

# Mapping Public Deliberation

A Report for the William and Flora Hewlett Foundation

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# 1. INTRODUCTION<sup>1</sup>

In recent years, political theorists have expended considerable energy defining and debating the ideal of public deliberation and its importance for democracy. In parallel, a growing number of civic organizations have been experimenting with new forms of public deliberation. For many scholars and practitioners, the deliberative process, in which citizens carefully weigh alternatives in order to identify the best decisions, is the centerpiece of democratic governance. Despite all the energy devoted to promoting the deliberative ideal, surprisingly little effort has been directed to determining whether and how existing public participation opportunities approximate this ideal.

As one step toward rectifying this imbalance, this project creates a map of existing opportunities for public deliberation in the United States. This map aims to:

- Assay the major kinds of venues in which public deliberation occurs. We focus especially on the contrast between governmentally organized deliberation and that which is led by non-governmental entities.
- Assay many of the organizations that create and promote deliberation.
- Identify important “design choices” in constructing deliberation and participation.
- Identify differing goals of deliberation and, where possible, its outcomes.
- Identify gaps in existing knowledge and set the agenda for further research.

This report is organized into the following sections. We begin by surveying a wide range of organizations that plausibly claim to promote public deliberation and develop a classification of these organizations. Based in part upon this assessment, we then offer an institutional map, or coordinates, to plot various institutional designs for public deliberation. The bulk of this report then explores regions of this map by examining the design features and outcomes of (i) very common and (ii) very innovative venues of public deliberation and participation. We conduct this exploration by examining the relevant secondary literature documenting the design and effects of various kinds of participation. We conclude with a comparison of these venues according to the goals of deliberation and highlight the most important areas for future research.

This examination reveals that the vast majority of public participation organizations and venues exist due to legislative requirements for “public involvement.” Although these requirements may allow some citizens to hold officials accountable, in general they do not encourage a very high quality of public deliberation. Public deliberation may represent some theorists’ and practitioners’ ideal, but for the most part it is not an ideal that governmental institutions successfully emulate. While the majority of governmental public participation venues fail to

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<sup>1</sup> We would like to thank the William and Flora Hewlett Foundation and Terry Amsler, the last director of its Conflict Resolution Program, for the enthusiasm and financial support that made this report possible. Much of this report grew out of the work of a research group on deliberation and participation at the John F. Kennedy School of Government that included Elena Fagotto and Joseph Goldman. Tissa Hami provided valuable editorial assistance. Most importantly, we would like to thank the dozens of practitioners of public deliberation in the governmental and civic spheres whose work and insight we hope to capture, but who are too numerous to thank individually. You know who you are.

support good deliberation, more and more civic organizations are devoting themselves to promoting citizen deliberation and dialogue. Some of these organizations believe that involving citizens in meaningful discussion and decision-making offers the best hope for revitalizing civic engagement in America. Others promote citizen deliberation as a way to resolve conflicts, build community, or achieve social change.

In rare cases, governmental bodies have taken the initiative to establish participation programs that allow public deliberation, with the belief that they can make government work more effectively. In other cases, governments have partnered with civic organizations to meet expectations for public involvement in ways that enable deliberation. These efforts offer promising examples of how the menu of public participation opportunities might be transformed to more closely approximate the ideal of citizen deliberation. Rather than recreating the wheel, we can learn a great deal about effective ways to promote public deliberation by analyzing the design and consequences of existing public participation venues.

This paper discusses governmental venues for public participation and the ways in which they achieve and fall short of public deliberation. It then reviews some of the more prominent civic efforts at public deliberation, describing their strengths and shortcomings. In the final section, we assess what the comparative analysis of participatory venues teaches us about opportunities for public deliberation and suggests in terms of policy interventions. In closing, we consider what more we need to know in order to more effectively merge the reality of citizen participation with the ideal of public deliberation.

## 2. PROMOTING DELIBERATION: ORGANIZATIONS AND ASSOCIATIONS

For the most part, public political deliberation does not occur spontaneously. The varieties and forms of intentionally constructed public participation in the United States depend in large measure upon the activities of the thousands of organizations and consultancies that take it upon themselves to organize public participation. To begin to approximate the lay of the land of public participation opportunities in the U.S., we examined the rolls of professional associations and networks dedicated to civic participation, spoke with experts, and extensively surfed the Internet. Through this scan, we developed a list of 430 U.S.-based and focused organizations involved with public participation. The list is not exhaustive and has a few biases worth noting; nonetheless, it succeeds in portraying a general topography of public participation organizations in the U.S. Classifying these organizations based on their goals, connection to government, and degree to which they promote deliberation, gave further shape to the field.

The sample consists of organizations that belong to three major umbrella associations: the National Coalition for Deliberation & Dialogue (NCDD) (70 organizations), CIVICUS (39 organizations), and the International Association for Public Participation (IAP2) (243 organizations) as well as 78 others we identified in the course of research. Because IAP2 members represent more than 60 percent of organizations in the sample, analysis of the shape of the field is highly influenced by the characteristics of IAP2 members. Although no other similar consortium contained as many members, we cannot conclusively prove that the characteristics of IAP2 organizations are as over-represented in reality as they are in the sample we constructed.

To the extent possible given the information available on the Internet and in available print resources, we classified these organizations along three major dimensions.

- *Fit with Public Deliberation Criteria*

We attempted to ascertain whether the organizations met three criteria for a public deliberation venue. Deliberative venues are those that intentionally constitute **public spaces** for **deliberation** on issues of **crucial public concern**.

We classified organizations as meeting these criteria if any of their activities fit the criteria. We attempted to classify their efforts based on these deliberative activities rather than on their overall organizational focus.

- Deliberation – Discussion aimed at weighing alternatives for what should be done.
- Public Concern – Deliberation focuses on issues related to the public good, rather than private interests.
- Public Space – Open invitation, and/or space for deliberation is actually public.

- *Purpose*

We classified the organizations based on the stated or implicit goals of their participatory efforts. Eleven reasonably distinct goals emerged in the analysis, which we have since condensed to five major goals of civic public deliberation venues and four other categories.

- **Conflict Resolution** – Main focus of deliberative projects is resolving specific conflicts.
- **Community Building and Mutual Understanding** – Main focus of these deliberative projects is to bring people together to encourage the formation of relationships and cooperation with goal that diverse parties that have failed to communicate effectively in the past understand one another.
- **Civic Engagement/Giving Voice** – Main focus of deliberative projects is to foster active citizenship, ensuring that citizen voices are heard.
- **Social Action/Problem-Solving** – Main focus of deliberative projects is to identify concrete actions to address a problem.
- **Opinion-formation/Civic Education** – Main focus of deliberative projects is to enable citizens to interact and form their own ideas about public issues.
- **Visioning** – Main focus of deliberative projects is to identify a shared vision/long-term plan for the future of a community or organization.
- **Project Facilitation** – Main focus of deliberative projects is to facilitate public involvement in and approval of projects, often as a contractor to a government agency or a staff member of a private engineering firm.
- **Making Government Work** – Main focus of deliberative projects is improving government functioning by improving communication, generating better information, engaging citizens in change, etc.
- **Research/Resource** – Main focus of projects is to provide resources or research for deliberative projects.

- *Connection to Power*

We also classified the organizations based on their relationship with any level of U.S. government.

- **Empowered** – Citizens involved in deliberative process make decisions that government and/or other organizations implement.
- **Advisory** -- Citizens involved in deliberative process advise government and/or other leaders.
- **Government Initiated** – Government agency or official originated and spearheaded project.
- **Government Sponsored** – Government agency or official provided at least some financial, in-kind, or technical assistance to the project.
- **Government Participation** – Government agency or official participated actively in deliberation.

- **No Government Role** – No government agency or official participated in the project in an official capacity.

Of the 430 organizations in the sample, 21 could not be classified based on the information available on the Internet. An additional 36 organizations did not appear to have any relevant participatory projects.

### *Project Facilitation*

The analysis in Table 2 below reveals that 62.2 percent of the categorized organizations in the sample fall into either the “Project Facilitation” or “Making Government Work” categories. This bias can be attributed to the fact that IAP2 organizational members predominated in the sample. IAP2 members focus largely on implementing public involvement in accordance with the 1970 National Environmental Policy Act and similar legislation.<sup>2</sup> In addition to the government agencies required to conduct public involvement, some project facilitation organizations are engineering firms that offer public involvement services along with their construction and design services. A larger portion consists of firms that offer specifically public relations and public involvement services.

Of the 121 project facilitation organizations, only nine described their objectives in terms of citizen deliberation. Most organizations described their functions in terms of “public involvement” and “outreach” in expediting project approval and implementation. For 91 percent of project facilitation organizations, we could not determine whether their participatory projects were deliberative. Because most describe the traditional public hearing and citizen comment period as their form of participation, we suspect that most of these organizations do not enable citizen deliberation. Since NEPA and other legislation require holding public forums, most project facilitation organizations conduct their citizen participation in public spaces.

### *Making Government Work*

Nearly 30 percent of the sample falls into the “Making Government Work” category. This category is comprised of two main groups: (1) federal and state agencies that conduct public participation in order to comply with relevant legislation and (2) municipalities that have taken the initiative to involve citizens in advising local policy-making. Nearly all agencies in the latter group of neighborhood association programs, master planning, and visioning efforts, meet with the three criteria for public deliberation venues.

In the former group, it is unclear whether agencies practice deliberative participation in their public hearings. In several cases, agencies such as national laboratories have deliberative “site-specific advisory boards,” composed of self-nominated and officially appointed citizen representatives. The extent to which these boards represent a public space for deliberation is unclear as most citizen appointees have professional interests in the boards as city planners, environmental advocates, etc.

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<sup>2</sup> IAP2 has many member organizations, many of which operate outside of the United States. For the purposes of this report, we include 243 of the 274 organizations operating in the United States that were listed in their member directory in 2004.

**Table 1. Percentage of Organizations by Category**

<b>Categories</b>	<b>Number of Organizations</b>	<b>Percentage of Sample</b>	<b>Number of Organizations Meeting the Criteria</b>	<b>Percentage Organizations in Category Meeting Criteria</b>
Project Facilitation	121	32.44%	9	7.44%
Making Government Work	111	29.76%	34	30.63%
Community Building/Mutual Understanding	39	10.46%	11	28.21%
Research/Resource	20	5.36%	10	50.00%
Conflict Resolution	17	4.56%	5	29.41%
Visioning	17	4.56%	11	64.71%
Social Action	16	4.29%	5	31.25%
Giving Voice/ Civic Participation	21	5.63%	20	95.24%
Opinion-formation	11	2.95%	11	100.00%
<b>TOTALS</b>	<b>373</b>	<b>100.00%</b>	<b>116</b>	

Community Building/Mutual Understanding

Of the 39 community building organizations in the sample, only 11 (28.1 percent) meet our three criteria. Dialogues held by these organizations tend to be about individual emotions and experiences, rather than focusing on what should be done about social problems. A few organizations are deliberative, but fail to meet the public space criteria because they conduct small group discussions in private homes.

Research & Resource

Of the 20 research and resource organizations in the sample, half meet with the three criteria. That is, half carry out research related to public deliberation or provide support to such efforts.

Conflict Resolution

Of the 17 conflict resolution organizations in the sample, five (or nearly 30 percent) meet the three criteria. Most mediation and conflict resolution organizations employ deliberation in their

work. For a large portion, however, it is unclear whether their forums are open to the broader public.

### *Visioning*

Of the 17 visioning organizations in the sample, 11 (or nearly 65 percent) meet the three criteria. Several organizations fail to meet the criteria because their visioning process is unclear.

### *Social Action/Problem-Solving*

Of the 16 social action organizations in the sample, only 5 organizations (or 31 percent) meet the three criteria. Social action organizations hold dialogues with the aim of enhancing productivity and developing a specific plan of action to combat a problem. Some organizations that fail to meet the criteria involve only experts in their discussions, while for others the extent of deliberation is unclear.

### *Giving Voice/Civic Engagement*

More than 95 percent of organizations in this category meet the criteria.

### *Opinion-formation/Civic Education*

All 11 opinion-formation organizations meet the criteria.

### *Analysis of Connection to Power*

Our classifications along the “connection to power” dimension can be divided into two sub-dimensions; namely the organization’s level of empowerment (empowered, advisory, or neither) and the organization’s connection to government (government initiated, sponsored, participation, or no government role). If an organization had any projects with connections to government, we classified them based on these projects. Thus, an organization classified as “government initiated” may have many projects, some of which are not government initiated. For 15 percent of organizations, both categories of “connection to power” are unclear from available information.

If a deliberative effort was empowered, it was also advisory and involved government initiation, sponsorship, and participation. Likewise, in most cases, if a deliberative effort was advisory, it also involved government initiation, sponsorship, and participation. A few organizations claimed an advisory role in terms of producing reports or providing information to the media, but did not involve any official government role in the process.

### *Empowered*

Three organizations qualified as constructing “empowered” venues in our analysis, along with four others that may prove to be empowered with further information. Of these organizations,

five were neighborhood association programs that offer citizens substantial influence in local policy-making. The other two were non-governmental organizations that facilitated this type of program. Six of the seven organizations fell in the “Making Government Work” category, while the other fell in the “Visioning” category.

*Advisory*

Forty-six additional organizations qualified as “advisory.” Of these, six were research or opinion-formation organizations that did not involve government as a sponsor, initiator, or participant, but issued reports to advise officials after the fact. Most visioning, giving voice, and opinion-formation organizations could be classified as advisory, as could a number of project facilitation and making government work organizations. In contrast, very few conflict resolution, community building, mutual understanding, civic engagement, social action, and research & resource organizations could be classified as advisory.

*Redux*

This analysis found that the vast majority of organizations involved in public participation include the public due to legislative requirements for “public involvement.” Most of these efforts do not involve public deliberation. In fact, only 31 percent of the 373 organizations we classified satisfied all criteria for a public deliberation venue.

Of the 95 deliberative organizations we were able to classify according to connection to power, 85 percent have at least some degree of government involvement. Only seven percent, however, come close to empowered deliberation. These figures cannot be considered conclusive since 15 percent of the total sample could not be classified by connection to power based on available information. These findings suggest that the landscape of participatory efforts is biased toward legislatively mandated hearings and public comment periods, with empowered, deliberative efforts occupying but a small portion of the foreground.

### **3. MAPPING OF DELIBERATIVE VENUES**

The organizations discussed in the prior section deploy a range of methods toward varied objectives. They nevertheless operate upon a common range of what might be called participatory venues—places and practices that offer the possibility of deliberation because they bring citizens together in connection with issues of public concern. To catalog the major kinds of venue, we conducted a literature review, attempting to find information on each venue’s defining characteristics, distribution and frequency, and potential as a deliberative forum.

Not all possible public deliberation venues are profiled in this report. Public deliberation occurs in informal conversation, on talk radio, and over the Internet. In this paper, however, we focus on forums convened for the purpose of face-to-face participation or interaction. Recognizing the split identified above, between governmental and civic venues for public deliberation, we selected the most prominent examples of venues in each category, while covering all of the major purposes of deliberation we identified in our earlier scan.

The government-sponsored venues listed in the left-hand column of Table 2 below represent the most prevalent government-sponsored forms of public participation. Although each of these participatory venues continues to be employed frequently, the venues are organized in the approximate order in which they came to prominence. The civic venues listed in the right-hand column are among the most prevalent civic deliberative efforts. Like the government venues, these civic processes and organizations generally can be classified based on the type of process they employ for deliberation. These venues are described and discussed in detail in chapters 4 and 5 below.

**Table 2. Public Deliberation Venues Profiled**

<u>Government-sponsored Venues</u>	<u>Civic Venues</u>
<ul style="list-style-type: none"> <li>• New England Town Meetings</li> <li>• Public Hearings               <ul style="list-style-type: none"> <li>○ NEPA hearings</li> <li>○ City council meetings</li> </ul> </li> <li>• Citizen Advisory Boards               <ul style="list-style-type: none"> <li>○ Site-specific advisory boards</li> <li>○ Local committees</li> </ul> </li> <li>• Neighborhood Associations</li> <li>• Collaborative Forums               <ul style="list-style-type: none"> <li>○ Visioning processes</li> <li>○ Community policing</li> </ul> </li> <li>• Closed Stakeholder Processes               <ul style="list-style-type: none"> <li>○ Habitat conservation plans</li> <li>○ Negotiated rulemaking</li> <li>○ Watershed preservation councils</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Collaborative Forums               <ul style="list-style-type: none"> <li>○ Small Group: Conversation Cafés</li> <li>○ Larger Group: National Issues Forums</li> <li>○ Large/Small Group Interface: AmericaSpeaks</li> <li>○ Large/Small Group Interface: Study Circles</li> </ul> </li> <li>• Closed Stakeholder Processes               <ul style="list-style-type: none"> <li>○ Deliberative Polling</li> <li>○ Citizen juries</li> <li>○ Public Conversations Project</li> </ul> </li> </ul>

Any review of public deliberation venues is hampered by limitations in the existing scholarship on the topic. Relatively few scholars have comprehensively studied a particular deliberation venue with the aim of understanding its deliberative quality.<sup>3</sup> Scholarship on governmental venues for participation is particularly lacking in this regard because these venues generally are not considered potential havens for deliberation.

Beyond the specifics of deliberative quality, evaluation in general is lacking in the field of public participation. Because citizen participation has many varied goals, scholars employ differing criteria in their assessments of deliberative venues. Where evaluations do exist, they tend to focus on features of processes (i.e. how many people came, how much the process cost), rather than outcomes (i.e. did the group accomplish any of its objectives). Any evaluation of deliberative venues is complicated by the fact that the value of the venue has much to do with how effectively the model is implemented. Finally, much of the literature is out of date. The vogue of studying public hearings and citizen advisory boards followed soon after their proliferation in the 1960s and 1970s.

<sup>3</sup> The only clear exception to this rule is Frank Bryan’s lifetime of devotion to studying the New England town meeting. (Bryan, Frank. *Real Democracy*. University of Chicago Press: Chicago. 2004.)

Despite these limitations, a review of existing literature proved very useful. To the extent possible given available information, we discuss the following in each of the profiles of venues below. First, we consider the defining characteristics of the venue: how it recruits participants, what the deliberation is about, the organization of deliberation, the period over which it occurs, and the relationship of the citizen deliberation to government officials. With these design features in mind, we consider the quality of deliberation the venue produces. In particular, are participants diverse and representative of their community? Is the tenor of discussion civil and respectful? And does the event even the playing field for participation and influence? Finally, we consider the outcomes of these design choices and the quality of deliberation. Namely, we ask:

- *Educating Citizens and Officials*: Do citizens and officials learn in the process?
- *Official Accountability*: Does the process enable citizens to hold officials accountable to citizen concerns?
- *Justice*: Does the process of deliberation result in more just policymaking procedures and practices?
- *Popular Mobilization and Spillover Citizenship*: Does the process motivate action and/or civic activity from groups and individuals?

Finally we touch on practical considerations about political and fiscal support for the process. We close each profile by exploring the particular venue's transformative potential as a model for reform.

Two important dimensions for mapping public deliberation emerged from the literature review: the degree of citizen power and the degree of inclusion. In brief, two of the most meaningful ways of describing public deliberation venues are based on who is allowed to participate—inclusiveness—and what their deliberations accomplish—or empowerment. The seven civic venues can thus be “mapped” according to these two dimensions of inclusiveness and empowerment.<sup>4</sup>

### **Process**

In Figure 1, on the following page, we plotted the position of venues based upon a compilation of accounts of venues in the secondary literature. Because actual practices vary within any particular category of venue, Figure 2 below uses dashed circles to indicate the range of institutional variation for the venues.

The diagrams do not map the quality of deliberation that takes place within a particular venue. They merely suggest that some processes may be particularly suited to achieving certain aims. For instance, one would not want to use an advisory board structure in a case where the goal of deliberation was solely to inform citizens. An advisory board might be better suited to a process that uses deliberation to partner with government agencies. Thus there is no necessary normative

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<sup>4</sup> “Visioning” is used on the diagram as a proxy for community forums and “watershed councils” and “negotiated rulemaking” are used as proxies for closed stakeholder processes.

value associated with greater inclusion or empowerment. Different venues serve different purposes.

### **Diagram Key**

Beginning with Sherry Arnstein's famous 1969 article "A Ladder of Citizen Participation," we have condensed her original eight categories to six, omitting therapy between manipulation and informing and placation between partnership and delegated power. The steps on our reconstructed ladder of empowerment are as follows:

- Manipulation
  - Participation used solely for the purposes of granting legitimacy to a decision-making process.
  - *Example:* Arnstein uses the example of citizen advisory boards that "rubber stamp" official decisions.
- Informing
  - Participation in which information flows only from officials to citizens, without mechanisms for meaningful feedback.
  - *Example:* A public forum is held to debate an issue, but no mechanisms exist to draw policymakers' attention to the results.
- Consultation
  - Participation in which citizens are asked for their input with no clear assurance that their advice will be employed.
  - *Example:* A public hearing in which citizens are given the floor to speak, but officials have little obligation to heed citizen comments.
- Partnership
  - Participation in planning and decision-making with accountability mechanisms that ensure that citizen input will not be flagrantly disregarded.
  - *Example:* An advisory board in which the charter specifies that policymakers must take the advice of the board or justify their different choices.
- Delegated Power
  - Participation in which government cedes decision-making power to citizens who engage in a particular process.
  - *Example:* A neighborhood association that conducts participatory budgets, which are implemented by the city.
- Citizen Control
  - Participation in which the people govern.
  - *Example:* A town meeting in which citizen decisions become the law of the town.

Based on our reading of the secondary literature on deliberative venues, we classified degree of inclusivity in the following manner:

- Open refers to participatory venues in which all are welcome to participate.
  - Open & Defies SES Bias: The process typically either attracts participants that include citizens of low socioeconomic status or makes a concerted effort to do so.
  
- Selective refers to venues in which only a selected few may participate
  - Random Selection: The process attempts to create a microcosm of the relevant population through random stratified sampling.
  - Stakeholders: The process includes particular parties intended to represent certain views or groups.
  - Elite Stakeholders: The process includes the leaders of organizations, industries, and professional associations.

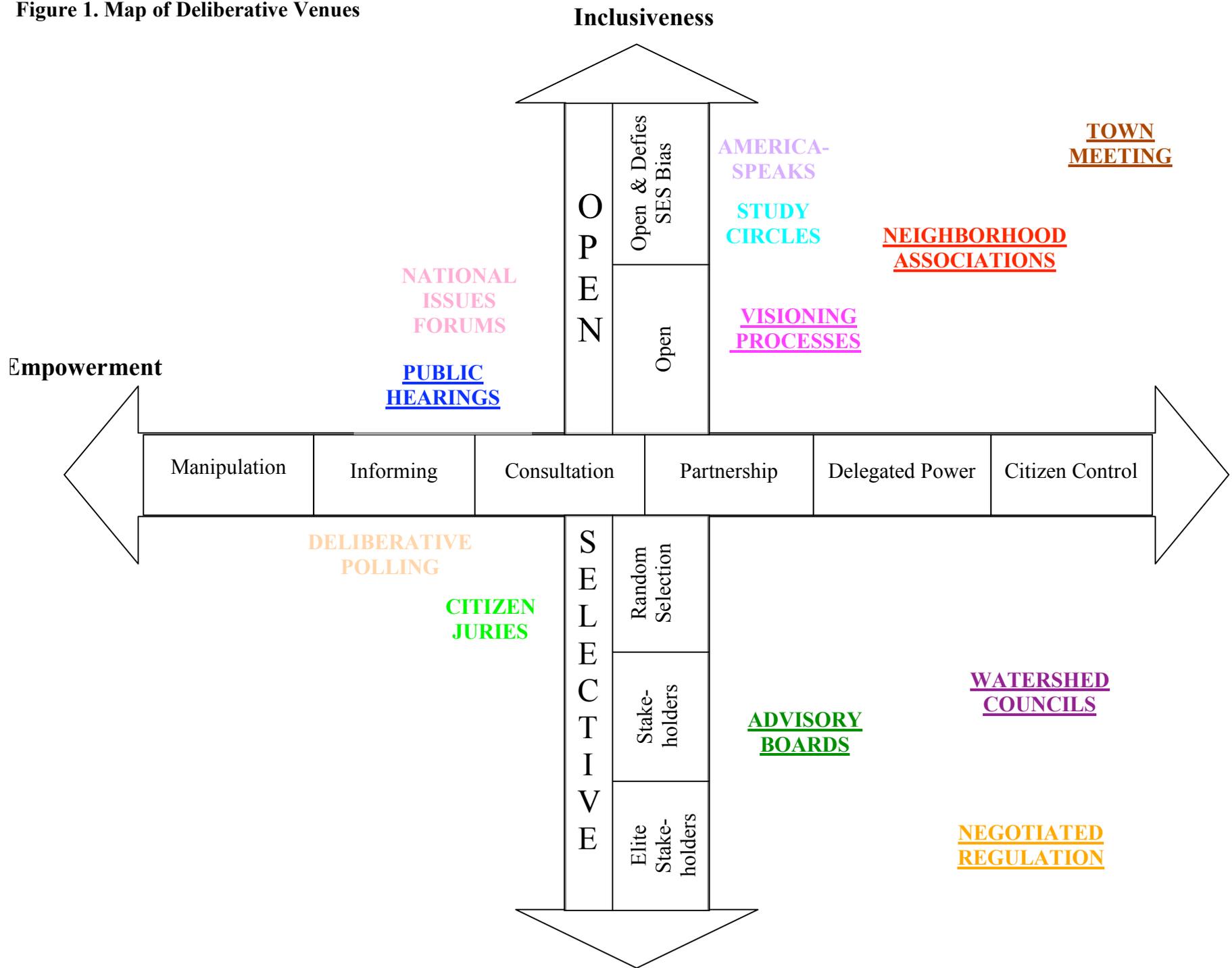
### **Diagram Findings**

In Figure 1, we see that venues listed in the upper right corner of the diagram tend to be used by local governments. Not surprisingly, it is easier to be inclusive when issues take place on a smaller scale. Venues listed in the lower right corner tend to be used by regional and federal governments. When a huge population is affected, it may make more sense to use a selective process than to hold an open call.

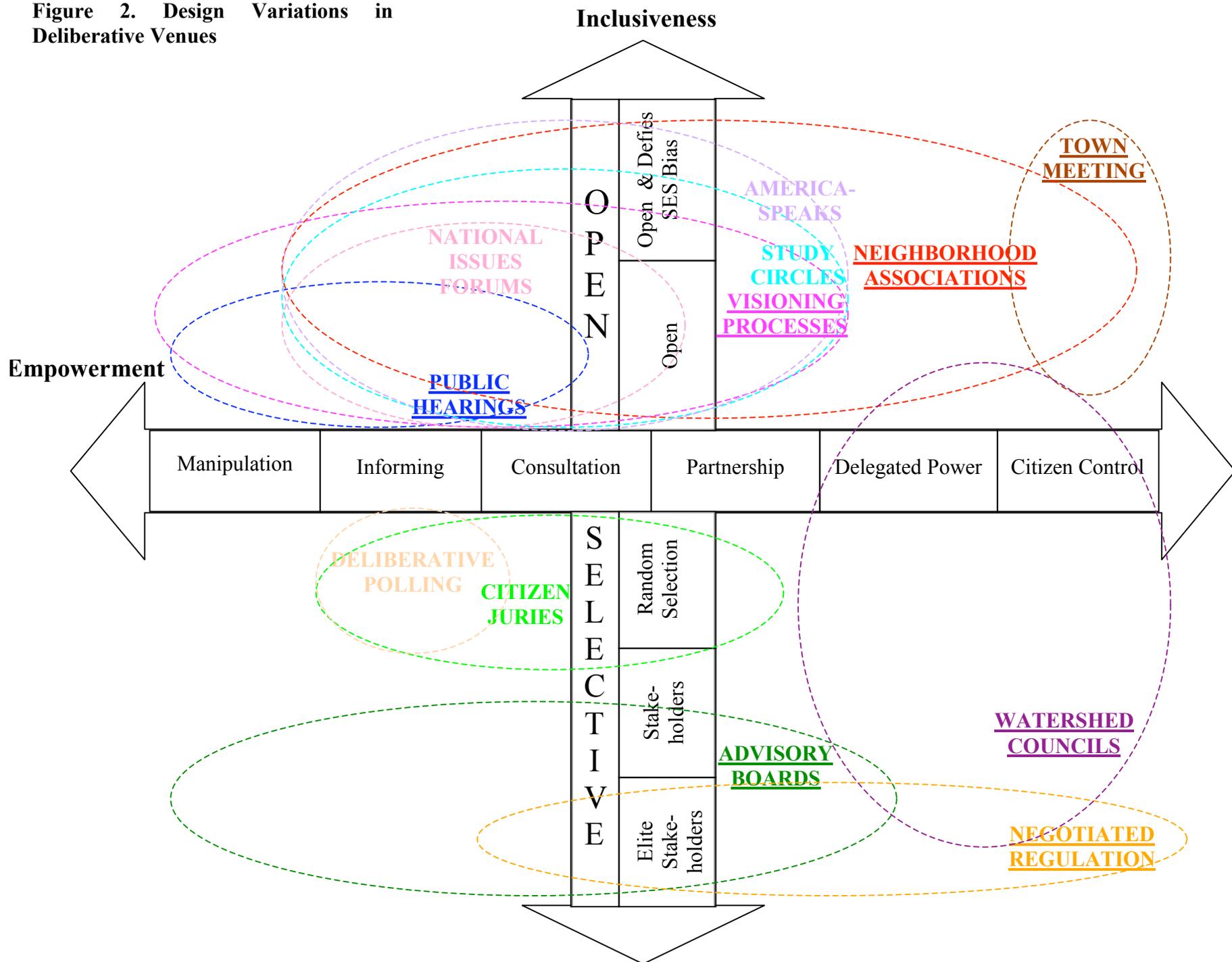
Figure 1 also shows that civic organizations are not moving beyond partnership with government agencies. Because civic partnerships with government tend to be circumstantial rather than institutionalized, civic venues tend not to allow for citizen power or control. The diagram clearly shows that those venues with legal accountability mechanisms are the most empowered.

In examining Figure 2, in which the range of possible placements are revealed, it appears that the venues most susceptible to manipulation are those where it is possible that information is given to citizens without independent variation, and/or citizens do not have alternate sources of political power.

Figure 1. Map of Deliberative Venues



**Figure 2. Design Variations in Deliberative Venues**



## **4. GOVERNMENT VENUES FOR PUBLIC DELIBERATION**

According to Thomas Beierle and Jerry Cayford, three theories of citizens' role in public decision-making compete in the history of American public participation.<sup>5</sup> In the early managerial paradigm, the government official was a trusted guardian of the public good, best equipped to make decisions based on experience and position. Whenever government programs expanded or evidence of corruption became clear, the public became more interested in opening the process to other voices to ensure the accountability of officials. In the resulting pluralist paradigm, public officials were assigned the role of arbiter between competing special interests. In more recent years, officials and the public have recognized that adversarial pluralism is not always suited to identifying and implementing the common good. As a result, the trend is toward more consensus-based, collaborative public participation structures. Nonetheless, as this review of public participation venues attests, the three paradigms continue to compete in American civic participation structures. In this section, we briefly review the history of U.S. federal participatory reforms, followed by an analysis of governmental venues for public participation.

### **History of U.S. Governmental Public Participation**

The tradition of public participation in the United States dates to well before the Founding with the practice of the New England town meeting. Though this particular kind of public deliberation is still in practice, the spirit of participation has come to assume many other forms. In contrast to many European countries, robust commitment to local government in the United States has continued to fuel the possibility of meaningful citizen participation. As populations shifted from rural areas to the cities, the spirit of participation took root in the settlement house movement, local ward politics, and then neighborhood associations and the neighborhood government movement of the 1960s and 1970s.

But public participation in America is not just local. As the federal government and the national regulatory state grew in its size and reach, so grew demands for participation in its decision-making. By the 1930s, five participation techniques were in regular use: oral or written communications and consultations, investigations, stakeholder negotiations, advisory committees, and hearings. Cornelius Kerwin finds that most examples of participation involved business interests, rather than average citizens. He writes, “[P]ublic participation in the 1930s had all the earmarks of capture by powerful private interests.”<sup>6</sup> In part to respond to this concern, Congress passed the Administrative Procedures Act in 1946 (APA). In Section 553, the Act adopted a “minimalist approach to public involvement,” specifically a “notice and comment” provision that required agencies to inform the public of rulemaking and accept citizens’ critiques

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<sup>5</sup> Beierle, Thomas C. and Jerry Cayford. *Democracy in Practice: Public Participation in Environmental Decisions*. Washington, DC: Resources for the Future. 2002. 3-5.

<sup>6</sup> Kerwin, C. *Rulemaking: How Government Agencies Write Law and Make Policy*. Washington, DC: Congressional Quarterly Press. 1994. 163.

within a certain timeframe.<sup>7</sup> Although the APA opened participation to the broader public by instituting this form of due process in agency rulemaking, the venue was underutilized until the “participation revolution” of the 1960s and 1970s.<sup>8</sup>

With the huge increase in social regulations during this era, citizens and their advocacy organizations had more incentive to participate. A growing mistrust of government pushed Congress to pass legislation that made officials more responsive to the public will, including the Freedom of Information Act, the Privacy Act, and the Sunshine Act. The programs of President Johnson’s War on Poverty initiative laid the groundwork for neighborhood participatory structures with their now infamous call to “maximum feasible participation.” Most notably, the 1970 National Environmental Policy Act (NEPA) introduced the use of publicly critiqued environmental impact statements in all federal agencies. Unlike the APA, NEPA required not only notice and comment, but also public hearings in many cases. It was the product of popular mobilization on behalf of the environment, and in turn created additional opportunities for activists to participate in the work of environmental regulation.

Through positive feedback effects, these innovations changed the landscape of public participation in the United States.<sup>9</sup> Theda Skocpol identifies two crucial feedback effects that enable policies to shape subsequent political development, namely “changes in social groups and their political goals and capabilities” and “transformed state capacities.”<sup>10</sup> The development of NEPA exhibits positive feedback effects on environmental interest groups, as well as effects on the in-house capacity of federal agencies. NEPA litigation gave environmental interest groups unprecedented access to influence decision-making by identifying procedural flaws in the environmental impact statement process and halting implementation through court injunctions, thereby giving environmentalists the incentive to mobilize. From 1970-1980, the total number of environmental groups listed in the *U.S. Encyclopedia of Associations* grew from 221 to 380 – a 72 percent increase, which included now prominent organizations such as the Natural Resources Defense Council, the Sierra Club Legal Defense Council (now EarthJustice), and Greenpeace U.S.A.<sup>11</sup>

The threat of extended courtroom battles caused at least some federal agencies to reorganize. Initially, agencies established in-house environmental analysis units to take on the onerous task of drafting environmental impact statements, holding hearings to collect public comment on them, and responding to critiques.<sup>12</sup> Over time, however, federal agencies identified several ways to minimize the administrative burden of NEPA through contracting with businesses that specialize in helping agencies to fulfill public involvement requirements. In January 2003, “Fedbizopps,” the government contract solicitation website, included current solicitations for these services from fifteen federal agencies, including multiple listings from the agencies that

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<sup>7</sup> *Ibid.*, 164.

<sup>8</sup> *Ibid.*, 165.

<sup>9</sup> Williamson, Abigail. “The More Things Stay the Same, The More They Change: Underlying Changes in NEPA Implementation over Time,” unpub. manuscript. 15 January 2003.

<sup>10</sup> Skocpol, Theda. *Protecting Soldiers and Mothers*. (Cambridge, MA: Belknap Press of Harvard University Press), 1992. 58.

<sup>11</sup> Berry, Jeffrey M. *The New Liberalism: The Rising Power of Citizen Groups*. (Washington, D.C.: Brookings Institution Press), 1999. 21.

<sup>12</sup> Taylor, Serge. *Making Bureaucracies Think*. Stanford, CA: Stanford University Press. 1984.

produce the highest proportion of environmental impact statements, namely the Department of Transport, the Department of Agriculture, the Army Corps of Engineers, and the Department of the Interior.<sup>13</sup> In the year 2000, the General Services Administration added environmental impact statement services to the catalogue of contractor services it offers to federal agencies. Three years later, 355 environmental consulting firms with specific environmental impact statement experience had registered to serve federal clients.<sup>14</sup> Our scan of public participation organizations reveals a similar trend. Looking only at the 243 U.S.-focused members of the International Association for Public Participation (IAP2), precisely half describe their function in terms of project facilitation, handling public involvement and outreach for government agencies with the goals of expediting project approval and implementation.

The advent of NEPA set U.S. public participation on a path that emphasized the pluralist paradigm, with special interest groups skilled in using the process to push their claims and equally skilled government public involvement contractors, working to minimize opposition and make projects work. Not surprisingly, complaints about the efficacy of public hearings and comment periods were widespread. While most agreed that some form of participation was necessary, participants and officials found that average citizens did not understand the process and did not have adequate information or expertise to comment intelligently.<sup>15</sup> Interest groups, on the other hand, often used hearings and comments as a forum to lay the groundwork for legal challenges.

In response to these concerns, the Clinton administration emphasized a different approach to public participation, using public-private partnerships as the preferred form of decision-making.<sup>16</sup> The Negotiated Rulemaking Act of 1990, which allowed agencies to bargain directly with stakeholders and specified ground rules for negotiations, laid the groundwork for this shift. By the beginning of Clinton's second term, most cabinet departments had experimented with negotiated regulation.

Negotiated rulemaking and other collaborative processes have many benefits, not least among them promoting deliberation among citizens, experts, and officials. They also often have the consequence of limiting participation to a selected few. In the best case, these processes respond to concerns about the representativeness of public participation processes by including all interested parties. In the worst case, they are an altered form of the back-room dealing that the pluralist paradigm sought to replace. As the subsequent discussion of governmental public participation venues will demonstrate, many forms of public participation coexist in the U.S., yet none can achieve the many goals of citizen participation on its own.

We begin with an analysis of the American settlers' earliest public participation venue, which evolved into the New England town meeting. Next, we look at the major types of governmental public participation venues available to citizens, namely public hearings, citizens' committees, collaborative forums, and closed stakeholder processes. The section concludes with

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<sup>13</sup> <<http://www.fedbizopps.gov/>> Accessed January 10, 2003.

<sup>14</sup> Author's analysis of General Services Administration Federal Services Schedule 899 1. Data available at: <[http://www.gsa.gov/Portal/content/pubs\\_content.jsp?contentOID=115425&contentType=1008](http://www.gsa.gov/Portal/content/pubs_content.jsp?contentOID=115425&contentType=1008)> Accessed January 12, 2003.

<sup>15</sup> Kerwin 1999, 114.

<sup>16</sup> *Ibid.*, 176.

neighborhood associations, a local government participatory venue that defies easy classification but represents an important site of local citizen involvement. For each venue, we assess its frequency, design characteristics, and transformative potential for public deliberation.

### **New England Town Meeting as a Public Deliberation Venue**

First used in colonial America in the 1630s, the New England town meeting is the longest standing public deliberation institution in the United States. Residents of New England colonial towns began to govern themselves through informal assemblies of adult males within years of the settlers' arrival in America.<sup>17</sup> Remarkably, the characteristics of this venue have changed relatively little in its four hundred year history.<sup>18</sup> Though few political scientists have studied the town meeting, a few specialists, including Frank Bryan, Joseph Zimmerman, and Jane Mansbridge, have written extensively on town meetings, offering some of the most comprehensive information available on a U.S. public participation venue.

#### **Defining Characteristics**

The New England town meeting differs fundamentally from other governmental participation venues because it is modeled on the Athenian assumption that all citizens should play a deciding role in governance of their community. Unlike participatory venues in which citizens offer input or discuss plans without making binding decisions, the town meeting is a citizen legislature, with law-making and allocation authority.<sup>19</sup> Although the jurisdiction of the town meeting is increasingly limited by state statute, citizens in New England towns still have the opportunity to debate and decide on issues ranging from the functioning of the schools to liquor laws and local taxes.<sup>20</sup>

Each year, elected town executives (selectpersons) issue a warning at least seven days before the town meeting, calling upon registered voters to attend and listing the articles to be discussed. Town meetings vary somewhat across and within the New England states. For instance, some towns now use absentee voting or decide certain issues in committees prior to the meeting. Even so, the average town meeting generally consists of some combination of the following components: an opening ceremony with a prayer and/or salute to the flag, reading of the agenda, election of a town meeting moderator and other town officers, and discussion and decision-making on school and budgetary issues. With the moderator overseeing the process, attendees use Robert's Rules of Order to raise issues, make amendments, and decide issues through a voice vote or ballots. As Jane Mansbridge describes it, the town meeting tends toward consensus, with frequent unanimous voice votes, but allows for the resolution of conflict through deliberation followed by a secret ballot.<sup>21</sup> In general, town meetings include a mix of formal presentations

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<sup>17</sup> Zimmerman, Joseph F. *The New England Town Meeting: Democracy in Action*. Westport, CT: Praeger. 1999. 18-19.

<sup>18</sup> *Ibid.*, 27.

<sup>19</sup> Frank M. Bryan. "Direct Democracy and Civic Competence: The Case of the Town Meeting" in Stephen Elkin and Karol Edwards Soltan eds. *Citizen Competence and Democratic Institutions* (University Park, PA: Pennsylvania State University Press, 1999). 198.

<sup>20</sup> Mansbridge, Jane. *Beyond Adversary Democracy*. Chicago: University of Chicago Press. 1983. 126-129.

<sup>21</sup> *Ibid.*, 46.

and informal comments, lasting (at least in Vermont) an average of four hours.<sup>22</sup> Once the final article on the warning is addressed, the town meeting is adjourned for the year and can only be reconvened for a special session through the petition of some portion of the town's registered voters.<sup>23</sup>

In this fashion, registered voters in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island have governed themselves for several centuries. According to Zimmerman, the only other contemporary institution that compares to the town meeting is the Swiss Canton system.<sup>24</sup> With the exception of Rhode Island, more than 80 percent of towns in each of the New England states continue to govern themselves by town meeting, as demonstrated in Table 1.<sup>25</sup> Many towns that practice town meeting are very small and not all registered voters attend. Nonetheless, each spring, tens of thousands of New England voters participate in this deliberative venue.

**Table 1. Number and Percentage of New England Towns Ruled By Town Meeting**

	<b>ME</b>	<b>NH</b>	<b>VT</b>	<b>MA</b>	<b>CT</b>	<b>RI</b>
<b>Number of Towns</b>	497	221	246	312	169	31
<b>Number of Town Meetings</b>	475	197	230	262	160	20
<b>Percentage of Towns Governed by Town Meeting</b>	96%	89%	93%	84%	95%	65%

The town meeting has played a major role in U.S. history and continues to influence perceptions of citizen participation. In the years preceding the Revolutionary War, town meetings played a major role in organizing colonists.<sup>26</sup> As towns grew and industrialized, many "voted away" their meetings, including Boston in 1822 and Portland and Providence in the 1830s.<sup>27</sup> As New England citizens streamed across the United States to populate the frontier, they left the institution of town meeting behind, back East.<sup>28</sup>

Beginning in the Gilded Age, concerns arose that town meetings were elite-driven or corrupt.<sup>29</sup> This speculation continued through the Progressive Era and into the 1930s. By 1932, Orren Hormell reported that most New England towns with a population exceeding 5,000 had debated reforming or doing away with the town meeting entirely.<sup>30</sup> Since then, the town meeting has

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<sup>22</sup> Bryan, Frank. *Real Democracy: The New England Town Meeting and How it Works*. University of Chicago Press: Chicago. 2004. 152.

<sup>23</sup> Zimmerman 1999, 29.

<sup>24</sup> *Ibid.*, 1.

<sup>25</sup> *Ibid.*, 27, 60, 104, 127, 136; and Bryan 2004, 3.

<sup>26</sup> Zimmerman 1999, 2.

<sup>27</sup> Bryan 2004, 32.

<sup>28</sup> *Ibid.*, 31.

<sup>29</sup> *Ibid.*, 29.

<sup>30</sup> Zimmerman 1999, 7.

regained some of its currency as intellectuals moved to northern New England and adopted the “small is beautiful” mantra.<sup>31</sup> In more recent years, the town meeting has at times served as a venue for national politics, passing resolutions on the impeachment of President Nixon and nuclear disarmament.<sup>32</sup> In addition to the roughly 1,300 on-going New England town meetings, political campaigns and other civic enterprises have adopted the town meeting concept and name to describe their own attempts to gather citizens for deliberation.<sup>33</sup>

### Strengths and Shortcomings

Town meetings have long been praised by such distinguished observers as Thomas Jefferson and Alexis de Tocqueville as the form of government that maximizes citizen participation, enables direct accountability, teaches citizens how to participate and govern, and strengthens town identity and sense of community.<sup>34</sup> Conversely, critics of town meeting complain that it engenders mob rule or elite/interest group control. Moreover, they argue that low levels of participation in town meetings compromise their legitimacy.<sup>35</sup>

In this section, we explore these claims by assessing the character of participation, the quality of deliberation, the education of citizens and officials, the justice and accountability of decisions, and the sustainability of this unique participatory venue.

### Character of participation

Participation in town meetings differs across the six New England states, as shown in Table 2 below.<sup>36</sup> While participation at different meetings may range from less than 1 percent to more than 72 percent, in none of the states does it average much more than one-fifth of registered voters.<sup>37</sup> Moreover, both Bryan and Zimmerman find that town meeting attendance has declined since the 1970s.

**Table 2. Average Participation Rates in New England Town Meetings by Registered Voters**

	<b>ME</b>	<b>NH</b>	<b>VT</b>	<b>MA</b>	<b>CT</b>	<b>RI</b>
<b>Average Participation Rate</b>	16%	20%	20.5%	14%	9%	5%

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<sup>31</sup> Bryan 2004, 39-41.

<sup>32</sup> *Ibid.*, 49-50.

<sup>33</sup> *Ibid.*, 51-52.

<sup>34</sup> Zimmerman, 3-6.

<sup>35</sup> *Ibid.*, 6-9.

<sup>36</sup> Zimmerman 1999, 46-47, 110, 123,136; Bryan 2004, 57.

<sup>37</sup> Bryan 2004, 65.

Some question whether a town meeting remains a legitimate form of government when relatively small portions of registered voters participate. Bryan argues, however, that given the costliness of participation in terms of time and the psychic challenges of public participation, attracting one-fifth of the population is a significant accomplishment. After all, voting generally takes only a half hour and occurs in private, yet even in presidential elections only about half of the eligible voting population participates.<sup>38</sup> Zimmerman argues that regardless of turnout, the town meeting is a legitimate *de facto* representative legislature. Not everyone comes to town meeting, but because they could their absence declares their faith in attendees to conduct the town's business.<sup>39</sup>

Bryan uses his data on more than a thousand Vermont town meetings collected over the last thirty years to explain the determinants of town meeting attendance, including identifying any systematic biases in the socioeconomic characteristics or gender of participants. He finds that attendance declines as town population increases, in a curvilinear fashion as shown in Figure 3 below. This relationship alone explains 42 percent of the variation in town meeting attendance.<sup>40</sup> Bryan explains this relationship based on a "rational voter" model, which assumes that people participate to the extent that they expect they can affect outcomes. In a small town, voters feel they have more potential to impact decisions or serve as a tiebreaker on contentious issues.<sup>41</sup> Bryan also investigates the predictive power of other structural aspects of town meetings. He finds that both holding meetings at night and separating discussion from voting by using an "Australian ballot," which allows residents to vote without attending meeting and at times prevents debate on ballot issues, depress town meeting attendance.<sup>42</sup>

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<sup>38</sup> *Ibid.*, 282-283.

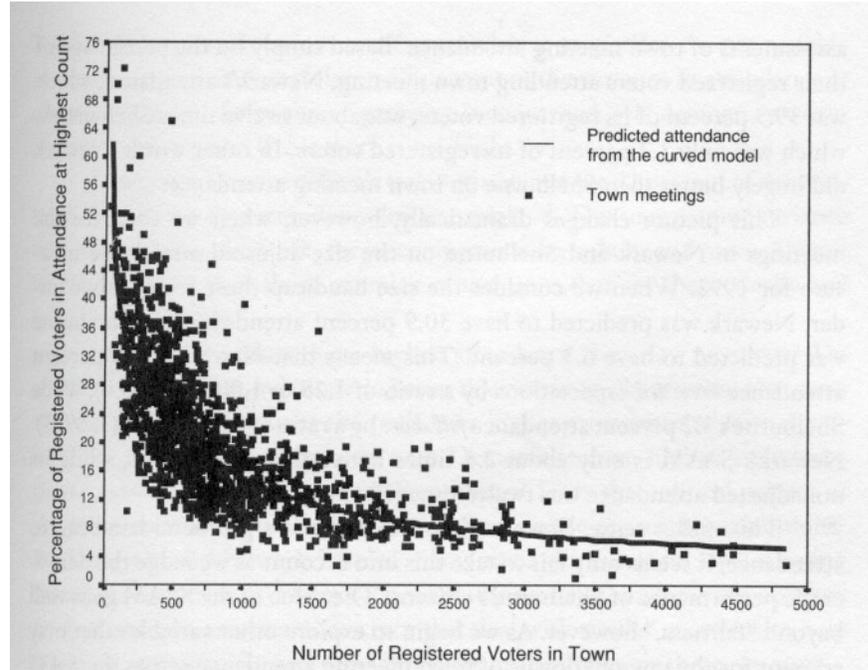
<sup>39</sup> Zimmerman 1999, 191.

<sup>40</sup> Bryan 2004, 74, 79.

<sup>41</sup> *Ibid.*, 77.

<sup>42</sup> *Ibid.*, 91.

**Figure 3. Town Size and Meeting Attendance**



**Source:** Frank Bryan, *Real Democracy*, page 79.

Beyond the structural elements that Bryan identifies, opinions differ regarding whether town meetings produce systematic biases in participation. Some argue that a group of “regulars” that may not mirror the town’s population in terms of demographics or political views populates town meeting.<sup>43</sup> Others suggest that interest groups such as teachers or environmentalists “pack” town meetings.<sup>44</sup> In 1996, one Connecticut town official wrote a *New York Times* editorial lamenting the fact that as fewer people attend town meeting, professionally interested participants and vocal activists dominate the proceedings, creating a “hostile atmosphere.”<sup>45</sup>

In the most comprehensive analysis of the issue, Bryan finds almost no connection between a town’s aggregate socioeconomic measures and town meeting attendance. In his Vermont sample, a town’s wealth or levels of education do not predict attendance.<sup>46</sup> Although he lacks individual level data, he claims that this relationship holds within towns as it does across towns. His half century of observations leads him to believe that if any bias exists, town meetings attract people in the middle range of socioeconomic indicators, with the ultra-rich and very disadvantaged not participating.<sup>47</sup> Without individual level data, it is difficult to draw conclusions about the socioeconomic bias of New England town meeting attendance. Bryan suggests that town meetings, by their nature, defy the socioeconomic bias found elsewhere in U.S. civic

<sup>43</sup> Zimmerman 1999, 170.

<sup>44</sup> *Ibid.*, 48.

<sup>45</sup> Gross, Melanie Belman. “Political Poison at the Grass Roots,” *The New York Times*. May 4, 1996. 19.

<sup>46</sup> Bryan 2004, 115.

<sup>47</sup> Bryan 1999, 2004.

participation. In fact, the history of town meeting probably contributes to New England's equity of participation across class lines, in ways that might not be replicable elsewhere.<sup>48</sup>

Bryan also attempts to identify relationships between other aggregate social and political factors and town meeting attendance. Surprisingly, he finds no relationship between the number of commuters and town meeting attendance, nor population growth and attendance. Likewise, no consistent relationship exists between aggregate political ideology and attendance.<sup>49</sup>

In contrast, Bryan does find systematic biases in terms of women's participation in town meeting. From 1970-1998 women made up only 46 percent of town meeting attendees. While this is certainly better than other U.S. legislative bodies, women are consistently underrepresented at town meeting in terms of attendance and vocal participation.<sup>50</sup> In the 1970s, women began closing the gap toward parity at a rapid pace. Although this progress toward equality leveled off after the 1970s, Bryan expects that women and men will achieve parity in terms of town meeting attendance in 2029, assuming trends continue.<sup>51</sup> Likewise, more women are speaking at town meeting. In 1970, for every ten men speaking, five women spoke; whereas in 1998, for every ten men, nearly nine women spoke.<sup>52</sup>

Proponents of the town meeting like Bryan and Zimmerman conclude that while the town meeting is not perfectly representative of town population, it is far more representative of the town than the town's elected representatives will ever be.<sup>53</sup>

### *Quality of deliberation*

In the most noted case study of a town meeting, Mansbridge describes the 1970 town meeting in pseudonymous "Selby," Vermont. Mansbridge is largely pleased with what she sees at the town meeting, but from the scene she describes, relatively little deliberation takes place in town meeting. Citizens ask questions that ill-informed officials are unable to answer. The emphasis is on moving things along rather than addressing all concerns. When debates occur, they tend to be angry and threatening. Mansbridge finds that many Selby residents, particularly those with less experience with public speaking and analytical decision-making, attend town meeting with great trepidation and speak only if provoked. She skillfully demonstrates that in town meeting not all voices are equal and pressures toward consensus at times prevent addressing conflicts of interest.<sup>54</sup>

To avoid open conflicts, Selby townspeople often arrange elections or prepare debates ahead of time, so that meetings run smoothly. People, especially those excluded from these backroom dealings, resent the lack of transparency. Zimmerman points out that town meetings increasingly

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<sup>48</sup> The Maine and New Hampshire samples of the year 2000 Social Capital Community Benchmark Survey rank remarkably high in terms of their social capital equity, the degree to which participation is distributed across class divisions. (<http://www.ksg.harvard.edu/saguaro/communitysurvey/index.html>).

<sup>49</sup> Bryan 2004, 126-129.

<sup>50</sup> *Ibid.*, 189.

<sup>51</sup> *Ibid.*, 194.

<sup>52</sup> *Ibid.*, 226.

<sup>53</sup> Zimmerman 1999, 184.

<sup>54</sup> Mansbridge 1983.

rely on the counsel of budget/finance committees, which is seldom rejected. In Maine and New Hampshire, town meeting participants tend to approve more than 90 percent of the committees' proposals without alteration.<sup>55</sup> In their desire to avoid conflict or public humiliation of officials, town meeting attendees are complicit in reducing the level of debate that occurs publicly. While most analysts focus on the quality of debate that takes place at a particular participatory venue, the experience of town meetings demonstrates that the anticipation of public deliberation may prompt private, informal deliberation. Information regarding the content and quality of this informal deliberation would contribute to our understanding of how deliberative venues relate to other decision-making processes.

While this type of private deliberation is clearly exclusive, even open public deliberation can discourage some attendees from active participation. Even if those of low socioeconomic status attend town meeting, they may have more difficulty expressing their views. Through her interviews with townspeople, Mansbridge offers a detailed view of how "Different groups incur different immediate costs when they attend the meeting, and they get different immediate satisfactions." The process, she argues, excludes the poor, the uneducated, and at times women, from full participation in the process.

Interestingly, Bryan's findings do not entirely corroborate this version of town meeting deliberation. In towns with higher aggregate socioeconomic indicators, he does not find greater levels of deliberation. In fact, he finds that socioeconomic diversity leads to more discussion at town meetings.<sup>56</sup> This finding mirrors Eric Oliver's result in his study of democratic participation in U.S. suburbs. He writes, "Civic life languishes in homogeneous and affluent cities partly because their residents are less interested in politics."<sup>57</sup>

The best predictor of levels of discussion at a town meeting is again size. In smaller meetings, more people speak more often.<sup>58</sup> Interestingly, Bryan observes that density of attendance does not predict levels of discussion. People's propensity to speak seems to be related to the number of people in the room regardless of whether they are crowded or sparsely distributed.<sup>59</sup>

Overall, Bryan, Mansbridge, and Zimmerman have faith in the quality of deliberation that occurs in New England town meetings. Even with its flaws, they believe that its ability to allow citizens to govern themselves outweighs both biases in participation and inefficiencies.

### *Educating Citizens and Officials*

Educating citizens and officials is perhaps less relevant in the context of town meetings, where the goals of the enterprise are primarily hands-on citizen governance rather than citizen or official edification for future reference. Even so, proponents of the town meeting also believe that it teaches the skills of citizenship, serving as a "school of democracy." By participating in a citizen legislature, townspeople gather skills and knowledge that make them more competent

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<sup>55</sup> Zimmerman 1999, 79, 104.

<sup>56</sup> Bryan 2004, 185-186.

<sup>57</sup> Oliver, J. Eric. *Democracy in Suburbia*. Princeton, N.J.: Princeton University Press. 2001.

<sup>58</sup> *Ibid.*, 150-157.

<sup>59</sup> *Ibid.*, 174-176.

decision-makers. As they conduct the town's business with their neighbors, they learn how to address issues in an orderly and thoughtful manner. As they settle disputes amongst themselves, they learn tolerance, as well as the realities of tough policy tradeoffs. Although this makes a compelling story, researchers struggle to find empirical evidence to corroborate the idea that the town meeting teaches civic skills.<sup>60</sup>

In terms of educating officials, we know little about how officials use the information gathered at town meetings. Zimmerman's survey of town clerks suggests that at least they are pleased with the process. With the exception of Rhode Island, where the town meeting is in decline, the majority of clerks rated the value of town meeting debate as good or excellent.<sup>61</sup>

### *Official Accountability*

Official accountability is less relevant in the context of the town meeting because the citizens themselves are the legislators. Even so, the town meeting does hold local officers accountable through annual elections. Bryan offers several examples in which officers were unseated for misuse of city resources or incompetence. Even if citizens are making the decisions about budgeting, they expect leadership from their officers. When that leadership is not forthcoming, they hardly hesitate to remove the officer from his position.

### *Justice*

Little is known about the quality or justice of decisions resulting from town meetings because most research has focused on process rather than outcomes. Zimmerman's survey found that 93 percent of town clerks felt that town meetings made good or excellent decisions most of the time.<sup>62</sup> In terms of cost efficiency, town meetings undoubtedly produce results, such as tiny school districts, that no bureaucrat would advocate. But residents may also feel greater ownership over their public services and more willingness to contribute through taxes because they have the opportunity to affect the process. To make a compelling case about the value of town meetings, research on outcomes would greatly enhance the existing information on process.

### *Popular Mobilization and Spillover Citizenship*

Offering some evidence for the schools of democracy hypothesis, the New England states, and particularly the small towns within them, rate highly in terms of civic indicators.<sup>63</sup> While some information points to higher levels of voting and participation in the New England states, neither Bryan nor Eric Oliver was able to tie the availability of public participatory venues to electoral participation in any systematic way. These two studies offer some evidence that the well-established variables affecting electoral participation (i.e., income, education, etc.) do not

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<sup>60</sup> Bryan 1999, 221.

<sup>61</sup> Zimmerman 1999, 173.

<sup>62</sup> *Ibid.*, 79.

<sup>63</sup> Bryan 2004, 290; Social Capital Community Benchmark Survey (<http://www.ksg.harvard.edu/saguaro/communitysurvey/index.html>).

necessarily correlate with other forms of public participation, such as meeting attendance, in a straightforward manner.

### *Sustainability: Political and Financial Support*

Bryan and Zimmerman leave no doubt that the New England town meeting is in decline due largely to population growth and state encroachments on authority. In the past 25 years, at least nine New England towns have done away with town meeting altogether and switched to a town council form of government.<sup>64</sup> Bryan argues that growth is primarily responsible for the decline of effective town meetings. Without small towns, he argues, town meeting cannot survive. Only at this level, he suggests, can citizens successfully resolve differences and govern themselves.<sup>65</sup>

Beyond town size, Bryan finds that issues are the most important factor drawing citizens to town meeting.<sup>66</sup> As states extend their sphere of influence, town meetings become inherently less interesting. In New Hampshire a law passed in 1995 that ruled that the “total appropriation approved by the voters at the annual meeting may not exceed the [budget] committee’s recommendations by more than 10 percent.”<sup>67</sup> More and more towns throughout New England separated voting from debates during town meeting so that voting does not require attendance at town meeting.<sup>68</sup> In Connecticut, towns no longer conduct elections of officers and town meetings are restricted to approving, reducing, or eliminating the recommendations of the board of finance.<sup>69</sup>

In Rhode Island, none of the state’s thirty-one towns hold full open town meetings. While twenty continue to have provisions for an annual budgetary meeting, some towns are unable to hold meetings because they fail to reach quorum, which is commonly set at one percent of town population.<sup>70</sup> Zimmerman predicts that at least in Rhode Island, town officer governance will replace the town meeting.

Massachusetts has taken a different tack to addressing the decline of the town meeting by instituting representative town meetings, in which 50 to 429 representatives participate in town meeting on behalf of other citizens. Currently the Commonwealth has 51 representative town meetings, with a few others in Connecticut, Maine, and Vermont.<sup>71</sup> While they preserve the form of the town meeting, they are local representative legislatures, rather than open citizen law-making assemblies.

### Town Meetings as Model for Reform

Examining town meetings offers important lessons about the viability of participatory reform. On the surface, town meeting seems a highly desirable model. A fifth of citizens turn out

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<sup>64</sup> Zimmerman 1999, 11.

<sup>65</sup> Bryan 2004, 292, 297.

<sup>66</sup> *Ibid.*, 233.

<sup>67</sup> Zimmerman 1999, 9.

<sup>68</sup> *Ibid.*, 99.

<sup>69</sup> *Ibid.*, 117.

<sup>70</sup> *Ibid.*, 136.

<sup>71</sup> *Ibid.*, 146, 159.

annually to make decisions about the town in a process that by all accounts offers participants the chance to deliberate and satisfies most in terms of process and outcomes. But Bryan and Zimmerman also show that both growth and the passage of time are eroding town meeting participation. As participation declines, at what point does town meeting cease to be legitimate? While the town meeting demonstrates that citizens can govern themselves when given the chance, its applicability is limited by the challenges of scale. Determining how challenges of scale might be overcome requires further research, including examining how technological innovations that simulate a more intimate environment may lessen the negative effect of scale on participation.

### **The Public Hearing as a Public Deliberation Venue**

Unlike the clearly delineated town meeting, the term “public hearing” encompasses a broad array of public participation efforts, from formal federal adjudication hearings to informal local project presentations. In the literature, the terms public meeting and public hearing are often used interchangeably.<sup>72</sup> In this report, we define public hearing as an open gathering of officials and citizens, in which citizens are permitted to offer comments, but officials are not obliged to act on them or, typically, even to respond publicly.

Because NEPA and similar state statutes require hearings, many hearings and much of the literature examining them focus on environmental issues. At the federal level, any “major Federal actions significantly affecting the quality of the human environment” call for hearings.<sup>73</sup> Beyond NEPA hearings, federal trade and consumer protection offices often hold hearings, especially in cases where the opposition disputes the agency’s facts. At the state and local level, hearings seem to be the default mechanism when officials need to solicit citizen input. Locally, elements of the hearing may be incorporated in public comment periods of city councils, used in the decisions of school boards, and in zoning and development decisions.

Although they have been used for more than a century, public hearings only attracted the attention of scholars when NEPA mandated their use in environmental decision-making in 1970. Since that time, researchers have produced many case studies, most focusing on federal and state environmental hearings, but few comprehensive evaluations of the public hearing as a participatory venue.<sup>74</sup> The lack of complete evaluations can be partially attributed to the lack of consensus on the goals of public hearings. Different researchers have emphasized the importance of representativeness, face-to-face interaction, cost efficiency, consensus, and ease of project implementation, to name but a few of the potential criteria for success.<sup>75</sup> Scholars have typically divided criteria for public hearing success into “process” and “outcome” categories, with most research focusing on what constitutes a successful process, to the neglect of its results and effects.<sup>76</sup> For the most part, public hearings are derided as ineffective or even counterproductive,

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<sup>72</sup> McComas, KA. “Theory and practice of public meetings.” *Communications Theory* 11 (1): 36-55 FEB 2001 37.

<sup>73</sup> National Environmental Policy Act. 42 U.S.C § 4332 102(2)(c) (1969).

<sup>74</sup> McComas 2001, 36.

<sup>75</sup> *Ibid.*, 42.

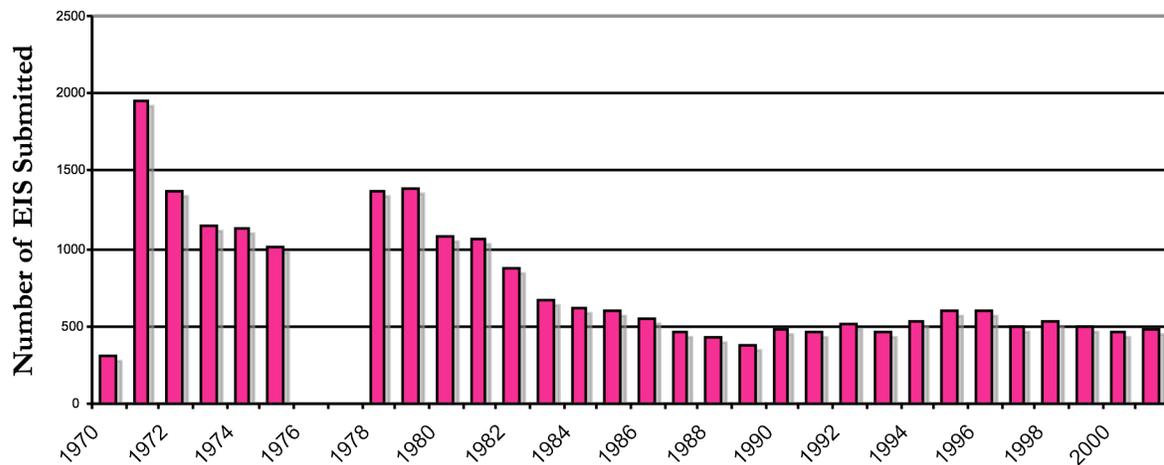
<sup>76</sup> Chess, Caron and Purcell, Kristen. “Public participation and the environment: Do we know what works?” *Environmental Science and Technology*. 33 (16): 2685-2692. August 15, 1999. 2686.

but rare empirical studies show decidedly mixed results. A 1999 review by Chess and Purcell compiles the results of twelve empirical articles and government reports covering thirteen cases of public meetings. The authors find few consistent results in terms of process or outcome indicators.<sup>77</sup>

### Defining Characteristics

The public hearing is perhaps the most widespread venue for public participation in the U.S., used by all levels of government for a variety of purposes. If we consider federal environmental hearings alone, throughout the 1990s, close to 500 projects annually required at least one hearing each, with most calling for numerous hearings in the scoping and draft phases of project development (see Figure 4 below). Beyond the federal level, twenty-seven state governments have similar environmental protection legislation with hearing requirements.<sup>78</sup> Katherine McComas found that in 1998, ostensibly a typical year, the New York Department of the Environment alone held over 250 public meetings.<sup>79</sup> Beyond the environmental realm, laws like California’s Brown Act allow citizens in several states to comment publicly on agenda items before a legislative body.<sup>80</sup> Evan Berman’s 1997 survey of city administrators found that 97 percent of cities nationwide use the hearing as a strategy for involving citizens in decision-making.<sup>81</sup> No exact figures exist for the numbers of public hearings held, nor the number of citizens who participate. As the examples above demonstrate, however, the public hearing is among the most ubiquitous of public participation venues in the U.S.

Figure 4: Number of Draft, Final, and Supplemental EIS Per Year



Source: Author’s analysis of Herner and Company. *EIS Cumulative*.

<sup>77</sup> *Ibid.*

<sup>78</sup> Andrews, R.N.L. “The Unfinished Business of National Environmental Policy,” *Environmental Policy and NEPA: Past, Present & Future*. Ray Clark and Larry Canter, eds. (Boca Raton, FL: St. Lucie Press), 1997. 85.

<sup>79</sup> McComas, 2001, 37.

<sup>80</sup> Adams, Brian. “Public Meetings and the Democratic Process,” *Public Administration Review*. January/February 2004, Vol. 64, No. 1. 46.

<sup>81</sup> *Ibid.*, 44.

(Washington: Information Resources Press), 1978-2001. Data for 1976-1977 missing.

The typical public hearing is held to gather comments regarding a particular proposed policy or project. The average hearing consists of presentations by officials, followed by time-limited public comments. Recruitment methods differ across levels of government and agencies, but for most procedural hearings, the implementing agency must generate a list of interested parties and provide these groups with drafts and notifications, in addition to publicizing hearings in the local media. By definition, public hearings are open to all.

### Strengths and Shortcomings

Demonstrating scholars' general antipathy for the public hearing, Heberlein classifies hearings in four categories: informational hearings in which officials present and citizens have no opportunity to respond, co-optative hearings that allow the opposition to vent and allow the agency to say that they listened, ritualistic hearings conducted merely to fulfill legal requirements, and the rare interactive hearing in which officials genuinely listen to citizen concerns and respond.<sup>82</sup> For the most part, research on public hearings finds little of value in this public participation venue. Nonetheless, a few scholars and practitioners continue to see the hearing as an essential element of a larger public participation strategy.

### Character of Participation

Observers of public hearings agree that this venue typically fails to draw a representative subsection of the public to attend or participate.<sup>83</sup> Unlike many venues, public hearings are open to all who hope to attend. Even with adequate outreach, however, public hearings are not conducive to broad participation. Unlike town meeting, attendance at a public hearing does not seem to be considered a civic duty. People attend meetings when they want to learn about a project or feel personally affected. The average citizen has neither the time nor expertise to judge how government projects will affect him or his community. As a result, public hearings are frequently dominated by officials, representatives of special interest groups, and others who have a stake in the subjects under consideration. Although we lack definitive data for rates of participation at actual hearings, Heberlein and others note that most people in the audience do not speak.<sup>84</sup>

Generally, those with the most intense feelings attend and participate.<sup>85</sup> As a result, the impression taken from a public hearing may not represent the views of the general public. Heberlein offers an anecdotal example from Wisconsin. After a collaborative panel of farmers and experts developed a mutually satisfactory set of standards for animal waste disposal, the implementing agency sent the plan to its list of interested parties in preparation for hearings. At

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<sup>82</sup> Heberlein, T.A. "Some observations on alternative mechanisms for public involvement," *Natural Resources Journal*. 16: 197-212. 1976. 200.

<sup>83</sup> Jonathan Poisner, "A Civic Republican Perspective on the National Environmental Policy Act's Process for Citizen Participation," *Environmental Law* (Spring 1996): 53-94.; Chess & Purcell 1999; Heberlein 1976.

<sup>84</sup> Heberlein 1976, 202.

<sup>85</sup> Adams 2003, 44.

the hearings, opposition to the standards succeeded in delaying and altering their implementation. Yet in interviewing local farmers, Heberlein found that most people affected by the plan had not gone to the hearing because they were satisfied with the original standards.<sup>86</sup>

### Quality of Deliberation

If we define deliberation as an interactive process of weighing alternatives, then the average public hearing cannot be called deliberative. Frequently, the early portion of such meetings consists of technical presentations explaining the complexities of the relevant policy or project, which may not be comprehensible to a lay audience.<sup>87</sup> Unlike the town meeting, in which citizens have the opportunity to amend the agenda, the public hearing often has a strictly circumscribed focus. For instance, citizens may be allowed to comment only on the technical aspects of the project within the scope of impact that the implementing agency has already defined.

When the public comment period arrives, citizens are often limited to two to three minutes to voice their concerns. Often, the room is arranged so that citizen speakers stand at a microphone facing the assembled officials, with their back to other citizens.<sup>88</sup> Officials usually have no obligation to respond to citizen comments during the actual hearing. In fact, engaging other citizens and officials in discussion may be prohibited.<sup>89</sup> In interviews with McComas, some public officials who hold hearings admitted that they had trouble really listening to citizens' comments.<sup>90</sup>

With only the highly committed present and without the give and take of interactive discussions, the atmosphere of public hearings tends to be adversarial. Citizens may rely on hyperbole or extremism in an attempt to capture officials' attention.<sup>91</sup> Although critics of the public hearing disparage its lack of deliberation, a few advocates argue that it offers a place where a great number of critical voices can be heard, with less pressure toward consensus. Some argue that this adversarial atmosphere is more appropriate to the unequal power dynamics of our society.<sup>92</sup> Adams takes the middle road, concluding that hearings are ill-suited for deliberation, but have other benefits that make them a necessary part of an overall citizen participation structure.<sup>93</sup>

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<sup>86</sup> Heberlein 1976, 203.

<sup>87</sup> Fiorino, Daniel J. "Citizen Participation and Environmental Risk A Survey of Institutional Mechanisms," *Science, Technology, & Human Values* 15, no. 2 (Spring 1990): 226-243.

<sup>88</sup> Innes, Judith E. and David E. Booher. "Reframing Public Participation Strategies for the 21<sup>st</sup> Century," unpublished manuscript. 20 January 2004. 10. See discussion in Daniel Kemmis, *Community and the Politics of Place* (Norman, OK: University of Oklahoma Press, 1992).

<sup>89</sup> Adams 2004, 44.

<sup>90</sup> McComas 2001, 47.

<sup>91</sup> Adams 2004, 44.

<sup>92</sup> Karpowitz, Christopher F. "Public Hearings and the Promise of Deliberative Democracy: A Case Study." Presented at the American Political Science Association annual meeting. August 2003. 8.

<sup>93</sup> Adams 2004, 43.

### *Educating Citizens and Officials*

Ideally, hearings provide information to citizens about proposed government actions and information to officials about citizen needs and concerns. In fact, hearings are more useful to the officials in that they alert agencies to opposition while satisfying public participation requirements.<sup>94</sup> Some have described the use of public hearings as part of an official strategy to “decide-announce-defend,” rather than allowing citizens to have actual input on a project.<sup>95</sup> Indeed, hearings often come so late in a project or policy development process that crucial decisions have already been made.<sup>96</sup>

On the other hand, Adams offers some anecdotal evidence that local government officials use hearings to gauge public support in order to make their decisions. Hearings allow citizens to express intensity of concerns in a way that does not show through in a poll. As a result, hearings may give local officials a more visceral, though not necessarily more accurate, sense of the political consequences of the relevant decision.<sup>97</sup>

### *Official Accountability*

Public hearings allow for a form of due process that to some extent holds officials accountable. Officials know that their decisions will be critiqued publicly. The local activists that Adams interviews explain that they use hearings as a way to publicly shame or support officials for their decisions.<sup>98</sup> While local officials may be susceptible to this criticism, federal agencies are often impervious. One group of scholars concluded that agencies should use public hearings when they want to change their policies as little as possible and insulate themselves from criticism, yet still fulfill legal mandates.<sup>99</sup> Under NEPA, for instance, agencies must follow procedural requirements by demonstrating that they have listened to comments and responded. Nonetheless, the agency maintains the power to make the final decision. Interested parties may sue the agency on procedural grounds, but the court cannot mandate substantive alterations as long as the NEPA procedure has been faithfully implemented.<sup>100</sup>

In a review of empirical studies on public hearings, Chess and Purcell find that in five of the seven cases where researchers evaluated whether hearings influenced agency decisions, evidence suggested that they did have influence. Other studies in their review found that hearings were held too late in the process to change agency decisions.<sup>101</sup> It is difficult to conclude from this evidence whether hearings succeed in holding officials accountable for their decisions. Hearings

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<sup>94</sup> Fiorino 1990.

<sup>95</sup> Mazmanian, Daniel A. and Jeanne Nienaber. *Can Organizations Change?: Environmental Protection, Citizen Participation, & the Army Corps of Engineers*. March 1979. vii.

<sup>96</sup> Fairfax, Sally K. “A Disaster in the Environmental Movement,” *Science*. 17 February 1978. 743-748.

<sup>97</sup> Adams 2004, 46-47.

<sup>98</sup> *Ibid.*

<sup>99</sup> Berry, J.M., Portney, K.E., Bablitch, M.B., & Mahoney, R. “Public Involvement in Administration: The structural Determinants of Effective Citizen Participation,” *Journal of Voluntary Action Research*. 13, 17-23. 1997.

<sup>100</sup> *Calvert Cliffs Coordinating Committee v. Atomic Energy Commission*, 449 F. 2d 1109 (D.C. Cir. 1971), cert. Denied, 404 U.S. 942 (1972). As quoted in Lindstrom, Matthew J. and Smith, Zachary A. *The National Environmental Policy Act: Judicial Misconstruction, Legislative Indifference, and Executive Neglect*. (College Station, TX: Texas A&M University Press), 2001. 116.

<sup>101</sup> Chess & Purcell 1999, 2687.

have a counterintuitive quality in that a bad process may have a “good” result by blocking an unworthy project, whereas a carefully executed hearing can allow an agency to block opposition and implement a questionable project.<sup>102</sup>

### Justice

As the previous paragraph suggests, it is unclear whether public hearings consistently affect agency decisions in any way, much less in a way that promotes justice or the public good. Studying General Revenue Sharing program hearings from 1972-1983, Cole and Caputo anticipated that those cities that held hearings would allocate more local funds to new programs and social services. Although an early cross-sectional study suggested a correlation, the complete longitudinal study, comparing cities that voluntarily held hearings with those that later held hearings to comply with requirements, found that hearings had no consistent policy impact.<sup>103</sup> Their research suggests that participatory cultures may lend themselves to more social service spending. Hearings themselves do not seem to lead to higher spending in this category, but cities that voluntarily held hearings before a requirement existed spent more on social service programs.

### Popular Mobilization and Spillover Citizenship

Poisner and others argue that public hearings are not only ineffective, but also counterproductive because they reduce citizens’ trust in government. By the time of the hearing, the agency has made its decision, allowing little room for deliberation and promoting a focus on individual interests. As a result, the process “breeds cynicism and mistrust,” with citizens resorting to strategic maneuvers rather than genuine face-to-face dialogue.<sup>104</sup> Such an account, however, begs the larger question of how agencies and officials should incorporate citizen participation into their decisions.

Other studies have found somewhat more salutary effects. Cole and Caputo find that General Revenue Sharing hearings program increased public interest in the program, though the increase did not sustain over time.<sup>105</sup> Based on interviews with community leaders in a Californian city, Adams suggests that local public hearings may be good for networking, but only among a select group of activists.<sup>106</sup>

### Sustainability: Political and Financial Support

In general, scholars and practitioners share the view that public hearings are not an effective way to involve average citizens in government decision-making. As a result, even those programs that regularly hold public hearings express interest in generating more interaction and dialogue. In

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<sup>102</sup> McComas 2001, 42-43.

<sup>103</sup> Cole, R.L. and D.A. Caputo. “The Public Hearing as an Effective Citizen Participation Mechanism: A Case Study of the General Revenue Sharing Program,” *American Political Science Review*. 78 (2): 404-416. 1984. 415.

<sup>104</sup> Jonathan Poisner, “A Civic Republican Perspective on the National Environmental Policy Act’s Process for Citizen Participation,” *Environmental Law* (Spring 1996): 53-94. 90.

<sup>105</sup> Cole & Caputo 1984, 404.

<sup>106</sup> Adams 2004, 50-51.

McComas' interviews with thirty-five New York officials who hold public meetings, she finds that more than a third feel that dialogue and interaction are crucial to public meeting success.<sup>107</sup> In fact, some of the most successful meetings mentioned by informants strayed from the conventional hearing format to include more two-way communication.<sup>108</sup>

These trends are also evident at the federal level. The U.S. Environmental Protection Agency's new guidelines for public involvement encourage use of "interactive methods that provide participants with opportunities to discuss the issues and their input with the Agency."<sup>109</sup> Likewise, in its public participation guide, the Department of Energy urges officials to "conduct public meetings and hearings in a manner that encourages discussion and mutual understanding . . . . Whenever possible, meetings, hearings, and workshops should have interactive components to encourage dialogue between DOE and the public."<sup>110</sup>

Although more collaborative forms of public participation better promote deliberation among citizens, at least one recent study indicates that eliminating or combining the public hearing with more collaborative methods may raise unanticipated issues. In Karpowitz's case study of the public participation process for a downtown redevelopment plan in Princeton, NJ, community elites hosted a well-designed deliberative process to form a community consensus. To some extent the process drove the developers' proposal, but the leaders of the collaborative project made some concessions. When the city council held hearings to debate the plan, widespread dissension emerged. Some opponents of the plan felt that the collaborative process had been "placed in between themselves and the council." Karpowitz's case makes it clear that collaborative processes, especially if they marginalize some views, should not replace more adversarial participation, such as the public hearing.

### Public Hearings as Model for Reform

As Karpowitz's case demonstrates, public hearings may not be deliberative, but they often represent a necessary part of a participatory system. When consensus-oriented processes fail through exclusivity or stalemate, hearings may be necessary to voice opposition.<sup>111</sup> This observation echoes Mansbridge's findings about the role of unitary versus adversary democracy. When disagreements arise, consensus-based methods may not be the most fair or sensible way to enable citizen participation. While the public hearing represents one participation venue that allows for adversarial pluralism, it may be possible to develop a venue that serves this function, while also allowing for more deliberation.

In their review of environmental policy participation, Beierle and Cayford find that more intensive, collaborative types of participation are more likely to succeed based on their six social

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<sup>107</sup> McComas 2001, 48.

<sup>108</sup> *Ibid.*, 53.

<sup>109</sup> U.S. Environmental Protection Agency. "Public Involvement Policy." Washington. May 2003.

<sup>110</sup> U.S. Department Of Energy. "Effective Public Participation Under The National Environmental Policy Act," Second Edition. Washington, Dc: Office of NEPA Policy And Assistance. August 1998.

<sup>111</sup> Innes & Booher 2004, 25.

value criteria, which include incorporating public values in decisions, improving the quality of decisions, and resolving conflict. They also notice that as the participatory process becomes more intensive, it includes more competent citizens, often experts rather than lay participants. While more intensive processes are promising, they are also more costly and exclusive.<sup>112</sup> When contemplating the public hearing's potential for transformation, we must remember that despite the hearing's faults, it plays a vital role in the process by opening the issues to all and giving voice to potentially valuable views outside of the mainstream consensus.

### **The Citizen Committee as a Public Deliberation Venue**

Like public hearings, citizen committees take a variety of forms and are used in a broad array of contexts. Although they may be called citizen advisory boards, citizen panels, local boards, or other names, the generic citizen committee shares several defining characteristics. Some scholars emphasize that a citizen committee is composed of participants selected based on their characteristics to represent the relevant affected public.<sup>113</sup> Others stress that citizen committees gather groups to address a particular issue or set of issues.<sup>114</sup> Many citizen committees serve in an advisory capacity, informing officials of citizen concerns, but some possess more formal authority. In this paper, we define citizen committee as a particular group of citizens who gather on a regular basis to discuss and address a specific public issue or domain. They are smaller, more consistent groups that convene more frequently than those who participate in either town meetings or public hearings. While scholars consider citizen committees a more favorable setting for deliberation, they also have several important limitations.

#### Defining Characteristics

The term "citizen committee" encompasses a wide variety of participatory venues. At the federal level, laws have frequently made state or local funding contingent on the establishment of citizen committees. Since the National Housing Act of 1954, housing and urban development legislation has included clauses mandating local committee formation, ranging from the Community Action Agencies of the 1960s to today's Empowerment Zone boards.<sup>115</sup> Federal agencies have also established committees to help them negotiate controversial situations such as the closure of military bases or the decontamination of Department of Energy sites. The 1972 Federal Advisory Committee Act (FACA) required that membership on committees be balanced in terms of interests and opened committee deliberations to public scrutiny. Under FACA, agencies must announce the establishment of committees in the *Federal Register* and inform the public about

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<sup>112</sup> Beierle & Cayford 2002, 47-49.

<sup>113</sup> Beierle, Thomas C. and Jerry Cayford. *Democracy in Practice: Public Participation in Environmental Decisions*. Washington, DC: Resources for the Future. 2002.; Leslie H. Cochran, L. Allen Phelps, Linda Letwin Cochran. *Advisory committees in action: an educational/occupational/community partnership*. Boston: Allyn and Bacon, Inc. 1980.

<sup>114</sup> Chess, Caron and Purcell, Kristen. "Public participation and the environment: Do we know what works?" *Environmental Science and Technology*. 33 (16): 2685-2692. August 15, 1999.

<sup>115</sup> Schaller, L.E. "Is the Citizen Advisory-Committee a Threat to Representative Government?" *Public Administration Review*. 24 (3): 175-179. 1964.

their function.<sup>116</sup> Federal mandates for advisory committees create abundant opportunities for citizen committee participation nationwide. In but one limited example, the requirement to establish Restoration Advisory Boards in connection with the closure of military installations led to the creation of 300 committees.<sup>117</sup>

On the local level, Houghton reports that citizen committees exist in almost every U.S. city.<sup>118</sup> In 1988, the city of Kalamazoo, Michigan, for instance, had nine local boards, including the Airport Advisory Board, City Planning Commission, Environmental Concerns Committee, Historical Commission, Historic District Commission, Parks and Recreation Board, Pedestrian Mall Advisory Board, Tenant Landlord Council, and Transportation Advisory Board.<sup>119</sup> Today it has 25 such local advisory boards.<sup>120</sup> Even New England town meetings increasingly rely on the information presented by local budget and finance committees in making town decisions.<sup>121</sup>

In addition to elected local school boards, public school districts frequently have less formal citizen committees known as school councils. In 1985, 100,000 U.S. citizens served on school boards with more than a million participating in school councils and advisory committees.<sup>122</sup> School advisory councils first emerged in the early twentieth century and for a time were required nationally following the 1976 Educational Amendments.<sup>123</sup> Chicago has taken a unique approach to citizen governance of the schools, electing local school councils for every school, consisting of parents, community members, teachers, and the school principal. In contrast to the average school council, Chicago's local school councils have the authority to approve school budgets and hire or fire the principal.<sup>124</sup>

Despite the disparate applications for a citizen committee, committees possess a standard form, which varies along several dimensions. Schaller describes citizen committees as "a channel for communication" between administrators and public.<sup>125</sup> Although committees are meant to be representative of a particular population, officials must decide whether they are recruiting people to represent a particular opinion, a category of persons, or an organizational viewpoint.<sup>126</sup> Committees may be elected by the public; self-selected by existing committee members; composed of various organizations' designees; appointed by the relevant agency, a local official,

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<sup>116</sup> Kerwin 1994, 68.

<sup>117</sup> Santos, Susan L. and Caron Chess. "Evaluating Citizen Advisory Boards: The Importance of Theory and Participant-based Criteria and Practical Implications," *Risk Analysis*. 23(2):269-279. 2003.

<sup>118</sup> Houghton, D.G. "Citizen Advisory Boards: Autonomy and Effectiveness," *American Review of Public Administration*. 18(3): 283-296. 1988. 294.

<sup>119</sup> *Ibid.*, 284.

<sup>120</sup> <http://www.kalcounty.com/Board/committeesdescription.htm>. Accessed 14 February, 2004.

<sup>121</sup> Zimmerman 1999, 79, 104.

<sup>122</sup> Salisbury, Robert Holt. *Citizen participation in the public schools*. Lexington, Mass: Lexington Books, 1980. 3.

<sup>123</sup> Cochran, *et. al.* 1980, 7, 12.

<sup>124</sup> Fung, Archon. "Accountable Autonomy: Toward Empowered Deliberation in Chicago Schools and Policing," *Politics and Society*. 29(1). March 2001. 3.

<sup>125</sup> Schaller 1964, 176.

<sup>126</sup> Bradbury, Judith A. and Kristi M. Branch. "An Evaluation of the Effectiveness of Local Site-Specific Advisory Boards for U.S. DOE Environmental Restoration Programs." Washington, DC: U.S. Department of Energy, Office of Environmental Management. 1999. 12.

or a third party; or some mix of these procedures.<sup>127</sup> In addition to publicizing the formation of the committee in the public record, such as the *Federal Register*, agencies frequently advertise in the local media, write to and visit specific organizations, and solicit applicants through personal networks.<sup>128</sup>

On many committees, a public official participates as an *ex-officio* member and government staff members provide information and administrative support.<sup>129</sup> According to FACA, committee meetings associated with federal programs must be open to the broader public, though comments from non-members may be disallowed or limited.<sup>130</sup>

Committees also differ in terms of their technical expertise, decision-making methods, and independence from official control. Some committees consist of those nominated based on their professional qualifications, while others do not require topical expertise. For the most part, citizen committees are charged with addressing citizen values, while technical advisory boards present a more scientific critique.<sup>131</sup> Yosie and Herbst emphasize that in successful processes, citizen and scientific concerns are incorporated in an iterative process.<sup>132</sup>

Beierle and Cayford distinguish between citizen committees that seek consensus and those that do not. In their sample of 240 cases of public participation in environmental decision-making processes, 55 percent were citizen committees, with 25 percent seeking consensus.<sup>133</sup> The Department of Energy's (DOE) Site-Specific Advisory Boards, for instance, are charged with seeking consensus. Rather than a cacophony of varying viewpoints, DOE officials want a representative group to tell them what the public as a whole wants.<sup>134</sup>

Finally, citizen committees differ in the extent to which they are independent from governmental influence. Some critics charge that officials who convene citizen committees manipulate them through controlling the selection process or the provision of information. As a result, Houghton defines the independence of citizen committees in terms of their ability to challenge public officials and to obtain information and public support not reliant on government sources. Some committees, such as the Chicago local school councils, go beyond independence to empowerment in their ability to make binding decisions.

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<sup>127</sup> At times, citizen panels are randomly selected, like a jury. we discuss this type of venue later as it tends to meet for a short period, rather than regularly, and is rarely used by U.S. government agencies. Gittel M, Newman K, Bockmeyer J, et al. "Expanding civic opportunity - Urban empowerment zones." *URBAN Affairs Review*. 33(4): 530-558 MAR 1998. 544.; Bradbury and Branch 1999, 12.

<sup>128</sup> Bradbury and Branch 1999, 11.

<sup>129</sup> Houghton 1988, 285.

<sup>130</sup> Kerwin 1994, 68.

<sup>131</sup> Yosie, T. & T. Herbst. "Using Stakeholder Processes in Environmental Decisionmaking: an Evaluation of Lessons Learned, Key Issues, and Future Challenges." Washington, DC: Ruder Finn Washington. 1998. 22.

<sup>132</sup> *Ibid.*, 42-43.

<sup>133</sup> Beierle and Cayford 2002, 44.

<sup>134</sup> Bradbury and Branch 1999, 3.

### Strengths and Shortcomings

Through their extensive case survey, Beierle and Cayford determined that citizen committees are more effective than public hearings in achieving the social goals of participation, such as improving decision-making and building trust. They also find, however, that as public participation methods become more “intensive” – that is, they require more ongoing, face-to-face deliberation – they become more expensive and are often less representative of the public at large than less intensive participatory venues.<sup>135</sup>

### Character of Participation

In reviewing membership requirements for citizen committees, the general consensus is that including more than twenty to thirty members hinders effective discussion. The DOE’s site-specific advisory boards have from ten to thirty members.<sup>136</sup> The Defense Environmental Restoration program argues that a committee with more than twenty committee members is unworkable.<sup>137</sup> School boards and other local committees tend to have fewer than ten members. Citizen committees thus face the democratic challenge of representing relevant publics with a small number of committee seats.

One frequent complaint about committees is that they fail to include disadvantaged and marginalized groups. In 1964, Schaller wrote, “the chief failure of the citizen advisory committees organized in recent years is that few of them have been representative of the citizenry.”<sup>138</sup> Obstacles to participation at that time were that meetings were often held during the workday or in up-scale settings. Although access to meetings has improved somewhat since that time, with meetings generally held at times and in places that accommodate working people, they still remain dominated by professionally interested participants or special interests.<sup>139</sup>

Beierle and Cayford’s case survey offers the most damning evidence of citizen committees’ participatory biases. They find that committee members tend to have greater civic skills and topical expertise than the average public hearing attendee.<sup>140</sup> Moreover, in one-third of their consensus-based committee cases, researchers reported that the exclusion of issues or parties facilitated achieving consensus.<sup>141</sup> In more than half of the cases that included information about interest groups, researchers identified relevant parties that were not included in the process.<sup>142</sup>

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<sup>135</sup> Beierle and Cayford 2002, 47.

<sup>136</sup> Department of Energy. “Charter for the Environmental Management: Site-Specific Advisory Board.” <<http://web.em.doe.gov/public/ssab/charter.html>>. Accessed 14 February 2004.

<sup>137</sup> U.S. Department of Defense, Defense Environmental Restoration Program. “Restoration Advisory Board (RAB) Resource Book.” September 1996. <[http://www.dtic.mil/envirodod/Policies/RAB/forming\\_rab.htm](http://www.dtic.mil/envirodod/Policies/RAB/forming_rab.htm)>. Accessed 14 February 2004.

<sup>138</sup> Schaller 1964, 178.

<sup>139</sup> Chess & Purcell 1999, 2690.

<sup>140</sup> Beierle and Cayford 2002, 46.

<sup>141</sup> *Ibid.*, 48.

<sup>142</sup> *Ibid.*, 24.

Even if certain groups are invited to participate, serving on a citizen committee requires a commitment that some cannot make. Beyond the psychic challenges of participation, one study of Empowerment Zones found that community-based organizations did not have the staff and financial resources to participate actively in six months of nearly weekly meetings.<sup>143</sup> Chicago's local school councils demonstrate a somewhat different trend. In this case, low-income neighborhoods have equal or higher rates of participation than wealthy neighborhoods. Even so, individual participants within low-income neighborhoods possess higher than average levels of education and income.<sup>144</sup> This finding suggests that well-designed processes like Chicago's, which include training and outreach components, may ameliorate the socioeconomic bias of committee membership. It is also possible, however, that as in Oliver's diverse suburban communities, more people participate in low-income neighborhoods because conflicts are more often and issues are more urgent and engaging.

Finally, even in the rare cases where committees are representative, they engage a minute percentage of the overall affected population. Though meetings are generally open to the broader public, non-members may be given as little as five minutes total to voice their concerns.<sup>145</sup> Or the broader public may be entirely unaware of the process. As a result, any benefits of participation tend to accrue principally to committee members rather than the public at large.<sup>146</sup>

An extensive evaluation of the DOE's site-specific advisory boards found that the most successful committees displayed a consistent commitment to welcoming a representative diversity of viewpoints.<sup>147</sup> Despite this evidence, many citizen committees continue to fail to include a representative sample of the relevant population.

### *Quality of Deliberation*

Schaller notes that citizen committees are more conducive to deliberation than public hearings, because their discursive dynamics generate less defensive interactions. In committee meetings, people can share ideas more openly because they are slightly removed from the glare of the public spotlight.<sup>148</sup> Beierle and Konisky concur with this view, stressing that the quality of the deliberative process in citizen advisory committee meetings is significantly and positively related to three social goals of participation: "incorporating public values into decision-making, resolving conflict among competing interests, and restoring a degree of trust in public agencies."<sup>149</sup> In fact, they found that good deliberative process could overcome challenges such as contentious relations and complex issues.

Santos and Chess explored this proposition in detail by assessing the degree to which U.S. Army Restoration Advisory Boards approximate a deliberative ideal. For these authors fair deliberation

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<sup>143</sup> Gittel M, Newman K, Bockmeyer J, et al. "Expanding civic opportunity - Urban empowerment zones." *URBAN Affairs Review*. 33(4): 530-558 MAR 1998. 535.

<sup>144</sup> Fung 2001, 31.

<sup>145</sup> Santos & Chess 2003, 275.

<sup>146</sup> Beierle, T.C. & Konisky, D.M. "Values, conflict, and trust in participatory environmental planning," *Journal of Policy Analysis and Management*. 19(4): 587-602. 2000. 599.

<sup>147</sup> Bradbury and Branch 1999, 13.

<sup>148</sup> Schaller 1964, 176.

<sup>149</sup> Beierle and Konisky 2000, 588.

requires that participants have the ability to set the agenda, that they participate openly, and that they work collaboratively with officials toward consensus decisions. They find, however, that the Army's boards fall short in several ways. Although board members can technically set the agenda, when they do, they are often told that issues are outside of the group's scope, or they are accused of pushing a personal agenda.<sup>150</sup> Even though each board is permitted to design its own procedures for discourse, the Army withheld support from committees when they refused to change their by-laws to meet with new Army procedures.<sup>151</sup> Finally, board members often felt that the process was not truly collaborative and that they lacked real power to make an impact on ultimate decision-making.<sup>152</sup>

Although these shortcomings may be an indictment of the Army's boards and not a more general criticism of citizen committees, they demonstrate the potential pitfalls of this venue for quality deliberation. On the whole, citizen committees have the potential to serve as positive environments for deliberation, but they often fall short of the ideal by failing to include a representative diversity of views or by being sensitive to official manipulation.

### *Educating Citizens and Officials*

Opinions differ on whether citizen advisory committees succeed in educating citizens and officials. In the ideal, committees offer citizens the opportunity to learn in-depth about a particular project or policy area, while giving officials the opportunity to understand local values and concerns. Unfortunately, the information presented to citizens may be biased by agency views or goals. Houghton stresses that effective boards tend to be those that have access to information from other sources.<sup>153</sup> Other scholars find that while committees enable an exchange of views, citizens may not have sufficient knowledge or experience to offer useful input.<sup>154</sup> In the best case, citizens bring valuable local knowledge to bear on agency decisions. At times, however, this process is hampered by the limited knowledge of citizens or the agency's lack of interest in hearing citizen views.

### *Official Accountability*

As with committees' educative value, the degree to which citizen committees enhance official accountability is unclear. In some cases, citizens may use committees as a pressure group to assert their claims. In other cases, however, officials use committees as a tool to facilitate implementation of projects, whether by recruiting allies, deflecting blame, or including moderate citizens to mitigate the impact of activists' voices.<sup>155</sup> Arnstein argues that advisory committees offer a convenient way to gain citizen support without offering them a real role in decision-making.<sup>156</sup> Officials may even use committees as a mechanism to circumvent or undermine the

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<sup>150</sup> Santos & Chess 2003, 273.

<sup>151</sup> *Ibid.*, 274.

<sup>152</sup> *Ibid.*, 275.

<sup>153</sup> Houghton 1988, 293.

<sup>154</sup> Chess & Purcell 1999.

<sup>155</sup> Santos & Chess 2003, 276.; Houghton 1988, 284.; Schaller 1964, 179.

<sup>156</sup> Sherry R. Arnstein, "A Ladder of Citizen Participation," *American Institute of Planning Journal* (July 1969): 216-224.

existing political hierarchy.<sup>157</sup> While citizen committees can enforce official accountability, the success of committees is heavily dependent on the motives of the officials that establish them, and their actions in implementing these committees.<sup>158</sup>

### Justice

Where processes are well-designed, citizen committees may improve decision-making in ways that enhance justice. By sharing ideas, citizens' priorities may change and officials may become more attuned to the needs of marginalized groups. Although a direct causal arrow cannot be drawn, Chicago's public schools have improved their test scores since the inception of local school councils in 1988.<sup>159</sup>

### Popular Mobilization and Spillover Citizenship

In some cases, citizen committees may contribute to enhanced participation. Salisbury's 1980 study of adult participation in the public schools finds a positive relationship between school participation and other civic activities, as well as a positive relationship between school participation and respondent's intention to participate locally in the future.<sup>160</sup> One research group found that Empowerment Zone boards succeeded in empowering low-income residents, when they were able to elect their own representatives. The process made the boards more inclusive and enhanced the number of participants who were lay citizens, rather than representatives of organizations. Moreover, these boards were more successful in leveraging federal contributions.<sup>161</sup>

Not all examples of citizen committees demonstrate such positive results. In the case of Chicago's local school councils, for instance, participation in electing the councils and the number of candidates running have declined substantially over time.<sup>162</sup> On the whole, citizen committees are not an effective means of inspiring broad-scale participation, because they tend to reach only a small portion of citizens.

### Sustainability: Political and Financial Support

In 1964, Schaller described citizen committees as a potential threat to representative democracy, expecting that committees would attempt to move beyond a mere advisory function without ever facing the electorate.<sup>163</sup> His fears, however, seem to have been unwarranted. With their long

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<sup>157</sup> Schaller 1964, 176.

<sup>158</sup> Houghton 1988, 283.

<sup>159</sup> Fung 2001, 45.

<sup>160</sup> Salisbury 1980, 119. School participation may not be responsible for the impulse to participation. Salisbury's research design leaves open the possibility that his respondents were predisposed to high levels of participation and not affected by participation in the schools per say.

<sup>161</sup> Aigner, S.M., C.B. Flora, and J.M. Hernandez. "The premise and promise of citizenship and civil society for renewing democracies and empowering sustainable communities," *Sociological Inquiry*. 71(4): 493-507. Fall 2001. 501-502.

<sup>162</sup> Fung 2001, 17, 29.

<sup>163</sup> Schaller 1964, 178.

history at all levels of U.S. government, citizen committees remain an indispensable venue for public participation. As public hearings fall from favor in the current trend toward more interactive processes, citizen committees may even proliferate.

### Citizen Committees as Model for Reform

In sum, the research indicates that when properly executed, citizen committees can effectively infuse decision-making processes with citizen deliberation. In their comprehensive reviews of the DOE's site-specific advisory boards, Bradbury and Branch conclude that citizen committees can be effective when they conduct public outreach to ensure a representative membership, focus on particular goals, employ competent facilitators, and secure the commitment of the relevant officials to the process.<sup>164</sup> Even when these conditions are met, however, the citizen committee has two lingering shortcomings that compromise its usefulness as a tool for public participation. First, selecting an entirely representative group is near impossible. Even where successful, the representative citizen committee still includes only a minute proportion of the potential interested public. Second, the time and cost associated with conducting a citizen committee make it unworkable in many instances. Both citizens and officials may not have adequate resources to commit to this type of public participation process.

### The Collaborative Forum as a Public Deliberation Venue

Collaborative forums offer citizens the opportunity to gather and address issues through the presentation of information and discussion. As distinct from public hearings, collaborative forums are intentionally interactive rather than testimonial. As distinct from citizen committees, forums are typically more open and thus not composed of well-defined members who are selected based on their interest or qualification. In recent years, collaborative forums have become more prevalent, particularly on the local government level.

The development and use of collaborative forums often results from concerns about traditional methods of public participation, such as hearings and comment and review periods. Judith Innes and David Booher predict that because of faults they see as inherent in traditional participation methods, collaborative forums will eventually come to dominate public participation process in the United States.<sup>165</sup> The trend toward collaborative forums has introduced a variety of open citizen forums, such as the ones we discuss in this section, as well as different forms of negotiated stakeholder processes, which we describe in the following section. Many collaborative processes currently in use in the United States are promoted by civic organizations and used only rarely by government. In this section, we discuss only those forums relatively institutionalized in U.S. government practice.<sup>166</sup>

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<sup>164</sup> Bradbury & Branch 1999, 3-5.

<sup>165</sup> Innes, Judith E. and David E. Booher. "Reframing Public Participation Strategies for the 21<sup>st</sup> Century," unpublished manuscript. 20 January 2004. 24.

<sup>166</sup> While formats like the citizen jury and the AmericaSpeaks forum have been used sporadically by

### Defining Characteristics

Innes and Booher identify two central elements of collaborative forums, namely a concentration on gathering an inclusive group of stakeholders and an insistence on constructive dialogue among these participants.<sup>167</sup> The term “stakeholder” is defined in various ways, but in the most general terms refers to an individual or institution that will somehow be implicated in addressing the issue at hand. Collaborative forums aim to establish an even playing field in which stakeholders can interact, learn from one another, resolve conflicts, and generate new ideas. Innes and Booher make three claims about the efficacy of collaborative forums. First, they assert the “transformative power of dialogue” to dissolve deadlock, change stakeholders’ minds, and give individuals the sense that they can make a difference. Second, they claim that through interaction, forum participants build networks of mutual understanding and trust. Third, they argue that participating in a forum increases citizen competence and awareness of complex policy tradeoffs.<sup>168</sup>

Given these ambitious goals, collaborative forums generally require more careful preparation than the average hearing or committee meeting. Organizers must consider how to gather stakeholders, inform participants, and facilitate dialogue. Different processes have tackled these challenges in a variety of ways. In this section, we will discuss the two most prevalent types of collaborative forums in the U.S.—master planning and visioning processes—as well as a Chicago-based innovation that demonstrates the flexibility and potential of the collaborative forum.

Comprehensive city or regional planning is a relatively new process, practiced only regularly outside of major metropolitan areas since the 1970s.<sup>169</sup> Early on, most cities treated the process as primarily a technical exercise, incorporating public participation only through hearings and advisory boards. In the 1980s, the public sector adopted the private sector strategic planning approach, meant to incorporate broad stakeholder input. Borrowing again from the corporate world, in the 1990s, visioning became the vogue in city planning.<sup>170</sup> In both master planning processes and visioning exercises, the sponsoring agency organizes a meeting or series of meetings that allow citizens to analyze their community, identify concerns and priorities, and develop a plan for action. In visioning, citizens and planners place particular focus on how citizens want their community to look and feel a defined number of years down the road. Visioning processes aim to enable large groups of citizens to issue a consensus statement about community priorities and hopes. By contrast, a master plan process may include citizens in deliberations, but the final plan may be produced by a smaller committee or by professional planners.

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<sup>167</sup> *Ibid.*, 15.

<sup>168</sup> *Ibid.*, 19-20.

<sup>169</sup> Ayres, Jane. “Essential Elements of Strategic Visioning,” *Community Strategic Visioning Programs*. Walzer, Norman, ed. Westport, CT: Praeger. 1996. 22.

<sup>170</sup> *Ibid.* and Shipley, Robert and Ross Newkirk. “Vision and Visioning in Planning: What do these Terms Really Mean?” *Environment and Planning B: Planning and Design*. 26: 573-591. 1999. 583.

States differ in the degree to which they require comprehensive planning and incorporate public participation in this process. A random sample of five states demonstrates this variety.<sup>171</sup> Arkansas neither requires comprehensive planning at the county or municipal level, nor provides guidance on participation in planning. Delaware, Vermont, and West Virginia require comprehensive plans at the county or regional level. As part of these processes, each state requires at least one public hearing. In addition, Vermont makes citizen participation an explicit goal of the overall process. New Hampshire requires master plans at the municipal level, including “consultation with citizens.” The ways that counties and towns interpret these requirements vary widely. While none of these states (and no states of which we are aware) require organizing collaborative forums as part of planning, many states do regularly use visioning and other collaborative approaches to planning. Each of these five states, for example, uses visioning as a regular component of state and local planning.

While many practitioners refer to visioning as a new practice, some analysts call it “old wine in new bottles.”<sup>172</sup> To the extent that visioning does provide some degree of innovation, it combines traditional concepts in planning (strategic planning, participation, and public motivation) in one process. The process proliferated rapidly in the late 1980s and 1990s as communities planned for the year 2000.<sup>173</sup> The U.S. Department of Agriculture was partially responsible for the popularity, as it encouraged Cooperative Extension programs to use visioning as a way to revitalize stagnating rural communities.<sup>174</sup>

Visioning processes may be sponsored and implemented by a government agency or independent organization. Sessions typically focus on a particular geographic area’s vision for its future, but at times a group may conduct visioning on a particular issue, such as the future of healthcare or education. In general, a committee composed of key stakeholders develops the agenda and conducts outreach for the event. Most forums are open to all, although some visioning processes have asked organizations and neighborhoods to appoint representatives. Visioning tends to take an extended period of time, whether in an intense two-day conference or a series of short meetings over months. Most groups hire professional facilitators to organize the process and guide citizens toward consensus.

As a general rule, visioning processes succeed in providing a hospitable environment for building trust and forming networks among participants. Likewise, citizens do indeed deliberate on issues central to their community’s future and report learning from most processes. The processes differ, however, in the extent to which they develop useful recommendations and impact policy decisions.

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<sup>171</sup> Random sample generated via Excel from an alphabetized list of states. Information gathered via links available at <http://www.urbanfutures.org/state.cfm?state=X> (where X equals the relevant state). Urban Futures is a project of Reason Public Policy Institute, which aims to provide market-oriented analysis of land use and economic development issues.

<sup>172</sup> Shipley R. “Visioning in planning: is the practice based on sound theory?” *Environment and Planning A*. 34(1): 7-22. January 2002. 11.

<sup>173</sup> *Ibid.*, 7.

<sup>174</sup> Walzer, Norman and Steven Deller. “Rural Issues and Trends: the Role of Strategic Visioning Programs,” *Community Strategic Visioning Programs*. Walzer, Norman, ed. Westport, CT: Praeger. 1996. 3.

An innovative type of collaborative forum practiced in Chicago seems to have overcome many of these shortcomings. In 1991, the Chicago police department divided the city into 279 beats and began holding monthly beat meetings, open to all residents.<sup>175</sup> At these meetings, citizens identify community public safety issues and prioritize problems for the police to address. Many beats manage to improve policing practices based on local knowledge. With the police officers that patrol the beat present at each meeting, citizens are able to hold officers accountable to the plan they have developed.

Master planning, visioning, and Chicago's police advisory meetings represent the most significant U.S. government efforts to implement collaborative forums. While others have attempted to introduce innovative collaborative participation, few efforts have become widespread or institutionalized. Sydney Williams describes efforts as long ago as the 1970s to popularize use of roundtables or citizen conferences in environmental planning.<sup>176</sup> Halvorsen examines the efforts of two environmental agencies in the 1990s to hold "focused conversations" and "community dinners" in order to improve citizen comfort with interactive participation.<sup>177</sup> Though experimentation occurs frequently, collaborative forums remain a relatively small proportion of overall citizen participation opportunities in the U.S.

### Strengths and Shortcomings

#### Character of Participation

As a general rule, collaborative forums share the participation bias found throughout U.S. citizen engagement venues. In her review of two experimental collaborative forum processes, Halvorsen finds that participants in both processes were disproportionately older, with higher levels of education and wealth.<sup>178</sup> Nonetheless, one Canadian scholar found that in Ontario, participation in visioning processes in certain towns exceeded participation in public hearings.<sup>179</sup> When outreach is done well, visioning and other collaborative forums may have more potential to draw citizens. Unlike hearings, participants in visioning forums consider their possible futures using local knowledge, rather than focusing on the minutiae of some technical project. Citizens do not have to present testimony before hundreds in order to participate in a forum's small group discussions. As a result, average citizens may have greater interest in attending a forum and be better able to engage with the discussions there.

Those who employ collaborative forums believe that gathering a broad range of stakeholders has the ability to improve decisions and stave off potential conflicts. As a result, organizers place a premium on attracting a diverse group. More stakeholders may increase plan quality by donating their time, money, and information to the process. Engaging more players may also ease

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<sup>175</sup> Skogan, Wesley et. al. "Chapter 2: Chicago's Model for Problem-Solving," in *On the Beat* (Boulder: Westview Press, 1999): 33-56.

<sup>176</sup> Williams, Sydney H. "Citizen Participation in City and Regional Planning - Effective American Methodology," *Town Planning Review*. 31(2): 349-358. 1976.

<sup>177</sup> Halvorsen KE. "Assessing public participation techniques for comfort, convenience, satisfaction, and deliberation," *Environmental Management*. 28 (2): 179-186 AUG 2001.

<sup>178</sup> *Ibid.*, 182.

<sup>179</sup> Shipley 2002, 16.

implementation. In an article focusing on comprehensive planning in Florida, Brody examines the connection between the participation of various stakeholders and the quality of ecosystem management provisions in the resulting plan. Dividing stakeholders into thirteen distinct categories, he finds that greater representation of these thirteen groups does not improve plan quality across a sample of plans produced over a three-year period. In contrast, plan quality is affected by which stakeholders participate. In cases where resource-based industries (such as marine fisheries) and environmental NGOs participate in plan development, the quality of ecosystem principles within the plan is enhanced. Brody's findings indicate the importance of targeting key stakeholders, but call into question the idea that a broader range of stakeholders will result in a better product.<sup>180</sup>

### *Quality of Deliberation*

Collaborative forums are specifically designed to promote quality of deliberation. Whereas hearings consist of isolated announcements of individual opinions, collaborative forums allow citizens to respond to one another, thereby integrating information.<sup>181</sup> Williams identifies the simultaneous "intensity and informality" of forums as crucial to well-considered citizen decision-making.<sup>182</sup> Plein and his co-authors find that visioning has a unique ability to operate outside of institutional venues, with committees of stakeholders convening the process and professional facilitators running the show. They observe that this trait enables more open and vibrant debate.<sup>183</sup> All the same, forums often fail to live up to the ideal that they emulate.

In some cases, ineffective facilitation hampers meaningful dialogue. An overemphasis on civility may prevent the airing of important criticisms.<sup>184</sup> Rapid attempts to achieve consensus may have the same effect. In one Chicago beat, Fung found that white facilitators from the wealthy side of the beat conducted such disciplined meetings that they failed to devote adequate time to hearing the concerns of poorer, African-American residents from the other side of the beat. Not until the city instituted rules requiring beat-wide prioritization of public safety issues did more wealthy residents acknowledge their poorer neighbors' more pressing concerns.<sup>185</sup>

In other cases, citizens may lack deliberative skills or otherwise be unprepared to participate. Citizens who mistrust authorities may not participate in good faith.<sup>186</sup> In his analysis of the theoretical underpinnings for visioning practice, Shipley questions the assertion common to practitioners that "All people are equally capable of creating future images."<sup>187</sup> Psychological studies indicate that people in fact think about the future differently and possess variable abilities

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<sup>180</sup> Brody, SD. "Measuring the effects of stakeholder participation on the quality of local plans based on the principles of collaborative ecosystem management," *Journal of Planning Education and Research*, 22 (4): 407-419. Summer 2003.

<sup>181</sup> Innes & Booher, 23.

<sup>182</sup> Williams 1976.

<sup>183</sup> Plein LC, Green KE, Williams DG. "Organic planning: A new approach to public participation in local governance," *Social Science Journal*, 35 (4): 509-523 1998. 518.

<sup>184</sup> Kevin Mattson, "A Critical Study of Civic Deliberation and the Political Process" (unpub. ms, prepared for the Kettering Foundation, August 1997).

<sup>185</sup> Fung, Archon. *Empowered Participatory Governance: Reinventing Urban Democracy*. Princeton, NJ: Princeton University Press. 2004.

<sup>186</sup> Williams 1976, 356.

<sup>187</sup> Shipley 2002, 17.

in imagining a desired outcome. These examples indicate that while collaborative forums may offer more opportunity for deliberation than other public participation venues, not all citizens are prepared to join in meaningful dialogue.

### *Educating Citizens and Officials*

The example of Chicago's police beat meetings suggests that citizens can improve policy-making by presenting crucial local knowledge to officials. Whereas police officers typically only respond to urgent calls for help, residents of the beat can identify patterns of crime in their neighborhoods and know the players involved. As they inform officials, citizens may gain knowledge about criminal justice issues and skills to affect change in their neighborhoods. In many ways, collaborative meetings in the Chicago case represent an ideal that others struggle to achieve. The provision of information to citizens and the feedback that citizens offer in return can be controversial aspects of collaborative forums.

As Innes and Booher note, control of information is a central issue in collaborative forum planning.<sup>188</sup> Collaborative forums, and particularly visioning, offer citizens a unique opportunity to inform officials in the early stages of project development.<sup>189</sup> This effort is compromised, however, when forum organizers provide biased information to participants. Although we did not find examples in which organizers deliberately attempted to mislead participants, such manipulation is possible when relatively uninformed citizens attend a forum and deliberate based primarily upon information that organizers provide to them. To prevent misleading citizens, Innes recommends that a stakeholders' committee engage in joint fact-finding to design materials for participants. Others recommend asking presenters to submit their outline in advance so that organizers can identify any stylistic or factual discrepancies that may mislead citizens.

Collaborative forums can also fail to affect policy when participants receive incomplete information. Myers and Kituse find that while the visioning movement has successfully concentrated attention on the future, the results of such exercises are rarely linked to feasibility studies of change.<sup>190</sup> In other words, citizens create images of the future without the reality check of growth projections and other key forecasts. These authors characterize the results of many plans as no more than "blue-sky wish lists."<sup>191</sup> In her case study of a visioning project in Atlanta, Helling concurs. She finds that the process elevated local knowledge while minimizing planners' expertise. Participants in the process reported that they lacked objective baseline data on which to base their decisions.<sup>192</sup> To successfully inform officials' decisions, citizens must have access to complete and unbiased information. Providing complete information will also educate citizens by giving them a more realistic picture of the complex tradeoffs required by policy formulation.

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<sup>188</sup> Innes & Booher, 15.

<sup>189</sup> Plein *et. al.*, 516.

<sup>190</sup> Myers D. and A. Kitsuse. "Constructing the future in planning: A survey of theories and tools," *Journal of Planning Education and Research*. 19 (3): 221-231 SPR 2000. 222.

<sup>191</sup> *Ibid.*

<sup>192</sup> Helling, Amy. "Collaborative Visioning: Proceed with Caution! Results from Evaluating Atlanta's Vision 2020 Project," *Journal of the American Planning Association*. 64 (3): 335-349. 1998.

*Official Accountability*

Ostensibly, both the organizers of collaborative forums and their participants want to see the recommendations that they produce implemented. Proponents of collaborative forums claim that the processes should ease implementation of recommendations because key players have already considered the issues and agreed to a course of action. More often than not, however, recommendations go unheeded. Plein and his co-authors find that while visioning successfully enables deliberation, it rarely produces policy outcomes.<sup>193</sup> In a survey of planners in Ontario, Shipley found that 17 of 22 respondents said that vision statements were having very little or only moderate impact on their decision-making.<sup>194</sup> At least two factors combine to problematize plan implementation. In some cases, proposals are exceedingly vague or unrealistic. In other cases, officials lack the resources or commitment to implement citizens' recommendations.

Because visioning plans tend to concentrate on the vision to the exclusion of a realistic plan for implementation, local officials can "cherry-pick" recommendations that suit their goals. McCann argues that community elites use visioning to create an appearance of legitimacy but continue to exert control over the process. In such cases, visioning can easily become an exercise in "feel good" planning, churning out reports but resulting in no action.<sup>195</sup>

Despite these findings, many continue to assert that involving key players offers the best prospects for ensuring implementation. Examining a sample of sixty local government comprehensive plans from Washington and Florida, Burby finds that the number of proposals for hazard mitigation and the success of their implementation increase with broader stakeholder involvement.<sup>196</sup> While collaborative forums often fail to produce actionable recommendations, Burby's evidence suggests that thoughtful citizen participation combined with political will can ease implementation of policy.

Even more clearly, Chicago's beat meetings demonstrate that collaborative forums have the potential to hold officials and citizens accountable to a cooperatively derived plan. Based on the input of the community advisory sessions, beat officers must shift their strategy to respond to the community's public safety priorities. Citizens are able to hold officers to account for their actions on the beat plans through the advisory sessions. The community-policing program encourages both citizens and police to take responsibility for addressing chronic crime in the respective ways that they are able.<sup>197</sup> It is worth noting that unlike other collaborative forums, beat meetings are ongoing and institutionalized. For most collaborative forums, the participatory venue ceases to exist before plan implementation can begin. Perhaps other communities can enhance accountability by appointing participants of collaborative forums to continue meeting in order to supervise implementation of their recommendations.

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<sup>193</sup> Plein *et. al.*, 519.

<sup>194</sup> Shipley 2002, 14.

<sup>195</sup> McCann, E.J. "Collaborative visioning or urban planning as therapy? The politics of public-private policy making," *Professional Geographer*. 53 (2): 207-218 MAY 2001. 215.

<sup>196</sup> Burby, RJ. "Making plans that matter - Citizen involvement and government action," *Journal of the American Planning Association*. 69 (1): 33-49 WIN 2003.

<sup>197</sup> Skogan 1999.

### Justice

As with official accountability, the Chicago beat meetings demonstrate that collaborative forums can result in more just policy-making. Fung presents a detailed case study of meetings in one beat, bifurcated by socioeconomic status into a privileged and mostly white West side and a more disadvantaged and mostly African-American East side. He finds that after months of overrepresentation and disproportionate focus on the problems of the white West side, norms of deliberation transform the meetings and promote attention to the community's common interest in addressing the most pressing problems. Although they had previously promoted attention to their personal concerns in a free-form manner, when asked to identify the most important concerns in the beat as a whole, white residents independently identified drug houses on the East side.<sup>198</sup>

This example suggests that if the deliberative task is properly defined, collaborative forums can prompt citizens to consider the common good over individual interests. In Chicago, setting beat-wide priorities allowed the community to recognize the more urgent needs of the East side.

### Popular Mobilization and Spillover Citizenship

Innes and Booher argue that collaborative forums can diffuse tension and build social capital.<sup>199</sup> Indeed, Helling's Atlanta case found that one of the few tangible outcomes of the four-year visioning process was the expansion of citizen networks through repeated face-to-face contact.<sup>200</sup> Likewise, Fung found that beat meetings clearly enhanced civic capacity on the East side of the Traxton beat and strengthened cooperative ties between the police and citizens.<sup>201</sup> We did not find evidence that collaborative forums contributed to enhanced levels of civic activism, although this claim certainly remains plausible. Innes and Booher believe that collaborative forums lead to increased participation by proving to citizens that their actions can make a difference. Since the recommendations of collaborative forums are rarely fully implemented, it remains an open question whether this type of venue can reduce citizen alienation.

### Sustainability: Political and Financial Support

Unsurprisingly, as the intensity of participatory venues increases, so does the price tag. Holding effective collaborative forums is expensive. Unlike a public hearing, which simply issues an open call, a good forum must perform extensive outreach to ensure that key stakeholders will be present to contribute to deliberations. A good forum must also strive to present unbiased information in a manner clear to a lay audience. Forum organizers must hire a top-notch facilitator. Finally, collaborative forums tend to meet over an extended period of time, stretching the resources of both the organizers and their participants. Innes and Booher admit that limited funding and time can prevent disadvantaged individuals and organizations from participating in collaborative forums. Likewise, government agencies face their own financial and staffing constraints. Innes and Booher argue that ultimately the outcome of a collaborative forum could

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<sup>198</sup> Fung 2004.

<sup>199</sup> Innes & Booher 2004, 17.

<sup>200</sup> Helling 1998.

<sup>201</sup> Fung 2004.

be less costly by assuring the legitimacy of the proposal and heading off opposition. But at what point does the expense outweigh the benefit? To offer one particularly egregious example, Atlanta spent \$4.4 million dollars, including the value of volunteer hours, on a four-year visioning program that produced few tangible results.<sup>202</sup>

### Collaborative Forums as Model for Reform

Collaborative forums possess great potential as venues for meaningful deliberation. Unlike public hearings, they offer opportunities for meaningful interaction that enable learning, mutual understanding, and the generation of innovative ideas. Unlike citizen committees, forums are generally open to the broader public. With good outreach, they may bring typically excluded voices into the process. Unfortunately, in current practice, collaborative forums do not live up to this potential. Organizers of forums often fail to attract a diverse group of participants. More often than not, forums succeed in generating meaningful discussion but are unable to move words to action.

Based on her critical evaluation of Atlanta's Vision 2020 project, Helling offers several recommendations that may improve collaborative forum practice. First, she urges public clarity on the purpose of the effort, whether action or strategic planning. She also promotes a clear timeline, better presentation of information to participants, and increased focus on ensuring representative attendance. Finally, she encourages careful consideration of the costs and benefits of the process, including specific consideration of how the process will add value to planning.<sup>203</sup>

Norman Walzer concludes his edited volume on rural community visioning with similar suggestions.<sup>204</sup> He identifies several factors necessary to holding a successful strategic visioning process, which could equally apply to other types of collaborative forums. First, like Helling, he urges organizers to develop a clear sense of what tangible outcomes they hope the process will achieve. Second, he notes the importance of developing a balanced stakeholder committee for deciding the agenda and conducting outreach. In order to ensure that recommendations are heeded, he suggests stressing the importance of an implementation plan during the proceedings and providing ongoing resources to participants and implementers.

The example of the Chicago police advisory meetings demonstrates the value of collaborative forums. In order to hold officials accountable and to ensure that citizen recommendations are implemented, other forums may need to create ongoing oversight mechanisms such as those available in the Chicago experience.

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<sup>202</sup> Helling 1998.

<sup>203</sup> *Ibid.*

<sup>204</sup> Walzer, Norman. "Common elements of Successful Programs," *Community Strategic Visioning Programs*. Walzer, Norman, ed. Westport, CT: Praeger. 1996. 183-196.

## **Closed Stakeholder Processes as Public Deliberation Venues**

Closed stakeholder processes gather a select group of interested parties to deliberate and form a consensus on a plan for action. Like collaborative forums, closed stakeholder processes seek to replace traditional methods of public participation, such as hearings and notice-and-comment periods, with a less adversarial, more interactive approach.<sup>205</sup> Unlike collaborative forums, in which participation is open to all, closed stakeholder processes are limited to particular individuals and groups. The memberships of closed stakeholder processes are typically less representative and more elite than those of citizen committees. The broader public may attend meetings, but only certain parties have a seat at the table. In this section, we discuss three emerging forms of closed stakeholder processes: habitat conservation plans, negotiated rulemaking, and watershed preservation councils.

### Defining Characteristics

As these three examples suggest, closed stakeholder processes are used mostly, although not exclusively, for environmental policy issues. Environmental issues are particularly well-suited to closed stakeholder processes, because they tend to be of a “transboundary” nature that requires regional, interagency, and intersectoral participation.<sup>206</sup> To make an effective decision, certain stakeholders, such as key industries, regulators, major landowners, and interest groups, must be at the table. The stakeholder process allows these groups to gather in a nonhierarchical setting in which traditional adversaries can forge their own agreements, and in some cases even partnerships.<sup>207</sup> Closed stakeholder processes are also uniquely suited to address interest-based disputes such as those surrounding economic development and tradeoffs with environmental policy.<sup>208</sup> While other deliberative venues may more effectively address discussions of values, closed stakeholder processes often resemble negotiations in which deliberation is aimed at forming a consensus that all parties will uphold. This focus on gathering a specific group, which usually excludes average citizens, to come to consensus on an issue of common concern distinguishes closed stakeholder processes from other venues described in this report.

As with visioning and master planning, stakeholder processes gained currency through use in the private sector. In fact, the concept of a “stakeholder” resembles that of the “shareholder” in the corporate world.<sup>209</sup> Among companies, closed stakeholder processes offered a way to enhance legitimacy with key parties. Public sector agencies turned to closed stakeholder approaches both to boost credibility and to improve decision-making. When agencies are challenged in court, judges render win-lose decisions that often fail to improve the content of policies. Public managers hoped that stakeholder processes might enable parties to share information in ways

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<sup>205</sup> Yosie, T. & T. Herbst. *Using Stakeholder Processes in Environmental Decisionmaking: an Evaluation of Lessons Learned, Key Issues, and Future Challenges*. Washington, DC: Ruder Finn Washington. 1998. 1.

<sup>206</sup> Duram L.A. and K.G. Brown. “Assessing public participation in US watershed planning initiatives,” *Society and Natural Resources*. 12 (5): 455-467. July-August 1999. 455.

<sup>207</sup> Konisky DM, Beirele TC. “Innovations in public participation and environmental decision making: Examples from the Great Lakes region,” *Society and Natural Resources*. 14 (9): 815-826. October 2001. 820.

<sup>208</sup> Yosie & Herbst 1998, 25.

<sup>209</sup> *Ibid.*, 11.

that would add value and prevent litigation.<sup>210</sup> From the earliest years of NEPA, agencies used alternative dispute resolution to resolve environmental conflicts outside the courts. By 1984, agencies had employed this technique to resolve 160 disputes.<sup>211</sup> In more recent years, agencies have looked to stakeholder processes as a way to head off disputes before they even begin.

In the mid-1990s, several reports from the Aspen Institute, the National Research Council, the Presidential/Congressional Commission on Risk Assessment and Risk Management, and the Enterprise for the Environment recommended expanded use of stakeholder processes in public decision-making.<sup>212</sup> Not coincidentally, habitat conservation plans, negotiated rulemaking, and watershed preservation councils came to prominence in the same era.

In 1982, amendments to the Endangered Species Act allowed groups to apply for exemptions from the stringent ban on projects that negatively affect endangered species' habitat.<sup>213</sup> To qualify for such a permit, applicants must present habitat conservation plans (HCP) explaining how they would mitigate impacts resulting from projects. By 1992, the U.S. Forest and Wildlife Service (USFWS) had issued only 14 permits. Under the Clinton administration, however, the USFWS published guidelines for conservation plans, making the process more accessible. By 2001, the USFWS had approved 377 plans.<sup>214</sup> Private companies have submitted the bulk of HCPs, offering mitigation measures in return for a permit that allows them to pursue projects on protected lands. In some cases, however, local companies, agencies, and interest groups have partnered to develop plans that aim to balance economic development with species preservation.<sup>215</sup> Proponents of HCPs believe that this latter form of closed stakeholder process allows localities to adjust federal regulations to better achieve local economic and environmental aims.

Similarly, supporters consider negotiated rulemaking a proactive way for diverse stakeholders to come to consensus on a proposed federal agency regulation in a manner that, in the long run, saves time and avoids legal disputes. In negotiated rulemaking, agency officials join key stakeholders in a group of no more than 25 people for negotiations on the substance of a proposed regulation. If the committee succeeds in coming to consensus on a mutually acceptable rule, the agency presents the rule for public comment through the APA's traditional notice-and-comment procedure. First endorsed through the Negotiated Rulemaking Act of 1990, Congress permanently reauthorized the practice in 1996.<sup>216</sup> Since the Act passed, a number of statutes have mandated its use in certain rulemaking situations within agencies as diverse as the

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<sup>210</sup> Godschalk DR, Paterson RG. "Collaborative conflict management comes of age," *Journal of Architectural and Planning Research*. 16 (2): 91-95 SUM 1999. 92-93.

<sup>211</sup> *Ibid.*, 93.

<sup>212</sup> Yosie & Herbst 1998, 6-7.

<sup>213</sup> Craig W. Thomas. "Habitat Conservation Planning Under the US Endangered Species Act" in Archon Fung and Erik Olin Wright eds. *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*. London: Verso Press. 2003. 157.

<sup>214</sup> *Ibid.*, 159, 153.

<sup>215</sup> Bradley Karkkainen. "Toward Ecologically Sustainable Democracy" in Archon Fung and Erik Olin Wright eds. *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*. London: Verso Press. 2003. 220.

<sup>216</sup> Coglianese, Cary. "Assessing Consensus: The Promise and Performance of Negotiated Rulemaking," *Duke Law Journal*. 46(6). April 1997. 1255-1351. 1255.

Department of Education and the Nuclear Regulatory Commission.<sup>217</sup> The Clinton administration actively supported use of negotiated rulemaking, issuing two memos asking agencies to formulate at least one rule per year in this manner. By the end of 1996, 17 of roughly 50 agencies had heeded the call to initiate a negotiated rulemaking process and twelve had issued rules developed through the process.<sup>218</sup> Of the 67 total negotiated rulemaking processes initiated by 1996, 35 rules were issued, 19 remained pending, and 13 were abandoned due to failed consensus.<sup>219</sup> While the Clinton administration succeeded in substantially expanding the use of negotiated rulemaking, the process still is used in but a small fraction of rulemaking. The greatest number of rules formulated through negotiated rulemaking was issued in 1997, representing only 0.2 percent of all rules issued that year (7 of 3762).<sup>220</sup> Some observers suggest that use of negotiated rulemaking has not proliferated because the process requires an intense commitment of staff and stakeholder resources, yet does not always prevent conflict down the road.

Like HCPs and negotiated rulemaking, watershed preservation councils represent an intensive stakeholder process. In this case, the stakeholder process aims to develop and implement a consensus plan to conserve a body of water and its surrounding lands. Because various groups and levels of government have initiated watershed councils since at least 1980, their form varies substantially. In one study, the number of participants in a council varied from 3 to 326, with a median number of 15 stakeholders participating.<sup>221</sup> These stakeholders meet at various intervals, often monthly, for a period of years. Whatever their differences, detailed studies of watershed councils in California and Washington found that 93 percent use a consensus-based process to make group decisions.<sup>222</sup> The U.S. Environmental Protection Agency (EPA) and other relevant agencies have promoted and funded watershed council efforts since the early 1990s. A study in the year 2000 identified 346 watershed councils west of the Mississippi, although the phenomenon is by no means limited to the Western U.S.<sup>223</sup> Another study found 150 councils in California alone.<sup>224</sup> Ideally, watershed councils allow a cooperative decision on a course of action mutually amenable to a diverse group of stakeholders.

While these examples of closed stakeholder processes share a number of defining characteristics, they also differ along several dimensions. In particular, processes vary in terms of their decision-making role, selection process, and the stage of the policy cycle when they do their work. Like advisory boards, closed stakeholder processes can be informational, providing advice to decision-makers; consultative, suggesting specific alternatives to decision-makers; and decisional, participating directly in policymaking and implementation.<sup>225</sup> Because forming a

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<sup>217</sup> *Ibid.*, 1264.

<sup>218</sup> *Ibid.*, 1273.

<sup>219</sup> *Ibid.*, 1274-1275.

<sup>220</sup> *Ibid.*, 1277.

<sup>221</sup> Duram & Brown 1991, 461.

<sup>222</sup> William Leach, Neil Pelkey, and Paul Sabatier, "Stakeholder Partnerships as an Emergent Form of Collaborative Policymaking: Evaluation Criteria Applied to Watershed Management in California and Washington," *Journal of the Association of Policy Analysis and Management*. 21(4): 645-670. 2002.

<sup>223</sup> Kenny, D.S., McAllister, S.T., Caile, W.H., & Peckham, J.S. *The New Watershed Source Book: A Directory and Review of Watershed Initiatives in the Western United States*. Boulder: University of Colorado School of Law. 2000., cited in Leach, *et. al.* 2002, 645.

<sup>224</sup> Leach, *et. al.* 2002, 645.

<sup>225</sup> *Ibid.*, 22.

consensus among parties with conflicting interests offers such a challenge and commitment of resources, the recommendations of closed stakeholder processes tend to be taken seriously even if the stakeholders do not make the final decision. In habitat conservation planning and negotiated rulemaking, the stakeholders make a consensus recommendation to an agency, which makes the final decision. In most watershed preservation councils, stakeholders are responsible for decision-making and implementation, with indirect influence from the federal agencies that fund their projects.

Closed stakeholder processes also differ in terms of the selection method used to gather participants. In some cases, such as negotiated rulemaking, the agency sponsoring the process selects the participants. In others, such as habitat conservation planning and watershed preservation councils, the private or non-profit organizations that have initiated the process gather the stakeholders. Depending on the particular process, participants may have the opportunity to invite other stakeholders to join the deliberations.

Finally, closed stakeholder processes differ in terms of the stage of the policy process at which they take place. Assessments of other deliberative venues suggest the importance of this factor. Critics of public hearings, for instance, universally condemn those meetings that are held in the late stages of planning, when decisions have already been made. As was evident in the discussion of collaborative forums, deliberative venues also fail when they are used early in the planning process and disbanded before decisions can be made or implemented. Certain closed stakeholder processes share this fault. In negotiated rulemaking, for instance, stakeholders disband after they reach consensus on the language for a rule, but before the political process of enacting the rule begins. Likewise, habitat conservation plans are approved in total before implementation begins. Despite new information learned during the implementation stage, stakeholders rarely have the opportunity to revisit their plans and adapt to new information. In contrast, watershed preservation councils encompass the entire policy cycle, with participants setting the course from the planning to the evaluation stage.

### Strengths and Shortcomings

Closed stakeholder processes offer the opportunity for intensive consideration of an issue among keenly interested parties. As such, they typically involve only the most knowledgeable and prominent representatives in a field. While they succeed in educating participants and enriching the process with information, they do not always do so in a timely or cost-effective manner. Moreover, since they are currently linked to parallel political processes, often the efforts of stakeholders are for naught, as their decisions are transformed in later battles.

### Character of Participation

As the name suggests, closed stakeholder processes are limited to a select few. Unsurprisingly, this question of selection is often the most controversial aspect of the approach. Stakeholders can be defined as affected parties based on a central definition of impact or self-defined, allowing all interested parties to claim stakeholder status.<sup>226</sup> Agencies must think carefully about what

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<sup>226</sup> Yosie & Herbst 1998, 20.

qualifies a stakeholder to come to the table. Should stakeholders include only those who will experience project impacts, or also those who may impact project implementation, such as dissatisfied advocacy groups?<sup>227</sup> Should an individual representing 3000 people receive the same degree of influence as someone representing 35? The challenge is to gather a sufficiently large group so as to include all relevant interests, but a sufficiently small group so that consensus can be reached.

In an attempt to achieve this precarious balance, closed stakeholder processes tend to involve influential experts or representatives of interested groups rather than average citizens. Negotiated rulemaking processes convene experts and elite groups while watershed preservation councils and HCPs generally involve representatives of organizations, but occasionally permit the participation of average citizens.

In watershed councils, we see the tensions that arise when diverse groups gather to collaborate. While stakeholders' primary motive for participation is to improve the watershed, resource users tend to be distinctively defensive participants. Sixty percent of resource users participate to protect their financial interests, while less than 20 percent of other groups take part for this reason. Likewise, three-quarters of resource users participate to "prevent the partnership from achieving undesirable changes in law or policy," while fewer than half of other groups have this concern.<sup>228</sup> The elite status and well-established interests of stakeholders in this type of process differ from collaborative forums, in which at least some portion of participants may not yet have formed an opinion.

### *Quality of Deliberation*

Like collaborative forums, stakeholder processes are designed to enable sharing of information, integration of thoughts, and generation of creative ideas. In negotiated rulemaking and HCPs, stakeholders come to the table voluntarily because they expect that despite the substantial time commitment, negotiation will improve their relative positions. The commitment to the process can even the playing field and allow discussions to unfold in a balanced way.<sup>229</sup> Nonetheless, because discussions are interest-based, some participants treat negotiations as adversarial rather than attempts to develop positive-sum solutions.<sup>230</sup> While closed stakeholder processes are designed for deliberation, few observers have analyzed the particular strengths and weaknesses of the format for meaningful, open consideration of alternatives.

### *Educating Citizens and Officials*

In collaborative forums, control of information presented to citizens is a significant issue of contention. In closed stakeholder processes, control of information remains an important element; however, elite participants often have access to informational resources that can enrich agency and citizen decisions. In a negotiated rulemaking process, for instance, stakeholders, such as professional associations and big businesses, can marshal resources to bring important data to

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<sup>227</sup> *Ibid.*, 21.

<sup>228</sup> Leach *et. al.* 2002, 650.

<sup>229</sup> Thomas 2003, 175.

<sup>230</sup> *Ibid.*, 172.

the table. HCPs and watershed preservation councils may or may not have sophisticated data at their disposal. When stakeholders have independent sources of information, their knowledge evens the playing field with agency experts.

Even so, conflicts arise between scientific expertise and stakeholder experiences. Yosie and Herbst liken stakeholder processes to a form of “social peer review,” modeled on scientific peer review.<sup>231</sup> Citizens, even elite stakeholders, present information on values and interests, while scientists provide technical information. Often, however, scientists struggle to find a role in stakeholder processes and have to compete with other stakeholders for attention.<sup>232</sup> Karkkainen finds that HCP processes can marginalize scientific expertise in favor of interest-based bargaining.<sup>233</sup> Indeed, stakeholders tend to feel that scientists should merely provide facts, which stakeholders then have the opportunity to use in making decisions.<sup>234</sup> Rather than having a parallel technical advisory group, Yosie and Herbst recommend integrating scientific advice with stakeholder input in an iterative process.

As a general rule, closed stakeholder processes seem to succeed in enhancing the understanding of both citizens and officials. For watershed councils, in fact, the emphasis on education and identifying the correct sources of information can sometimes become burdensome. Habron identifies a tension between the educative aspect of deliberation on watershed councils and the goal of actually implementing projects in a timely fashion.<sup>235</sup>

#### *Official Accountability and Ease of Implementation*

Closed stakeholder processes differ in the extent to which they increase official accountability. As a general rule, two factors interfere with stakeholders’ ability to see that their consensus decisions are implemented. First, some stakeholder processes occur in parallel with political processes that may ultimately negate the efforts of the stakeholder committee. Second, some stakeholder groups disband as soon as a consensus is reached, opening the way for changes before or during implementation.<sup>236</sup>

In the case of HCPs, the USFWS issues permits to implement the exact project described in the plan. This does not mean, however, that the stakeholders’ consensus will be implemented as it was intended. The amendment that creates HCPs contains a clause that obviates the permit applicant from adjusting the plan to address issues that arise in the course of implementation. If, for instance, new information about endangered species’ habitat comes to light during the construction phase of an approved project, the permit applicant is not required to mitigate newly evident impacts.<sup>237</sup> Because the plans are not adapted to account for new information, the implementation may not embody the principles laid out in the stakeholder consensus. Since the

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<sup>231</sup> Yosie & Herbst 1998, 14.

<sup>232</sup> *Ibid.*, 40.

<sup>233</sup> Karkkainen 2003, 225.

<sup>234</sup> Yosie & Herbst 1998, 41.

<sup>235</sup> Habron G. “Role of adaptive management for watershed councils,” *Environmental Management*. 31 (1): 29-41. January 2003.

<sup>236</sup> Yosie & Herbst 1998, 4, 13, 44.

<sup>237</sup> Thomas 2003, 168-169.

stakeholder group is only engaged during the planning phase, they have little recourse to address issues that arise during implementation.

Likewise, in negotiated rulemaking a host of issues can arise to prevent enactment of the consensus rule. As with HCPs, rulemaking stakeholder committees disband after agreeing upon language for a rule. Next, the agency presents the consensus rule to the public for 30 days of comment. During this phase, the agency receives commentary that may require adjusting elements of the rule. The stakeholder committee is no longer present to affirm or dispute these changes. Moreover, parties within or outside of the stakeholder process may file petitions for judicial review, claiming that important issues were not addressed in the negotiations.<sup>238</sup> Of the twelve negotiated rulemaking processes conducted by the EPA up until 1997, six were challenged in federal court.<sup>239</sup> This rate of litigation actually exceeds that of conventional rulemaking over the same period. While just over a quarter of significant conventional rules resulted in court challenges, half of negotiated rules elicited challenges. Coglianesse surmises that negotiated rulemaking sensitizes interested parties to certain aspects of a rule and invites hostility by excluding groups from the stakeholder committee.<sup>240</sup> Due to the traditional comment period that follows rulemaking and the provision for court challenges, officials are not able to simply implement the recommendations of the stakeholder committee.

Watershed preservation councils are designed to both develop and implement projects. Without another layer of decision-making to contend with, watershed councils can more easily ensure that what they decide upon is actually enacted. Moreover, councils continue to meet throughout the implementation phases, ideally allowing for adaptive management as the project progresses. Nonetheless, forming and implementing consensus is not easy. Leach *et. al.* found that of the 44 watershed partnerships they observed, among those that had existed for five or more years 10 of 11 had developed a consensus-based plan and implemented at least one restoration project. Because we know little about those watershed councils that failed during those five years, it is difficult to draw conclusions from this sample. Even so, the example of watershed preservation councils suggests that when stakeholders have the opportunity to oversee implementation as well as planning, they are more able to accomplish their consensus plans.

While most observers raise concerns about whether government agencies heed stakeholders' suggestions, a few critics express concerns that stakeholder processes allow agencies to hedge responsibility for important decisions. They worry that stakeholder processes may reward agencies for making decisions that make stakeholders happy but are not fundamentally sound.<sup>241</sup>

### *Justice and Content of Decision*

Few evaluations have analyzed the quality of decisions that have resulted from closed stakeholder processes. Thomas reports that scientists and environmentalists have expressed discontent with the results of HCP processes. For a number of scientists, the popular negotiation process sometime results in prioritizing lands that may not be the most ecologically significant.

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<sup>238</sup> Coglianesse 1997, 1307.

<sup>239</sup> *Ibid.*, 1301.

<sup>240</sup> *Ibid.*, 1322-1323.

<sup>241</sup> Yosie & Herbst 1998, 48; Leach *et. al.* 2002, 650.

Some environmentalists feel that the world would be better off if no exemptions to the Endangered Species Act were granted.<sup>242</sup> At this point, too few HCPs have been evaluated to determine whether the process improves policies. Likewise, with negotiated rulemaking, proponents hope that the process will improve regulations by bringing more information and experience to bear. Most reviews of negotiated rulemaking, however, focus on its ability to avoid litigation rather than its ability to improve decision-making.

Leach and his co-authors agree that they are unable to evaluate the results of watershed preservation councils because most processes lack clear baseline data. As a second-best approach, they asked stakeholders in the 44 councils about their satisfaction with the results. Responses were mostly positive, although not overwhelmingly so. On a scale from -3 (made matters worse) to 3 (improved matters); all of the watershed councils fell between -.5 and 1.2, with only five of the 44 receiving negative scores.<sup>243</sup> The perceived efficacy of the watershed council improved with its longevity, though this finding may be because less effective watersheds disbanded and were not included in the study. Informants saw the watershed councils as effectively addressing threats to species and habitat and increasing water quality. A sizable minority of informants believed that watershed councils had done more harm than good in certain cases. For instance, 29 percent felt that councils had harmed the local economy.<sup>244</sup> In considering the perceptions of participants in watershed councils, we must remember that those who devote significant amounts of time to a process may justify their contributions by overemphasizing the positive outcomes. As with HCPs and negotiated rulemaking, it is difficult to conclusively determine whether closed stakeholder processes improve the content of decisions.

No analyses of which we are aware have examined the justice of decisions resulting from stakeholder processes. Whereas collaborative forums may improve the justice of decisions by making the assembled public aware of otherwise marginalized voices, closed stakeholder processes may not present this opportunity. Stakeholders may come to deliberations to represent their organizations' interests rather than to deliberate about a shared future. Thomas notes while many national environmental groups resist participation in HCPs, local environmentalists are more willing to negotiate because they see the tradeoffs between economic development and environmental values affecting their community's future.<sup>245</sup>

### *Popular Mobilization and Spillover Citizenship*

Although no such information is available for HCPs and negotiated rulemaking, the experience of watershed preservation councils indicates that closed stakeholder processes can build civic capacity and encourage further involvement. Respondents in Duram and Brown's survey of watershed council contacts expressed excitement about how the process encouraged teamwork

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<sup>242</sup> Thomas 2003, 173-174.

<sup>243</sup> Leach *et. al.* 2002, 659.

<sup>244</sup> *Ibid.*, 660-661.

<sup>245</sup> Thomas 2003, 174.

and camaraderie.<sup>246</sup> Similarly, all of informants in Leach and his co-authors' study of 44 watershed councils agreed that the process built networks and facilitated further action.<sup>247</sup>

### *Sustainability: Political and Financial Support*

Closed stakeholder processes clearly have some potential, but can they generate the political and financial support to sustain them as a public deliberation venue? In terms of financial support, observers agree that stakeholder processes are uniquely resource intensive. In one example, negotiated rulemaking is promoted as a way to save time in the regulatory process but often requires more concentrated attention from agency staff members. Rather than passively responding to public comments, staff members have to arrange and participate in negotiations, then respond to public comments.<sup>248</sup> The process consumes the resources of stakeholders as well. Businesses spend \$432,000 for research and \$250,000 for consultants and lawyers in the average negotiated rulemaking process.<sup>249</sup> Agencies and stakeholders will only participate if they are forced or if the anticipated benefit outweighs the tremendous commitment of resources.

Political support for negotiated rulemaking has been strong because policymakers believed that the practice saved time and reduced litigation. Despite this political support, Coglianesse believes that negotiated rulemaking has not entered common agency practice because it has not proven itself more effective than conventional rulemaking. He finds that negotiated rulemaking neither saves time nor prevents litigation. Given these failures, he argues that the informal system of consultation that takes place between interested parties and agencies in the course of conventional rulemaking exceeds the value of consensus-based stakeholder decisions. Although Coglianesse claims that this informal system allows stakeholders to participate "as actively or inactively as they like," it does not account for those stakeholders that might not have informal networks with agency officials.<sup>250</sup> At least in negotiated rulemaking, these parties would have the opportunity to apply for a seat on the stakeholder committee. For those who object to the informality of consultations in conventional rulemaking, negotiated rulemaking will continue to hold appeal.

### Closed Stakeholder Processes as Model for Reform

Some factors suggest that closed stakeholder processes are an ideal model for reform, while others indicate that use of this venue should be limited. On the positive side, many advocate for more interactive forms of participation. Stakeholder processes, they argue, can build capacity that is transferable to new challenges.<sup>251</sup> On the other hand, closed stakeholder processes are so resource intensive that they diminish opportunities to create other forms of participation.<sup>252</sup> Currently, many closed stakeholder processes fail to implement their recommendations because they are altered in later political battles or as conditions change in the implementation phase. If

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<sup>246</sup> Duram & Brown 1999, 464.

<sup>247</sup> Leach *et. al.* 2002, 661.

<sup>248</sup> Coglianesse 1997.

<sup>249</sup> *Ibid.*, 1333.

<sup>250</sup> *Ibid.*, 1331-1332.

<sup>251</sup> Yosie & Herbst 1998, 50.

<sup>252</sup> *Ibid.*, 52-53.

the decisions of stakeholder committees were implemented faithfully, the effort expended may have more worth. That said, an elite body should not have the ability to make policy without some opportunity for average citizens to offer input.

At present, stakeholder processes are often poorly planned because the field has yet to implement mechanisms to share best practices and further develop the practice. Yosie and Herbst argue that stakeholder processes can be improved through greater attention to sharing best practices, better training for facilitators, and the establishment of professional standards in the field.<sup>253</sup>

### **Neighborhood Associations as Public Deliberation Venues**

Although neighborhood associations do not represent a specific forum for enabling deliberation, they deserve attention as a prevalent government-associated deliberative venue. In different cities across the nation, neighborhood associations may employ elements of public hearings, citizen advisory boards, and collaborative forums in their work. Despite their different approaches, neighborhood associations possess a distinctly local, citizen-run character that differentiates them from other venues.

#### **Defining Characteristics**

Neighborhood associations are geographically-defined organizations of local residents that pursue aims such as advocating for neighborhood interests and fostering local community spirit. Typically, neighborhood associations meet over time to discuss issues of concern to local residents such as housing, zoning, economic development, and community character. They are classified here as a government-associated venue for deliberation because they typically have informal or formal relations with local governments. In a 1993 mail survey of all U.S. cities with populations greater than 100,000, Carmine Scavo found that 60 percent have active systems of neighborhood associations. Of cities with neighborhood association programs, 70 percent had a formal mechanism to recognize associations as the official representation of the neighborhoods. An additional 19 percent had unofficial working relations with the city administration and officials, with only 11 percent reporting that neighborhood associations operated entirely independently from the city. In most cases, cities reported providing some support to neighborhood associations. Of those cities with active associations, 38 percent reported making funds available to associations and 88 percent provided technical assistance.<sup>254</sup> As Scavo's findings indicate, neighborhood associations are a widespread public deliberation venue.

Fainstein and Fainstein characterize the development of neighborhood participatory structures as the merging of federal initiative and citizen demand.<sup>255</sup> Citizens wanted to have a say in planning the future of their communities and federal officials wanted to hold their local counterparts accountable to community concerns. In 1954, Congress passed the first legislation that required

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<sup>253</sup> *Ibid.*, 1, 4.

<sup>254</sup> Scavo, Carmine. "THE USE OF PARTICIPATIVE MECHANISMS BY LARGE UNITED-STATES CITIES," *Journal of Urban Affairs*. 15 (1): 93-109 1993. 100. Note: sample excludes New York, Los Angeles, and Chicago.

<sup>255</sup> Fainstein, S. Susan and Norman we Fainstein. "Citizen Participation in Local Government," in D.R. Judd (Ed.), *Public Policy Across States and Communities*. Greenwich, CT: JAI Press. 223-238. 1985. 231.

city developers to submit public participation plans with urban development funding applications to the federal government. Just over a decade later, this requirement was amended to require the formation of a citizen advisory committee for each funding proposal for urban development. Similarly, the Community Action Program component of the 1964 Economic Opportunity Act required community advisory boards with one third of the members elected by local residents. Later, under the Carter administration, neighborhood participation again became a centerpiece of federal community development policy. The Carter administration established the Office of Neighborhoods, Voluntary Associations, and Consumer Protection within the Department of Housing and Urban Development, as well as the National Commission on Neighborhoods.<sup>256</sup>

Under Ronald Reagan, community development block grants became the central funding mechanism for local development initiatives. Block grants placed power in the hands of state and local officials, creating competition among community-based organizations as opposed to incentives to cooperate on funding proposals. The Reagan administration eliminated citizen participation requirements for block grants along with HUD's neighborhood office.<sup>257</sup> Nevertheless, the preceding decades of mandated local participation had laid the groundwork for the development of local neighborhood participation initiatives. As dedicated federal funding for urban housing projects tapered off in the late 1970s and early 1980s, cities turned to neighborhood association programs to channel citizen demands and energies.<sup>258</sup>

In the *Rebirth of Urban Democracy*, Jeff Berry and his co-authors examined four cities that initiated neighborhood association programs in the mid-1970s and have succeeded in incorporating the participation of citizens into public policymaking. The authors argue that the key to enhancing civic engagement in the nation as a whole is making political participation more meaningful in the context of local communities. According to their findings, strong neighborhood association structures have two key features. First, they are open to participation by all citizens and provide information necessary to for residents to participate effectively, a quality they refer to as "breadth." Second, citizens can actually impact policy and implementation through participation in the process, which they call "depth."<sup>259</sup> Neighborhood associations vary across and within cities along each dimension.

In terms of breadth, neighborhood associations have organizational structures that accommodate varying levels of citizen participation. As a general rule, neighborhood associations have open meetings, welcoming the participation of all local residents. Typically, association officers elected by residents chair meetings, but they may have subcommittees where non-elected volunteers can play leadership roles. Some cities, such as Portland, OR, and Minneapolis, MN, also have central policymaking boards for their neighborhood association programs, often with elected or appointed representatives from the neighborhood associations. As the official or unofficial voice of a neighborhood, associations have the incentive to ensure that they involve a diverse group of citizens. Breadth of participation enhances the legitimacy of neighborhood

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<sup>256</sup> *Ibid.*, 234.

<sup>257</sup> *Ibid.*, 235.

<sup>258</sup> Martin, Judith and Paula R. Pentel. "What the Neighbors Want?" *APA Journal*. 68(4): 435-449. Autumn 2002. 436.

<sup>259</sup> Berry, Portney, Thomas. *The Rebirth of Urban Democracy*. Washington, DC: Brookings. 1993. Chapter 3.

associations in the eyes of both local residents and potential sponsors of association projects.<sup>260</sup> Even so, associations vary in the degree to which they succeed in reaching out beyond those who choose to attend meetings.

Neighborhood associations also differ in terms of their depth, or their ability to cause change. In some cases, associations play a purely advisory role, informing their constituents, seeking input, and relaying perspectives and opinions to local government officials. Local “priority boards” in Dayton, Ohio, approximate this function. In other cases, neighborhood associations have more direct influence over policymaking. In Minneapolis’ Neighborhood Revitalization Program, neighborhood associations are charged with developing detailed plans for a local appropriation of funds. With these resources in hand, they are able to attract the attention of city agencies and encourage implementation of their priority projects.

Associations also undoubtedly differ in terms of their internal organization of deliberation. To my knowledge, no studies have examined deliberation and decision-making methods across neighborhood associations. While some associations may use formal consensus-based processes, others may vote on priorities or even allow officers to decide controversial matters. Given these significant variations in the format of neighborhood associations, it is difficult to generalize about strengths and weaknesses of the venue as a whole. Nonetheless, some evidence exists for both the potentials and limitations of neighborhood associations as a deliberative venue.

## Strengths and Shortcomings

### *Character of Participation*

Where neighborhood associations exist, they often aim to operate as the level of government activity most accessible to average citizens. If they hope to achieve the “breadth” of participation Berry and his co-authors describe, they must attract a significant and representative portion of neighborhood residents to take part. In the four cities with strong neighborhood association programs that Berry and his co-authors profile, 16.6 percent of residents take part in their local association.<sup>261</sup> In the year 2000 nationwide Social Capital Community Benchmark (SCCB) survey, 20 percent of respondents reported participation in a neighborhood association.<sup>262</sup> When one considers that less than half of the eligible population in the U.S. regularly votes, 16-20 percent participation in neighborhood associations seems particularly impressive. Unlike voting or contacting officials, taking part in a neighborhood association is a form of “strong participation” in which citizens work together over time to address their most pressing local problems.<sup>263</sup>

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<sup>260</sup> Chaskin RJ. “Fostering neighborhood democracy: Legitimacy and accountability within loosely coupled systems,” *Nonprofit and Volunteer Sector Quarterly*. 32 (2): 161-189 June 2003. 180.

<sup>261</sup> Berry, Portney, Thomson. *The Rebirth of Urban Democracy*. Washington, DC: Brookings. 1993.

<sup>262</sup> Social Capital Community Benchmark Survey, National Sample Weighted Marginals. <http://www.ksg.harvard.edu/saguaro/communitysurvey/docs/marginals.pdf>. 2000.

<sup>263</sup> Berry, Portney, Thomas, 1993.

Unfortunately, as with so many other forms of participation in the United States, those who take part do not reflect the population as a whole. In the SCCBS, 32 percent of college-educated respondents reported participating in a neighborhood association, as compared with only 12 percent of those with a high school degree or less.<sup>264</sup> Berry, Portney, and Thomson found that in comparison with cities without neighborhood participation structures, neighborhood associations in the four cities they profile do not introduce additional racial or economic biases into the policymaking process. By the same token, however, neighborhood associations often fail to overcome these pervasive biases. More encouragingly, Berry *et. al.* find that individuals of low socioeconomic status who live in communities with strong neighborhood organizations tend to participate more than their counterparts elsewhere.

Aggregate socioeconomic indicators for a neighborhood do not necessarily determine the strength of the local neighborhood association. At least one study has found that aggregate neighborhood education and percent owner-occupied housing are not significant determinants of neighborhood political activity, including participation in a neighborhood association.<sup>265</sup> Berry *et. al.* conclude that the local participatory culture has more to do with the success of a neighborhood association than traditional demographic indicators. These findings suggest that under the right circumstances, effective neighborhood associations in low-income areas can engage low-income residents. Nonetheless, the citizens who do become engaged will tend to be those with higher levels of education and income relative to their neighbors.

While many neighborhood associations strive to be representative, they are open to the criticism that they are “the government of those who show up,” as one city administrator put it in a study by Chaskin.<sup>266</sup> For associations to be truly legitimate, they must work to engage harder-to-reach residents. While they do not necessarily increase levels of participation, neighborhood associations do facilitate “strong participation:” meaningful forms of intensive work to solve community problems.

### *Quality of Deliberation*

Few studies look directly at the deliberative processes that unfold within neighborhood associations. Some scholars, however, have considered the degree to which what happens within the neighborhood association represents the needs and concerns of neighborhood residents as a whole. In his survey of local government officials in cities of more than 100,000, Scavo reports that 42 percent of respondents felt that their local neighborhood associations were “very representative” of neighborhood interests. An additional 51 percent felt their associations were somewhat representative of neighborhood interests.<sup>267</sup> On the whole, Scavo’s study suggests that at least from the outside neighborhood associations seem to be legitimate representatives of local concerns.

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<sup>264</sup> Social Capital Community Benchmark Survey, 2000.

<sup>265</sup> Lenk KM, Toomey TL, Wagenaar AC, et al. “Can neighborhood associations be allies in health policy efforts? Political activity among neighborhood associations,” *Journal of Community Psychology*. 30(1): 57-68. January 2002.

<sup>266</sup> Chaskin RJ. “Fostering neighborhood democracy: Legitimacy and accountability within loosely coupled systems,” *Nonprofit Volunteer Sector Quarterly*. 32 (2): 161-189. June 2003. 175.

<sup>267</sup> Scavo 1993.

But government officials may not be the best judges of the transparency of local associations. Chaskin reports that communication between associations and their constituents can be “uneven,” “episodic,” and “unidirectional.”<sup>268</sup> In his view, communications typically take the form of periodic newsletters or occasional community meetings in which most of the information flows from representatives to average citizens. Depending on who participates in the association, it may become associated with a particular faction within the neighborhood. This scenario is particularly likely when elections for association officers take place at poorly attended meetings rather than through broader scale outreach.

In Chaskin’s view, little legitimate deliberation takes place within neighborhood associations, since they are easily captured by elites who become entrenched in the local leadership structure. Associations, he suggests, have a particularly difficult role in that they are expected to accomplish real goals for the community while simultaneously having to focus on legitimate processes for involving a representative sample of local residents.<sup>269</sup> Few achieve the desired balance, though effective program design can enhance the likelihood that associations will effectively juggle these priorities.

#### *Educating Citizens and Officials*

Where neighborhood associations succeed in involving a broad array of residents to take part, citizens can learn from one another and generate new ideas through this interaction. Officials, likewise, can be enriched through contact with committed citizens who combine their local knowledge with thoughtful consideration of neighborhood problems.

#### *Official Accountability*

The degree to which neighborhood associations can hold officials accountable to acting on their concerns depends on the design of the local program, among other factors. Not all cities designed association programs through which citizens can have deep impacts. Some cities, for instance, expect that associations will be used primarily for public outreach and community-building rather than two-way communication. Other cities have programs that ensure two-way communication but have no action-forcing provision that assures that citizen ideas are implemented. In a very limited number of cities, neighborhood associations are designed specifically to hold officials accountable to local concerns. Lessons from Minneapolis, MN, suggest that offering funding to neighborhood associations succeeds in directing government and civic attention to the most pressing local problems. With more informed and involved citizens, politicians and other officials had to relate differently to their constituencies.<sup>270</sup>

On the flipside, some local officials may worry that neighborhood associations will add another layer of opposition when they try to implement projects based on citywide priorities. While this concern is not unwarranted, at least in the four cities that Berry *et. al.* profile, neighborhood participation does not seem to undermine governability.

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<sup>268</sup> Chaskin 2003, 179.

<sup>269</sup> *Ibid.*, 183.

<sup>270</sup> Martin, Judith and Paula R. Pentel. “What the Neighbors Want?” *APA Journal*. 68(4): 435-449. Autumn 2002.

### Justice

Berry, Portney, and Thomson find some evidence to support the hypothesis that working together with neighbors helps to create common values and a shared sense of the public good. In their sample, participating in a neighborhood association increases citizen faith in government efficacy. Some evidence also indicates that such programs can improve the justice of funding allocations. “Redirection neighborhoods,” the neediest strata of Minneapolis neighborhoods, received the highest total allocation in that city’s neighborhood government program. The average Redirection neighborhood, however, received funding only just above the citywide average.<sup>271</sup> As with other participatory venues, the degree to which deliberation enhances the justice of policy-making often depends on the extent to which diverse participants who might not otherwise have been heard are taken seriously in the process.

### Popular Mobilization and Spillover Citizenship

Berry *et. al.* find that participation in neighborhood associations increases local sense of community and confidence in government. Examining Portland, OR a decade later, Putnam and Feldstein find striking results in terms of the spillover citizenship effects of neighborhood associations. Today, the city represents a counterpoint to the general civic decline in the U.S. In terms of civic participation, the city has blossomed while others faded. Although Portland appeared much like other cities when the Office of Neighborhood Associations began its work in 1974, by 1990, “Portlanders of all types were three to four times more likely to be involved in civic life as their counterparts elsewhere in America.”<sup>272</sup> If Portland is any indication, neighborhood associations offer tremendous potential to revitalize overall civic commitment in America.

### Sustainability: Political and Financial Support

In observing civic life in their four cases, Berry, Portney and Thomson found that neighborhood associations can wield adequate clout to upset local governing regimes ruled by business and force negotiations. Through neighborhood participatory structures, citizens become players in the policy debates that face the city as a whole. While neighborhood associations may be unable to initiate and sustain citywide initiatives, they do ensure input from the neighborhoods to City Hall. City Hall must listen because, at least in these cities, neighborhood participation structures have considerable citizen support. Despite these optimistic conclusions, some factors call into question the sustainability of strong neighborhood association structures. In Minneapolis, for instance, Phase II of the Neighborhood Revitalization Plan has less money to work with and is more closely controlled by local government officials despite broad-scale citizen support for the program.<sup>273</sup> When funding for the program ends in 2010, it is unclear whether citizens will be able to convert their enthusiasm into a continuing role for neighborhood associations in city governance.

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<sup>271</sup> *Ibid.*

<sup>272</sup> Putnam, Robert and Lewis Feldstein. “Portland: A Positive Epidemic of Civic Engagement,” *Better Together: Restoring the American Community*. New York: Simon & Schuster. 2003. 244.

<sup>273</sup> Martin & Pentel 2002.

### Neighborhood Associations as Model for Reform

In *The Rebirth of Urban Democracy*, Berry, Portney, and Thomson suggest that the factors that make strong neighborhood participation structures work may not be easily replicable. They argue that three factors contributed most to these successful cases, namely: strong motivation to make participation work based on citizen demand, policymaker initiative, and federal mandates; immediate focus on citywide, face-to-face, neighborhood-level participation; and a sophisticated political balance that prevented partisan politics from taking over neighborhood associations. While Berry and colleagues offer several recommendations for what can be done to foster favorable circumstances to support neighborhood associations, their analysis makes clear that effective neighborhood associations require significant commitment of city officials as well as a cultural willingness to engage in local groups.

## **5. CIVIC VENUES FOR PUBLIC DELIBERATION**

As section 4 above shows, government officials frequently possess the mandate and resources to bring citizens together to offer input on impending decisions. However, the most frequently used methods for public input have serious flaws. By contrast, there are a range of non-governmental organizations that promote civic venues for deliberation. Many of them possess substantial expertise and desire to create meaningful opportunities for citizen input. These groups, however, frequently lack the ability to connect the deliberations they facilitate with meaningful political or social action. Beyond surveying the range of accomplishments and limitations of these “civic” venues for public deliberation, this section and the next offer some guidance regarding opportunities for partnership between government and civic organizations that may enhance the quality of citizen deliberation.

Unlike governmental venues for public participation, most civic venues have specific designs that are intended to achieve particular outcomes. These processes are created and promoted by people who believe that dialogue is the remedy to ail contemporary society’s ills. The design of the venues represents the principals’ vision of what constitutes meaningful deliberation and what design features foster it, often drawing on venerable traditions such as the New England town meeting or the American Indian talking stick circle. While civic venues can be classed as community forums or closed stakeholder processes, considerable variation exists within these categories among civic organizations.

In the sections below, we discuss the different techniques for civic deliberation and comment on the consequences of their varying design choices. Government officials at times do engage the venues profiled here in fulfilling public involvement requirements or needs. We close each section by discussing the transferability of the techniques to more public settings and what such partnerships might achieve.

This report does not profile every civic venue for deliberation in the United States but rather selects particular organizations or formats as examples of broader categories of organizations. The organizations we have chosen to profile in detail are prominent civic deliberation organizations and reflect the diversity of formats and purposes of civic deliberation efforts. One of the obstacles to profiling civic efforts in this field is that not all civic organizations have identified the niche for their deliberative format. As a result, sponsors of public deliberation projects often do not have adequate information to match their needs with the appropriate deliberative format. This section attempts to identify the strengths and weaknesses of each civic venue. The closing section will discuss in more detail which circumstances call for which venues.

### **Collaborative Forums**

In the section on government venues, we defined collaborative forums as venues that “offer citizens the opportunity to gather and address issues through the presentation of information and discussion.” These forums are characterized by attempts to gather a representative group of

stakeholders with the goal of holding a constructive dialogue. A number of prominent civic organizations have adapted the collaborative forum template to advance their specific aims. Organizations that promote civic education, give voice to citizen concerns, build community, and encourage social action are all using some form of collaborative forum.

Civic education organizations, such as the Kettering Foundation's National Issues Forum, hold forums in which citizens can hear from their counterparts and refine their own opinions. Similarly, in Conversation Cafés, participants learn and form policy opinions through small-group discussion forums.

Other civic organizations have reinterpreted the collaborative forum to create programs that allow for small group deliberation linked to a broader forum of dialogue. Organizations with diverse aims, such as influencing policy with citizen opinions, building community, and prompting social action, use this interface of small- and large- group deliberation to achieve their goals. AmericaSpeaks, for instance, has developed technologies that allow for small group discussions that constructively support large-group consensus building. Study Circles and similar programs offer concurrent small group dialogues that, as a whole, contribute to community building and action on issues of concern. Community organizers have long used "one-on-ones" and house meetings to draw individuals and small groups into larger movements.

In this section, we will discuss the strengths and weaknesses of these three sub-types of civic collaborative forums, namely the small-group forum (Conversation Cafés), the larger-group forum (National Issues Forums), and the forums that link small group discussion with large group deliberations (AmericaSpeaks and Study Circles).

### **Collaborative Forums: Small-group Setting: Conversation Cafés**

Conversation Cafés aim to overcome alienation and social isolation by convening citizens to learn about public issues. The New Road Map Foundation developed the Conversation Café technique to enable strangers to move beyond conversational small talk to what they refer to as "big talk" – discussion about meaningful issues. As it happened, the foundation launched the Cafés in Seattle not long before the terrorist attacks of September 11, 2001. In the aftermath of this national tragedy, citizens felt a need to talk about their concerns and sought out Cafés for this purpose. Today, twenty-four Conversation Cafés operate in Seattle, with forty-six others in five countries and twenty-five cities.

Conversation Cafés are included here as an example of a public venue that aims to promote civic education and community-building expressly through small group discussions. On occasion, the program holds "Supercafes," in which multiple conversations on the same topic occur simultaneously. The classic Café, however, is a small-group discussion that is intentionally disconnected from politics or collective action.<sup>274</sup>

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<sup>274</sup> Conversation Cafés should not be confused with World Cafés, a different venue for dialogue, that aims to facilitate creative and productive discussion in large groups. World Cafés focus on providing a soothing environment with music and aesthetically pleasing touches in which participants rotate among small tables, learning from each distinct table of participants, then sharing what they have learned with the following table. The World

### Defining Characteristics

Conversation Cafés are intentionally convened small-group discussions. They usually address important public issues and are initiated by trained hosts in public settings. Typically a host, who has attended a training course, announces and publicizes that he or she will hold a Conversation Café on a monthly basis at a particular place. Topics vary from month to month and may be determined in advance or on the spot. Those participants who respond to the open call are seated in tables of eight and asked to agree to certain ground-rules for discussion, which emphasize the need to respect others' views and discourage attempts at persuasion. To open the discussion, participants engage in two "round-robins" in which one person at a time offers her views on the topic and responds to others. During the remainder of the one- or two- hour session, the host lightly facilitates open dialogue on the issue. To close the conversation, participants offer their reflections on the discussion in turn. The group of participants may vary from month to month, but according to the Conversation Café interim advisory council, at least seventy Conversation Cafés internationally have a core group that hold regular discussions.

By design, Conversation Cafés have little connection to decision-making authorities. The program's closest association with government occurred when the City Council of Seattle proclaimed January 13-19, 2002 "Conversation Week," recognizing that "Conversation Cafés provide a forum" where "discourse across political and economic boundaries" may take place.<sup>275</sup> Five hundred Seattle residents, including several members of City Council and other local decision-makers, participated in discussions about the aftermath of the September 11<sup>th</sup> attacks. Conversation Week expanded to sites in Kentucky, Arizona, and California in 2003.

### Strengths and Shortcomings

Conversation Cafés offer a low entry barrier for busy, skeptical citizens. They succeed in convening random groups of strangers into meaningful discussions. In many cases, however, they do not fit our definition of public deliberation because they focus upon individual explorations and transformations rather than persuasion or decision-making.

### Character of Participation

To my knowledge, no data is available on the composition of participants in Conversation Cafés. According to anecdotes on the website, those who take part find that the randomness of who shows up to a café ensures that they meet with a more diverse group than they typically encounter. While the Cafés seem to attract some generational and sexual orientation diversity, available materials do not mention racial and socioeconomic diversity. Since most hosts do not do targeted outreach to communities of color and low-income residents, it is likely that Cafés do not overcome the typical socioeconomic biases of participation. In addition, the unwritten expectation that participants will purchase a beverage or snack when in a public eatery may serve as a barrier to participation for some low-income citizens.

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Café format has been used by national and international organizations, often as a way to prompt dialogue among employees of the institution. (<http://www.theworldcafe.com/whatis.html>).

<sup>275</sup> City Council of Seattle. Declaration. [http://www.conversationcafe.org/events/convoweek\\_proc.html](http://www.conversationcafe.org/events/convoweek_proc.html).

### Quality of Deliberation

Early in this report, we defined public deliberation as a process in which citizens carefully weighed alternatives in order to identify the best decisions about important public issues. Although Conversation Cafés undoubtedly spur spirited dialogue, for several reasons, they do not fit precisely the definition of public deliberation. For one, they do not always focus on public issues. In one Seattle Café for instance, some topics approach public issues from new directions through discussions of the words and concepts of love, power, and justice. In other cases, topics are silly or experimental. The host from the same Café proposed the topic “Mayonnaise” for the February 18, 2004 Café, asking “How can we make meaningful conversation from a condiment? What is the extent of the diverse opinions we can bring forward on this subject?”<sup>276</sup> While this topic may represent an interesting experiment in conversational creativity, it does not qualify as public deliberation.

More importantly, Conversation Cafés cannot be considered consistently deliberative because they discourage persuasion and decision-making. Participants are specifically asked to “seek to understand, not to persuade.” The Café is declared a “commercial-free and agenda-free zone.”<sup>277</sup> The point of the conversation is an exchange of views rather than informed decision-making.

### Educating Citizens and Officials

From all accounts, citizens feel that Conversation Cafés enrich their knowledge of public issues. In a report on Seattle’s conversations about the terrorist attacks of September 11, several participants specifically mentioned that they appreciated the Café as a forum where they could receive and share information from a variety of sources, helping them to avoid media bias.<sup>278</sup>

Although some public officials participated in Conversation Cafés during Seattle’s Conversation Week, Cafés are not typically intended as forums to inform policymakers.

### Official Accountability

Officials rarely participate in Cafés and organizers are asked not to use conversations to promote an agenda. As a result, Cafés are not intended to increase the accountability of public officials.

### Justice

While participants may come to empathize with one another in conversations, Cafés do not alter public decision-making and therefore cannot enhance the justice of policy and public action.

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<sup>276</sup> Gjovik, Kat. “Two Years of Topics at the Pegasus Café,” [http://www.conversationcafe.org/hosts\\_quests\\_Gjovik.html](http://www.conversationcafe.org/hosts_quests_Gjovik.html).

<sup>277</sup> Interim Advisory Council. “Conversation Cafés on the Verge: 2002-2003 Annual Report.” [http://www.seattlecohousing.org/CC\\_Annual\\_Report\\_2003.pdf](http://www.seattlecohousing.org/CC_Annual_Report_2003.pdf).

<sup>278</sup> Robin, Vicki. “Conversation Week.” <http://www.conversationcafe.org/docs/ConvWeekReport.doc>.

### *Popular Mobilization and Spillover Citizenship*

Conversation Cafés are not only apolitical but they also discourage collective action. Among the program's principles is the following rule: "No committees: There will be no political networking, committee formation or action groups."<sup>279</sup> The interim advisory council justifies this decision in terms of the importance of creating a safe place for non-judgmental dialogue. The model seems designed by and for people who are profoundly alienated from the current political process and wish to create a separate venue in which they can at least think and form their own opinions.

While Conversation Cafés do not lead to action on their own, the connections formed in this venue may facilitate collective action at a later date. One participant described the appeal of the conversations in the following way, "We've made friendships here, we take walks together. For a person who lives alone, the group has given [me] a sense of community."<sup>280</sup>

### *Sustainability: Political and Financial Support*

Conversation Cafés are currently working to secure funding to support on-going programs. Although they seem to have developed some momentum in Seattle and expanded to a few places with enthusiastic hosts, they have yet to attract significant external foundation or public funding. While the Seattle City Council supported Conversation Week in spirit, we did not find evidence that the local government intends to make the Cafés a fixture of Seattle life.

### *Conversation Cafés as Model for Reform*

Conversation Cafés do not offer great promise as a model for integrating deliberation in decision-making because they are specifically designed to serve as an apolitical, non-action-oriented venue. Nonetheless, the Cafés and other similar venues, such as the gatherings created through meetup.com, clearly respond to a prevalent desire for opportunities to meet new people through conversations in public places. For people in search of such opportunities, Conversation Cafés offer a low threshold to entry in discussions on substantive topics and promote learning and community-building in the process. They may thus be considered pre-deliberative venues in which individuals explore the rudiments of collective discussion without facing the more difficult demands – argument, uncomfortable conflict, possibilities of failure, and frustration – that accompany public deliberation.

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<sup>279</sup> Interim Advisory Council 2003.

<sup>280</sup> Baker, Linda. "Everybody's talking in Seattle this week," *Christian Science Monitor*. 12 March 2003. (Quoting Peg Worthman.)

### **Collaborative Forums: Larger-Group Setting: National Issues Forum**

A National Issues Forum (NIF) is a citizen gathering dedicated to informed deliberation on a particular public issue. The Kettering Foundation, an operating foundation that conducts research on how to improve democratic governance, developed and disseminated the NIF model out of concern that increasing polarization and incivility of public dialogue resulted in citizen alienation. Kettering continues to provide technical assistance to a network of civic leaders who implement forums in at least twenty-seven states and Puerto Rico.

The NIF model is included here as an example of a larger-scale collaborative forum than Conversation Cafés. Generally larger than typical Cafés, the NIF model encompasses a broad range of citizen gatherings. As the NIF network explains, “No two forums are exactly alike. They range from small forums or study circles held in people’s homes to large community gatherings modeled on New England town meetings.”<sup>281</sup>

#### **Defining Characteristics**

Although they vary in size and format, several features are typical of NIFs. In most cases, a local civic leader initiates a forum on a particular topic and conducts outreach to attract participants. Often, the topic is designed around one of the Kettering Foundation’s issue books. More than fifty discussion guides are available on issues as diverse as alcohol abuse and America’s role in the world. The issues books, which are designed to be non-partisan, frame the relevant issue, usually offering three or four policy proposals for addressing the problem. For example, the issue book titled “Terrorism: What Should We Do Now?” offers readers three potential responses for discussion, namely: “the sword of all out war,” “the shield of homeland security,” and “the battle for hearts and minds.”

The issue book tool allows civic leaders to convene and conduct meaningful discussions in a relatively simple way. For instance, civic leaders used an issue book on terrorism in the wake of the September 11<sup>th</sup> attacks in forty states, engaging more than 2000 participants nationwide.<sup>282</sup>

Ideally, participants read the guide prior to the meeting and come prepared to discuss the issue, though the expense of distributing the guides before the forum and the participants’ time constraints often prevent a thorough reading. Upon arrival, participants frequently watch a brief video that lays out the policy proposals explained in the issue book. A moderator then begins the discussion with introductions that ask participants to consider their own connection to the issue at hand. After participants identify their personal stakes in relation to the issue at hand, the moderator guides discussion on each of the three to four policy proposals in turn—attempting to remain neutral between the options. In closing, the moderator asks participants to express the conclusions they came to based on the group’s discussion. Most often, this entire process last

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<sup>281</sup> National Issues Forum Network: <<http://www.nifi.org/about/faq.aspx>>. Accessed August 17, 2004.

<sup>282</sup> Doble Research Associates. *Terrorism: What Should We do Now?: Results from Citizen Forums*. 2003. 1.

two hours, though in some cases, a particular group may continue the forum over several meetings.<sup>283</sup>

It is important to note that NIF designers and organizers have a very open conception of the way in which the public deliberations they facilitate should be connected to political and social action. At the most ambitious level, their long term aim is to alter the public sphere itself by changing the way that communities consider alternative solutions to public problems from an adversarial, interest-group, or expert dominated mode to one in which many ordinary citizens reason about their values, options, and trade-offs. In the short and medium term, therefore, the success of NIF forums should not be gauged solely, or even primarily, according to whether they alter official policies or increase government accountability, but also according to whether they develop social networks and mobilize collective action from non-governmental sectors.

### Strengths and Shortcomings

#### *Character of Participation*

As with other collaborative forums, the participant profiles of NIF venues are often less racially and socioeconomically diverse than the larger population. The extent to which outreach successfully attracts a sizable and diverse crowd depends largely on the efforts of civic leaders.

#### *Quality of Deliberation*

Founded by a research organization, the NIF model is one of the few public deliberation venues in which sponsors lay out an explicit ideal of deliberation. In drafting reports, civic leaders are encouraged to look out for several signals that indicate that deliberation is taking place. Accordingly, leaders are instructed to observe the extent to which participants speak to one another without relying on moderators; offer clarifying information and reasons for their views; speak from experience; express empathy; seek common understanding of terminology; experience epiphanies; weigh alternatives; and listen openly to disturbing opinions.<sup>284</sup>

The model also offers some guidance on how to evaluate the extent to which a forum approximates the deliberative ideal. A pre-deliberative forum allows for high levels of human contact, without specific purpose. A quasi-deliberative forum entails an exchange of views that supports learning. A deliberative forum involves weighing approaches and proposing next steps. The ideal deliberative forum enables public judgment in which participants identify points of tension and agree upon collective knowledge.<sup>285</sup>

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<sup>283</sup> Gastil J. and J.P. Dillard. "Increasing political sophistication through public deliberation," *Political Communication*. 16(1): 3-23. January-March 1999. 6.

<sup>284</sup> Holt, Margaret. Forum Report from the Public Policy Workshop and International Deliberative Democracy Workshop. "Americans' Role in the World." Dayton, OH. June 27-July 2, 2003. 3 July 2003.

<sup>285</sup> *Ibid.*

While the NIF model is clear about its ideal of deliberation, many forums naturally fall short of their ideal. When poorly implemented, NIF forums tend to dissolve into “elaborate brainstorming sessions” rather than an opportunity to carefully weigh the pros and cons of different ideas. One reason for this difficulty is the limited two-hour timeframe of most NIFs. Some moderators admit that their groups get caught up in discussion of pros and cons of a particular policy proposal and fail to save adequate time consideration of other proposals or for the reflections meant to draw the experience together.<sup>287</sup> Without reflecting on the group discussion, citizens cannot move towards public judgment.

Another criticism of the deliberative process in NIFs is the use of restrictive issue books for discussions. Some observers feel that the policy proposals presented in the guides are overly restrictive or formulaic. In the typical issues book, the approaches to solving policy problems often can be classified as “enforce, treat, or prevent” solutions or “liberty, security, or free market” responses.<sup>288</sup> Although moderators encourage participants to create their own approaches, discussion can become bogged down in debate over why deliberation should take these three policy proposals as its starting point. In a study on the impact of using NIFs in high schools, Doble and Peng comment that high school students consistently resist issue books, seeking to reframe issues in their own words.<sup>289</sup> In some forums, adults are subject to the same impulse.

While the issue books may feel restrictive, research suggests that they generally do not have a particular political agenda. Studies agree that participants in NIFs experience little aggregate opinion change on the relevant topic following the forum.<sup>290</sup> Indeed, NIFs place a huge premium on the value of neutrality, to the extent that when factual inaccuracies occur in the course of discussion, the moderator must find someone else to correct the misinformation or ask to “step outside her role” to offer the facts. Unlike other venues that struggle with the legitimacy of the information they provide, most accept the impartiality of NIF issue books, though many disagree about their particular explications of public issues.

### *Educating Citizens and Officials*

In the course of NIFs, citizens do learn from one another about public issues and the range of opinions on them. This learning can be seen in forums as participants comment that they had not considered an issue in a particular way until they heard the comments of a fellow participant.<sup>291</sup> In a 1999 study of NIFs on seven distinct topics, Gastil and Dillard found that forums have at least a short-term positive impact on participants’ political sophistication, increasing the consistency and certainty of their beliefs.<sup>292</sup> The study concludes that forums do not change

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<sup>287</sup> Comments of experienced moderators at West Virginia Center for Civic Life, Civic Life Institute, June 21-22, 2004.

<sup>288</sup> *Ibid.* London 2003 also notes that “pre-established issue-frameworks” seen as “top-down” (29).

<sup>289</sup> Doble, John and Iara Peng. “The Enduring Effect of National Issues Forums (NIF) on High School Students.” A report to the Kettering Foundation from Doble Research Associates. October 1999. 11.

<sup>290</sup> Gastil & Dillard 1999, 6.

<sup>291</sup> Observation of forums at West Virginia Center for Civic Life, Civic Life Institute, June 21-22, 2004.

<sup>292</sup> Gastil & Dillard 1999, 20.

people's minds, but may succeed in "sharpening the debate."<sup>293</sup> While clarifying citizens' opinions is an important contribution, certainty of belief may not always be the desired outcome of a forum. In fact, in many cases, deliberation is touted as a means to reduce polarization. The Gastil and Dillard study suggests that NIFs do not succeed in this regard.

In some cases, NIFs also inform officials about citizen views. Often, organizers present reports on their forums to broader audiences such as a media-viewing public or local policy makers. Occasionally, consultants are engaged to develop reports that profile the results of nationwide forums. The resulting reports are distributed widely to interested parties, including public officials.

### *Official Accountability*

Although public officials may receive copies of NIF reports, they do not systematically implement the recommendations they find. At times, public officials are included in a forum, but for the most part, NIFs are civic initiatives that operate at some remove from political processes. As such, they rarely have direct policy impact or increase the accountability of public officials. More often than not, forums fail to produce actionable recommendations. Rather, forum results may offer an official insight into the way the public thinks about a particular issue.

### *Justice*

At times, NIFs enable citizens to understand the opinions and experience of people different from them. In this way, they can promote more just policy-making, although no systematic evidence exists that forums affect public decision-making in the direction of increasing justice.

### *Popular Mobilization and Spillover Citizenship*

It is likely that NIFs, like other one-off public deliberation venues, positively impact citizens' interest and/or feelings of efficacy in relation to politics, at least in the short-term. Not surprisingly, however, NIFs alone are not adequate to transform participants into ideal citizens. Doble and Peng's study of NIF use in high schools notes that "years of experience has led the Kettering Foundation to conclude that a brief exposure to [the NIF model] is not, in and of itself, sufficient to change people's thinking about their role in public life."<sup>294</sup>

### *Sustainability: Political and Financial Support*

NIFs benefit from a certain economy of scale and receive extensive technical assistance from the National Issues Forum Institute. The fact that Kettering is committed to supporting this form of public deliberation suggests that its sustainability is relatively certain.

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<sup>293</sup> *Ibid.*

<sup>294</sup> Doble & Peng 1999, 8.

### National Issues Forums as a Model for Reform

The NIF theory of change postulates that through deliberation, Americans will develop “a different way to talk, another way to act” that will improve the vitality of American democracy. Indeed, the Doble and Peng study of NIF use in high schools found that at least for students of this age, the forums effectively instilled a sense of political efficacy, an interest in thinking about public issues and sharing opinions, and a more nuanced understanding of complicated public issues.<sup>295</sup> But these individual-level changes may not lead to changes at the levels of policy or governance.

What most NIF forums lack is a connection to public decision-making. The vast majority of forums are not meant to come to any consensus or to form an action plan. Forums seem to be a good tool for encouraging communication (pre-deliberation) and perhaps contributing to “mutual understanding” (quasi-deliberation), but don’t seem to offer a view of what an informed public would think about an issue, nor do they seem to come up with innovative policy solutions (deliberation and public judgment). In response to this criticism, some NIF practitioners are experimenting with forums that attempt to influence policy makers more directly or spur collective action in the social sphere.<sup>296</sup>

### **Collaborative Forums: Large-group/Small-group Interface**

#### AmericaSpeaks

Founded in 1995, AmericaSpeaks aims to give voice to citizens in ways that impact policymaking through innovative mechanisms of public deliberation. The organization believes that traditional modes of public participation are not suited to the new millennium.<sup>297</sup> In response, AmericaSpeaks has developed an innovative public deliberation venue known as the 21<sup>st</sup> Century Town Meeting (TCTM).

AmericaSpeaks and the TCTM are profiled here as one example of an innovative kind of civic venue that attempts to combine the virtues of small group deliberation with large gatherings. The TCTM succeeds in gathering groups—from several hundred up to five thousand individuals—that are sufficiently large to sometimes be regarded as legitimate expressions of public will. At the same time, the TCTM is organized in such a way that individual participants experience intense face-to-face deliberation. Unlike traditional large public participation venues such as public hearings, TCTM are designed to allow every participant to contribute to public discussion.

#### Defining Characteristics

Unlike other civic venues, which depend on local leaders to implement public deliberation forums, AmericaSpeaks offers full-service consulting to public agencies that wish to engage their

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<sup>295</sup> *Ibid.*

<sup>296</sup> Betty Knighton, Director, West Virginia Center for Civic Life (WVCCL). Phone conversation with Abby Williamson & Archon Fung. 19 May 2004.

<sup>297</sup> AmericaSpeaks. “Taking Democracy to Scale,” brochure. <[www.americaspeaks.org](http://www.americaspeaks.org)>.

services. Assuming the sponsoring agency agrees to certain criteria (discussed below), AmericaSpeaks will assist the agency in designing a public participation process, including a TCTM. AmericaSpeaks conducts community outreach and recruiting efforts to ensure that a diverse, representative public attends the TCTM and handles the logistical details of arranging the meeting, including providing a “participant guide” a source of non-biased information that participants receive in advance of the meeting.

On the day of the TCTM, participants arrive, usually to a large conference hall, where they register with the organizers and receive a seat assignment at one of hundreds of 10-person round tables. Throughout the TCTM, a lead facilitator, which the organization describes as “equal parts rapporteur, master of ceremonies, and moderator,” chairs the proceedings, moving the group from small-group discussion to large-group consideration of issues raised.<sup>298</sup> To improve the quality of exchanges, a trained staff person at each table facilitates discussions.

Two mechanisms enable the small group discussions to impact the direction of the group at large. First, a rapporteur at each table takes notes on a computer with a wireless connection. Notes from each table are uploaded to a centralized “theme team.” The “theme team” distills common strains from these “electronic flipcharts,” enabling the lead facilitator to share the overall group’s direction with participants. Second, each participant holds an electronic keypad that allows instant voting. To further identify the large group’s preferences, the lead facilitator can ask the group to key in answers to questions he poses. Within seconds, the entire group can see the tabulated results of the facilitator’s questions.

Thanks to the theme team and the individual polling keypads, citizens often leave the TCTM with a rough draft of a report on the proceedings, profiling the views of the group as a whole. While TCTMs are one-off gatherings, they are longer and more intensive than your average public deliberation forum, often occupying half a day or more.

The sophisticated technology and time-intensive nature of the TCTM is costly. Perhaps as a result, the TCTM has not been used widely. Rather, it has had a significant impact in several well-known cases. In 1998, the TCTM had its first major trial with the Americans Discuss Social Security project, a fifteen-month project with forums in twenty-five states that engaged 45,000 citizens.<sup>299</sup> Since 1999, AmericaSpeaks has worked with Mayor Anthony Williams’ administration in Washington, D.C. on a series of biennial “Citizen Summits,” with the first event attracting 3,000 participants in the year 2000 and subsequent events drawing similar crowds.<sup>300</sup> Most prominently, in 2002, 4,500 participants participated in the “Listening to the City” dialogue, a forum that allowed citizens to express their views on the redevelopment of the former World Trade Center site.

As these three examples of AmericaSpeaks major projects suggest, the TCTM seems particularly useful when agencies or other authorities have developed a basic proposal and public input may

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<sup>298</sup> AmericaSpeaks. “The 21<sup>st</sup> Century Town Meeting,” brochure. 2. <[www.americaspeaks.org](http://www.americaspeaks.org)>.

<sup>299</sup> AmericaSpeaks. “Outcomes,” brochure. <[www.americaspeaks.org](http://www.americaspeaks.org)>.

<sup>300</sup> Esther Scott, “Mayor Anthony Williams and Performance Management in Washington, D.C.,” KSG Case Study #1647.

contribute to its elaboration or redirection. The TCTM may be useful when such decisions arise in healthcare, local strategy, or urban redevelopment.

### Strengths and Shortcomings

#### Character of Participation

Of all the open admission civic venues, AmericaSpeaks makes perhaps the most concerted effort to ensure that participants are diverse and representative. In the lead up to a TCTM, AmericaSpeaks employs grassroots organizers, translates materials into multiple foreign languages, works with community organizations to publicize the event, and partners with local media.<sup>301</sup> Proving the adage that “what you measure is what you do,” the organization uses a registration process that tracks relevant demographic variables of participants and identifies gaps that may affect the TCTM’s findings. Despite these efforts, participation in AmericaSpeaks events is nevertheless characterized by socioeconomic biases. In the “Listening to the City” forums, for instance, African-Americans were underrepresented among participants.<sup>302</sup>

In addition to striving for racial and socioeconomic diversity, AmericaSpeaks endeavors to ensure that more than half of participants are present as lay citizens, rather than representatives of some interest group. AmericaSpeaks concentration on and success with recruitment is distinctive with respect to civic venues. The organization succeeds in large part because it only takes on projects where it has adequate resources to spend on recruitment.

#### Quality of Deliberation

As noted above, the TCTM offers the best of both worlds in terms of small-group deliberation and large-group decision-making. The process’ large-group to small-group interface means that all who attend can participate both in their table’s discussion and in shaping the direction of the group as a whole. The TCTM also responds to the concerns Jane Mansbridge identified about the tensions between unitary and adversarial democracy. Mansbridge sees in the traditional New England town meeting, a venue that allows for consensus in cases of agreement and voting in cases of disagreement.<sup>303</sup> The TCTM similarly allows for the identification of consensus at individual tables and through the theme times, while demonstrating points of contention and allowing a majority decision through the voting keypads.

In interviews of sixty participants at the “Listening to the City” forums, Francesca Poletta found that almost all expressed enthusiasm about the deliberative component of their TCTM experience. Nearly one-third of informants found the civility of the discussions their most appealing aspect. The format of the event, participants felt, allowed citizens to share views

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<sup>301</sup> AmericaSpeaks. “Engaging AmericaSpeaks,” brochure. <[www.americaspeaks.org](http://www.americaspeaks.org)>.

<sup>302</sup> Civic Alliance to Rebuild Downtown New York. “Listening to the City: Report on the Proceedings.” July 20-22, 2002. Jacob Javits Center, New York, NY.

<sup>303</sup> Mansbridge 1983.

without the polarized campaigning that characterizes much of present democratic politics in the United States.<sup>304</sup>

### *Educating Citizens and Officials*

Like most other deliberative venues, participants in TCTMs report that they learned from the process.<sup>305</sup> Unlike many other deliberative venues, officials also seem to learn from and at times act on citizen recommendations. We will discuss the manner in which TCTMs hold officials accountable below. In the Americans Discuss Social Security deliberations, Jason Barbaras found that participants increased their knowledge of policies and modified their views in the course of deliberations.<sup>306</sup>

### *Official Accountability*

AmericaSpeaks usually insists on some form of official accountability to citizen recommendations that result from the forums. The organization believes that, “it is important that the project have the backing of decision-makers. Participants need to know up front how their input will be used and the result of their time spent in deliberation.”<sup>307</sup> In addition to preceding agreements on accountability, the degree of media attention that TCTMs attract places further pressure on officials to comply with the public will as expressed through the forum.

Two examples demonstrate AmericaSpeaks’ success in ensuring official accountability to citizen demands. In the D.C. Citizen Summits, Mayor Williams attended the events and so demonstrated his receptivity to citizens and his colleagues. Citizen input from the TCTM resulted in a revision of the city’s strategic plan. In the revised version of the plan, city departments specifically cited input from the Citizen Summit. Before finalizing the plan, citizens at a smaller TCTM had the opportunity to vet the new version. Moreover, the Williams administration designed a system whereby citizens have the opportunity to hold their officials accountable through public “scorecards” that rank the progress of agencies and officials. In between summits, the citizens’ plan became part of the city’s wider management structure, shaping budgets and setting performance expectations.<sup>308</sup> While the D.C. case may be unique in its degree of acceptance by public officials, other examples show evidence that AmericaSpeaks’ focus on accountability and the public scrutiny the events receive have an impact.

At the 2002 “Listening to the City” TCTMs, participants expressed their strong opinions that none of the site designs for the World Trade Center proposed by the New York Port Authority and the Lower Manhattan Development Corporation (LMDC) adequately reflected their values and priorities. Although, in a departure from AmericaSpeaks’ general policy, the two agencies

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<sup>304</sup> Poletta, Francesca. “The Big Idea, Citizen Planners: The real political power of high-tech public meetings and the “deliberative democracy” movement,” *City Limits Monthly*. December 2003.

<sup>305</sup> *Ibid.*

<sup>306</sup> Jason Barbaras. “How Deliberation Affects Policy Opinions” in *American Political Science Review* Vol 98. No. 4 (November 2004): 687-701.

<sup>307</sup> AmericaSpeaks. “Engaging AmericaSpeaks,” brochure. <[www.americaspeaks.org](http://www.americaspeaks.org)>.

<sup>308</sup> Moynihan DR. “Normative and instrumental perspectives on public participation - Citizen summits in Washington, DC,” *American Review of Public Administration*. 33 (2): 164-188. June 2003. 177-178.

had agreed only to listen to citizens' recommendations, the public outcry enabled the LMDC to win Port Authority approval for a different process of re-design for the site. Clearly, citizen input had an impact on the process. Nonetheless, in subsequent political maneuvering, many citizen demands have been overwritten.<sup>309</sup>

### *Justice*

Evidence from "Listening to the City" also suggests that deliberation at TCTMs can promote more just decision-making, at least by fellow citizens. Poletta's informants claimed that they reconsidered their views in the course of the meetings. One affluent informant told her that speaking with less advantaged residents of the city personalized the problem of affordable housing and made it difficult to ignore. The informant's epiphany serves as evidence that deliberation indeed sometimes levels the playing field so that usually less powerful voices can be heard if they have compelling concerns.

### *Popular Mobilization and Spillover Citizenship*

We have no information about the mobilizing impact of the TCTM on participants.

### *Sustainability: Political and Financial Support*

Among citizen participants, TCTMs are certainly popular. After the first D.C. Citizen Summit 91 percent of participants ranked the summit "good" or "excellent."<sup>310</sup> More surprisingly, the events win surprising levels of support from public officials. In a recent article, Donald Moynihan argues that in the case of AmericaSpeaks, public administrators anticipate and discover instrumental benefits to encouraging public participation. As a general rule, public administrators avoid citizen participation because it can take up valuable time and resources and result in seemingly insoluble conflicts.<sup>311</sup>

AmericaSpeaks events offer officials two major benefits. First, because citizens' deliberations focus on a specific plan or issue, officials and organizers control the agenda of deliberation.<sup>312</sup> Second, the intensely public nature of the TCTM and the media attention it engenders help to establish the legitimacy of a particular course of action. In the case of the D.C. Citizen Summits, officials could claim a citizen mandate to implement the many necessary changes their strategic plan outlined. The case of D.C. is instructive, however, for another reason. Moynihan suggests that "it takes a deep sense of crisis or a lack of public legitimacy to prompt leaders to evaluate government failings and institute the kind of radical reforms that will satisfy the normative goals of participation."<sup>313</sup> In other words, only in dire cases such as D.C. mismanagement or the trauma of the World Trade Center terrorist attacks do officials comfortably turn to the public for guidance.

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<sup>309</sup> Poletta 2003.

<sup>310</sup> Moynihan 2003, 181.

<sup>311</sup> *Ibid.*, 172.

<sup>312</sup> *Ibid.*, 179.

<sup>313</sup> *Ibid.*, 181.

### AmericaSpeaks as Model for Reform

In some ways, AmericaSpeaks provides an ideal model for reform in that it accomplishes so many of the goals of deliberation by engaging a diverse group of citizens, allowing for meaningful face-to-face dialogue, enabling large-group prioritization and decision-making, and ensuring that officials respond. Despite its promise, AmericaSpeaks may be prohibitively expensive for many organizations at this time. Moreover, it may only be truly suited to a small subset of cases that call for public input, in that it requires such firm official commitments and prefers that citizens respond to a particular plan.

Polletta raises one additional concern in relation to broader use of the TCTM. Proponents of deliberation hope that venues like the TCTM will resolve Americans' growing alienation from politics. Yet what participants like best about the events is their non-political, non-adversarial nature. As a result, Polletta wonders how public deliberation venues like TCTM can coexist with more traditional forms of public participation that allow, and indeed are based upon, interest group campaigning. Already, at both the more recent Citizen Summits and "Listening to the City" interest groups managed to have an informal presence at the TCTMs. Once a deliberative venue like the TCTM is shown to impact policymaking, it becomes yet another forum for potential influence that any number of groups hope to use to their own advantage.

### Study Circles

Study Circles, small group gatherings aimed at civic edification and mutual understanding, are a venerable American participatory tradition, with their roots in the Chautauqua movement of the late nineteenth century.<sup>314</sup> In recent years, a variety of organizations, including Hope in the Cities, President Clinton's Initiative on Race, and the National Center for Civic Justice, have employed variations on the study circle in their work. Most notably, the Study Circles Resource Center (SCRC), established by the Topsfield Foundation in 1989, specifically promotes use of study circles in communities throughout the United States. Hundreds of communities across the country have used this model of deliberation.<sup>315</sup> In this section, we discuss the study circle model promoted by the SCRC. Study circles are included in this analysis as a public deliberation venue with a different version of small-group to large-group interface.

### Defining Characteristics

As developed by the SCRC, a study circle is a diverse group of eight to twelve people who meet regularly for a period of weeks or months to discuss a particular issue of public import, with the aim of identifying common ground and moving toward action.<sup>316</sup> Like the National Issues Forums network, the SCRC relies on a network of local civic leaders who implement circles in

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<sup>314</sup> Walsh, Kathy Cramer. "The Democratic Potential of Civic Dialogue on Race," presented at the annual meeting of the Midwest Political Science Association, Chicago. 3-6 April, 2003. 2.

<sup>315</sup> Study Circles Resource Center. <http://www.studycircles.org/pages/what.html>

<sup>316</sup> Study Circles Resource Center. *Organizing Community-wide Dialogue for Action and Change*. 2001. 5.

their communities. The SCRC provides technical assistance and writes discussion guides for community use on issues ranging from police-community relations to growth and sprawl.

Local leaders use study circles to address particular local tensions, such as race relations. In a typical case, a local leader will gather a coalition of other individuals and organizations to design a round of study circles and recruit participants. Over a period of months, the coalition lays the groundwork for bringing hundreds to thousands of citizens together to discuss the issues at hand. The coalition hires and trains facilitators for each small group; it selects an issue guide from the SCRC or devises its own; and it recruits a diverse group of citizens to participate in the circles.

With this foundation in place, the coalition sponsors a kickoff for the round of study circles, in which the entire large group of participants comes together to learn about the process and learn of small group assignments. For the next several months, the small groups meet on their own, with dozens of groups meeting simultaneously across the community. At the close of the round of circles, the large group comes together once again to share findings and to consider pathways to action.<sup>317</sup>

In reality, the format of study circles varies across the communities where they are deployed. Some communities abbreviate the round into one or two meetings while others fail to hold the large-group sessions. The intention of the ideal format described above, however, is to allow for small-group, intimate, face-to-face discussion, coupled with a large-group sense of being part of a movement of citizens with a particular focus. The closing session aims to allow the circles to translate their community-building into action.

Study circles are open to all members of the community in question, whether it is a city, a neighborhood, or a college campus. Prior to the first meeting, organizers assign citizens to groups based on demographic and other salient characteristics. Once in session, study circles are limited to the small group assigned by the organizers. Thus, a round of study circles is open to all in the community, but each session is limited to those who have signed up and received assignments to a particular circle.

At the small-group circles, a trained, neutral facilitator guides discussion, encouraging balanced participation from all group members. Each meeting lasts around two hours. Like with an NIF, the goals of a study circle are not consensus but rather identification of common ground. More so than NIF, study circles place special emphasis on sharing personal experiences with the aim of developing mutual understanding. Study circle advocates believe that by fostering understanding and building community, they will engender meaningful social action.<sup>318</sup>

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<sup>317</sup> *Ibid.*, 115.

<sup>318</sup> Study Circles Resource Center. <http://www.studycircles.org/pages/what.html>.

## Strengths and Shortcomings

### *Character of Participation*

Although the study circle model places a premium on intimate discussion, it is not satisfied with isolated conversations. Rather, the SCRC believes that “The more people that are involved, the bigger the impact.”<sup>319</sup> It is also unsatisfied with large but homogeneous groups. “Make the dialogue diverse,” is one of the SCRC’s five guiding principles.<sup>320</sup> As a result, considerable effort is focused on recruitment. Even so, practitioners admit that they struggle to attract diverse participants, especially people of color.<sup>321</sup> While diversity is an explicit goal of study circles – in fact many study circles focus on issues of race and diversity – organizers still have a hard time ensuring that discussion groups are appropriately diverse.

### *Quality of Deliberation*

In a 2003 article, Kathy Cramer Walsh analyzes study circles and similar venues that focus specifically on race relations on the basis of their fit with seven criteria for ideal deliberation originally identified by Jane Mansbridge. Cramer Walsh finds that study circles effectively even the playing field among participants and create a safe place for honest dialogue on controversial topics. Even so, people of color may feel either like they have to teach others who are naïve about race relations, or that their views are not valued.

Unlike ideal deliberation, which tends to emphasize the public nature of citizen dialogue, study circle discussions are private and often confidential. In private discussions, citizens do not measure their words for fear of public scrutiny. This aspect may sacrifice accountability but enhance the depth and honesty of deliberation.

While study circles do attempt to move groups toward the identification of shared views and eventual action, the emphasis that the venue puts on developing empathy is worth considering. Whereas a National Issues Forum devotes a few minutes at the start for a handful of participants to explain their personal stake in the issue at hand, study circles devote weeks of two-hour meetings to this task, followed by a single meeting devoted to action. Organizers of study circles are committed to the view that mutual understanding must precede collective action. Implementation, however, varies from community to community. In some communities, study circles groups are almost like *ad hoc* committees aiming to take action on a particular issue.

### *Educating Citizens and Officials*

Many study circles focus upon mutual understanding rather than civic education or policy knowledge. As Cramer Walsh describes it, study circles are about “who we are and how we relate.” This statement applies most clearly to the race relations dialogues that Cramer Walsh studies, but is often equally true of issues that relate less clearly to mutual understanding. In Portsmouth, New Hampshire, for instance, before the community could agree to a school re-

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<sup>319</sup> Study Circles Resource Center. “What we Believe,” <http://www.studycircles.org/pages/whatwebelieve.html>.

<sup>320</sup> Study Circles Resource Center. “Five Core Principles,” <http://www.studycircles.org/pages/fivecommit.html>

<sup>321</sup> Cramer Walsh 2003, 9.

districting plan, they engaged in a process to understand the underlying realities of local socioeconomic inequality as they structured participants' lives and interests.

### *Official Accountability*

Because they are held privately with the substance of deliberations in many cases remaining confidential, study circles are not always able to hold officials accountable to citizen demands. Some study circles, however, do produce recommendations. Particularly in small communities that employ the study circles, public officials ignore the recommendations to their peril.

### *Justice*

To determine the individual impacts of participation in study circles on race relations, Cramer Walsh surveyed both participants and those on the waiting list before and after the round of study circles. In her words, her findings demonstrate that the "benefits of participating in civic dialogue are far from obvious."<sup>322</sup> While her results may have something to do with the topic of race and may be compromised by a low response rate, her findings are nevertheless important. She finds that all participants experience an increase in external efficacy and trust in governing institutions. Bizarrely, non-participants in several different communities experienced a consistently greater bump in external efficacy. She finds that after a round of study circles, participants feel greater comfort in predominately minority sections of town than non-participants in the post-test. Her study suggests that study circles are accomplishing their goal of building relationships and fostering understanding. Such empathy would likely lead to more just policymaking. From her ambivalent results, Cramer Walsh concludes that while study circles can at times promote understanding, they also have the potential to be a forum for airing hostility. "Heightened consciousness" does not guarantee that people will feel better about their community, their government, or their ability to act.<sup>323</sup>

### *Popular Mobilization and Spillover Citizenship*

While SCRC experiences offer many examples in which study circles have led to discrete actions in communities, little work has focused on individual outcomes of study circles. Cramer Walsh considers participants' external efficacy following a round of circles, but what of their internal efficacy. It remains unclear whether participation in a study circle systematically promotes ongoing citizen engagement.

### *Sustainability: Political and Financial Support*

Because they depend upon civic volunteers and are supported by an operating foundation, study circles have good prospects for survival and development. Moreover, the format is rather simple, allowing for large-group to small-group interface without expensive technological innovations. The clear drawback to study circle sustainability is the amount of time that the process requires of participants. For a policymaker, a six to eight month process is far too long to wait to make a decision. Whereas AmericaSpeaks provides the instant satisfaction of a report as participants

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<sup>322</sup> *Ibid.*, 26.

<sup>323</sup> *Ibid.*, 26,

head to the exit, with study circles, participants must do the hard work of aggregating their concerns essentially by themselves. The stresses of this process for both citizens and officials may prove problematic for study circles' long-term sustainability.

### Study Circles as a Model for Reform

The evidence presented here suggests that study circles are distinctively suited to encouraging the development of mutual understanding. They are also remarkable, in that they attempt to bridge the gap from talk to action. Their success in this leap depends on a number of factors. Reports sponsored by the SCRC suggest that the size of the community plays a role on the extent to which a round of study circles has an impact. The report finds that small to mid-sized communities are those that benefit most from action forums.<sup>324</sup> Perhaps, study circles are well-suited to environments in which they can capture participation of some significant percentage of the populace, an impossible feat in larger cities.

### Closed Stakeholder Processes

As defined above, closed stakeholder processes gather a select group of interested parties, allow them to deliberate, and form a consensus on a plan for action. Two kinds of civic organizations have adapted the closed stakeholder method to advance their needs. Organizations that aim to gather citizen input to inform or influence policy have deployed closed stakeholder processes that gather a random sample of the relevant population to deliberate upon a particular issue of public concern. These efforts, such as deliberative polling and citizen juries, increase the legitimacy and perhaps wisdom of policies by subjecting them to the consideration of an informed and representative group of citizens.

Other organizations convene closed stakeholder processes to resolve conflicts between two or more interests or parties. Civic organizations that aim to resolve such conflicts bring together only carefully selected individuals who are directly involved in the conflict to work out their differences through private deliberation. While conflict resolution organizations and civic engagement organizations have different aims and use differing techniques, they both employ a deliberative process in which only select participants may take part.

### Deliberative Polling

A deliberative poll is a survey of a representative random sample of respondents that has participated in an intensive convention including opportunities for deliberation and education on a particular policy issue. As its inventor James Fishkin describes, a deliberative poll "attempts to represent what the public would think about the issue if it were motivated to become more informed and to consider competing arguments."<sup>325</sup> Fishkin presents the deliberative poll as an

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<sup>324</sup> Roberts & Kay, Inc. "Best Practices for Producing Community-Wide Study Circles," 2003. 35.

<sup>325</sup> Fishkin, JS. "Consulting the public through deliberative polling," *Journal of Policy Analysis and Management*. 22 (1). Winter 2003.

alternative to typical public opinion polling, in which citizens are asked to give immediate answers to questions on potentially unfamiliar topics without serious consideration. The deliberative poll offers a means to provide policymakers with the educated opinion of the public.

### Defining Characteristics

Since 1994, organizations and governments have sponsored more than fifty deliberative polls worldwide on issues as diverse as crime in the U.K. and presidential elections in the U.S. Two nationwide deliberative polls have taken place in the U.S., with twenty-two additional local or regional polls.<sup>326</sup> Because its organizers strive for the rigor and reproducibility of experimental social science, the deliberative poll is the most methodologically consistent and systematized of the venues discussed here. Randomly selected participants receive invitations. Upon agreeing to take part, the participants receive detailed briefing materials, scrutinized by an expert, non-partisan advisory board. At the conference, participants are randomly assigned to small groups, each of which has a trained moderator. During the conference, which typically lasts from one to three days, participants alternate between plenary sessions in which they question experts and small group discussions of the material presented. Participants are instructed to consider the issues and their own opinions, but not to attempt to reach a group consensus or decision. At the close of the conference, the sponsors release information on “net opinion change” to media and policymakers.

### Strengths and Shortcomings

#### *Character of Participation*

The deliberative poll takes great pains to combat the socioeconomic biases that typically accompany participation and is more successful than almost any other venue on this dimension. Its technique of gathering participants through random sample eliminates the SES biases that plague other deliberative venues. To encourage attendance at conferences, all associated costs are typically covered for participants and they receive modest stipends. Participation data from the polls suggests that these incentives serve their purpose. Typically some portion of participants in a poll have never been on an airplane or stayed in a hotel prior to the conference. By design, this insistence on a random sample no doubt excludes many citizens who have intense views on the issue under deliberation, or who have clear stakes in the associated policy decisions.

#### *Quality of Deliberation*

Fishkin suggests that the deliberative polling atmosphere evens the playing field for all participants. The fact that marginalized groups are no more or less likely to have opinions change suggests that advantaged groups are not able to dominate the process. In fact, the deliberative polling process is designed to prevent group decision-making. Rather than having participants come to consensus, moderators actively work with participants to form opinions, independent of

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<sup>326</sup> “Deliberative Polling: from Experiment to Community Resource.” James Fishkin and Cynthia Farrar chapter in *The Deliberative Democracy Handbook: Strategies for Effective Civic Engagement in the Twenty- First Century*, John Gastil and Peter Levine, eds.

group pressures. Deliberative polling succeeds in avoiding artificial consensus, but the process is truncated when viewed from a definition of deliberation in which reflection concludes with participants crafting mutually acceptable solutions to problems. Unlike other venues described here, deliberative polling seeks only to gather citizen opinions and convey them to leaders. Because organizers fear that a requirement for group decision may generate pressures for conformity and group-think, they do not ask citizens to do the additional work of reaching agreement with one another. In this insistence on avoiding consensus, Fishkin focuses on individual opinion change – the outcome of deliberation – rather than the process of deliberation itself.

### *Educating Citizens and Officials*

Given its pre-, post-, and control group polling methodology, deliberative polling provides some of the most robust evidence that citizens learn through deliberation and that this learning changes their policy stances. On the flip side, there is little evidence that officials take the results of deliberative polls into account when shaping policy decisions. They do, however, have the opportunity to learn more about citizen views through the materials distributed following the event.

### *Official Accountability*

In its current form, deliberative polling does not include accountability measures that ensure official action on citizen views. Deliberative polling offers an in-depth snapshot of informed citizen views. Conceivably, were deliberative polling used more widely, citizens might begin to expect and demand that officials heeded the refined public opinion as indicated by these events.

### *Justice*

Uninformed public opinion is often based on faulty assumptions, such as the perception that the United States spends much of its budget on aid to foreign countries, when in fact such aid constitutes less than one percent of the federal budget. Deliberative polling and similar venues have the potential to correct such misconceptions, assuring that citizens form opinions based on a full understanding of the facts. While the process does not guarantee more just outcomes, the mere fact that citizens will form opinions based on more than supposition has the potential to improve outcomes.

### *Popular Mobilization and Spillover Citizenship*

Fishkin and his collaborators did not emphasize this potential contribution of deliberative polling in their initial designs. The experience of other venues demonstrates that for citizens unaccustomed to public deliberation, the opportunity to think deeply about issues with other citizens can spur further civic activity. Recently, however, they have mustered evidence to show that those who participate in deliberative polls are more likely to work in political campaigns and to vote than those who do not.<sup>327</sup>

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<sup>327</sup> Luskin and Fishkin (2002).

### Sustainability: Political and Financial Support

Thus far, deliberative polling has enjoyed more popularity internationally than in the United States. Among obstacles to its proliferation is its high cost. While they add to the venue's value, the various attempts to ensure a representative sample – sophisticated sampling, covering participants' costs, etc. – also add greatly to the cost. However, there have been efforts to convene repeated deliberative polls in some localities. In particular, three deliberative polls have been held in New Haven, Connecticut since 2000.

The argument for deliberative polling is clear and appealing. Traditional public opinion polls are unquestionably insufficient instruments for truly understanding citizen concerns. Given the expense, however, deliberative polling should be viewed as an additional instrument to gauge public opinion rather than a replacement for conventional polling.

### Deliberative Polling as Model for Reform

Deliberative polling offers a sophisticated means to ascertain a nuanced picture of informed public opinion. It accomplishes some of the goals of public deliberation, in that it enables extended, informed public discussion of substantive policy issues. It does not, however, enable citizens to collectively form conclusions about the proper course of action. Nor does it provide mechanisms that ensure that policymakers heed public opinion as presented by the deliberative poll.

### Citizen Juries

Citizen juries employ a tribunal model intended to enable policymakers to “hear the people’s authentic voice.”<sup>328</sup> Over several days, a randomly selected panel composed of twelve to twenty-four citizens hears testimony, cross-examines expert witnesses, and deliberates. At the closing session, the jury presents its consensus recommendations. Juries effectively capture informed community values but are costly for implementers and participants and typically offer no guarantee that citizen input will shape decision-making.<sup>329</sup>

Like deliberative polling, citizen juries attempt to allow citizens to draw the conclusions they would draw if they were engaged and informed about a particular issue. Unlike deliberative polling, however, citizen juries do not end their efforts with individual opinion change. Rather, participants are expected to listen to one another and persuade one another until they come to some consensus.

Citizen juries are included here as an example of a civic venue for deliberation that intends to give voice to citizen concerns and influence public policy by gathering a distinct randomly selected subset of a population to deliberate on an important public matter.

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<sup>328</sup> Jefferson Center (2002). The Citizen Jury Process. [http://www.jefferson-center.org/citizens\\_jury.htm](http://www.jefferson-center.org/citizens_jury.htm). Jefferson Center for New Democratic Processes, Minneapolis, MN. USA. Accessed 6 July 2004.

<sup>329</sup> Fiorino, Daniel J. “Citizen Participation and Environmental Risk A Survey of Institutional Mechanisms,” *Science, Technology, & Human Values* 15, no. 2 (Spring 1990): 226-243.

### Defining Characteristics

Proponents of citizen juries assert that a group of random, non-expert citizens can make legitimate, unbiased decisions on crucial policy issues when given the opportunity to learn about an issue and discuss it with their peers.<sup>330</sup> The venue aims to gather a representative public for unbiased, informative discussions that will lead to conclusions that can be taken seriously by the public and government officials.

Public deliberation venues similar to the citizen jury, such as planning cells and consensus conferences, are used frequently in certain European countries, particularly Germany and Denmark, where the process has been institutionalized as part of government practice.<sup>331</sup> Other applications of this model include Wisdom Councils, used primarily in Canada, with some applications in the northwestern U.S.<sup>332</sup>

The Jefferson Center in Minneapolis, Minnesota originated the U.S. version of the Citizen Jury and has trademarked the term to specify their process. Since 1974, the Jefferson Center has implemented thirty-three projects across the U.S. on issues as diverse as global environmental policy and local school facility needs. Of these projects, twenty-one have taken place or focused on problems relevant to their home state of Minnesota. Most recently, the U.S. Environmental Protection Agency engaged Citizen Juries to organize a randomly selected jury of citizens from the greater Baltimore metropolitan area to learn about and deliberate upon global climate change for five days. They aimed to develop recommendations for policymakers.<sup>333</sup>

Although applications of the citizen jury model vary, the Jefferson Center's Citizens Jury® illustrates the essential elements of this venue. Before gathering citizens to deliberate, organizers assemble an advisory committee representing a range of perspectives on the relevant issue in an attempt to ensure that the agenda for the jury and the information that will be presented to citizens is as impartial and inclusive as possible. In parallel, the organizers conduct a telephone survey intended to select a stratified random sample, representative of the public at large in terms of attitudes and/or demographic characteristics. The organizers include only those survey respondents who agree to receive supplemental information in the pool for the jury. Ultimately, organizers randomly select eighteen jurors from this pool, ideally representing a microcosm of the relevant community.

At the start of several days of hearings the jury receives a precise "charge" from the organizers, which outlines the citizens' task and responsibilities. The group hears testimony and has the opportunity to question expert witnesses that represent various positions on the relevant topic. Finally, the jury deliberates amongst its members, with the aim of formulating consensus recommendations to be presented in a public forum.

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<sup>330</sup> Smith G. and C. Wales. "The theory and practice of citizens' juries," *Policy and Politics*. 27(3). July 1999. 297.

<sup>331</sup> Smith G. and C. Wales, 1999. 296.

<sup>332</sup> Atlee, Tom. "Using Citizen Deliberative Councils to Make Democracy More Potent and Awake," The Co-Intelligence Institute <<http://co-intelligence.org/CDCUsesAndPotency.html>>. November 2003.

<sup>333</sup> Jefferson Center (2002).

## Strengths and Shortcomings

### Character of Participation

Citizen juries select a random sample of citizens within a particular community to participate, stratifying for attitudinal and/or demographic characteristics. As with deliberative polling, champions of citizen juries argue that random selection offers the best strategy to eliminate participatory biases and ensure that a microcosm of the population weighs in on the relevant policy issue. Critics have several reservations about the use of random selection in citizen juries. For one, they argue that such a tiny group (typically eighteen citizens) cannot begin to represent the diversity within the larger population.<sup>334</sup> That diversity, they argue, is multidimensional in ways that are difficult to capture through simple stratification. Although an advisory group oversees the selection process, bias can be introduced based on the selection criteria made salient in the process.

Beyond these criticisms, several accounts of actual citizen jury processes demonstrate that the goal of randomness can be difficult to achieve as a practical political matter. In a 1984 application on the environmental impact of farming in Minnesota, for instance, sponsoring agricultural associations insisted that farmers be over-represented on the five planned juries. Whereas in a representative random sample, only three of the 60 total participants would have been farmers, sponsors asked that half of the pool be drawn from preliminary informational meetings at which interested parties, such as farmers, predominated.<sup>335</sup> This discrepancy provides an opening for interest groups to stack the process by attending informational meetings en masse. In the same example, only forty percent of those initially accepted agreed to participate in the juries. While participants on citizen juries are typically paid stipends to defray the costs of attending, those who participate may be systematically different from those who do not participate in ways that replicate socioeconomic biases to participation.

### Quality of Deliberation

Citizen juries aim to create ideal circumstances for deliberation. Participants have the benefit of expert presentations to help them form their views. Moderators ensure that an atmosphere of civility prevails. Juries, in which participants can explore issues and seek answers in a non-adversarial atmosphere, offer an alternative to more polarized political debates.<sup>336</sup> The format attempts to allow adequate time for each juror to fully express his or her views.<sup>337</sup>

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<sup>334</sup> The German variation on the citizen jury responds to this criticism by holding multiple juries across the country to ensure that a larger and more representative public can participate. Advocates of national random sampling (i.e. Fishkin) argue that this process is inadequate because it fails to capture a representative national sample.

<sup>335</sup> Crosby, N., Kelly, J. M., & P. Schaefer. "Citizen panels: A new approach to citizen participation," *Public Administration Review* (1986/March-April), 174.

<sup>336</sup> Smith G. and C. Wales, 1999. 303.

<sup>337</sup> Jefferson Center (2002).

Despite these efforts, critics claim that moderators sometimes pressure participants into consensus decisions without fully airing differences.<sup>338</sup> Some participants in citizen juries report that reaching consensus was difficult, particularly when the quality of facilitation was sub-par.<sup>339</sup>

### *Educating Citizens and Officials*

Citizen juries expressly aim to increase participants' competence on the issues under deliberation. As with any process that aims to educate citizens in addition to allowing for discussion, critics express concerns that the potential exists for sponsors and organizers to manipulate the process by stacking the witnesses or preparing biased written materials. The presence of the ideologically diverse advisory board mitigates against this result. Other critics express concerns that the emphasis on specialist testimony preferences expert opinions over lay knowledge. Although the ability to collect local knowledge is often touted as one of the prime benefits of public participation, citizen juries may marginalize local knowledge if they choose only expert witnesses.<sup>340</sup>

Citizen juries also aim to educate officials by presenting the representative public's consensus view on the issue. The degree to which officials attend to the public's decisions varies with each process.

### *Official Accountability*

The Jefferson Center specifically prescribes its Citizen Juries as a means to make policymakers' lives easier by providing rich information on citizen preferences and garnering public support for the resulting policy. Depending on the particular process, organizers might succeed in exacting an official commitment to endorse or implement the citizen recommendations before the juries begin. More often, citizen views are released to policymakers with the hope that they will take into account the recommendations that emerged from deliberation.

Unfortunately, observers conclude that translating the recommendations into policy remains the weakest part of the jury process. Participants expend significant energy developing their consensus, only to find that their recommendations have little weight in larger processes. Because organizers are usually unable to obtain a commitment to implement the results of the jury, officials have the ability to cherry-pick desirable recommendations *post facto*, altering the spirit of a carefully crafted package of responses to the policy problem.<sup>341</sup> On the whole, citizen juries are not known for holding officials accountable to citizens' preferences.

### *Justice*

Are the conclusions of citizen juries more just than the policies that result from other processes? Citizen opinions do shift during the citizen jury process. Optimistically, we could presume that

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<sup>338</sup> Smith G. and C. Wales, 1999. 302.

<sup>339</sup> Crosby, Kelly & Schaefer 1986, 175.

<sup>340</sup> Smith G. and C. Wales, 1999. 302.

<sup>341</sup> *Ibid.*, 305.

opinions shift in favor of mutual understanding and justice, but we have no evidence to indicate that this result is the case.

### *Popular Mobilization and Spillover Citizenship*

Evidence from the United Kingdom suggests citizen juries boost participants' civic involvement over the long-term.<sup>342</sup>

### *Sustainability: Political and Financial Support*

As intensive citizen involvement processes, citizen juries are expensive and time-consuming. The average citizen jury in the U.K. in the 1990s cost £15,000. A 1986 process with five juries in one state cost \$120,000. In addition to these significant financial outlays, implementing a citizen jury process usually involves three or four months of concentrated effort by organizers.

### *Citizen Juries as Model for Reform*

Citizen juries successfully enable informed deliberation on important policy issues. Observers are impressed with participants' level of sophistication. The public views the panels' decisions as legitimate.<sup>343</sup> Unfortunately, organizers at times must compromise the design features meant to prevent manipulation by allowing for non-random selection process. Even if the principles of random selection were always upheld, citizen juries engage a miniscule segment of the populace, some say too small to be legitimate. Like other closed processes, the organizers' control over all aspects of the process – from participant selection to the information participants absorb – also opens the door to bias. Overcoming these criticisms about representativeness and impartiality would likely add time and expense to an already costly process. In sum, citizen juries have potential as a means to gather informed citizen consensus on crucial public issues but are expensive compared to the number of citizens they are able to engage in the process.

### *Public Conversations Project*

In 1989, a group of family therapists came together with the goal of enabling thoughtful dialogue on polarized issues, such as the abortion debate. The Public Conversation Project group believed strongly that “chronic political conflict is generally not amenable to resolution through discussions of facts; it is generally rooted in deeply personal experiences and values.”<sup>344</sup> For this

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<sup>342</sup> *Ibid.*, 303.

<sup>343</sup> *Ibid.*, 304.

<sup>344</sup> Unless otherwise notes, all cites in this section are from Becker, C., Chasin, L., Chasin, R., Herzig, M. & Roth, S. “From Stuck Debate to New Conversation on Controversial Issues: A Report from the Public Conversations Project. *Journal of Feminist Family Therapy*, 17. 1995. 143-163: 155. This description of Public Conversation Project relies entirely on published materials discussing the abortion issue dialogues, which may not accurately represent the full spectrum of PCP efforts.

reason, they crafted a process that gave participants on opposing sides of the debate a safe place to talk openly.

Like Conversation Cafés, Public Conversation Project dialogues sought to enable people to “speak from the heart” and learn from one another. As with Conversation Cafés and National Issues Forums, the Public Conversation Project explicitly differentiates their process of dialogue from typical debates. Organizers believe that by stifling “urges to convert,” participants in their dialogues can begin to listen to one another, moving beyond deadlocked opposition.

### Defining Characteristics

The founders of the Public Conversation Project distinguish their process from typical democratic deliberation and decision-making. When democracy is working well, they explain, interested people discuss, advocate, offer alternatives, and ultimately construct a policy that is at least not objectionable to a majority. In some cases, however, the democratic process falters or even becomes counterproductive as people cluster around opposing poles on a particularly divisive issue.<sup>345</sup> In these cases, they suggest, neither the typical democratic process nor rational deliberation works. To break through the deadlock, they recommend using the techniques of the family therapy profession to build understanding and produce constructive discussion.

To achieve these results, the Public Conversation Project (PCP) typically gathers groups of four to eight participants, evenly balanced between sides of the debate, for a one-session dialogue. Several weeks before the scheduled dialogue, the process begins with phone calls to participants, describing the PCP process and goals and answering questions and concerns. After the phone conversation, each participant receives a letter reiterating goals and orienting them to the process.

Upon arrival at the dialogue site, often the offices of the Family Institute of Cambridge, participants partake in a buffet dinner during which they must introduce themselves without indicating their stance on the relevant issue. In this way, participants begin to get to know one another without recognizing others as “friend or foe.”<sup>346</sup> After stating the ground rules again, the dialogue begins with two round-robins responding to preset questions. First, participants share in turn their own life experiences related to abortion or the relevant issue. Next, participants are asked to share “what’s at the heart of the matter for you as an individual?”<sup>347</sup> After these two rounds of sharing, participants are asked to respond to a third question “popcorn style,” allowing those who feel moved to speak one at a time.<sup>348</sup> The third question asks participants to share any gray areas or dilemmas they might have within their own beliefs. After this structured process, the conversation opens up, allowing participants to ask questions of one another.

In closing, participants are asked to reflect on the process and how their actions had contributed to it. PCP has an impressive focus on evaluating its results and learning. When permission is

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<sup>345</sup> Ibid., p. 144.

<sup>346</sup> Ibid., p. 154.

<sup>347</sup> Ibid., p. 156.

<sup>348</sup> Ibid., p. 151.

granted, the organization video records all of the sessions. A few weeks after the dialogue session, PCP facilitators call participants to ask them for further reflections.

### Strengths and Shortcomings

#### *Character of Participation*

Participants in PCP dialogues are self-selected individuals who identify themselves with one side of a particular debate. Many are affiliated with organizations related to the issue, such as pro-choice or pro-life groups, but some are independent citizens with defined beliefs. Early on, participants were primarily white, educated, and middle class; later groups included more people of diverse backgrounds.<sup>349</sup>

PCP practitioners specifically seek “self-selected” participants because they want everyone to explicitly agree in advance to try a new form of dialogue for the evening. Because participants are self-selected and have defined political beliefs, PCP tends to reach a select, socio-economically privileged portion of the population.

#### *Quality of Deliberation*

PCP aims to create safe spaces for dialogue that are free from proselytizing and vitriolic language. To create such an atmosphere, PCP places a number of constraints on conversations. To avoid feeling cornered, people can “pass” on answering questions. Participants must also put aside “urges to convert.” Although this succeeds in creating a safe environment for participants, it does not necessarily enable open dialogue.

In a description of their work, PCP founders noted: “A few people have said that they noticed themselves biting their tongues. One man, in his closing remarks during the session, said that he didn’t feel totally honest setting aside strong language.”<sup>350</sup> The founders argue that this less explosive dialogue is necessary in the current political climate. Because the current debate has become so polarized, people silence themselves. Those who align themselves with a particular side cannot step outside of that side’s script for fear of losing their allies. Those who do not ally themselves with a particular side remain silent because speaking outside of the polarized scripts creates friction with one or both sides. In such cases, PCP founders argue that focusing on personal narrative rather than persuasion is necessary.

#### *Educating Citizens and Officials*

PCP does not aim to inform officials about citizens’ views. Rather, by engaging interested individuals in dialogue on deadlocked issues, they hope that the culture of dialogue around a particular issue will become less polarized. The discussions do aim to educate citizens. Instead of focusing on facts, however, information-sharing focuses on personal experiences. PCP aims to help citizens understand one another better, in lieu of focusing on facts and figures.

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<sup>349</sup> Ibid., p. 148.

<sup>350</sup> Ibid., p. 154-155.

*Official Accountability*

PCP does not aim to hold officials accountable to citizen concerns.

*Justice*

Ultimately, PCP hopes to increase the justice of policy-making by creating an environment in which compromise on polarized issues becomes an achievement rather than a bitter concession. It is unclear, however, whether any actual PCP conversations have affected policy-making or adversarial interest group contests in this way.

*Popular Mobilization and Spillover Citizenship*

Most who participate in PCP are already active on the relevant issue.

*Sustainability: Political and Financial Support*

PCP aims to formulate a “replicable process” that skilled facilitators across the country can use. To achieve their aims of transforming dialogue, however, the model has to go to scale, deeply affecting a critical mass of activists across the country. The need for uniquely skilled facilitators – most are family therapists – and the work-intensive process make it unlikely that PCP could independently involve sufficient numbers of participants to affect a change in dialogue.

*Public Conversation Project as Model for Reform*

PCP offers a useful model for spurring discussion among parties to a highly polarized conflict. Because of its intimate level, however, it can only achieve its aims if the model spreads rapidly and expansively. PCP also relies on the assumption that developing understanding of particular participants on the other side of the issue will translate into more generalized mutual understanding between individuals on either side of the debate. It remains possible, however, that participants in a PCP dialogue develop empathy for particular participants but consider these individuals to be exceptions to the negative characteristics they ascribe to the opposition as a whole. Only if participants change their overall understanding of the opposition can PCP affect a change in polarized debate.

## **6. FINDINGS AND CONCLUSIONS**

### ***Deliberation and Participation, Old and New***

One of the great strengths of the American democracy is its tradition of providing opportunities for citizens to participate directly in the public business of governing each other. The preceding pages have surveyed a wide variety of venues that create such opportunities and so realize the tradition of deliberative and participatory democracy. We divided these venues into two broad categories. The first category is composed of venues of participatory deliberation that are formalized and governmental. Often the creature of public law, sometimes produced by tradition and habit, such venues are more established and stable. More importantly, they draw millions of Americans to actively consider public issues every year. On a critical note, however, such venues often generate a kind of participation that poorly reflects the interests or perspectives of the broader public and frequently engenders discussions that possess low deliberative quality.

Though these venues constitute the lion's share of direct public participation, there is an important second category of public deliberation that has emerged more recently. In recent decades, diverse entrepreneurs working in the civic and academic spheres have attempted to develop more effective forms of participation and deliberation. They have developed methods to improve the inclusiveness and representativeness of participants, to encourage more engaging and reflective deliberations, and to link deliberations to broader public debates and to the actions of policy-makers. Their methods are varied and we do not yet know which, if any, of them can reliably improve the quality of participation or deliberation under particular sets of circumstances. Taken as a group, however, these democratic innovations seem highly promising and worthy of close observation and understanding. We therefore conclude with a review of what we can glean from the above survey and highlighting the frontiers of research and practice that the field of deliberation presently faces.

### ***Deliberation and Participation Are Legion***

The most important finding of this report is that practices of public participation and deliberation are legion. The forms and institutions of democratic engagement vary widely with respect first to their purposes and second to the methods through which they attempt to accomplish those ends. These variations are so great that it is perhaps more useful to explore the differences rather than to speak of public deliberation or participation as if they were coherent, unified practices or concepts.

Our analysis has attempted to identify some of the central dimensions of these variations. In terms of the design of the deliberative venues themselves, we have focused upon two central dimensions: the character of participants (who participates?) and the link between deliberative results and public action. Actual instances of participatory deliberation varied widely on these two dimensions, and had large consequences for the extent to which particular deliberations accomplished various aims such as public education, accountability, and social justice. There are

of course many other important dimensions of institutional design. Foremost among these are the details of how deliberation and discussion are constructed. Some processes provide common briefing materials, some engage in joint fact-finding processes prior to deliberation, some convene panels of experts whom participants may query, and many provide some kind of facilitation to assure that discussion and planning moves smoothly. Some processes press toward group consensus or decision, while others (such as Deliberative Polling) refrain from such social choice. Some processes provide substantial training for participants to give them knowledge and skills that make them para-professionals. We have as yet little knowledge of the comparative advantages and disadvantages of deliberative design choices. We do know, however, that many deliberations, especially those in the governmental realm, proceed without much attention to these choices or their consequences and that low quality of deliberation often results. Analysts and practitioners of deliberation should, therefore, pay special attention to these many choices in the design of institutions of participation and deliberation.

The second dimension of variation concerns the purposes of participation and deliberation. Venues of deliberation can have many purposes, and we examined especially common purposes that included educating citizens, informing officials, increasing public accountability, developing innovative solutions to public problems, increasing the justice of policy, political mobilization, and institutional stability. Deliberative venues focus on different subsets of these aims, and various design choices make the realization of different ends more and less likely. One recommendation of our survey is that analysts and practitioners of deliberation should recognize the plurality of aims that deliberation can achieve, but at the same time recognize that no single deliberative model or effort can be expected to pursue the full spectrum of aims simultaneously. Consider now what we know, and what remains to be learned, about the connection between institutional design choices and the various benefits that advocates of deliberation have promised.

### ***Deliberation and Its Benefits: What We Know and What We Need to Learn***

#### a) Character of Participation

The survey of participatory and deliberative methods above reveals that there are at least two objectives with regard to the question of who participates in public deliberation. Generally speaking, more participation is better than less – the quantity of participation is itself good, especially when participation extends beyond the “usual suspects” of activists or especially interested citizens. It is also generally desirable that the participants in public deliberation be in some measure representative of the wider population or of the relevant interests and perspectives. The venues that we discuss above show that there are clear trade-offs and tensions between these objectives, and their experiences offer some guidance regarding how these goals can be better pursued.

It is most important to note that many, perhaps most, existing venues for public engagement can do better on both of these dimensions of participation. Many of the processes with provisions for open participation—public meetings, collaborative forums, and even town meetings—typically devote little energy to assuring large, representative, or deep participation. Those who initiate, administer, and develop requirements for these participatory processes should consider adopting

some of the measures practiced in some of the civic venues of deliberation to improve the character of participation on these dimensions.

Two principal strategies for increasing the *quantity* of participation are: (i) to increase the stakes that can be won and (ii) to mobilize. The first strategy treats participation as a rational action, and supposes that more people will participate in some deliberation when they believe that something will result from their participation. Empowered deliberation—venues in which the results of deliberations are likely to affect public actions—increase the stakes in this way. Participation in Minneapolis neighborhood associations and in community policing and Local School Councils in Chicago is higher than it would otherwise be because those venues are invested with some decision-making power and authority. The second strategy is to invest resources in recruitment, outreach, and mobilization to insure that those who might want to participate have the information to do so, and that they are invited. Research on political participation generally, as well as the specific experiences reviewed above, demonstrate that mobilization techniques increase participation rates. Yet, while some deliberative venues include substantial outreach and mobilization components, most do not.

The desire to increase the quantity of participants in a deliberative venue may conflict with a second objective regarding the character of participation: to assure that participants are appropriately *representative* of the larger population and its interests and perspectives. Many venues for public deliberation, such as public hearings, are open to all comers. The difficulty with such self-selecting structures is that they tend to attract certain kinds of participants such as those with intense interests in the issues under discussion, those with a free-standing preference for participation, and those who are more advantaged in terms of education, income, or social status.

The organizers of some venues have recognized the importance of increasing the representativeness of participants in deliberation and have developed three general strategies to do that. The first is to *affirmatively recruit* participants who are likely to be otherwise under-represented. In many Twenty-First Century Town Meetings organized by AmericaSpeaks and many Study Circles initiatives, for example, staff use a variety of outreach methods to increase the diversity of participants and perspectives in their respective deliberations. *Random selection* is a second strategy to assure representation and diversity. Venues such as Deliberative Polling and Citizens Juries, and the common criminal or civil jury in courts, randomly select a fixed number of participants from a more general population. This method, when appropriately implemented, almost guarantees a kind of statistical representativeness among the population. One potential drawback of this method is that many who have the desire to participate in a public deliberation may not be able to do so. A final strategy is to design deliberative venues in ways that create *targeted incentives* for certain kinds of individuals who may not participate in other avenues of engagement. It is well known, for example, that residents of poor neighborhoods participate much less than those from more wealthy areas in most forms of civic engagement. The Chicago community policing initiative, however, reversed this participation bias. Poor neighborhoods have higher participation rates than wealthy ones because the program allows residents of poor neighborhoods to address an issue that is especially urgent to them: local public safety. But the vast majority of deliberative venues do not incorporate any measures to ensure representative-

ness of participants. Those who organize such deliberations would do well to explore these three strategies.

Much remains to be known about the best ways to increase the quantity and inclusiveness of participation in deliberative venues. Much more needs to be known, for example, about *why* people participate in different kinds of deliberations. Many practitioners have, implicitly or explicitly, made assumptions about the reasons for participation in the absence of reliable evidence one way or another. Some people certainly participate because they hope to influence the outcomes of deliberation, while others participate out of their political interest. Some deliberative practitioners pay participants for their service out of the sense that financial inducements are necessary to top-off any other motives for engagement that citizens might have. One fruitful line of future investigation might seek to examine both participants and non-participants in particular venues to ascertain their reasons for deciding whether or not to engage, whether or not to deliberate. Such knowledge would help practitioners improve their strategies for enhancing both the quantity and representative-ness of participation. Many of the open questions about participation, however, concern the interaction of different recruitment and selection strategies with other objectives of deliberative venues, for example the quality of deliberation, political accountability, and popular mobilization. We now turn to those issues.

#### b) Deliberative Quality

The purposes and methods of deliberation varied greatly in the venues discussed above, as did the quality of deliberation in them. To reiterate, we think of the quality of deliberation as the extent to which participants exchange reasons and perspectives and earnestly listen to one another in the course of considering a public issue or coming to a collective decision. The venues canvassed in this report vary enormously in the ways that they organize deliberation, and especially in the amount of time and other resources that are required from staff and from participants. Many are, therefore, not comparable to one another. On one end of the spectrum are those that convene one time or over a short period of several days or hours and then disband. Such forums are relatively accessible because they require a comparatively modest commitment from participants. On the other hand, it can be difficult, especially with complex issues, to generate the necessary common knowledge and exploration of substantive viewpoints in such a compressed time period. On the other end of this spectrum are “iterated” participatory venues that require participants to meet periodically over long periods of time, sometimes years—such as neighborhood associations, local school councils, and watershed councils—in full-blown problem-solving and governance regimes. Such venues can engender very deep and full deliberation, but the barriers to engagement can be substantial because participants must possess substantial skills, and be willing to invest time, in order to participate.

On either side of this spectrum, however, the quality of deliberation is highly variable. Many single shot deliberative venues, for example most public meetings, offer little preparatory information, minimal facilitation, and organize discussion in ways that fail to encourage the exchange of views or exploration of alternatives. Such venues offer minimal framework for deliberation, perhaps simply taking comments in turn or following a template such as “Robert’s Rules of Order.” Consequently, the quality of deliberation in these settings can be quite low.

Other venues, for the most part in the civic realm, have incorporated specific innovations to improve the quality of deliberation. Almost all of the venues that consciously aim to enhance deliberative quality seek to improve the substantive knowledge of participants by providing them with written or oral briefs from experts that confer important background knowledge about the issue under discussion. Such interventions help to assure that participants possess a minimum threshold of knowledge upon which deliberation can build. Almost all these venues also incorporate facilitators whose job it is to encourage participants to engage in a common discussion rather than simply present their own views, and to ensure that all voices are heard. Practices vary widely, however, with regard to the organization of discussions themselves. Some practitioners organize deliberations around a fixed set of choices developed prior to the deliberations by organizers and issue experts, while others prefer to leave the business of formulating options to citizens themselves. Some practitioners focus on creating dialogue between participants and various kinds of experts, while others focus upon creating dialogue among participants themselves.

On the other side of the temporal spectrum, deliberation in some venues—such as neighborhood associations, citizen panels, collaborative forums, and some study circles—stretches over weeks, months, and years. Such temporal extension typically improves deliberation by increasing the opportunities for learning over time, revisiting issues, and more thorough exploration of various perspectives. There is an important trade-off, however. Because such venues demand much greater commitment from participants, the extent of participation in such venues is typically much smaller—one or two dozen individuals as opposed to hundreds, or even thousands, for some of the one-shot venues. Sometimes, as with citizen panels and closed stakeholder processes, the number of participants is deliberately fixed and they are appointed through elaborate selection processes. In others, such as most collaborative forums and neighborhood associations, the demands of participation whittle down participants to those with high levels of commitment. Nevertheless, especially when the more limited participants in iterated deliberative venues reasonably represent the relevant perspectives and when they are devoted to generating public goods such as neighborhood safety, school improvement, or ecosystem protection, deliberations can be searching and effective. However, as with single-shot deliberations, several affirmative measures are likely to increase the quality of deliberation. One kind of measure improves the knowledge and competence of participants to deliberate over complex public issues. Some school council programs, for example, provide training for citizens on issues such as educational budgeting, curriculum, and principal selection. A second kind of measure seeks to increase deliberative equality between participants, for example by organizing deliberation and decision-making in ways that encourage weaker parties to speak first and to give them formal authority over some decisions. A third measure is to create channels of accountability and review of local deliberations and their results. In many deliberative venues—some community policing programs, some school governance, habitat management, and neighborhood development—deliberations generate action plans that are vetted by outsiders who then offer suggestions and correctives to improve the quality of the plans and feed further deliberation.

The research agenda for understanding the determinants of deliberative quality is wide open. Thus far, researchers have sought principally to understand the effects of deliberation *per se* upon variables such as participants' knowledge, opinions, and propensities to act. The next frontier of research should examine the effect of different ways of organizing deliberation, and

strategies for enhancing deliberative quality, upon these same variables. Thus far, there has been almost no research comparing the impacts of various and competing strategies for enhancing citizen knowledge and competence in deliberation, facilitating discussion to ensure inclusion and continuity, increasing the quality of decisions that deliberations produce, or translating deliberation to action at the level of individual participants. There has also been little research on whether important institutional design considerations—such as whether deliberative venues are empowered—increases the quality of deliberations compared to disempowered venues.

### c) Educating Citizens

One of the greatest potential benefits of greater participation and deliberation lies in the civic education and democratic socialization of citizens. Participants can potentially learn from deliberative engagements in at least three ways. First, they may gain general skills and habits, as some political scientists and theorist put it, that are important for all manner of civic engagement. Such skills include learning how to organize meetings and public discussions, listening and learning from others who have different perspectives and interests, persuading and being persuaded through that discussion, resolving disagreements with them, and acting collectively. Second, participants may gain important knowledge about the particular issues—such as health care, education, energy policy, or foreign affairs—on which a venue focuses. Third, in some iterated venues such as school councils or neighborhood associations, dedicated citizens may gain the knowledge and capacity to act as paraprofessionals—in education, local planning, and other fields—who possess a level of expertise that enables them to engage on a par with public officials and other professionals while nevertheless maintaining the distinctive perspectives of citizens.

Thus far, research has not clearly gauged the benefits of various deliberative venues upon the formation of civic skills and sentiments. On one side of the spectrum, it is fairly clear that those who are engaged over long periods of time in venues such as neighborhood associations, local school councils, and many citizen committees do gain a variety of organizational skills and capacities that are transferable to other forms of political participation. Some of the case studies cited above highlight these effects of long-term engagement and exposure. It is much less clear, however, whether single-shot deliberative engagements produce similar effects. There is good reason to be skeptical of such a claim, because learning skills typically requires repeated exposure and practice of a kind that is precluded, by definition, in single-shot deliberations.

However, well-designed and well-organized single shot deliberations—such as Deliberative Polls, Citizen Juries, and Twenty-First Century Town Meetings—do seem to increase the substantive issue knowledge of participants. These gains in knowledge come in part through exposure to briefing materials, presentations, and discussions with others, but also, at least in the case of deliberative polling, because participants pay more attention to print and other media coverage of issues in the weeks leading up to the event, in anticipation of having to discuss it. There is little doubt that the more intensive deliberative and participatory venues also confer substantive policy knowledge to participants. Many of them become para-experts in fields like planning, development, education, and environmental management.

The central questions for research into the educative effects of public deliberation are comparative. There are many ways that citizens gain knowledge and information about public policies and issues. Face-to-face, intentionally organized, deliberation is a relatively expensive and demanding option compared to other methods of print and electronic communication. As a matter of policy and practice, therefore, researchers should investigate the relative benefits of these different ways of educating and socializing democratic citizens. It may be the case that there are distinctive educative benefits for deliberation. Many of its proponents would contend, for example, that participants in deliberations gain not just a more thorough understanding of the issue, but a deeper knowledge of the reasons favoring various positions on that issue. But evaluating such claims is work that largely remains to be done.

#### d) Educating Officials

A fourth objective of public deliberation is to educate officials about the perspectives and preferences of citizens or about the consequences of various policy choices. Existing deliberative venues vary widely in their capacity to educate officials in these regards.

Many deliberative forums have neither the aim nor expectation of educating officials. Some, such as Conversation Cafes and “Public Conversations” have little connection to officialdom and aim principally to generate discussion and reflection among members of the public. Most of these venues, however, do aim to educate officials in some way. Public hearings, for example, provide a forum for public expression. But those who express themselves at such meetings expect officials to listen and learn. Otherwise, what would be the point?

Whether officials gain knowledge of citizen preferences and opinions depends in large measure upon two factors. First, a deliberative venue is more likely to be educative for officials to the extent that it brings participants whose voices are less audible in other venues of public participation. Many public hearings fail to educate officials simply because they draw the “usual suspects” of activists and interest groups who make themselves heard not only in public meetings, but in numerous other ways as well. Other venues, such as deliberative polling and twenty-first century town meetings, seek to draw more typical, less activist, participants. Second, officials are more likely to be educated by public deliberation when that deliberation triggers a kind of conversation, for instance by introducing new information or novel process, that is absent in the broader sphere of politics. The aim of many venues is to facilitate discussion that is balanced, reflective, earnest, and open in a way that deliberative practitioners think is absent in the broader public sphere. Deliberative Polling, to take one example, aims in part to tell officials what the public would think if it had a chance to truly deliberate. So, there is good reason to think that the venues that self-consciously aim to create a different kind of conversation—and nearly all of the civic venues do this—are more likely to provide new information to officials.

Second, and more intensively, officials may learn to craft policies that are more effective and just as a result of public deliberation. Some of the more “empowered” deliberative venues aim to rectify systematic lapses in the policy process by injecting information, ideas, and innovations into the policy-making process. In the extended deliberations of some community policing programs, for example, officials learn not only what residents want but engage with them in

fashioning new strategies to increase public safety. This is a deeper kind of deliberation in which the scope of deliberation encompasses not just preferences and opinions but also the details of policies and strategies. Such deliberations presume that professional knowledge and technique can be improved through public deliberation.

With the exception of several case studies, the research on deliberation has not explored the effect of deliberation upon the knowledge or actions of officials. It has instead focused largely upon citizens, and then sometimes upon their subsequent actions. This is an unjustified omission in the research insofar as the interest in deliberation stems from a larger interest in governance, and governance depends in turn upon the knowledge, perspective, and action of officials. Future research should, therefore, seek to examine two central questions in this area: (i) what, if anything, do officials learn from participating in, and hearing the results of, different kinds of deliberative venues, and (ii) when, and how, does what they learn affect their subsequent policies and actions.

e) Accountability

A fifth important aim of deliberation, as we have seen, is to increase the accountability of government, and its officials, to public purposes and citizens. Public deliberation potentially serves the value of accountability in at least three ways. First, some venues compel officials to provide reasons and rationales – to account for – their decisions and policies. This requirement is not distinctive to participatory deliberation and runs through many aspects of law and policymaking, from the publication of legal opinions to debates between legislators and politicians. Participatory deliberation—especially in the civic venues discussed above—adds to mechanisms for citizens to consider and reflect upon these accounts, and allows them to reinforce or alter their own preferences and perspectives. One principal difference between many of the official, governmental venues for deliberation and the civic venues is that the latter frequently incorporate many mechanisms to improve the quality of citizens’ reflections through dialogue. One central limitation of these civic venues, however, is that they affect only small numbers of direct participants.

Second, participatory deliberation can potentially generate political pressures that alter the actions of officials, sometimes by compelling them to do what they have promised in their public accounts and sometimes by pressing them to act according to the results of public deliberation. Broad media coverage of the public deliberations around the reconstruction of Lower Manhattan in the “Listening to the City” process, for example, pressed public agencies to reconsider their original planning parameters and priorities. This pattern, in which organized civic deliberation mobilizes broader political pressure to generate public accountability, however, has been thus rare. Most civic-ly initiated deliberations are relatively disconnected from broader public debates and political dynamics and so do not generate popular mobilization.

Third, some participatory venues are empowered in the sense that they shift authority over some public decisions from professional policy-makers to participatory bodies, or they create requirements in which decisions result from discussions between citizens and officials. Such reforms are sometimes pursued when more familiar mechanisms— elections and legislative oversight for example – seem incapable of making government responsive in order to create

bottom-up channels of accountability. In the Chicago Local School Council reforms of 1989, for example, structures were created to make school managers and staff more directly accountable to parents and community members and to reduce reliance upon centralized monitoring and accountability. Though it is an intriguing institutional possibility, we know little about the general conditions under which bottom-up forms of public accountability are more or less desirable than the top-down mechanisms.

f) Justice

The desire to increase justice in politics and policy has featured prominently as a central motivation for proponents of public deliberation. The effect of deliberation upon justice, however, always moves between two necessary steps of deliberative decisions and then public action. In the first stage, some argue that deliberation will favor more just outcomes because the process will be more open to minority points of view and decisions made on the basis of good reasons are more just than those that result from other factors such as sheer numerical support or political influence. Critics, however, point out that actual deliberation is subject to participation biases in which economically and socially advantaged individuals are more likely to participate, and that discussion and decision-making are often subject to pathologies such as group-think and polarization that reduce the likelihood of just outcomes. Research upon the deliberative venues reviewed above shows that the claims of both proponents and critics are overdrawn. The relationship between deliberation and justice depends upon highly variant institutional and contextual factors. Many deliberative venues do indeed attract the “usual suspects” that participate in other forms of politics and so can reproduce those dynamics without making decisions any more just. On the other hand, deliberative innovators have developed a range of methods that, if properly used, seem to make participation more inclusive. These methods ought to be more broadly applied to increase the inclusiveness and representativeness of those who participate in public deliberation.

Even when public deliberation produces decisions or agreements that are just, implementation poses a more common and formidable hurdle. With a few notable exceptions such as New England town meetings and Chicago Local School Councils, most venues of public deliberation possess only an indirect connection to political and administrative authority. Absent more articulated linkages between public deliberation and action, the impact of deliberation upon justice must necessarily remain low.

g) Sustainability

For organized public deliberation to be an organic part of democratic governance, the venues of deliberation must be robust over time, and the institutions that constitute that deliberation must be politically and socially sustainable. The governmental venues discussed above—such as town meetings and public hearings—have been sustained over many decades in large measure because legal provisions embed them in other structures of formal democratic governance. Those who have invented and practice the civic versions of public deliberation, by contrast, must constantly search for enthusiastic political patrons, generous financiers, and hot issues to ply their trade. One path to greater sustainability, and to more inclusive participation and deeper deliberation in our processes of public participation, is to transplant the successful techniques in these civic

realms to the governmental arenas and thus give them scale through institutionalization. Another, less certain, route is to create informal political incentives for decision-makers to sponsor high-quality public deliberation by creating demand for it in the broader public of citizens and non-governmental organizations. Though there are a few examples of public deliberation traveling part of the way down one or other of these paths toward sustainability, most of the civic innovations in public deliberation face large obstacles to sustainability.

### **Directions for Further Investigation**

The preceding analysis demonstrates both the need and potential for partnerships between civic and governmental organizations to improve the practice of public deliberation in the United States. The practical experience and passion of the civic sector for deliberation could infuse new life in moribund governmental public participation venues, such as the public hearing. Figure 5 – a rough estimation of the relative frequency of various deliberative venues — illustrates that public hearings are the most used, but least empowered of the governmental venues.

In the ideal, public deliberation should enable both mutual understanding and group decision-making that leads to action and holds officials accountable. In practice, most public deliberation venues fall short of this ideal. A few public deliberation venues stress different goals of deliberation, with some focusing on conflict resolution or mutual understanding or civic education, and so forth. Because many of these venues are not integrated with traditional decision-making structures, their efforts achieve their goals in small ways but fail to have a broad impact. One important general direction for future research, then, is to examine how civic innovations in public deliberation might be incorporated into the more traditional, governmental provisions for public participation.

The report also suggests several specific directions for future research. Our “map” of the field of public deliberation has relied upon uneven and sporadic secondary research. Public deliberation should be mapped much more systematically with individual surveys that assess the frequency with which individuals participate in various kinds of formal and informal public deliberation. Another direction forward is to field institutional surveys that assess the extent to which various kinds of participatory and deliberative mechanisms are used at different levels of government and by different kinds of public agencies. These two kinds of survey research would be expensive but would add immensely to the basic knowledge regarding how much people deliberate and how they do so.

A second important area of research focuses upon the consequences of different designs for conducting public deliberation. Civic practitioners have developed a variety of methods for structuring deliberation. The choices range from whom to invite, whether to provide financial compensation for their time, how to prepare participants for deliberations (providing background materials or experts to answer questions), how to facilitate discussions, and whether and how participants should generate a group decision. Thus far, we have very little evidence regarding how these contrasting methods affect various goals of deliberation such as informing participants, improving their preferences, equalizing opportunities to participate in discussions, and generating wise or correct decisions. Comparative field studies as well as experimental

methods such as those used in social psychology would improve our knowledge regarding how variations in the structure of deliberation affect various outcomes.

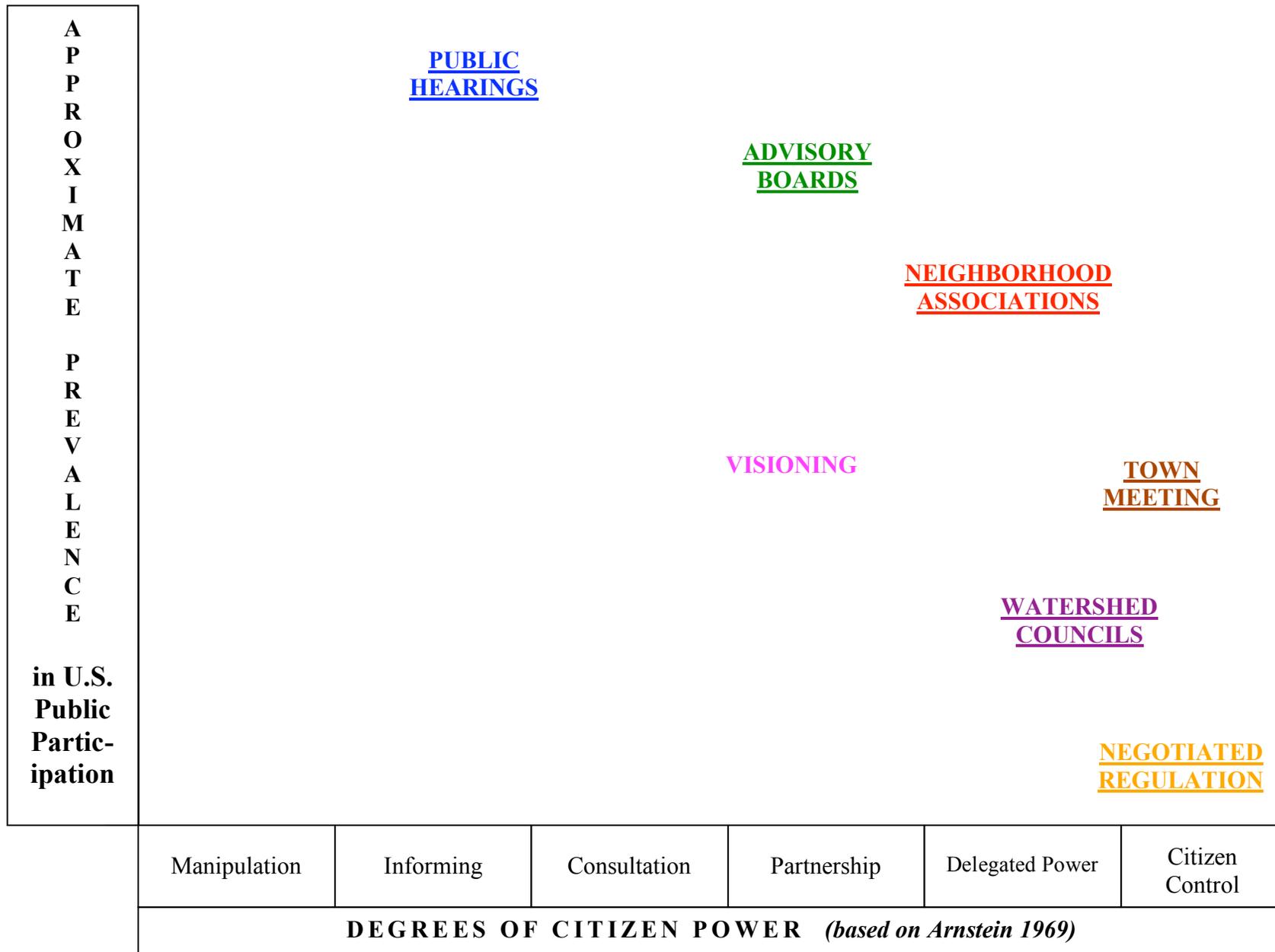
Third, public deliberation faces the challenge of scaling “up” to address problems and policy issues of state, national, and even international concern. The majority of experience, and accomplishment, for public deliberation concerns local issues such as development and planning, public education, race relations, and the like. But more and more of daily life depends upon decisions and actions that occur far beyond the boundaries that separate towns, states, and even nations. A few innovations in public deliberation focused on issues at super-local scale. The Americans Discuss Social Security deliberations in 1997 and 1998, as well as several Deliberative Polls in the United States, England, and Denmark, for example, considered national policy issues. National Issues Forums are local deliberations but they have often addressed national or global issues. Nevertheless, organized deliberation about such issues remains exceptional and the state of the art is far less developed here.

Fourth, much of the research on public deliberation has focused upon the dynamics inside the deliberative process itself and upon direct participants. Almost all of these initiatives, however, only engage a small percentage of the individuals who are affected by the public decisions under discussion or by the electorate at large. Therefore, an important set of questions revolves around the ways in which direct participants in deliberations are connected to those outside of the room who cannot or will not participate directly. For example, these two groups might be connected through some formal political process. In the Canadian province of British Columbia, for instance, a deliberative jury consisting of 160 randomly selected individuals has generated a proposal for election law reform that will be put to a province-wide referendum. More commonly direct participants may be connected to the general public through a range of informal mechanisms such as mass media coverage and unstructured communication. Absent such an account of how those inside the deliberative process are connected to those outside of it, and whether those connections should be regarded as legitimate and democratically effective, the account of public deliberation as a part of democracy writ large remains quite incomplete.

Fifth, research has been thus far relatively inattentive to the ways in which deliberative projects and institutions have been connected to, or disconnected from, to the mainstream processes and institutions of public policy and action. But public decisions in our democracy must of necessity result from a combination of forces among which public deliberation is only one. Therefore, another frontier for research is to understand how public deliberation can and does interact with a variety of non-deliberative processes. In particular, what are the systematic ways in which public deliberation can become a part of the social and political processes that occur in civic organizations, administrative agencies, and political campaigns and elections? Answers to this final question of embeddedness may point the way toward realistic reforms that render democratic decision-making more deliberative at many levels and in many spheres of public and social action.



**Figure 5. Prevalence of Deliberative Venues**



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