

**The Will and the Way:
Deliberative Democracy in Theory and in
Practice for Municipalities**

by

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“Gentlemen—trials are too important to be left in the hands of juries.”

—Rankin Fitch, Runaway Jury, 1996

Civic engagement, from the most basic activity of voting to more advanced forms such as serving on boards or registering voters, is at one of the lowest levels seen in generations (Harris 2004), and all the stakeholders contribute to this. Elected officials often speak in platitudes and defer difficult decisions until they reach a crisis point, causing the government to be seen as ineffective and reactive. Administrations are bound to the direction of elected officials and are subject to political forces while rarely seeking citizen input beyond non-binding advisory roles. The media caricaturizes government, portraying an image of inefficiency and promoting mistrust.

These and other factors, such as fraud and scandal, have contributed to the overwhelming apathy citizens have in government, who are often unwilling or unable to overcome their suspicion of government. This leads to a political culture that is incapable of solving problems collectively; moreover, the political culture has no effective and participative discourse component to resolve these issues. There are likely confounding variables, such as the quality of education and the level of emphasis on civics in curriculums at all levels, how adults spend available leisure time, the American culture-at-large, the ability of Americans to tolerate discourse privately and publicly, and many others¹.

¹ However, as municipalities usually cannot affect these variables in any substantial way, they are not addressed in this essay.

What remains is not only “red tape” in administration, but also a type of entanglement among stakeholders that renders municipalities unable to successfully resolve the quandary of contemporary civic estrangement in a consistent manner, often leading to an attitude that political decisions are too important to be placed in the hands of citizens. This is obviously not the ideal of democracy. Instead, the most common course is the one of least resistance, rife with compromise and political considerations, rather than assuming the most objective and effective means of solving the problem.

Deliberative Democracy

At the heart of the inept political culture is the atrophied quality of civic discourse, or how we talk about public problems (Weeks 2000). Some have suggested that rather than having elected officials and the media as the primary sources of public decisionmaking, citizens themselves can be the primary decision-makers for their community via a deliberative process supported by the government. This is not a new idea to the modern American republic, as it has been called “unitary democracy” (Mansbridge 1980), “civic discovery” (Reich 1988), and “discursive democracy” (Dryzek 1990), among others. Some have even proposed a fourth branch of government at the federal/constitutional level, called the “popular branch” (Leib 2005). Academicians now seem to prefer the term “deliberative democracy” (Gutmann and Thompson 1996; Weeks 2000; Leib 2005).

Gutmann and Thompson define deliberative democracy as the “informed participation by citizens in the deliberative process of community decisionmaking,” (27) thus affixing the requirements of public participation that is informed, deliberative, and

broad. There are two other requirements that seem vital to the acceptance of deliberative democracy as a workable model—borrowing from statistical terms, validity and reliability. The outcome of the public participation process must produce valid results that are accepted and usable by stakeholders; namely, elected officials, administrators, media, interest groups, and the general public. It must also be reliable in that the results are credible and their effectiveness must be able to be produced in varied policy deliberations. A model which has results not trusted as being outputs of the deliberation process, or cannot be applied broadly to other policy decisions, will likely not be accepted by the stakeholders.

We often hear about public opinion polls and survey results as a way to gauge what citizens are thinking within the framework of the survey or polling instrument. Measured in this way, however, public opinion is often fickle and superficial. Instead, deliberative democracy seeks more than simply the aggregate of private opinions, but rather the aggregate judgment of the public. Developing an informed opinion typically requires a heightened knowledge of the given problems, knowing the potential solutions to the problems, and having a reasonable impression of the tradeoffs involved with each potential solution. Deliberative democracy seeks this type of informed opinion, rather than merely fishing for opinion counts.

Whereas an informed public opinion is essential, the solution must also be the result of deliberation. Informed opinion without deliberation does not make good judgment. To deliberate is to consider and weigh alternatives in an evaluative fashion. One of the goals of deliberative democracy is to increase civic engagement, ultimately advancing the level of discourse regarding important policy matters. Public deliberation

is vital not only to mission, but to the message; that is, it is required to make the policy decisions credible (valid), but also needed to broaden the spectrum of public policy decisions (reliable). Eventually, public deliberation as a means to solve many kinds of pressing political issues will produce the political will to implement solutions and provide “cover” for elected officials to enact those solutions.

Weaker Forms of Deliberative Democracy

Although deliberation can be, and often is, a private activity, deliberative democracy does not seek the aggregate of private opinions, but the wisdom of public judgment. This is why broad participation is important. In theory, if the sole aim of deliberative democracy were to provide a way to inform government of the opinion of citizens, there would be easier ways to achieve this goal. The concepts of “teledemocracy,” (Arterton 1988; Frey 1994) in which systems are set up to provide direct democratic participation through polling, would likely be the best way to obtain a cumulative and instant opinion of citizens.

Teledemocracy

A teledemocracy designs government around technology; specifically, around instant feedback. In many examples, citizens call by phone or log into a chatroom or some online polling mechanism and vote instantly on subjects being considered by elected officials. In more extreme examples, this vote would be the binding tally to approve or disapprove the policy option being considered. Additional policy options and

citizen input can be included “on the fly.” Teledemocracy is fundamentally different from deliberative democracy in several ways:

	<u>Teledemocracy</u>	<u>Deliberative Democracy</u>
Goal	Instantly gather public opinion	Informed public judgment
Principle	Self-governance through technology	Self-governance through collective decisionmaking
Principle	Provide as many opportunities to express free speech as possible	Dialogue is the cornerstone of democracy, not surveying
Principle	Make the democratic process accessible to all	Not susceptible to the “digital divide”
Culture	Increase participation of all citizens	Increase the quality of public participation through revitalizing the civic culture
Public Talk	Talk is vertical, from citizen to elected official, in a mass collection of ideas	Talk is lateral, among citizens, as public judgment emerges
Focus	Efficiency, speed	Quality of quantity

There are several difficulties with teledemocracy in meeting the goals deliberative democracy, the utmost of which is gathering of public opinion as a means to make policy decisions. As discussed above, public opinion can be fickle and misinformed. These systems, as a tool for decisionmaking, leave little room for deliberation, the benefits of which are also explained above². This creates merely an assemblage of private opinions rather than a resonant public voice. With regard to the civic culture, teledemocracy does not incent citizens to educate themselves on policy topics before weighing in on them, nor does it compel them to learn the processes of policymaking (London, 1995). Some issues, because of their complexity or technical

² Which is not to say that teledemocracy as a tool to supplement political communication cannot be useful. Online chats with public officials, online accessibility to official citizen surveys, social media, and many other of the facets of teledemocracy can serve to inform citizens, enhance the political culture, and provide information to decisionmakers.

nature, would not be suitable for opinion polling as a means of resolution, and would benefit from public discussion instead. Public opinion is also susceptible to advertising, media, and common perception, even if these information sources are inaccurate or misleading. In the political realm, this is best seen during election season, in which political ads are used to characterize political opponents in a certain way, and often these advertisements are misleading or inaccurate in some way. However, many times an effective advertising campaign can produce wild swings in public opinion polls and determine election winners. Applied to policymaking in a teledemocracy, the policy option that wins may be the one that receives the best lobbying.

There are other problems with teledemocracy. Policy decisions based on teledemocracy can become vulnerable to a “majority rules” motif, which creates particular problems for the minority. Minority rights are usually protected in local politics through the elected official(s) representing them, through the policy deliberation process and accountability of these officials to the media and the public. Of course, that is *if* there is a clear majority. If several policy options are being considered, there will likely not be a clear majority. The process then devolves into a policy whittling, in which there is no collective decisionmaking. This also assumes the issues are framed in a manner that will generate the best decision. Teledemocracy is also vulnerable to agenda-setting dilemmas, whether through misfeasance or malfeasance, that could gravely affect the final decision.

A system so dependent on technology suffers from problems that arise from this dependency. The “digital divide,” where not all citizens have access to the same technologies, is a serious problem. If the solution is to provide citizens with that

technology, a substantial cost in terms of equipment and training is incurred, and teledemocracy then loses one of its primary benefits. Otherwise, not resolving the digital divide results in constitutional issues regarding voting rights. The nature of electronic discourse is also a challenge. Electronic discourse tends to be less formal than conversation, and typically “denigrates to being chatty and opinionated monologues” (London, 41) with little accountability or usable information.

Sampling

Another way to collect opinions in a representative way is through sampling. A relatively small but demographically representative sample could be used in a small-setting deliberation, with the judgments gathered from that setting used as a representative substitute for the population. If performed correctly, this sample would likely reach the same conclusion as the population with the aid of statistical models.

Along with improving the attitude and nature of the population’s political discourse and creating political will (Weeks 2000), the goal of deliberative democracy is to revitalize the political and civic culture. The culture likely will not be affected if only a handful of citizens as part of a focus group or representative sample take part in the deliberative process. Conversely, participation that is broad but not representative likely will not ensure the judgments made are representative of the population. Thus, participation must be both broad and representative in order to accomplish the goals of deliberative democracy, in both echoing in the policy preferences of the population and revitalizing the civic culture.

Toward Application: A Dialogue with the Public

Applying the principles of deliberative democracy requires that municipalities rethink how they communicate with citizens. Municipalities have some unique advantages and disadvantages in attempting to accomplish this. One distinct advantage is a contained, accessible population of scale. Implemented at a state or federal level, the process would be much more complicated and time-consuming, and require vast resources dedicated to the effort. A disadvantage for municipalities is the general lack of knowledge among most ordinary citizens about local government structure and processes. There is little education available about the history or civics of local government, particularly when compared to federal and state government. The most consumed media also tends toward national issues far more than local ones, with the exception of “hot button” issues that arise from time to time locally.

Some communities, on an experimental basis, have enacted a model of community dialogue to achieve deliberative democracy operationally. This model allows any citizen in the community to participate in a way that treats them as the local management would treat an elected official; that is, the administration provides extensive information about the context and nature of a particular problem, possible solutions, and associated tradeoffs. Just as with elected officials, the process begins with agenda setting, continues through deliberation, and ends with judgment.

Agenda setting is defining the scope and terms of the policy deliberation process. This is often accomplished initially by a tabloid that introduces the community to the problem and solicits them to join in the deliberation. Deliberation is considering policy alternatives and tradeoffs. Citizens can also be asked to initiate their own policy

alternatives. Within the model, deliberation is usually accomplished in multiple stages, beginning with more tabloids that further define the problem and policy options, and ending with citizen workshops that offer them ways to gauge policy consequences.

Judgment is aggregate of all the input expressed in the deliberation phase.

The community workshops are important because they are a critical component that makes deliberation different from opinion polling. They provide the opportunity for citizens to debate, deliberate, and collaborate on the policy alternatives for shared problems. This benefits all stakeholders and gets right at the purpose of deliberative democracy. For the citizens, this gives them an opportunity to have a profound influence on the political decisionmaking process, working through actual problems in a tangible way; in essence, “add their voice to the dialogue” (Weeks, 363). Political acrimony about previous decisions and frustration about not having a voice can be channeled into these solution workshops, as they have the chance to make their opinions matter. Over time, such interaction could serve to revitalize the local civic culture as more citizens get involved and more and varied types of community problems are addressed. For administrators, community workshops provide the perfect opportunity to educate attending citizens about the nature and structure of local government, explain prior decisions, and detail the tradeoffs and consequences involved with policy options. If facilitated correctly, the community workshops can be an effective communication tool between administration and citizen, providing both real input for solving the problem at hand, and giving sending the message that the administration indeed does act in the best interests of the citizens and value their input. For elected officials, they will have an enhanced understanding of the community’s policy preferences; but even more important

than that, such input provides them the political will, capital, or “cover” to adopt difficult policies where it would otherwise have been untenable.

Deliberative Democracy in Action

Nearly all municipalities seek constituent opinion in some way, such as public input for a comprehensive plan or resident opinion surveys. As outlined, deliberative democracy is not only the gathering of input, but also the facilitation of public judgment. Some municipalities have engaged in deliberative democracy for decisionmaking. This engagement is most often applied to budget crises.

Round Rock: Lexus or Corolla?

In early 2006, the City of Round Rock commenced a long-range (10-year) financial planning effort. City staff presented to findings to the City Council that concluded Round Rock’s inability to sustain their current level of expenditures to projected revenues over the long term. Council and staff used this as an opportunity to seek public input on how best to use their tax dollars. Every resident was sent a water bill “stuffer” advertising the problem, the effort to correct it, and four available dates to attend a “community workshop.”

City staff present at each of the workshops gave a short presentation of the long-range financial problem and held a brief question-and-answer session. Attendees were then directed to laptops provided for the workshop. City staff identified “Core Services” for which attendees were asked to identify a level of service preferred. Core Services were identified as Fire Response, Public Safety, Library Services, Parks and Open

Spaces, Infrastructure, Recreation Activities, and Emergency Medical Response. These selectable levels of service were grouped into a three-part spectrum based on Toyota models: Corolla, Camry, and Lexus. Citizens would select their preferred level of service for each Core Service. Each level of service included a brief narrative of what that level would provide for the given Core Service, and the level currently provided; however, each level of service also included the estimated impact on the property tax rate. Choices in levels of service could be changed at any time, and a running total of the net property tax rate gain/loss was provided. They were also asked about their willingness to raise taxes, raise user fees, and cut services. The citizen, once finished, submitted their response, and was thanked for their time.

The results may be somewhat surprising to one not familiar with deliberative democracy. The Camry level of service was the most popular selection for all Core Services, but more importantly, participants chose to raise their tax rate by 8.12 cents, resulting in an average tax bill increase of \$150.73 and a budget increase of \$4.04 million. By a margin of 65-29%, the same participants indicated a preference of raising taxes over cutting services.

Eugene Decisions: The People Speak

Facing a budget crisis in 1996, the City Council of this medium-sized university town in Oregon hoped to use their usual processes to discover what services the citizens were willing to cut in order to balance the budget³. The response was mostly that citizens wanted no services cut, no taxes raised, and instead the budget balanced through

³ Edward Weeks of the University of Oregon has a detailed description of *Eugene Decisions* in *Public Administration Review*, July/August 2000, Vol. 60, No. 4, pp. 363-365.

“efficiencies.” This is a practical example of the theoretical problems described from the beginning: citizenry lacking the discipline to pay for the services they want, elected officials lacking the political will to solve the problem, and a civic culture unable to facilitate an effective solution.

Residents were sent a budget worksheet that attached a narrative to forty municipal services, five new/enhanced services as proposed by Council members, and sixteen revenue sources. The budget began with the reality of the city having an \$8m deficit. If any of the new or enhanced services were accepted, those were also added to the deficit. Then, citizens were asked to make reductions in services as necessary, with the balance made up by adjusting any or all of the revenue sources. The worksheet also asked for some basic demographic data, in order to generate a representative sample. Eugene received over a thousand responses.

Community workshops were held next in effort to generate some deliberation on the topic. Citizens at each workshop were divided into groups of 7 or 9, led by a community volunteer for discussion and recording decisions, where they could adopt any combination of service levels and taxes. As with the Council, final decisions were made by majority vote. A city staff member was assigned to each group, instructed to serve a resource role only. Senior staff members were also available as roving specialists at each workshop. Over 682 citizens attended the community workshops, whereas Eugene had never had more than 200 citizens attend a public meeting before.

The Council and staff used the workshops to formulate three broad strategies: \$4.4m in cost savings and \$3.6 in additional taxes, \$10.8m in new services including \$3m in cost savings and \$15.8 in additional taxes, and raising no new taxes, balancing the

budget only by reducing services. These strategies were derived directly from the outcomes of the citizen workshops.

A second budget worksheet was sent to residents asking them to rank the given strategies, and gave asked them to assemble their own budget, with the given options among those decided upon in community workshops. A second round of community workshops were also offered. The aim of the second workshops was more focused on getting to specific numbers, keeping the same format of volunteers, staff, and majority vote.

One unfamiliar with the model of deliberative democracy may reasonably assume that attendance and/or participation from the first round of worksheets and workshops would decline. After all, what is expected of the citizen was more difficult and time-consuming from the first round to the second. The worksheets required more difficult decisions than the first, and the format did not allow mathematically impossible choices. The citizen workshops received lukewarm press coverage and did not seem to incite citizen groups, leaving many to believe the novelty of a community dialogue had lost its luster. Instead, the response rate for the worksheets increased from 53 percent to 61 percent, and the number of surveys returned more than doubled. Attendance for the workshops declined slightly, which staff surmised was due to poor scheduling, in which Oregon's National Basketball Association team was playing for the championship during the week of workshops. However, staff also noted an increase in the participation level among those that did attend, supported by citizens requesting longer times for deliberation and requesting more workshops.

Results

The ideal of deliberative democracy is that all citizens are completely informed of every detail of the policy problem and participate in a thorough and detailed deliberation in a way that all policy decisions can be made in this fashion. For many reasons, this ideal is unreachable. However, a practical deliberative democracy process aims to achieve these same goals where possible and pragmatic. To accomplish this, municipalities can seek to enact a deliberative democracy model that is informed, deliberative, broad, valid, and reliable. Round Rock and Eugene were able to achieve the ideal of deliberative democracy, but their efforts come much closer to attaining a practical standard of the model.

The citizens participating were in most ways as informed of the details of the policy problem as their respective city councils would be. In Round Rock and Eugene, staff sought to inform the citizens of the specifics of the problem so that they may render a responsible decision. In both cases, the city staff members available in the workshops are mostly the same staff available at city council meetings. The setup was also similar, in that staff members provided information about the policy problem at the same level of detail that a councilperson would receive.

Although the Round Rock exercise was more of an opinion gathering task, albeit an informed opinion gathering, Eugene's exercise were designed to elicit talk among the participants. The small groups were encouraged to ask questions to understand the problem, weigh the alternatives, and generate their own solutions among themselves. The results illustrate how much public judgment can differ from aggregate public opinion. Predictably, the most popular of Eugene's three broad strategies after the first

round of worksheets and workshops was the no tax increase strategy. However, “respondents who selected ‘no new taxes’ as their most preferred strategy constructed a budget that included \$3.3m in new taxes” (Weeks, 370). A public opinion poll might only show that citizens do not want new taxes. Elected officials respond to this sentiment by campaigning on these ideas without ever knowing or informing the public the tradeoffs involved in the municipality collecting less revenue. This is what erodes our civic culture. Instead, Eugene and Round Rock allowed an opportunity for citizens to understand the tradeoffs and alternatives, which led to citizens who initially resisted the idea of new taxes to support a budget that raises taxes in order to receive city services.

Determining if Eugene and Round Rock’s citizen participation was sufficiently broad and deliberative is a bit more difficult. All residents of both cities were given multiple opportunities to participate, but only a small percentage of the population of each actually did. In ideal terms, both likely fell short. Round Rock made no attempt to address how representative their participating citizens were to the overall population, and Eugene’s demographic results were not released to the public. In practical terms, Eugene was able to resolve the budget crisis by, in part, raising taxes. Before the community dialogue effort, the actions implemented, many of which had been proposed in the previous year, were met with loud protest among the citizenry. Summarily, participation in both municipalities was broad, and representative enough to allow elected officials to take previously unpopular actions to resolve the financial problem.

Conclusion

The exercises performed by Round Rock and Eugene suggest that deliberative democracy is a viable method of public decisionmaking, even if it cannot meet the ideal for the model. In both cases, the participants reached conclusions that would have not been popular in public opinion polls or among uninformed citizens, emerging from the political deadlock to take action on important problems. The model, if flawed, works.

Further study of these communities and their local media would be needed to see if the civic culture in these places has been revitalized over the long term. Moreover, these exercises alone would likely not be sufficient in enhancing public discourse. It would require many more and different kinds of decisions to be made in this fashion before the citizenry adjusts to the new expectations of discourse and democracy; after all, such expectation has been absent for far too long.

Deliberative democracy is not a model that solves problems. What it does is provide method by which problems can be solved by the citizens themselves—not representatives of citizens, or citizen panels, or citizen interest groups, but the citizens themselves. This may be the only method for which we can restore responsible decisionmaking in our governments, which have been eroded by the cycle of public cynicism and electoral platitudes for so long.

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