Studying democratic innovations

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Note: This is a revised version of the original piece posted on the CINEFOGO site. It is a draft of the first chapter of a monograph on democratic innovations. Because of unforeseen commitments, I was unable to work this into a self-contained paper for the CINEFOGO conference. If you are interested in reading drafts of other chapters (see the last section for descriptions), please do not hesitate to contact me.

Since 1989 ever increasing numbers of citizens have taken part in budgetary decision making in the Brazilian city of Porto Alegre. By 2001 an impressive 16,600 citizens were participating in the annual popular assemblies held across the city. Their initial participation eventually culminated in decisions about the distribution of a significant element of that year's city budget, with a substantial proportion destined for investments in poor neighbourhoods. The following year, the process began again. At the other end of the Americas in December 2004, after 11 months of deliberation, an assembly of 160 randomly-selected citizens delivered a report recommending changes to British Columbia's electoral system. The following year, their recommendation was put to a popular vote. And, again in 2004, citizens in 37 states across the United States voted on 162 propositions, almost a half of which were proposals that originated from within civil society rather than the legislature or executive. Some 68 percent of these propositions were approved by citizens and have or will become law.

Participatory budgeting, the Citizens' Assembly on Electoral Reform and direct legislation are three examples of what we will term 'democratic innovations' – *institutions that have been specifically designed to increase and deepen citizen participation in the political decision-making process*. They are democratic innovations in the sense that they represent a departure from the traditional institutional architecture that we normally attribute to advanced industrial democracies. They take us beyond familiar institutions such as competitive elections for political representatives and widely used consultation mechanisms such as community meetings, opinion polling and focus groups. Some of the innovations that we will discuss and evaluate have a long heritage and have become established institutions in a small number of polities – for example direct legislation in Switzerland and some states in the United States. Others, such as

the Citizens Assembly and participatory budgeting, are more recent developments.

In defining 'democratic innovations', it is important to stress two aspects of their design. First, these institutions directly engage *citizens*. Many participatory mechanisms are designed to engage individuals who represent organised groups within society – such institutions include stakeholder and corporatist designs. Organised groups and their representatives play a significant role in democratic polities in constituting a 'critical and attentive public' (Warren 1996: 56), but we are interested here in whether institutions can be designed to directly engage what have been termed 'lay' or 'non-partisan' citizens, as opposed to experts and partisan campaigners. This difference is not watertight. Experts and partisans are also citizens. However there is an important analytical distinction in operation here. We are interested in democratic institutions that engage citizens because they are citizens, rather than because they are experts or the representatives of an organised group within society.

Second, we are interested in *institutionalised* forms of participation in political decision making at the strategic level – democratic devices that provide citizens with a formal role in legislative or policy decision making. It is important to state this clearly and unambiguously, because much of the work on participation in democratic theory actually refers to more informal forms of citizen engagement in civil society and in confrontational and antagonistic relations with public authorities. Ricardo Blaug, for example, draws a distinction between what he terms 'incumbent democracy' and 'critical democracy' (Blaug 2002). For Blaug, incumbent democracy 'seeks to improve, though at the same time to control, participatory input, by channelling, simplifying and rationalizing it through institutionalized conduits'. In comparison, critical democracy 'occurs within local and peripheral sites and involves resistance to elite governance. It is characterized by increased participation and empowerment, often on the part of people normally excluded from political activity' (Blaug 2002: 105-6).

> Incumbent democracy is primarily motivated to preserve and improve existing institutions by maximizing and managing orderly participation. Critical democracy seeks, instead, to resist such management and to empower excluded voices in such a way as to directly challenge existing institutions. (Blaug 2002: 107)

There are (at least) two comments to make on Blaug's observations that are pertinent to this study. First, whilst this book focuses on institutionalised forms of citizen participation, this is not to say that it is an argument that such democratic innovations are the only legitimate mode of political activity. A

thriving democratic polity will entail a range of different modes of citizen engagement, from formal institutionalised channels through to informal, independent forms of confrontational activity – incumbent and critical democracy. Second, Blaug's distinction is too stark in its representation of democratic practice and theorising. His definition of critical democracy embraces a politics that seeks to 'resist' the management tendencies of incumbent democracy and 'to empower excluded voices in such a way as to directly challenge existing institutions' (Blaug 2002: 107). This assumes that such resistance and empowerment of the excluded is not possible within democratic innovations. But, as we shall see, many innovations are designed with such empowerment in mind. Blaug's distinction appears to close the door on the possibility that the type of innovations that we are investigating in this book might have critical impact. It will be an empirical question as to whether such 'managed' forms of participation are able to empower citizens, particularly citizens who are systematically disengaged from the political process.

Whatever the particular institutional form, democratic innovations redraw the traditional political division of labour within representative systems, providing citizens with more influence in the political decision-making process. The aim of this book, then, is to investigate the way in which different innovations recast the political division of labour between citizens and political authorities and to explore the implications and consequences for democratic politics. The aim of this particular chapter is to consider why there has been a rise in interest in democratic innovations in recent years and to develop an analytical framework with which to evaluate these relatively unusual democratic forms. By drawing on the perceived limits of traditional institutionalised forms of citizen participation – competitive elections and consultation exercises – the chapter will offer an analytical framework that will guide our analysis of the variety of democratic innovations.

Why study democratic innovations?

There is growing evidence of public disillusionment with the institutions of advanced industrial democracies. The decline in electoral turnout, low levels of trust in politicians and political institutions and decline in membership of traditional mobilising organisations such as political parties and trade unions are just three expressions of the growing disconnection between citizens and decision makers – the difference and distance between the subjectivity, motives and intentions of citizens and those who make decisions in their name (Barber 1984; Offe and Preuss 1991; Phillips 1995). Russell Dalton – a leading authority on political attitudes and behaviour – argues: 'By almost any measure, public

confidence and trust in, and support for, politicians, political parties, and political institutions has eroded over the past generation' (Dalton 2004: 191).

This could be taken as a counsel of despair – a growing disillusionment with the 'democratic project'. However, analysts such as Dalton argue that there is evidence that behind these trends there remains a strong and significant commitment to democratic norms and values.

> Even though contemporary publics express decreasing confidence in democratic politicians, parties, and parliaments, these sentiments have not carried over to the democratic principles and goals of these regimes. Most people remain committed to the democratic ideal; if anything, these sentiments have apparently strengthened as satisfaction with the actuality of democratic politics has decreased. (Dalton 2004: 47)[1]

Embedding democratic innovations that increase and deepen citizen participation in political decision-making could thus be perceived as one strategy (amongst others) for re-engaging a disillusioned and disenchanted citizenry. As Dalton concludes:

> The public's democratic expectations place a priority on reforms that move beyond the traditional forms of representative democracy. Stronger parties, fairer elections, more representative electoral systems will improve the democratic process, but these reforms do not address expectations that the democratic process will expand to provide new opportunities for citizen input and control. (Dalton 2004: 204)

This emphasis on increasing participation is also a consistent theme within contemporary democratic theory. Over recent years a range of theoretical perspectives have emerged that emphasise increasing and deepening citizen participation in political decision-making. Examples include participatory democracy (Pateman 1970), deliberative democracy (Bohman 1998), direct democracy (Saward 1998), difference democracy (Young 1990) and cosmopolitan democracy (Held 1995). There are important differences in emphasis and, on occasion, substance between these different theoretical streams. Those influenced by participatory democrats such as Carole Pateman tend to emphasise the

[1] Matt Henn and his colleagues offer similar evidence of support for democracy but disenchantment with its current institutional expression amongst young people. See Henn, Matt, Mark Weinstein, and Sarah Forrest. 2005. Uninterested Youth? Young People's Attitudes towards Party Politics in Britain. *Political Studies* 53 (3):556-578.

intrinsic value of participation – its educative and developmental affect on citizens. Participation is a beneficial activity in its own right, increasing citizens' political efficacy and understanding of their own interests and political responsibilities (Parry 1972: 26-31). As Pateman famously argues:

> The major function of participation in the theory of participatory democracy is … an educative one, educative in the very widest sense, including both the psychological aspect and the gaining of practice of democratic skills and procedures…. Participation develops and fosters the very qualities necessary for it; the more individuals participate the better able they become to do so. (Pateman 1970: 42-3)

Whilst the intrinsic value of participation remains an important consideration, contemporary theorists tend to focus more attention on instrumental arguments for increased citizen participation (Parry 1972: 19-26), with particular emphasis placed on arguments that participation leads to more legitimate political decisions. As the name suggests, deliberative democrats pay particular attention to the process by which decisions are made. As Amy Gutmann argues: 'the legitimate exercise of political authority requires justification to those people who are bound by it, and decision-making by deliberation among free and equal citizens is the most defensible justification anyone has to offer for provisionally settling controversial issues' (Gutmann 1996: 344). In contrast, direct democrats emphasise the moment of decision making: political legitimacy rests on the idea that 'all citizens have equal effective inputs into collective decision-making' (Saward 1998: 43). The particular contribution of difference democrats has been in drawing attention to the way which disadvantaged and oppressed social groups are marginalised or excluded from the political process. As Anne Phillips argues: 'when policies are worked out *for* rather than *with* a politically excluded constituency, they are unlikely to engage all relevant concerns' (Phillips 1995: 13). Thus judgements of political legitimacy rest on the extent to which the distinct voices and perspectives of these social groups are recognised and represented in political decision making processes. Finally, cosmopolitan democracy is unashamedly global in its pretensions, questioning the extent to which the decisions of transnational political authorities can be deemed legitimate without the active consent and participation of affected populations.

While there are differences in emphasis, arguably the dominant current within contemporary democratic theory is one that places a premium on increasing and deepening citizen participation. We will have more to say about the continuities and discontinuities of democratic theories as the analysis in this

book progresses. Much of the debate operates at a high level of abstraction – this study of a range of actually-existing democratic innovations will provide a valuable occasion to investigate the extent to which the normative commitments of different democratic theories can be institutionalised. To what extent can different designs express theorists' democratic hopes and expectations?

How to evaluate democratic innovations?

Until fairly recently, there has been little attention paid to the systematic evaluation of democratic innovations. Why is this? Democratic theorists have proved to be strong on arguing the case for citizen participation, but, with a few notable exceptions, discussions have remained at a high level of abstraction – there has been a failure to systematically engage in the 'messy' and detailed task of institutional design. Perhaps our expectations of democratic theorists are too high and we need to recognise the division of labour within the discipline of politics – there are other scholars who (should) pick up this task of studying innovations. There is, for example, a formidable community of political scientists – such as Russell Dalton whose work was discussed above – who study citizens' democratic attitudes and behaviour. However, they tend to focus on elections and other more familiar modes of political activity: democratic innovations are relatively marginal forms of democratic practice and typically fall under political scientists' radar.[2] As with democratic theorists, their studies often point towards the need to consider alternative modes of political engagement, but generally take us no further.

There would thus appear to be a gap in the discipline – a lack of concerted attention to theoretically-informed and comparative studies of democratic innovations. David Beetham goes as far as to suggest that this kind of gap can be explained by 'the disciplinary divorce within the academic study of politics, between normative theory and empirical political analysis, which has encouraged the separation of institutional accounts of democracy from any analysis of democracy's underlying principles, as if they belonging to quite different worlds' (Beetham 1999: 29). We are good at explaining the limits of existing democratic practice and arguing the case for increased and deepened

[2] To be fair, Dalton has been involved in discussions of expanding opportunities for citizen participation, although there has been relatively little work on the type of developments discussed in this book. See for example:
Cain, Bruce E., Russell Dalton, and Susan E. Scarrow. 2003. *Democracy Transformed? Expanding Political Opportunities in Advanced Industrial Democracies*. Oxford: Oxford University Press.

citizen participation. But, if we wish to evaluate the potential of different types of democratic innovations what approach should we take?

Whilst evaluations of democratic innovations tend to be rather patchy, there is a small, but significant body of democratic theorists who have turned their attention to more detailed discussions of institutional design. There is one approach that tends to dominate this work, namely a search for institutions that best 'fit' or express the basic principles of a particular theoretical model of democracy. Examples include the defence of the citizen initiative and referendum as the expression of political equality and responsive rule (Budge 1996; Saward 1998); citizens' juries and deliberative opinion polls as the institutional realisation of the principles of deliberative democracy (Fishkin 1997; Smith and Wales 2000); gender quotas or group representation as a way of enacting the politics of presence / difference (Phillips 1995; Young 1990).

These examples reflect what Michael Saward takes to be the dominant *deductive* approach to institutional questions within democratic theory: democratic principles can be 'deduced from a deeper religious (or contractarian) foundation, and in turn institutions and practices can be deduced from the principle' (Saward 1998: 162). This deductive approach to institutional design is symptomatic of a 'common approach in political theory' that attempts 'to stipulate a *literal* or proper meaning for a political principle. Behind this strategy is the assumption, normally unspoken, that there is one, correct, interpretation of a given principle' (Saward 1998: 165). Institutional analysis tends to be situated within debates between competing democratic theories or 'models', be it deliberative, direct, cosmopolitan, liberal, aggregative, ecological, communicative, difference, agonistic, etc.

A deductive approach to the analysis of democratic innovations would require us to commit ourselves to one particular theoretical position or model of democracy. We will not take this approach for a number of reasons. First, it would limit the range of institutions that could reasonably be discussed. No practical design can realistically hope to fulfil all the rigorous demands of any particular theoretical model. Only a few innovations come close to passing the strict theoretical tests and typically only squeeze through by overlooking certain aspects of their design. The deductive approach does a disservice to the range of actually-existing democratic institutions. It means that there is little comparison of the strengths and weaknesses of different types of innovation and how they might be combined to complement and overcome the deficiencies of particular designs. As Archon Fung argues, whilst 'deductive approaches have produced compelling views of democracy', they have been less successful 'at producing policy or institutional reforms that might realize those views' (Fung 2005: 2).

Second, democratic theories or models tend to be incomplete and, by their nature, their principles and rules drastically oversimplify the complexity of democratic practice (Jonsen and Toulmin 1998: 6). While theoretical work often proceeds as if it were an exhaustive account of democratic politics, theories offer only a partial analysis of our democratic condition. Democratic theory tends to develop in response to perceived problems in either democratic practice or weaknesses in current theories. Without wishing to offer a complete genealogy of democracy, we can understand the emergence of participatory democracy in the 1970s (Bachrach 1967; MacPherson 1977; Pateman 1970) against the backdrop and dominance of theories of elitist democracy that had developed post-war (Schumpter 1976). More recently, deliberative democracy emerged as a corrective to the perceived focus on aggregative forms of democracy (Bohman 1998). This dialectical or reactive development of theory means that we tend not to develop fully-fledged theories of democracy (whatever they would look like), rather we theorise about particular elements of democratic practice that – for good reason – hold our attention at that particular moment in time.

Let us take deliberative democracy, which is arguably the most influential development within contemporary democratic theory. Deliberative democracy has provided a powerful theoretical critique of the tendency within democratic theory and practice to focus on the aggregation of preferences as the fundamental mechanism of legitimation. For deliberative democrats the process of formation of preferences is crucial. As James Bohman states, 'Deliberative democracy, broadly defined, is… any one of a family of views according to which the public deliberation of free and equal citizens is the core of legitimate political decision making and self-government' (Bohman 1998: 401). Not surprisingly, when it comes to questions of institutional design, deliberative democrats are interested in the extent to which deliberation can be further embedded within the political process. But critics argue that there are many weaknesses in theories of deliberative democracy (Macedo 1999). For example, as a theory it fails to provide a satisfactory account of how decisions should be made. If deliberation does not lead to consensus (a rare occurrence), how is conflict to be dealt with? Deliberative democrats are quick to point out how conflicting parties should engage with each other, but have less to say about how decisions are to be reached (Miller 1992). There is no decision rule implicit with deliberative theory. This is not to say that the insights from deliberative democracy are not significant – we will be drawing heavily on this literature throughout this book. Rather it is an argument for not imagining that one theory can offer us all the necessary resources to evaluate different democratic innovations. Deliberative democracy highlights the importance of considering how democratic innovations enable citizens to make considered judgements;

other approaches to democratic theory may offer insights into other aspects of citizen participation. The danger of leaning too heavily on one theoretical position is that other significant elements of democratic practice and institutional design can be overlooked.

Saward provides a useful corrective to the tendency to work from within a particular model of democracy. Using the example of direct and deliberative democracy, he argues that instead of viewing them as competing and often antagonistic models, we should recognise that their ideals and practices can be mutually supportive. In isolation, both theoretical models are (arguably) deficient; but mutual engagement indicates how their deficiencies might be overcome. For example, there is a tendency within deliberative democracy to criticise models of direct democracy for lacking an account of how citizens develop reflective preferences before decision making. Equally, direct democrats are right to highlight the lack of any decision rule within deliberative democracy. But if they are not held as antagonistic positions, then we can see how mutual engagement may be productive – deliberation prior to direct decision making creates a more legitimate democratic process where citizens are encouraged to reflect on their preferences before making political choices (Saward 2001).

Finally, by not embracing one particular theoretical perspective – by not taking a deductive approach to institutional analysis – it is hoped that the insights gained from evaluating different innovations will allow for reflections on broad questions that cut across different streams of contemporary democratic theory (rather than one single theoretical perspective) at the end of the book.

Towards an analytical framework: goods of democratic institutions

How then are we to evaluate democratic institutions, and in particular, democratic innovations? We have already discounted the deductive approach that tends to dominate the analysis of institutions within democratic theory, so where does this leave us? If we are going to offer a comparative assessment and evaluation of different designs of democratic innovations, we still need to generate an analytical framework.

Our approach will be to develop a comparative framework based on the desirable qualities or *goods* that we expect to be realised by democratic institutions. This will allow us to compare the way and extent to which qualitatively different types of democratic innovations realise these different goods. But it leaves open the question: which goods? Rather than select one particular democratic theory to answer this question, our starting point will be the challenges laid down by sceptics and critics of the further institutionalisation of citizen participation. While the dominant current within democratic theory is

one that tends to valorise participation, there is a range of significant sceptical and critical voices that consistently argue that while enhancing citizen participation in political decision making may (or may not) be a worthy theoretical ideal, it is practically unrealistic and may (perversely) have a damaging effect on the institutions of advanced industrial democracies. Many of these sceptical and critical contributions are actually from major democratic theorists who have strong democratic commitments, but who believe that practical problems associated with participation are likely to undermine the democratic ideal if participation is further institutionalised. Their insights reflect concerns that existing institutionalised (and non-institutionalised) forms of participation – e.g. engagement in competitive elections and consultation exercises – fail to some extent to realise goods we associate with democratic institutions and that new forms of participation (democratic innovations) are likely to simply reinforce these failings. A consideration of these sceptical and critical voices is apposite then because it will suggest what the significant goods of democratic institutions are. It is these goods that we will use throughout this book as the basis of our analytical framework to analyse and evaluate the potential of democratic innovations.

This approach has a number of advantages. First, it means that we do not sidestep significant challenges to increasing and deepening participation in the political decision making process. It is too easy to be swept along with the rhetoric of participation and not ask hard questions of institutional designs. By developing our analytical framework with direct reference to the insights of sceptics and critics of citizen participation, we cannot be accused of wilfully avoiding controversies within democratic theory and practice. Second, unlike the deductive approach to evaluation, these are generic challenges to enhanced participation – they ask awkward questions of all democratic theories. If it is a realistic proposition that democratic innovations should be more widely institutionalised, then it is essential that we are able to show, contra the sceptics and critics, that these designs actually promote rather than undermine the realisation of the goods we associate with democratic institutions.

The first common criticism of proposals to enhance participation is that there will be differential rates of participation across social groups. General studies of participation across a range of political activities provide evidence that very few citizens actually engage regularly in political action – whether conventional or unconventional – and that participation is strongly positively correlated to income, wealth and education (Pattie, Seyd, and Whiteley 2005; Verba, Nie, and Kim 1978). As such, Arend Lijphart argues that democracy's unresolved dilemma is unequal participation (Lijphart 1997). His particular concern is the differential rate of participation in elections across all advanced

industrial democracies; a bias that is further exacerbated as the turnout rate falls (a trend that it occurring across almost all polities). If large swathes of the population do not vote on a systematic basis, their interests and opinions are less likely to be taken into account in the policy making process (ibid: 4). A similar concern emerges from studies of officially-sponsored consultation exercises: typically it is the already politically-interested and engaged who are motivated to respond to consultation documents and/or attend public meetings. Take, for example, the consultation exercise organised for the Oregon Health Plan in 1990 that is often held up as an exemplar of a thoughtful and well-structured process (Fung 2003; Sirianni and Friedland 2001). As part of the exercise, 47 independently-organised open community meetings were held across the state that aimed 'to build consensus on the values to be used to guide health resource allocation decisions' (Oregon Health Decisions 1990: 5). While these meetings attracted over 1,000 citizens, even sympathetic commentators recognise the impact of uneven participation:

> The most obvious limitation of the community meetings process was that participation was less than hoped for and was skewed towards health professionals and those with above-average incomes and education… Active outreach by the organisers and by those on the steering committee with strong links to medically underserved communities had not succeeded in getting a more representative group. Three of the community meetings were held in low-income housing projects, but only 14 percent of those who attended overall were either uninsured or Medicaid recipients, the initial target population of the reforms. (Sirianni and Friedland 2001: 158) (see also Nagel 1992: 1976).

As Iris Marion Young argues, discussions of health care were 'dominated by white middle-class and college-educated perspectives' (Young 2000: 153).[3] The widely held concern amongst democratic theorists is that extending opportunities for citizen participation in the political process will simply reinforce and amplify the existing differentials of power and influence within society (Philips 1991: 162; Sartori 1987: 114).

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[3] The organisers, Oregon Health Decision note that although participants 'reflected a variety of backgrounds… demographic sheets filled out by participants reflect an imbalance with fully 90% of participants being insured while only 4.4% were Medicaid recipients and 9.4% were uninsured'. Participants reflected the usual inequalities related to participation: 67% had college graduate education, 93% were white and 53% had an annual household income over $35,000, with 34% over $50,000 (Oregon Health Decisions 1990: 6 & 30).

Second, sceptics and critics of extending participation argue that citizens tend to lack the skills and competence to make coherent political judgements. Without doubt this concern was most explicitly expressed by Joseph Schumpeter and was a crucial element of his defence of competitive elitism: 'the typical citizen drops down to a lower level of mental performance as soon as he enters the political field… He becomes a primitive again' (Schumpter 1976: 262). It is not clear from Schumpeter's writing whether he believes that citizens are inherently incapable of making good political judgements or whether they simply lack the motivation to make informed decisions (Beetham 1999: 8).

There is plenty of evidence that most citizens are not that interested in politics and do not spend much time actively consuming political information. When they come to vote in elections they most certainly do not interrogate party manifestos in any systematic or rational manner. The majority of citizens have basic impressions about major political stories and the popularity of key politicians, and then use shortcuts in making voting choices or what Samuel Popkin terms 'low information rationality' (Popkin 1991). For example, voters may identify with a party or party leader and/or look for guidance from particular organisations, individuals or media outlets that they trust. There is ongoing debate about whether such heuristics make up for a lack of political knowledge and attention and whether similar choices would be made if individuals were more fully informed (Bartels 1996; Lupia 1994; Popkin 1991). We can also ask, following J.S. Mill, whether the private act of voting encourages citizens to make their decisions in the public interest, rather than for their own private reasons (Reeve and Ware 1992: 97-8).

While citizens participating in elections are required to consider a range of different issues, consultation has the virtue of generally focusing on one area of policy, thus in principle reducing the complexity of decisions. However, it is still pertinent to ask whether citizens are in a position to make sound judgements. Public meetings typically attract politically-interested, strongly partisan citizens with well-established viewpoints. Participants rarely hear the voices of those with different social perspectives and even on the occasions when a diversity of participants are involved, the length of meetings – typically no longer than two hours – limits citizens' capacity to absorb, understand and reflect on new information and perspectives. These problems are even more acute with opinion polls which are increasingly popular with public authorities: citizens are asked their immediate response to questions on subjects on which they often have little or no knowledge and with little or no opportunity to reflect on relevant information. Citizens are information poor and have no opportunity to listen to the perspectives of others. Opinion polls tell us what citizens think off the top of their head – often a superficial understanding of the issues confronting them.

Whilst opinion polls may engage a statistically-representative cross-section of the public, what they provide is an insight into unreflective public opinion. If such consultation has an effect, policy will be shaped in response to fairly raw preferences. Mark Warren captures well the problem faced by citizens in contemporary polities and the challenge that confronts democratic innovations:

> democracy works poorly when individuals hold preferences and make judgements in isolation from one another, as they often do in today's liberal democracies. When individuals lack the opportunities, incentives, and necessities to test, articulate, defend, and ultimately act on their judgements, they will also be lacking in empathy for others, poor in information, and unlikely to have the critical skills necessary to articulate, defend, and revise their views. (Warren 1996: 242)

A third issue commonly raised by sceptics and critics is not whether citizens are motivated and/or competent to participate effectively, but rather that participation will have little or no effect on political decisions – citizens' viewpoints will be ignored or the process and results of participation will be manipulated by political authorities to suit their own interests (Cooke and Kothari 2001). Such a concern, implicit within Blaug's distinction between 'incumbent' and 'critical' democracy (Blaug 2002) introduced at the beginning of this chapter, is explicit within the writing of theorists such as John Dryzek, who argues that extra-constitutional imperatives of the state (e.g. protection of capital accumulation) limit the potential for authentic citizen engagement and deliberation in political decision making (Dryzek 2000).

For many theorists, the distance between the act of voting and the decisions made in their name helps explain the growing disconnection of citizens from their political representatives and institutions (Barber 1984; Offe and Preuss 1991; Phillips 1995). While periodic voting may entail 'a continuous discipline on the elected to take constant notice of public opinion' (Beetham 1992: 47), the extent to which this discipline leads to responsive rule is debatable – the wealth of evidence that citizens have little trust or confidence in their political representatives to take into account their interests and opinions suggests otherwise (see, for example, Dalton 2004; Pharr and Putnam 1999).

Evidence from consultation exercises suggests that the deep scepticism expressed by citizens about their capacity to affect the decision making process is often justified. Reviewing a range of consultation strategies, Janet Newman and her colleagues suggest that there is often an orientation towards 'enabling the public to operate within the norms set by the bureaucracy, rather than enabling bureaucrats to hear and respect the experience that participants bring to the

process of participation. That is, it suggests a process of possible *incorporation* of the lay public into official institutions' (Newman et al. 2004: 211-12). The prevailing division of power between public authorities and citizens is far from challenged. In the UK, Vivien Lowndes and her colleagues found that 'only one-third of local authorities felt that public participation had a significant outcome on final decision making' (Lowndes, Pratchett, and Stoker 2001: 452). Evidence from the Audit Commission comes to similar conclusions finding that three-quarters of authorities surveyed had failed to effectively integrate the results of consultation with decision-making processes (Audit Commission 1999: 41). Investigating user involvement in health and local authorities in the UK, Mike Crawford and his colleagues could find very few examples of where citizen participation has actually led to improvements in services or changes in policy (Crawford, Rutter, and Thelwall 2003). Daniel Fiorino, at one time the Director of the Performance Incentives Division at the U.S. Environmental Protection Agency and a respected commentator on public participation, recognises the legitimacy of public scepticism, arguing that consultation exercises are often undertaken to 'give at least the appearance of individual and community involvement, legitimate decisions already made, warn the agency of potential political and legal obstacles, satisfy legal or procedural requirements, and defuse the opposition' (Fiorino 1990: 230-31).

While public policy may praise the virtues of participation (and may even make it a statutory requirement), evidence suggests that organisational and professional resistance to participation is often an obstacle for successful engagement (Crawford, Rutter, and Thelwall 2003). It is not unusual to find the belief amongst agency officials that citizen involvement is not suitable for strategic level decisions – these require, for example 'professional knowledge, managerial authority and political representation' rather than citizen participation. The public is too often viewed negatively as 'passive consumers; as a naïve, childlike and clamorous public; and/or as lacking skills, capacities or trust' (Newman et al. 2004: 210). Whilst there may be a belief among many public officials that participation will unrealistically raise expectations of citizens, it is just as likely that citizens' low expectations of participation and their scepticism towards the motivations and intentions of public authorities 'present a greater challenge for those pursuing democratic renewal' (Lowndes, Pratchett, and Stoker 2001: 453). In institutional designs where power lies so heavily in the hands of public authorities, the potential for manipulation and cooption of citizens is high. Given the poor consultation records of many agencies, suspicion on the part of the public appears reasonable. To what extent can democratic innovations be signed to allay such suspicion?

A fourth challenge to embedding citizen participation is that it will place too many burdens on both citizens and institutions. Adapting Oscar Wilde, participation can take up too many evenings. For most citizens – in particular those from politically marginalised communities – the perceived costs of participation far outweigh any perceived benefits and thus there is little or no motivation to engage. Most citizens are likely to prefer to spend any spare time involved in other activities. As such, Beetham has consistently argued that the 'economy of time' is a consideration for all institutional designs and for democratic innovations in particular.

> It takes time to grasp and discuss the complex issues involved in public decision-making, and there is only so much time that people will agree to devote to it. This is the only *democratic* argument for decision-making by proxy, by some smaller group which is in some sense representative of the whole, whose members can be released from other responsibilities to devote themselves more fully to deliberation of public issues. (Beetham 1999: 8-9)

Enhancing citizen participation can also place a high a burden on public authorities. Engaging citizens has resource implications, both in terms of organising engagement and the potential restructuring of administrative procedures and working practices to accommodate participation. Participation on the cheap is likely to be of a poor standard and will be detrimental to democratic practice. Poorly designed and implemented consultation is often down to lack of resources and tight timetables. Effort and resources need to be expended if citizens, particularly from politically-marginalised social groups, are to be attracted to participate – capacity building takes time and commitment on the part of public authorities. Often consultation is happening because it is what is expected – government guidance and legislation tends to place a high premium on consultation (Cabinet Office 2004), but without supporting this with adequate resources and professional experience. Although the climate of compulsion requiring participation in certain policy areas can lead to positive developments, it can have 'perverse consequences in terms of producing short-term and inappropriate strategies for engaging the public' (Newman et al. 2004: 208). 'If those responsible only carry out consultation because of the need to satisfy funding conditions, it will be poorly-executed and half-hearted' (Commission on Poverty Participation and Power 2000: 18).

Finally, there is a widespread assumption that the effectiveness of participation is limited by scale. Robert Dahl sums this position up concisely:

> The smaller a democratic unit, the greater its potential for citizen participation and the less the need for citizens to delegate government decisions to representatives. The larger the unit, the greater its capacity for dealing with problems important to its citizens and the greater the need for citizens to delegate decisions to representatives. (Dahl 1998: 110)

Much of the focus in writing on citizen participation is on small-scale institutional structures – small town meetings, workers' cooperatives, neighbourhood governance, etc. (Mansbridge 1980; Pateman 1970). Proponents of participation tend to take one of two approaches: either accept that the size and complexity of contemporary polities means that opportunities for participation in political decision making can only be effective at a local level, whilst 'politics-as-normal' occurs at higher levels of authority; or they offer a radical prescription of decentralisation where political control is decentralised to smaller units. Either way, this is a direct challenge to democratic innovations that aim to embed citizen participation in strategic policy and legislative processes.

This brief survey of sceptical and critical voices clearly raises considerable challenges to attempts to further institutionalise citizen participation in the political decision making process. Calls for increased citizen participation in political decision making in advanced industrial democracies are made against the backdrop of existing patterns of participation that lead us to question whether innovations in citizen participation will in practice fulfil our democratic hopes and expectations. The challenges offered by sceptics and critics bring to our attention significant desirable qualities or 'goods' that we expect our democratic institutions to realise. Four specifically democratic goods stand out: *inclusiveness*, *popular control*, *considered judgement* and *transparency*. These are goods that any reasonable account of democracy needs to attend to – any account that overlooked any of these democratic goods would be deemed severely deficient. Additionally, we are also challenged to consider two more general institutional goods that raise practical considerations, namely *efficiency* and *transferability*. It essential to consider these institutional goods on the grounds that an innovation may effectively realise all four democratic goods, but be entirely impractical.

Three caveats need to be raised before moving on to a brief discussion of what can be expected from democratic institutions if they are to realise each of these goods. First, in highlighting these six particular goods, we are not offering a definitive list of the goods associated with democratic institutions. Rather this particular selection of goods should be understood as significant 'ingredients' or 'components' (Saward 2003: 88) of any reasonable understanding of what we expect from democratic institutions in general, and democratic innovations in

particular. Second, we should be aware that any particular institutional design is unlikely to fully realise all of these goods. And finally, we need to be attentive to the fact that institutions may realise these goods in different ways and in different combinations.

Inclusiveness

If uneven participation is a persistent concern across various modes of political participation, then inclusiveness is clearly a significant good of democratic institutions. Thus, a key question is: can democratic innovations provide incentives for participation by citizens from across different social groups? In considering how inclusiveness can be realised we will need to attend to different institutional characteristics of democratic innovations. The most obvious characteristic is the fairness of selection rules and procedures. Democratic institutions operate a variety of selection mechanisms, from designs that are open to all, to those that restrict participation through mechanisms such as election, random selection and appointment. First impressions may suggest that inclusiveness would be best served through institutions that are open to all. Any restriction would undermine fairness – the equal right and opportunity to participate. But, as our brief discussion of the views of sceptics and critics indicated, when faced with opportunities to take part in political activities, we find differential rates of participation across social groups. Self-selection may well simply replicate existing inequalities. Difference theorists continually stress that presence can have a significant impact on the nature of decisions – if the politically excluded are not present, decisions are unlikely to fully respond to their concerns (Phillips 1995: 13). In judging the inclusiveness of democratic innovations, we will need to pay attention to not only the formal characteristics of the selection mechanism, but also the extent to which in practice they motivate the engagement of citizens from across social groups, ensuring that a particular social group is not marginalised or excluded from participation.

But consideration of selection mechanisms is not enough. We also need to be alive to the ways in which institutional design can affect fairness in making contributions and affecting any outputs. The presence of citizens from politically-marginalised groups does not necessarily equate to equality of voice. To what extent does the design of an institution provides citizens with equal substantive opportunities to express their views and be heard on the issue under consideration *and* have equal chances to affect the output of the institution? Simply being present does not necessarily mean that citizens will be willing or able to make their views known. We know that citizens differ in their political skills and in their confidence and political efficacy: 'the feeling that one could

have an impact on collective actions if one chose to do so' (Warren 2001: 71). We need to consider the ways that institutional rules, norms and expectations can exclude or undermine the contributions of certain citizens. According to Young, particular types of contribution, in particular dispassionate and disembodied reason-giving, are often privileged over other modes, such as narrative, thus perpetuating the dominance of citizens more skilled in these 'higher' forms of communication (Young 1990; Young 2000). A consideration of equality of voice thus requires us to take into account the extent to which institutions encourage different types of contribution and the ways in which they support and provide resources to those citizens who have little experience and/or are intimidated by the thought of speaking in public. We can again distinguish between an institution where equality of voice is formally achieved in that all participating citizens have the equal right to contribute and one where that formal right is given substance by the provision of resources to support those with less experience and confidence.

Finally, we must also consider the extent to which equality of voice is realised through the rules and procedures that govern the generation of outputs from institutions. We use the term 'output' rather than decision, because institutions will vary in the extent to which they can affect the final political decision. For some designs, their outputs are the final decision – they have direct policy or legislative effect. But, more often than not, there is a distance between the output of institutions that engage citizens and the final decision of public authorities. In all cases, however, we need to consider the extent to which inclusiveness has been realised. How fair are the rules and procedures governing the output? Do citizens have an equal opportunity to affect the output? Overall then, the realisation of the good of inclusiveness is of crucial significance. Can democratic innovations be explicitly designed so that differentials that traditionally affect levels of engagement across social groups are reduced or even neutralised in the different stages of participation?

Popular control

Generally, definitions of democracy accentuate the equal right of citizens to take part in collective decisions. For example, Beetham's influential work on democratic audit is based on an understanding of popular control and political equality as the core principles of democracy (Beetham 1999). Much more attention is given to inclusiveness in both democratic theory and practice compared to realising popular control. What is often missing from the design of most democratic institutions is any sense that citizens have effective control over significant elements of decision making. Given our earlier definition of

democratic innovations and the concern that participation is often manipulated by political elites, one way in which their design should be judged is the extent to which citizens are afforded increased influence and control within the political process.

If we are to assess the extent to which popular control is realised in democratic institutions, then it is important to distinguish between (at minimum) two significant moments in the decision making process – agenda-setting and final decision making. In relation to agenda-setting, democratic theorists are well-versed in the ways in which powerful interests attempt to avoid or sideline (whether overtly or covertly) contentious issues rather than subjecting them to public interrogation. Participation is often limited to 'safe' issues in order to suppress conflict. Given that most democratic innovations are established by public authorities, the process by which issues are selected for citizen engagement becomes crucial. An innovation may realise inclusiveness, for example, but citizens may be participating on an issue that has little political salience. Placing agenda-setting power in the hands of citizens requires mechanisms and procedures to be in place so that citizens are able to influence the selection of issues and the way in which they are to be considered, including for example the type of information they receive. To what extent can popular control be realised over the conditions under which citizens participate?

Even when participation occurs on significant issues, a common criticism that we will return to many times in this book is that it has little or no effect on decisions. Participation is either ignored by political authorities or is used to confirm decisions made elsewhere. In some designs, the outputs of innovations have direct policy or legislative impact, but this is rare. This leaves open the question of how the outputs of other designs affect final decisions. Are there mechanisms that can be put in place that ensure that they are given due consideration and weight in future political decisions?

In considering both agenda setting and decision making, we also need to be aware that citizens may be involved in 'sharing' power with other actors – for example public authorities. Instances of co-governance – where decisions are made in forums which include citizens and representatives from public authorities (and possibly other bodies) – raise important questions about the capacity of citizens to act in concert with actors that have more bureaucratic support and political experience. Given the increasing reliance on networks of governance in contemporary society (Stoker 1998), the ability of citizens to operate within these contexts is a significant consideration.

Considered judgement

While definitions of democracy tend to stress the goods of inclusiveness and popular control, the legitimacy of citizen participation in political decision making arguably also rests on the capacity of citizens to make thoughtful and reflective judgements. If the role of citizens in the political decision making process is to be enhanced, we will expect their judgements to be based not on raw preferences – on narrow private interests and pre-existing knowledge and prejudices – but rather on an informed and reflective assessment of the matter in hand. Arguably, this is an unfamiliar requirement in contemporary polities (Warren 1996: 242).

Considered judgement does not simply require citizens to learn more 'facts' about the issue under consideration, although such knowledge is crucial. It also requires them to appreciate the views of other citizens with quite different social perspectives and experiences. Hannah Arendt offers one of the most compelling accounts of considered judgement which she terms 'enlarged mentality'. This requires a capacity to imaginatively place ourselves in the position of others, distancing ourselves from private conditions and circumstances that limit and inhibit the exercise of judgement (Arendt 1982: 42-3). For Arendt, then, considered judgement

> must liberate us from the 'subjective private conditions', that is, from the idiosyncrasies which determine the outlook of each individual in his privacy and are legitimate as long as they are only privately held opinions, but are not fit to enter the market place, and lack all validity in the public realm. And this enlarged way of thinking, which as judgement knows how to transcend its own individual limitations… cannot function in strict isolation or solitude; it needs the presence of others in whose place it must think, whose perspectives it must take into consideration, and without whom it never has the opportunity to operate at all. (Arendt 1968: 220-21)

Democratic institutions cannot be designed to *ensure* that citizens achieve such considered judgement, but there are different ways of providing information and exposing citizens to the views and perspectives of other citizens; to nurture and support the development of enlarged mentality. But, as Claus Offe and Ulrich Preuss suggest, within contemporary political thought: 'It appears to be a largely novel task to think about institutional arrangements and procedures which could generate a selective pressure in favour of this type of reflective and open preference-learning, as opposed to fixed preferences that are

entirely derivative from situational determinants, rigid beliefs or self-deception' (Offe and Preuss 1991: 168). Analysing democratic innovations to discern the extent to which their structure enables participants to realise considered judgements can be seen as a contribution to this task.

Transparency

The ability of citizens to scrutinise the activities of institutions is crucial to any democratic system and is fundamental to building trust and confidence in the political process (Warren 1999). Increasing opportunities for participation will draw citizens into unfamiliar institutional settings where they are faced with unusual demands, in the sense that they are asked to make judgements that may have significant public impact. The transparency of proceedings becomes a crucial consideration in at least two senses. First, in relation to the citizens who participate in the process, transparency places an emphasis on openness so that participants have a clear understanding about the conditions under which they are participating – for example, how has the issue under consideration been selected, who is organising the process, how will the outputs of the process effect political decisions? In this sense the realisation of transparency may counter the fears of sceptics and critics who contend that participation is little more than cooption of citizens. It is also, arguably, a necessary condition for considered judgment.

If institutions that engage citizens are to have significant effect on public decisions, then the different elements of the process need to be open to scrutiny not only to the participants, but also to the wider public (unless of course the innovation engages all citizens). Such external transparency is often referred to as publicity – the transmission of information about the institution and its decisions to the wider public. The realisation of publicity is crucial if the public is to judge institutions and their outputs as legitimate and trustworthy. This is particularly the case when there is widespread suspicion about the motives of public authorities. Organisers of democratic innovations can be more or less active in realising publicity – from a passive strategy of publishing documentation through official sources to a more active strategy that engages different forms of promotion and media.

Efficiency

Democratic innovations require citizens and officials to participate in new political practices and as such will involve civic costs as well as benefits. The design of innovations will need to consider the demands they place on citizens

and on our institutions. Administrative costs and the burden placed on citizens can thus be a feasibility constraint on democratic innovations. For example, it is inconceivable that we would accept either the financial and bureaucratic costs or the levels of political activity expected from citizens associated with the participatory institutions of the ancient Athenian polis. However, it is not possible to specify a general level of unacceptable burden. It is likely to be highly contextual and as such we will need to consider the perceived interests of participants and supporting institutions and the perceived effectiveness of particular institutional designs. The acceptable costs associated with particular innovations are likely to be different in different political circumstances.

Transferability

Given that we are interested in institutions that embed citizen participation in strategic level decision making, designs will explicitly challenge the widespread assumption that citizen participation is limited by scale. Whilst it is accepted that some decisions can be made at a more local level, we take as given that significant political decisions will continue to be taken by public authorities at larger levels of organisation – city, regional, national, transnational, global. We will learn lessons from smaller-scale designs, but our interest in this book is in whether democratic innovations can operate effectively at these larger scales.

Second, we will need to discern whether certain designs will only function effectively within particular types of political system. Might differences in political, social, economic and cultural practices render problematic the import of particular institutions? Finally, we also need to consider whether particular designs are limited to dealing with certain types of issues. For example, particular institutions may be poor at dealing effectively with the complexity of particular scientific and technological issues. Overall then, transferability requires us to consider the conditions that need to be in place for the effective institutionalisation of democratic innovations in different contexts.

Applying the analytical framework

The combination of inclusiveness, popular control considered judgement, transparency, efficiency and transferability offers a powerful analytical framework for the evaluation of democratic innovations that aim to increase and deepen citizen participation in the political decision making process. The democratic challenge is clear: innovations will need to show how unequal participation can be overcome; how citizens can be empowered in the decision making process; how the environment can be structured to enable informed

judgements; and how proceedings can be open to participants and observers. Additionally innovations will face the practical challenges associated with ensuring that costs placed on citizens and institutions are not too burdensome; and that the design can be used in a variety of political contexts. It is only if democratic innovations can realise an attractive combination of these goods that they will be worthy of institutionalising within our political systems.

In the chapters that follow we will use this analytical framework to offer a systematic evaluation and comparison of different types of innovation, before concluding with a discussion of the lessons that can be learnt for both democratic practice and theory. We are, however, faced with a plethora of democratic innovations (Smith 2005) – too many to analyse in detail. In an attempt to place some order on the diversity of practice, and to draw out meaningful insights into the implications of different design choices we will focus our analysis around five categories of institutions, with particular attention paid to what are deemed *exceptional* innovations, the design of which realise particularly interesting combinations of goods.

Chapters Two and Three analyse two explicit institutional responses to engaging citizens from social groups that are frequently marginalised or excluded from the political decision making process. Chapter Two evaluates the institutionalisation of group representation within the decision making process by focusing on the approach taken by Birmingham City Council in the late 1980s. Its Standing Consultative Forum was structured to give systematic access to elected community representatives from nine different Black and minority ethnic (BME) communities. In the late 1990s, the institution was superseded by the Birmingham Race Action Partnership which took a completely different approach to engaging BME communities – the appointment of what are termed 'community advocates'. While the analysis exposes the extent to which both institutional designs are limited in their realisation of the goods we associate with democratic institutions, the quite different approaches to engaging marginalised communities raise challenging questions for the design of innovations.

Chapter Three asks whether open assemblies can be designed to encourage the participation of citizens from politically-marginalised social groups and will take as its central example participatory budgeting. The open assembly is arguably the most basic of democratic designs, taking us back to the central institutional body of classical Athens. In contemporary polities, arguably the most long-standing example of assembly-based politics is New England Town Meetings. For our interests, the most obvious limitation of this design is scale – it is typically assumed that all assembly-based forms of participation are limited to small-scale polities. However, participatory budgeting that initially

emerged in Porte Alegre offers one much-lauded example of where assemblies play a crucial part of the institutional design on a much larger scale and which attract higher levels of participation from poorer social groups. Porto Alegre is a city of some 1.3 million people, and the basic design principles have been transferred onto a larger political scale in the Brazilian state of Rio Grande do Sul.

While open assemblies can be viewed as one element of Athenian practice, a second aspect was the use of lot and rotation (or sortition) to allocate positions of political authority. Chapter Four evaluates the growing interest in participatory institutions that use forms of random selection to bring together a diverse body of citizens to discuss matters of public concern. There is a growing literature assessing designs such as citizens' juries, consensus conferences and deliberative opinion polls. Even more significant, however, is the recent Citizens Assembly on Electoral Reform that was established in British Columbia in 2004. A randomly-selected assembly of 160 citizens spent a year investigating whether the state should introduce a new electoral system, with its recommendation going direct to a popular vote.

Whilst participatory budgeting and the randomly-selected Citizens' Assembly are relatively recent experiments, the subject of Chapter Five has a much longer political heritage in contemporary polities. Constitutional and popular referendums and initiative are of interest because they provide citizens with final decision making power. The later two forms of direct legislation – popular referendum and initiative – are particularly interesting in that they allow citizens to place a proposition directly on a ballot (providing they can generate enough support) which is then subject to a popular vote. Successful initiatives introduce new laws; popular referendums repeal existing legislation. Both devices differ from forms of referendum and initiative that simply have recommendatory force. A small number of polities have institutionalised these forms of direct legislation – they are particularly well-established in Switzerland and some states in the US.

The last empirical chapter – Chapter Six – takes a slightly different tack, turning our attention to the impact of information and communication technology (ICT) on participation. To what extent have the great claims about the impact of the ICT revolution (both positive and negative) been realised? To what extent can ICT realise the goods we associate with democratic institutions?

The concluding chapters will assess what can be learnt from the analysis of these different types of democratic innovations. In what ways and to what extent do different designs realise the six institutional goods that form our analytical framework? What are the implications of the different combinations of goods? The findings from the analysis of the innovations will also offer insights

into the sustainability of claims of democratic theorists. In what sense can their ideas be realised in practice; to what extent can institutions be designed that create effective opportunities for citizen engagement?

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