institutional form and its ability to simultaneously serve the two masters of biological conservation and human developmental.

IV. An Agenda for Exploring Deliberative Democracy

Thus far, we have sketched the outlines of a model of radical democracy that aims to solve practical public problems through deliberative action, laid out the practical and ethical advantages of institutions built along that model, and offered brief sketches of real-world examples that embody these principles. The rest of this volume will explore these actually-existing examples in some detail, inquiring whether these abstract principles accurately characterize these experiments, whether the experiments in fact yield the benefits that we have attributed to deliberative

²² Federal Register, Vol. 64, No. 45 (March 9, 1999): 11485-11490.

²³ Peter Kareiva et. al. *Using Science in Habitat Conservation Plans* (University of California, Santa Barbara: National Center for Ecological Analysis and Synthesis, 1998).

democracy, and whether these advantages must be purchased at some as yet unspecified price. Before we move to that very concrete discussion, however, we conclude this introduction by laying out two sets of critical questions that guide these investigations. First, to what extent do these experiments conform to the modeled institutions and effects of deliberative democracy? Second, what are the most damning flaws in the model of empowered deliberative democracy?

1. The relationship of the cases to the model

Even if the normative principles of our proposed model of empowered deliberative democracy offers an attractive guide for feasible institutional innovation, the specific experiments we have described may not conform to the model. It is therefore important to critically interrogate the cases in terms of model's ideal criteria. Six questions are particularly relevant: (i) How genuinely *deliberative* are the actual decision-making processes? (ii) How effectively are the decisions made through this process translated into real action? (iii) To what extent are the deliberative bodies able to effectively monitor the implementation of their decisions? (iv) To what extent do these reforms incorporate recombinant measures that coordinate the actions of local units and diffuse innovations among them? (v) To what extent do the deliberative processes constitute real "schools for democracy"? And, (vi) are the actual outcomes of the entire process more desirable than those of prior institutional arrangements?

(i) Deliberation

Because many of the supposed benefits of our model rest on the notion of deliberation, it is critical to assess the degree to which decision making processes within these experiments are genuinely deliberative. Equitable decisions depend upon parties agreeing to that which is fair rather than pushing for as much as they can get. Effectiveness relies upon individuals remaining open to new information and proposals rather than doggedly advancing pre-formulated ones. And learning at individual and group levels depends on people being able to alter their opinions and even their preferences. Though deliberation is seldom deployed as a descriptive characteristic of organizations in social science, its practice is completely familiar to most of us in our public and

private lives — discussing issues and resolving conflict not by pushing for as much as we can get, but rather by doing what seems reasonable and fair. Does this generous characterization of individual and group behavior accurately describe how the participants of our experiments make decisions, or is their interaction better characterized by the more familiar mechanisms of rational interest aggregation — command, bargaining, log-rolling, and threatening? In situations characterized by substantial differences of interest or opinion, particularly from ideological sources, deliberation may break down into either gridlock or power-based conflict resolution. Are these experiments therefore limited to environments of low conflict or minimal inequality?

(ii) Action

The fact that collective decisions are made in a deliberative, egalitarian and democratic manner is no guarantee that those decisions will be effectively translated into action. In some cases, the implementation of decisions by the deliberative body relies upon the capacities and will of the members themselves — for example, Chicago community policing groups direct patrol officers to perform various tasks. In such cases, the weak accountability mechanisms of publicity and deliberation may be insufficient for the group to compel the action of its own members. In other cases, enacting decisions may depend upon the obedience of others over whom the group has formal authority — such as the staff under a Local School Council. Such situations face an array of familiar principal-agent dilemmas. In still other instances, implementation may rely upon bodies whose relations with primary deliberative groups are even less structured. In Porto Alegre's participatory budgeting system, for example, the deliberations of regional assemblies are passed onto a city-wide body whose budget must then be approved by the mayor. These budgetary decisions must then filter back down the municipal apparatus before, say, a sewer main gets built or a street paved. In all of these cases, therefore, it is important to know the extent to which the decisions arrived at within the deliberative processes are effectively translated into real social action.

(iii) Monitoring

Implementation is more than simply having an initial decision turned into action; it also requires mechanisms of ongoing monitoring and accountability. To what extent are these deliberative groups capable of monitoring the implementation of their decisions and holding responsible parties accountable? Most democratic processes are front-loaded in the sense that popular participation focuses on deciding a policy question (as in a referendum) or selecting a candidate (as in an election) rather than on monitoring implementation of the decision or the platform. Our democratic experiments, by contrast, aim for more sustained levels of participation over time. Democracy here means participation beyond the point of decision, to popular implementation, monitoring of that implementation, and disciplined review of its effects. Popular participation throughout the entire cycle of public action, it is hoped, will increase the accountability of public power and the public's capacity to learn from past successes and failures. It remains to be seen, however, whether the public actively involved in these experiments can sustain participation over time with sufficient intensity to become effective monitors of the decisions they make; as in conventional democratic processes, moments leading up to decision are no doubt more exciting and visible than the long periods of execution that follow.

(iv) Recombination

While it is fairly clear that all of the experimental reforms decentralize power, the mechanisms of recombination theorized in section 1 are less obvious. Under the pragmatic devolution of empowered deliberative democracy, local units are by themselves unable to solve coordination and cross-border problems and would thus benefit from information-sharing connections to other units in the system. The fashion and degree to which the experiments reviewed above construct institutions to execute these functions varies widely, in no small part because recombination is the most foreign design element of empowered deliberative democracy to both social theorists and institutional designers. The empirical studies will, in more exploratory fashion, examine the extent to which these reforms construct recombinant linkages and establish how well those mechanisms work in practice.

(v) Schools of Democracy

For deliberative democracy to work in real-world settings with ordinary people, it must be able to involve individuals with relatively little experience or skills in the practices of democratic deliberation. The fourth question asks whether these experiments actually function as schools of democracy by increasing the deliberative capacities and dispositions of those who participate in them. While many standard treatments of political institutions take the preferences and capacities of individuals who act with them as fixed, these democratic experiments treat both of these dimensions of their participation as objects of transformation. By exercising capacities of argument, planning, and evaluation, through practice individuals might become better deliberators. By seeing that cooperation mediated through reasonable deliberation yields benefits not accessible through adversarial methods, participants might increase their disposition to be reasonable, and to transform narrowly self-interested preferences accordingly. Both of these hypotheses about the development of individuals as citizens in these democratic experiments are, of course, highly speculative pending much closer examination of actors' actual behavior.

(vi) Outcomes

For many potential critics and supporters, the most important question will be one of outcomes. Do these deliberative institutions produce strategies or effects more desirable than those of the institutions they supplant? One prime justification for re-allocating public power to these decentralized and deliberative groups is that they devise public action strategies and solutions that are superior to those of, say, command-and-control bureaucracies, by virtue of superior knowledge of local conditions, greater learning capacities, and improved accountability. A central topic of empirical investigation, then, is whether these experiments have in practice managed to generate better, more innovative solutions.

2. Criticisms of the Model

Beyond these questions that address whether the principles of our model of deliberative democracy accurately describe the experiments we examine, a second set of questions focuses

pointedly upon criticisms that have been raised against ostensibly similar proposals for associative, deliberative governance. The empirical materials can address six critical concerns about empowered deliberative democracy:

- (i) The democratic character of processes and outcomes may be vulnerable to serious problems of power and domination *inside* deliberative arenas.
- (ii) *External actors and institutional contexts* may impose severe limitations on the scope of deliberative decision and action. In particular, powerful participants may engage in “forum shopping” strategies in which they use deliberative institutions only when it suits them.
- (iii) These special purpose political institutions may fall prey to rent-seeking and capture by especially-well informed or interested parties.
- (iv) The devolutionary elements of empowered deliberative democracy may balkanize the polity and political decision-making.
- (v) Empowered deliberation may demand unrealistically high levels of popular participation, especially in contemporary climates of civic and political disengagement.
- (vi) Finally, these experiments may enjoy initial successes but may be difficult to sustain over the long term.

(i) Deliberation into Domination

Perhaps the most serious weakness of these experiments is that they pay insufficient attention to the fact that participants in these processes usually face each other from unequal positions of power. These inequalities can stem from material differences and the class backgrounds of participants, from the knowledge and information gulfs that separate experts from laypersons, or from personal capacities for deliberation and persuasion associated with educational and occupational advantages.

When deliberation aims to generate positive sum solutions in which nearly all participants reap benefits from cooperation (outcome points that lie closer to pareto frontiers), such power differentials may not result in unfair decisions. However, serious projects that seek to enhance social justice and equity cannot limit themselves to just these “win-win” situations. Therefore, our model would not be a very interesting one if it could not be applied to areas of public action which have winners and losers and it would not be very attractive if weaker participants turned out to systematically lose to those more powerful. Perhaps too optimistically, deliberation requires the strong as well as the weak to submit to the norms of reasonable deliberation; they ought to refrain from opportunistically pressing their interests even when power allows them to do so. One set of questions that must be answered, then, concerns whether deliberative arenas enable the powerful to dominate the weak. Consider four mechanisms that might transform fair deliberation into domination.

One lamentable fact of all contemporary democracies is that citizens who are advantaged in terms of their wealth, education, income, or membership in dominant racial and ethnic groups participate more frequently and more effectively, than their less well off fellows. Our democratic experiments demand intensive forms of political engagement that may further aggravate these status and wealth participation biases. If those who participate in these experiments generally represent better-off citizens and those less well off exercise no voice, then resulting public action is unlikely to be fair and effective in the ways described above. As in other channels of popular voice, the question of “who participates” remains a vital one in deliberative democracy.

Even if both strong and weak are well represented, the strong may nevertheless use tools at their disposal—material resources, information asymmetries, rhetorical capacities—to advance collective decisions that unreasonably favor their interests. While many other models of public decision such as electoral and interest group politics expect such behavior, empowered deliberation is more normatively demanding, and thereby perhaps more empirically suspect.

Beyond unfair representation and direct force, powerful participants may seek to improperly and unreasonably exclude issues that threaten their interests from the scope of deliberative action. By limiting discussion to narrow areas of either mutual gain or inconsequence, the powerful may protect their *status quo* advantages without resorting to blatantly non-deliberative maneuvers. Nevertheless, thus constraining the agenda obviously violates the norms of open deliberation and, if found to be a common phenomena in the cases, would indicate a failure of the model.

Worse still, deliberative democracy may disarm secondary associations by obliging them to “behave responsibly” and discouraging radicalism and militancy. After all, deliberation requires reasonableness, and so commitment to deliberative processes might be thought to require abstinence from vigorous methods of challenging power. That is, not only will the practices internal to the association bracket challenges to privilege, but in order to maintain their credibility to “the powers that be” the associations will strive to marginalize such challenges from the political arena altogether. If the popular associations engaged in these experiments fail to enforce these political parameters — if the deliberative apparatuses become sites of genuine challenge to the power and privileges of dominant classes and elites — then this criticism predicts that the deliberative bodies would be dismantled.

Much of the empirical examination that follows will therefore examine whether more powerful parties successfully deploy their advantages to secured their favored outcomes in these and other ways.

2. Forum Shopping and External Power

Even if the deliberative norms prevail over these criticisms and diverse participants cooperate to develop and implement fair collective actions, the powerful (and the weak) may turn to measures *outside* of these new democratic institutions to defend and advance their interests. The institutions of empowered deliberative democracy operate in a complex web of more conventional arrangements that includes interests groups and politicians contesting one another in

agencies, legislatures, and courts. When participants cannot get what they want in deliberative settings—perhaps because what they want is unreasonable—they may press their interests in more hospitable venues. In the context of public education, for example, a parent who cannot secure special privileges for his child in the local school council may try to use the central school system office to over-rule local deliberations. As we shall see, real estate development interests in the city of Porto Alegre have bypassed the participatory budgeting system in favor of more friendly planning agencies when they anticipated neighborhood opposition. Engaging in such forum shopping to overturn or avoid unfavorable deliberative decisions clearly violates deliberative norms that ground the experiments discussed above and, if widespread, will certainly poison the mutual confidence necessary for open discussion and cooperative collective action among diverse parties.

Aside from the possibility of the defection of participants, parties constituted outside of these deliberative bodies may not recognize their authority and resist their decisions. Driven by understandable jealousy, we might expect officials firmly ensconced in pre-existing power structures — elected politicians, senior bureaucrats, those controlling traditional interest groups — to use their substantial authority and resources to over-rule unfavorable deliberative decisions. At the extreme, they might try to cut the lives of these experiments short or at least contain them to some seedling form. So, for example, environmental groups have sometimes viewed cooperative ecosystem management efforts as ceding too much ground to development or agricultural interests and thus fought locally deliberative decisions through litigious and legislative methods. The Chicago school reforms empowered local governance councils by authorizing them to hire and fire their principals, and thereby removed the job tenure privileges that had been enjoyed by these school leaders. The association of principals fought back litigiously by arguing that the school reform's functional electoral structure violated the Constitutional mandate of one vote per adult citizen. Locally dominant left-wing political parties sustain both the village governance reforms of West Bengal, India and Porto Alegre's participatory budget. Officials there have claimed credit for the success of these experiments and subsequently based their political fortunes upon the continuation of these experiments. Conventional politicians and bureaucrats

thus became the handmaiden of deliberative-democratic transformation by mobilizing elite and popular support for the expansion and reproduction of these experiments. Without such political foundations, it is easy to imagine that these systems of popular deliberative action would be quickly overturned by castes and political elites that they often act against. The case studies below will therefore pay special attention to the extent to which non-deliberative external actors and institutions either enable or thwart empowered deliberation.

3. Rent-seeking vs public goods

We have hypothesized above that these experiments produce public goods that benefit even those who choose not to participate directly. Sound urban budgeting would benefit all of Porto Alegre's residents, not just those who take part in the formal institutions of participatory budgeting. Similarly, most neighborhood residents enjoy the good of public safety, all students and their parents benefit from effective schools, and many workers at a firm gain from the establishment of a skill-upgrading center. Potentially, however, rent-seeking participants might reverse this flow of benefits by transforming these deliberative apparatuses from ones that use public power to generate even wider public benefits into institutions that advance private or factional agendas. Members of the training consortium, for example, might attempt to make it exclusive and use public training monies as a weapon against local competitors. Similarly, the system of participatory budgeting could be re-absorbed into old-school clientelist politics in which party bosses control discussion and the resulting budget recommendations. Small factions of neighborhood residents or parents might use public powers created by the community policing and school governance reforms to benefit themselves by, for example, protecting just a few blocks or establishing special school programs for the sake of just their own children.

Some of these new institutions attempt to stem rent seeking through transparency and accountability measures. In II.5 above, we described some of these mechanisms under the heading of "recombinancy;" they link decentralized local bodies to one another and to centralized authorities in order to make the varied performance of deliberative action widely known and

therefore more accountable. All Habitat Conservation Plans, for example, must be reviewed by U.S. Department of Interior authorities in Washington, D.C. and the actual performance of those plans will soon be made publicly available in a centralized data warehouse. Similarly, the decentralized plans used to govern police beats and individual schools are both reviewed and aggregated by higher bodies, as are the neighborhood budget priorities of Porto Alegre and Panchayat decisions in India. In most of these cases, the extent to which these devices of accountability and transparency are able to check self-interested behavior is simply not known. Accordingly, these studies will explore the extent to which these experiments have been perverted into rent-seeking vehicles and examine the efficacy of mechanisms that attempt to check this tendency.

4. Balkanization of Politics

In addition to these pitfalls, these experiments may exacerbate the balkanization of a polity that should be unified. Prominent democratic theorists such as Rousseau and Madison worried that the division of the body politic into contending groups would weaken the body as a whole because individuals would advance their factional interests rather than common good. In the extreme, such factionalism might create conditions in which one faction dominates the rest. Or, fragmented political institutions and social factions might each be quite capable of solving its own particular problems, yet the system as a whole would be incapable of addressing large scale concerns or formulating greater agendas. From this critical perspective, these democratic experiments might aggravate the problem of faction by constituting and empowering hundreds of groups, each focused on a narrow issue in a narrow geographic space. A proponent of the experiments might respond that these channels of participation add some public component to lives that would otherwise be fully dominated by private, or even more particular concerns, and that therefore the net effect of these institutions is to broaden the horizons of citizens, not to narrow them. Both of these contending perspectives remain hypothetical, however, absent accounts of particular individuals and the relationship of these experiments to the political institutions that supposedly foster greater political commonality.

5. Apathy

While these first four concerns presume energetic actors who behave in inappropriately political fashion, a fourth criticism begins with the commonly-made observation that the mass of citizens are politically disengaged and ignorant, not fervid. From this perspective, these democratic experiments demand far too much in terms to the depth and level of participation from ordinary citizens, and the knowledge, patience, and wisdom that they are expected to possess or in short order acquire. It may be that the citizens in late capitalist societies are generally too consumed with private life to put forth the time, energy, and commitment that these deliberative experiments require. Or, symptoms of apathy may result from institutional design rather than individual preference. These deliberative channels ask citizens to generate public goods which are broadly shared, and so many will be tempted to free-ride on the efforts of others to build effective workplace training programs, make their neighborhoods safe, or generate a wise set of municipal budget priorities. These reforms' defenders might respond that the institutional design attempts to overcome these obstacles by linking the quality of participation to the quality of public outcomes. The investigators below will adjudicate these competing claims about the degree to which citizen apathy renders these deliberative institutions inoperable by examining the quantity and character of participation in each of them.

6. Stability and sustainability

The final criticism that we address here presses upon the stability of these experiments through time. They may start with a burst of popular enthusiasm and good will but then succumb to forces that prevent these auspicious beginnings from taking root and growing into stable forms of sustained participation. For example, one might expect that practical demands on these institutions might press participants eventually to abandon time-consuming discursive decision making in favor of oligarchic or technocratic forms. Even if one concedes that that empowered deliberation generates innovations not available to hierarchical organizations, the returns from

these gains may diminish over time. After participants have plucked the “low-hanging fruit,” these forms might again ossify into the very bureaucracies that they sought to replace. Or, ordinary citizens may find the reality of participation to be increasingly burdensome and less rewarding than they had imagined, and popular engagement may consequently fade from exhaustion and disillusionment. Though most of the reforms considered here are young institutions, some of them have a history sufficient to begin to ask whether their initial successes have given way to anti-deliberative tendencies. The investigations below will therefore also explore whether the whether these experiments are merely moments in a pendulum swing between more and less popular voice, or whether they mark a more sustained transformation in the organization of public action.