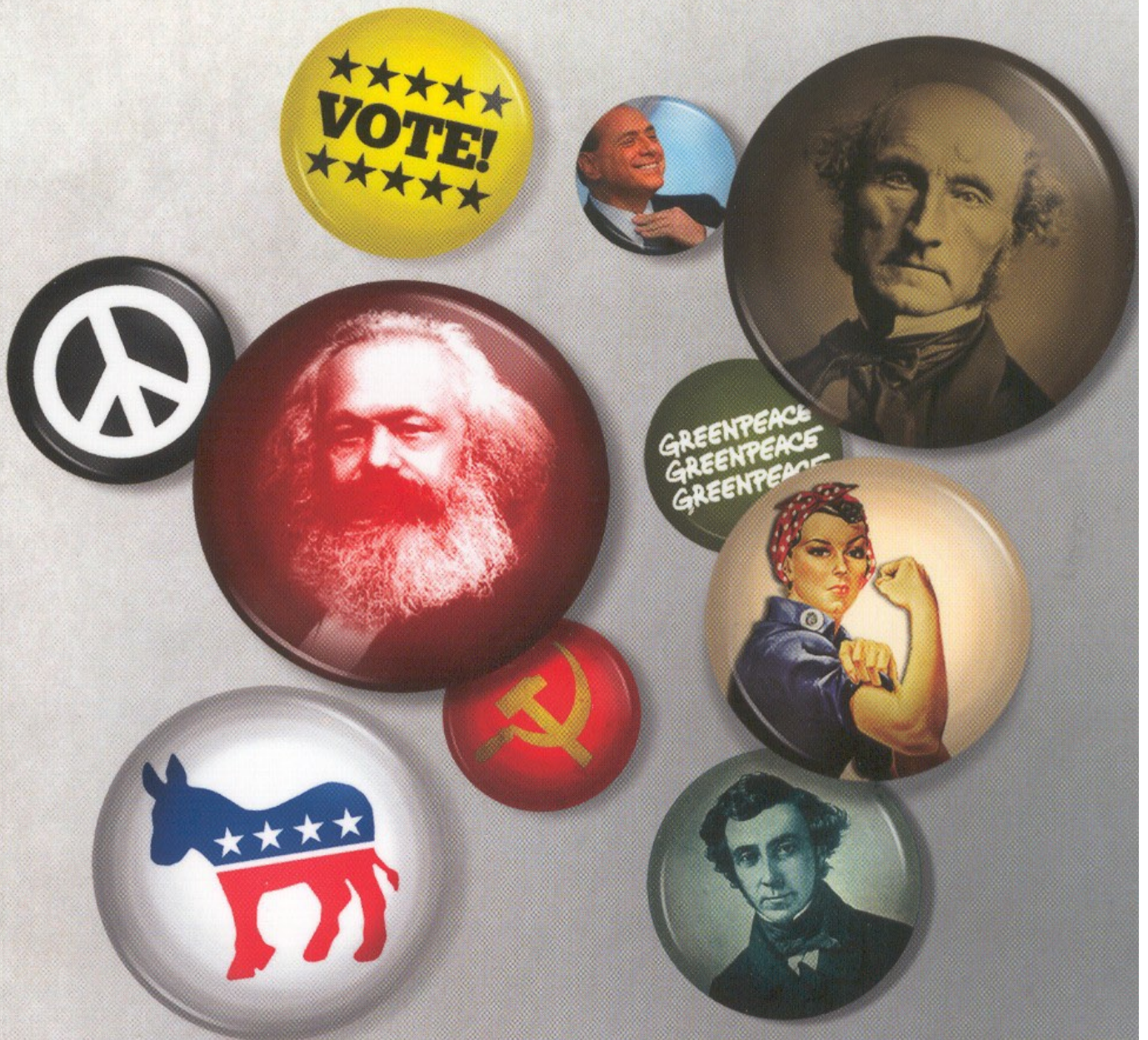


PAUL GINSBORG

# DEMOCRACY

Crisis and Renewal



## THE CHALLENGE OF CIVIL SOCIETY

Before proceeding further I would like quickly to clear up a misunderstanding which may already have arisen in some readers' minds. I am not advocating a type of hyper-activism, in which individuals are called upon to sacrifice their own private and family lives, and where the reasons of the private sphere gradually lose out to those of the public one. A Jacobin model of citizenship of this sort, strongly tilted towards the constant presence of men in the public sphere, has little to offer modern democratic politics. It is likely to enforce rigid separations, most often along gender lines, rather than to establish a system of connections. Families, civil society and the democratic state need to exist in a mutually reinforcing equilibrium. The quest for the ideal forms of that equilibrium cannot begin with the sacrifice of one element to another. Still less can it begin, as in communist societies, with the enforced subordination of two of the elements – family and civil society – to an over-powerful third, the state.

What I have in mind instead is a more restrained and sensitive view of the active citizen. The modern active and dissenting citizen, whether woman or man, is no Jacobin, but seeks instead, often with difficulty, a balance for the different parts of her or his life. Home and family life are one fundamental section of daily experience. But so too is participation in civil society.

Few terms in modern politics are more frequently and loosely employed than civil society. Its most common usage today is as a description of both an analytical space and of

an associational practice. As an analytical space, civil society is a vast intermediate area between private life, the economy and the state. Civil society relates to families, to markets and to governments, but is separate from them. As associational practice, civil society is characterised by a myriad of self-forming and self-dissolving voluntary organisations, circles, clubs, rank-and-file networks, social movements and so on. Some of these may acquire great stability and force, for example international organisations such as Amnesty International.<sup>13</sup> Others, the majority, may have much briefer lives, formed at a local level in a moment of enthusiasm and general mobilisation, but destined soon to disappear.

However, civil society cannot be defined only in terms of *analytical space* and *associational practice*. It has also always had strong *normative content*, though the precise nature of that content is bound to be modified from one generation to another. The German historian Jürgen Kocka has suggested convincingly that its origins are in the European Enlightenment, and that the project of civil society, however variegated and developed over time, is still an Enlightenment one.<sup>14</sup> In contemporary terms civil society can be said to harbour specific ambitions within the general condition of modern democracy: to foster the diffusion of power rather than its concentration, to use peaceful rather than violent means, to work for gender equality and social equity, to build horizontal solidarities rather than vertical loyalties, to encourage tolerance and inclusion, to stimulate debate and autonomy of judgement rather than conformity and obedience.

Civil society defined in this triple way – analytical space, associational practice and normative values – has witnessed an extraordinary growth in democratic countries in the last twenty years; not just in its Scandinavian heartlands, but in

many Latin American countries and on the Indian sub-continent as well. In the same period, extended *international* networks of non-governmental organisations (NGOs) have been created, which in spite of great difficulties are in the process of giving substance to the concept of a global civil society. Since 2001 the *Global Civil Society Yearbook*, an initiative of the Centres for Civil Society at the London School of Economics and of the University of California, Los Angeles, has been regular testimony to these developments.

It would be fair to state that this great expansion of participatory forms within society, at local, national and international levels, was not something that was foreseen or conceptualised very fully by either Mill or Marx. If we consider Mill first, there can be no doubting his belief in the importance of associationism in society. In 1840, commenting on Tocqueville's *Democracy in America*, a work which underlined the vital role of self-organised groups of every sort in America's youthful democracy, Mill noted how in England too it was 'in the power of *combined action* that the progress of Democracy has been the most gigantic'. And what he had in mind were political unions, anti-slavery societies and the like, 'to say nothing of the less advanced but already powerful organisation of the working classes'. But Mill immediately qualified their role, and in a sense demoted it: 'These various associations are not the machinery of democratic combination, but the occasional weapons which that spirit forges as it needs them.' The real transformative agents were others. First of all, newspapers: 'It is by these that the people learn, it may truly be said, their own wishes, and through these that they declare them.' And secondly, railways. Together, 'newspapers and railroads are solving the problem of bringing the democracy of England to vote, like that of Athens, simultaneously in one *agora*'.<sup>15</sup>

Not only was this a very optimistic, and in the event unfounded, view of the role of the press and transport in forming a democratic public. It also, crucially, treated civil-society associationism as an 'occasional weapon' rather than as a necessary and vital underlying structure in the creation of democracy. And in his *Considerations on Representative Government*, popular participation on a local level appears to be confined to minor actions such as jury service or serving on a parish council. Mill thus appears to have a splendid idea of individuality, but to lack a theorised organisational context, outside of the governing elites, in which to place these individuals. He wants the people to control government, but he gives them few or no instruments to do so.

In her important recent work on Mill Nadia Urbinati, though deeply sympathetic to his figure and his ideas, is led to ask a series of anguished questions about the role he ascribes to popular participation: 'What role do ordinary citizens play in Mill's "talking" government? Are they not as silent as those of Harrington's *Oceana*? In Mill's model, don't the people select their "betters" to speak in their place as a remedy for their own incompetence?'<sup>16</sup>

It has to be said that this is a deficiency not just of Mill, but of much liberal thought. Constant, as we have seen, exhorted citizens to 'an active and constant surveillance' over their representatives, but was entirely vague as to the instruments to be employed. Nor is the question only that of *control* over representatives, political parties, bureaucracy, etc. It is also one of *contribution*: what citizens can offer, through the associations of civil society, to a vital and creative democratic public sphere. If a 'system of connections' is to function, it cannot do so in the absence of any proper theorisation of the role to be played by civil society.

This absence in liberal thought can be partially explained in historical terms. For much of the nineteenth century liberal and indeed much of socialist thought ascribed an exalted, but also exaggerated potential to parliamentary assemblies. Mill himself was no exception. In his *Considerations on Representative Government* he wrote:

The Parliament has an office . . . to be at once the nation's Committee of Grievances, and its Congress of Opinions; an arena in which not only the general opinion of the nation, but that of every section of it, and as far as possible of every eminent individual whom it contains, can produce itself in full light and challenge discussion; where every person in the country may count upon finding somebody who speaks his mind, as well or better than he could speak it himself.<sup>17</sup>

More than 150 years later we are entitled, I think, to take a more realistic, even jaundiced, view of the capabilities of parliaments, and to recognise the necessity in modern democracy for representative and participatory democracy to be actively and consistently intertwined.

Did Marxism go further than liberalism in this area? Marx himself, so deeply committed to the radical utopian disjuncture of socialist revolution, has little to say about self-organisation during the pre-revolutionary period, and even less to say about it after the revolution has taken place. He certainly believed in association, as his militancy in the First International and other organisations shows clearly. But the whole thrust of his thought pointed in another direction – to the *class* which would make the revolution, to its long struggle to become a class not just 'in itself' but 'for itself', to that final paroxysm of capital in which the proletariat, 'a class always increasing in numbers, and disciplined, united, organised by the very mechanism of the process of capitalist production

itself', finally expropriates the bourgeoisie which has for so long exploited it.<sup>18</sup>

Among the Marxists who followed in his wake, it was undoubtedly Antonio Gramsci who thought hardest and longest about organisation within civil society. In a famous passage in the *Prison Notebooks* he explained how the conquest of power in the West would be not the result of a frontal assault upon the state, but the product of a long, slow and tenacious 'war of position' to conquer what he called the 'powerful system of fortresses and earthworks of civil society'.<sup>19</sup> This slow, molecular expansion of cultural and organisational influence seemed for a long time to offer an alternative road to power for communism in the West.

However, Gramsci was very much a child of his time, not only because of the First World War metaphors that he employed, but also in his admiration for Lenin and, eventually, for the Leninist party. After the debacle of the period 1920–26, Gramsci was ever more convinced of the necessary and all-embracing role of a powerful political organisation, the 'Modern Prince' as he called it, an expression with obvious Machiavellian overtones, and whose collective incarnation was the Communist Party. It was the Party that had to incorporate and organise within itself all that moved in civil society. The Leninist party once again makes its appearance as the all-powerful subject of politics, and even in Gramsci's humane version of the communist world the space for a creative and critical civil society is strictly limited.



So far I have presented modern civil society in very benign terms. It is as well to end this section with a more sober view.

The organisations of civil society have many shortcomings. Often their very informality and fluidity, so attractive at one level, are a severe drawback at another. In the absence of formal rules, it is easy for individuals to take advantage of their positions as charismatic founding figures or the like, and attempt to control organisations or to place themselves beyond criticism. Sadly, the individual self-control and self-discipline, the humility, imagination and scepticism so eloquently invoked by Mill, are often lacking in both leaders and led in civil society. And if both internal and external democratic constraints are lacking, then an association's prospects are not good. Indeed, it is far easier for a hierarchical organisation to prosper than it is for one dedicated to the principles of horizontal solidarities and the diffusion of power. To build civil society requires peculiar qualities of patience and tenacity as well as an innate culture of democracy. Often one or more of these qualities is absent.

Furthermore, there is the problem of representation. Who exactly do civil-society organisations represent? And how is this to be ascertained? Grandiloquent names may conceal little more than individual ambition. In the international arena, more than one national government has had recourse to the invention of false NGOs, which pretend to be part of civil society but represent only that government's particular interests. These are called GONGOS: government operated non-governmental organisations.

All these drawbacks and shortcomings should not be swept quietly under the carpet by the supporters of civil society. They should be brought out into the open so that they can be properly discussed. Too much of the literature on civil society has unwelcome gung-ho overtones. Civil-society organisations, even in Scandinavia, need clear codes of conduct to help frame



behaviour and to help people understand what they can expect and what is expected of them. There is a difficult equilibrium to be established between informality and rules of procedure, spontaneity and regular democratic consultation. It is not easy to get this balance right.

However, even with their actual and often considerable shortcomings, the organisations of civil society – at local, national and even international levels – are playing an invaluable role, one which in political terms goes beyond both Marx and Mill. They are trying to pull individuals, at least for some of the time, out of over-privatised lives, to create widening circles of critical, informed and participating citizens from all parts of the political spectrum, and to instigate dialogue with politicians on some basis of equality and mutual respect. They are trying to connect. But do the politicians, in their separate and privileged sphere, want to connect with them?

**DELIBERATIVE DEMOCRACY**

The present period has strong points of contact with the 1970s, and the lessons of that decade should serve as a warning to us. All over Europe at that time there were widespread mobilisations for the extension of democracy in various spheres – in local government by means of neighbourhood councils, in the workplace through factory councils and other forms of shop-floor representation, in schools through the greater involvement of parents, and so on. So great was the pressure for change that the Italian political philosopher Norberto Bobbio noted ‘an ascending power’ which was spreading to ‘various spheres of civil society’. He continued: ‘Seen from this angle I believe that it is justified to talk of a genuine turning-point in the evolution of democratic institutions which can be summed up in a simple formula: from the democratisation of the state to the democratisation of society.’<sup>20</sup>

Unfortunately, no such transformation took place. The mountain gave birth to a molehill. This failure can be explained in part by the changing balance of forces at the end of the 1970s – the decline of the social movements of the previous years, the re-establishment of employers’ control and discipline in the factories, and above all the rise of an all-conquering international ideology, that of neo-liberalism. But it was also due in no small part to the incapacity and unwillingness of left-wing political parties to channel the great pressure from below into new forms of governance, to rethink democratic participation and to break out of a model of politics in which their own influence was fortified within the state but democracy as a whole was not enriched.

It would be good not to make the same mistakes a second time round. All over Europe a new rhetoric is circulating which stresses the need for 'the empowerment of ordinary people'. The European Union, in various communications and programmes, does not hesitate to underline expressions such as 'partnership', 'citizen involvement', 'participation'. However, unless participation assumes solid, workable and constant forms, then all talk about 'empowerment' will be little more than hot air.

What might these forms look like? The recent discussion and experimentation in the realm of 'deliberative' democracy help us along the road of innovation and renovation. But we must be careful to distinguish, and not to embrace uncritically every experiment and idea that shelters under that broad umbrella. In particular I would like to introduce two yardsticks, crucial to the argument of this book, by which deliberative practices may be measured. The first has been briefly mentioned above: the degree to which they contribute to creating widening circles of critical, informed and participating citizens, who debate with politicians and administrators on some basis of equality and mutual respect. The second, closely linked, is how far deliberative practices contribute to changing the way politicians themselves behave and how they view their prerogatives and duties. The first has to do with the growth of civil society, the second with the cultural transformation of the political class. In the absence of one or both of these yardsticks, it is unlikely that deliberative experimentation will contribute much to the long-term renewal of democracy. In other words, the parameters of politics have to change significantly, with the previously separate political sphere becoming, at the very least, more porous and receptive. Mill and Marx, representative and participatory democracy, civil society and

local government good practices, have to be genuinely and variously *combined*.

To put the matter in its most simple and brutal form, nothing will be gained by politicians offering the old model of representative democracy with a sprinkling of consultation or the odd public assembly or citizens' jury thrown in for good measure. But that is what they are doing, for the most part, all over Europe, and their actions are little more than hoodwinking. The independent report on the state of British democracy, *Power to the People*, supported by the Joseph Rowntree Trust and published in March 2006, was quite explicit on this point: 'The evidence received by us . . . is that popular cynicism towards public consultation is very strong. The process is widely regarded as meaningless, in that it is often unclear how a consultation process can influence final decisions taken by officials or representatives.'<sup>21</sup>



Deliberative democracy derives its name from the dual meaning in English of 'deliberation' – both to discuss and to decide. Citizens will be called into a deliberative arena not just to debate among themselves or with politicians, but to play some significant role in the decision-making process. The notion has at its core the idea of making policy by involving all those who will be affected by a decision, or their representatives.<sup>22</sup> The method employed is structured debate in a collaborative context, founded on adequate information and a plurality of opinions, with clear time limits set for reaching decisions. Ideally, deliberative arenas help citizens to feel informed and involved, not isolated, ignorant and powerless. They help politicians and administrators to govern better and

to bridge the gap which all too often separates them from society.

Deliberative democracy boasts a number of qualities. In the first place, it has the capacity, though not the certainty, of producing better decisions, because in the course of discussion problems come to be redefined, politicians become better informed of citizens' opinions, and new mediations and solutions are proposed. Second, deliberation can enhance the legitimacy of decisions, because they are the fruit not of a small isolated group of decision-makers, but of a plurality of interested parties, some of whom may not agree with the final decision but all of whom recognise the legitimacy of the procedure that has taken place. Third, and most importantly for our purposes, deliberation strengthens civic virtues, because it teaches people to listen, educates them in public matters and often builds trust among them.<sup>23</sup>

Once again it is Mill, not Marx, who anticipates this sort of democratic discourse. In *Considerations on Representative Government* he wrote: 'What can be done better by a body than by any individual is deliberation. When it is necessary, or important, to secure hearing and consideration to many conflicting opinions, a deliberative body is indispensable.'<sup>24</sup> Mill also underlined the 'learning function' of deliberation. It was quite wrong, he stressed, to consider one's own opinion 'an absolute certainty'. Listening to and debating the opinions of others helped citizens to grow and established a proper link between 'talking and doing'.<sup>25</sup>

Yet Mill stops short here, and not for the first time. In his work the principles of deliberation are not applied to a wide number of arenas so that decision-making, in one form or another, could become the habit and prerogative of citizens. On the contrary, he felt strongly that most decisions were best

taken by a single expert. His underlying fear of the mass of uneducated people exercising too much power in modern democracy – of the tyranny of an ill-informed majority – is never far from the surface. Deliberation, in his scheme of government, was best confined to Parliament, to the assembly of representatives elected by proportional representation. And even at this level, as we have seen, there existed for him a radical division of tasks, between ‘talking and doing’. Parliament ‘talked’, and it was very valuable that it did so. But it was a non-elected executive of competent experts that ‘did’.

## LOCAL GOVERNMENT AND THE RENEWAL OF DEMOCRACY

Let me begin this time with Marx. Differently from Mill, he never wrote a book about democracy, and the historical model of local government that he chose as his guide lasted, as we have seen, just seventy-one days. Had the Paris Commune of 1871 survived, it would certainly have encountered significant problems of democratic principle and organisation which would have had to have been resolved. One such was the necessary separation of powers and the balance between them; another the vulnerability of delegates (as opposed to representatives) to constant recall and a consequent risk of lack of continuity; another still the complicated nature of a new French republic based upon a federation of communes.

However, two things transpire very clearly from Marx's scattered comments on democratic forms. The first is the great thrust in his writings towards egalitarianism, conceived of not just in terms of civil rights (the original *égalité* of the revolution of 1789), but in terms of structures of privilege and power. In his pamphlet on the Commune, 'The Civil War in France', prepared for the General Council of the First International, he writes of the need for 'doing away with the state hierarchy altogether and replacing the haughty masters of the people by always removable servants, a mock responsibility by a real responsibility, as they act continuously under public supervision'.<sup>26</sup> Accountability, accessibility, ease of substitution, parity of economic retribution – these are some of the basic qualities that Marx seeks out for democratic institutions

and administration, and which have long since been lost in modern democracy.

At the same time, and this is the second point, he writes in Utopian terms in 'The Jewish Question' and elsewhere of the way in which the rebus of modern politics will be resolved only when the 'real individual man' succeeds in resuming the 'abstract [political] citizen' back into himself, so that politics and society are once again *united*; 'only then will human emancipation be completed.'<sup>27</sup> There is perhaps something disturbingly holistic and final about this political dream. It seems much more likely that democracy will always be about pluralism and dissent, without ever arriving at perfection. But the thrust of Marx's argument is clear enough and entirely welcome. Nowadays, the need to reconnect the political sphere with society, to overcome a separation that at times seems an abyss, is felt very strongly.

By comparison, Mill on local government is rather disappointing. Here, if anywhere, we might have expected his great love of Athens to have been translated into innovatory institutional proposals as well as elements of everyday politics. Instead in the chapter of his *Considerations* dedicated to 'Local representative bodies', we get nothing of the sort. He starts, as usual, with an impeccable statement of principle: 'Two points require an equal degree of our attention: how the local business can best be done; and how its transaction can be made most instrumental to the nourishment of public spirit and the development of intelligence.'<sup>28</sup> But in what follows he seems strangely bereft of ideas. He notes that in the case of local government citizens do not only elect; many of them also have the chance of being elected, and 'many, either by selection or rotation, fill one or other of the numerous local executive offices.'<sup>29</sup> However, even in Mill's time this last statement could



only have been true of a very small group of citizens and by adopting a very limited definition of citizenship. Contemporary local democracy boasts no system of rotation in offices. All over Europe the 'numerous local executive offices', such as the directors of municipal services, are filled time and again by the party faithful in preference to competent citizens without party allegiances.

Worse is to come in Mill's account of the guiding principles of local government. On the local as on the national level, he advises the granting of a plural vote to certain categories of citizens. However, at a local level he is more inclined for this electoral elite to depend on 'a mere money qualification'. Looked at through twenty-first-century eyes, his explanation has something of the perverse about it: 'for the honest and frugal dispensation of money forms so much a larger part of the business of the local, than of the national body, that there is more justice as well as policy in allowing a greater proportional influence to those who have a larger money interest at stake'.<sup>30</sup> Mill appears here to be advocating a patrimonial version of local democracy, wherein power is concentrated in the hands of those who have most money.



In the light of the discussion above, it is now possible to turn, if all too briefly, to various contemporary proposals for participatory democracy at the local level. It is immediately apparent that very many of them move in a positive direction, and that at least one goes beyond Marx and Mill in proposing a quite novel combination of representative and participative democracy. However, it is as well to be clear from the start that they are not all equal, in the sense that they do not all satisfy in

equal measure the two yardsticks that I proposed in the previous section. What follows is a typology which necessarily contains elements of hierarchy within it.

Experiments in, and proposals for, deliberative democracy have taken a very wide number of forms – there are the German *Planungszelle* (planning cells), American and British citizens' juries, electronic town meetings, consensus conferences, James Fishkin's proposal in the United States for a national deliberation day, Chicago's experimentation in citizens' governance in policing and public education, the e.thePeople website, Danish empowerment of parents in primary schools, and so on.<sup>31</sup>

In trying to distinguish between them, we can isolate at least two major groups. The first is that which has at its core a process of selection, either random or controlled. A citizens' jury, for example, as its name implies, is a microcosm of a given community brought together, usually by local administrators, to deliberate upon an issue of public interest. In order to achieve a faithful cross section of the community, jurors are 'stratified' by age, education, gender, geographic location, ethnicity and sometimes politics. Between twelve and twenty-four citizens usually compose the group. It receives information on the topic under discussion from expert witnesses, and its discussions are steered by trained facilitators. The jury sits for between one and five days, and its findings, which are made public, are usually presented as non-binding recommendations to local administrators and politicians. Jurors are usually paid for their services (\$150 a day in the United States), but we should find nothing scandalous about that. In ancient Athens citizens were also paid for their presence in the *agorà* on a daily basis. Between 1996 and 2005 some 230 citizens' juries were convened in Britain, the USA, Australia and a number of other countries.<sup>32</sup> German planning cells are similar, but are

often run concurrently or in series, so as to include more citizens in the process.

A similar though numerically more ambitious enterprise is the electronic town meeting. Here hundreds, sometimes even thousands, of citizens are brought together for a more limited period of time, at most a day, to deliberate on an issue of public importance. Publicity and media coverage of the event, given its size, is likely to be much greater than that accorded to a citizens' jury. Controlled sampling is again the method most often adopted to ensure that a proper cross section of the local population is involved, but sometimes room is made for representatives of civil-society groups. The town meeting has a complex structure designed to give all participants the feeling that they are contributing to the formulation of policy. A large number of small groups, ten to twelve strong, demographically and socially diverse in their composition, meet around tables and deliberate animatedly. The fruits of their discussion are transmitted by computer to a central database, and members of a 'theme team' distil them into key themes or messages. These are then presented back to the meeting as a whole, and a series of policy indicators emerges by the end of the day. Once again, these are usually non-binding recommendations.

One of the most spectacular town meetings took place in New York in July 2002. Under discussion was the redevelopment of the former World Trade Center site, devastated by the terrorist attack of 11 September 2001. More than 200 members of the media followed the deliberations of a 5,000-strong town meeting which was highly critical of the development plans submitted to it. The meeting wanted less density of office space, a twenty-four-hour community centre in downtown Manhattan and a more mixed use of the Ground Zero space. The meeting received intense, if brief, publicity; politicians

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and planners promised to do better and a few of the meeting's ideas were eventually incorporated into new plans.<sup>33</sup>

In assessing this first group of participatory practices, I want to underline initially what I see as their advantages. The most significant is their ability to involve members of the general public who otherwise would be highly unlikely to become involved in public policy issues. Random or controlled selection usually ensures the presence of citizens whom civil-society groups, at least as at present constituted, have great difficulty in contacting. Low-income families and individuals with few educational qualifications are the target group here. Secondly, the process of participating – whether in a town meeting or planning group or citizens' jury – is in itself usually highly attractive, giving citizens a real sense that they are making a useful contribution. Third, public attention can be drawn to specific issues and viewpoints that might otherwise remain in obscurity, especially by large assemblies like electronic town meetings. Deliberative arenas of this sort can break through, at least temporarily, to the world of the politicians, and strongly encourage them to see a specific problem in a different light. Some commentators have talked about helping politicians and administrators to overcome their 'blind spots'.

However, there are also limitations. The 'one-off' nature of these events, especially costly and complex occasions such as electronic town meetings, robs them of an essential element – that of *continuity*. The cost of convening a citizens' jury is estimated at £16–30,000; that of a town meeting over £200,000. Participants may want to go on being involved, but they are offered no ongoing structures or instruments to enable them to do so. Nor are they likely (*pace* Mill) to be 'selected' more than once, or to find a natural system of rotation being practised

in the local sphere, whereby local political elites voluntarily draw back from power. Modern politicians at all levels are not renowned for their self-denying qualities.

Second, these sampling experiments show little sensibility to the particular importance of civil-society groups in renovating democracy. Often the opposite is true. I have heard civil-society groups being described as 'rangers', the 'usual crowd', a 'nuisance'. Active and dissenting citizens are rarely recognised by politicians, administrators or experts as a potentially precious resource for the renewal of a democratic public sphere. 'Ordinary' citizens are welcome, but those (often middle-class) who are already trying to do something about an issue are frequently regarded with suspicion or impatience.

Third, and perhaps most crucially, there are no mechanisms to ensure that politicians will actually implement any of the proposals that these 'random sample' groups produce. Indeed, their one-off nature weakens this possibility. The newspapers may be full of a town meeting for a day or two, but what happens after that? Lack of follow-up and continuity may well, at the end of the day, leave planners and politicians a more or less free hand. One long-term American survey of the success rate of citizens' juries concluded sadly that 'recommendations to agencies or local governments failed to have much impact'.<sup>34</sup>

If we return for a moment to the two yardsticks that I introduced earlier, we can see that these experiments do little to satisfy either of them. They contribute marginally, if at all, to creating widening circles of critical, informed and participating citizens, who communicate with politicians and administrators on some basis of equality and mutual respect. Nor do they do much to change the way politicians view themselves and their prerogatives. At the crucial moment when the consultation is over, the electronic gadgets have been put back

in their boxes and the administrators have to decide, there is little in institutional terms to *compel* them to respect the views that have been expressed by a random sample of citizens. Participatory models of this sort are attractive and innovative but they do not really answer our need to reinvent the connection between participation and representation. They are rather auxiliary, consultative mechanisms for representative democracy.



A second group of participatory practices differs from the first because, rather than relying on random sampling, it operates an 'open-door' policy and tries to involve ever-widening circles of the population of a locality or territory in decision-making processes. Here the deliberative process is not auxiliary or subsidiary, but tries to combine representative and participative democracy.

I can illustrate this experimentation best by considering briefly the case of Porto Alegre in Brazil. It is an example which may be well known to some readers, but its key elements have not often been discussed adequately, and quite a lot of wild claims have been made for it. At first sight, the city of Porto Alegre, with 22 per cent of its 1.3 million population still living in shanty towns or other 'irregular settlements' in the year 2000, with its mass poverty and (until recently) mass illiteracy, would seem an unlikely place for a complicated experimentation in combined democracy. If, as Mill suggests in his *Considerations on Representative Government*, literacy and a long-term learning process are to be considered determining causal conditions for participating in democracy, then Porto Alegre would be a non-starter.

Instead over a period of over fifteen years – not the seventy-odd days of the Paris Commune – an impressive tradition of popular deliberation has been created, and not at the margins of the local government system but at its core – the control over the city's budget, and the way in which scarce resources are to be equitably distributed. The process by which these priorities are established and then enacted has come to be known as the 'participatory budget' (Orçamento Participativo, or OP). A leading role in promoting and sustaining the process has been played by the political party at present in power in Brazil – the Partido dos Trabalhadores or Workers' Party.<sup>35</sup>

The first thing to note about the 'participatory budget' is its annual character. Different parts of it take place regularly on certain dates. The 'participatory budget' is not an open-ended discussion or a mere consultation, but a series of decisions made according to a seasonal timetable available to all. Thus in March a series of micro-level preparatory reunions are held all over the city. In April and May there are territorial and thematic assemblies which vote the priorities for the coming year, and the election of forty-eight delegates from these assemblies to the Budget Council. At the end of this first phase the requests of the citizens are handed solemnly to the mayor and Municipal Council.

The Budget Council meets from September onwards – administrators, municipal councillors and the elected delegates from the assemblies – and together they thrash out a programme. The participatory budget, which is not an official government institution, and is governed more by 'soft' than 'hard' legislation, is then adopted by the mayor at the end of the year. The whole process is aided and facilitated by twenty coordinators from the city's Coordination Committee for Relations with the Community.<sup>36</sup>

This is only a bald summary of a complex process. A number of points stand out. The final decisions and responsibility rest with those elected by representative democracy, but only after a process of the intertwining of the two democracies that lasts a year. Secondly, there has been a steadily increasing number of citizens who participate – from just 1,300 in 1989 to 31,300 in 2002. Their social and gender composition is also revealing, with a clear majority of women and poor people taking part. A significant number also come from the city's ethnic minorities, who until recently had been forbidden even to shop in the same supermarkets as white Brazilians.<sup>37</sup>

However – and this is absolutely crucial – the 30,000 people who take part are only a small minority of the city's adult population. And if we look at other experiments in deliberative democracy, less extraordinary, but which harbour similar ambitions, we find much the same story. In Chicago, for instance, between 1997 and 2000 the city spent more than \$1.5 million on media efforts to advertise citizen participation in community policing and public education governance. Even so, each month only about 5–6,000 residents attended beat meetings and school meetings in the whole of the city.<sup>38</sup>

It is quite clear, therefore, that participatory democracy of this sort, however precious, is a minority activity and cannot replace representative democracy, which for all its failings still involves well over half the adult population in a secret and formal process of voting. But the two can and indeed must meet, with the liberty of the ancients coming to the aid of that of the moderns. The power and responsibility of representatives are not negated or even diminished. They are, rather, modified, enriched and institutionally constrained by the deliberative and participatory activity that is taking place around them. And the crucial theoretical point regarding the



relationship between the two – between representative and participatory democracy – is that *the activity of the second guarantees the quality of the first*. If it works well, deliberative democracy guarantees transparency, builds wider circles of decision-making and plays a crucial role in the formation of a small but expanding group of educated and active citizens with an ethic of public service in their very bones. In his mild way, Mill would have been surprised and enthusiastic about such an extension of democracy, while Marx would have noted in his explosive prose the analogies with the Paris Commune, though this time without the enemy at its very gates.



Let me briefly bring the story of Porto Alegre up to date. At the end of October 2004, the ruling Partido dos Trabalhadores (PT), which had been principally responsible for introducing and nurturing the participatory budget, was defeated at the local elections. A very broad twelve-party coalition headed by José Fogaça took power. The PT had become too accustomed to power, and Fogaça's appeals for democratic alternation and an end to 'one-party rule' proved effective, especially in appealing to more conservative, middle-class voters. However, it was highly significant that the new mayor insisted that he would continue the Orçamento Participativo, which he presented as a 'triumph of civil society' and a reflection of the city's 'associative capacity'.

The fate of this most novel example of empowered participatory democracy now hangs in the balance. On the one hand there exists room for optimism, given the roots that participative democracy has put down in the city. On the other, some expert commentators such as Daniel Chavez identify

a watering-down process under way, and the need for a new mobilisation from Porto Alegre's civil society to defend the essential elements of the city's famous experiment in participatory democracy.<sup>39</sup>

Looking at Porto Alegre in a wider context, it has often been noted that it is a model difficult to imitate or to export. As Gianpaolo Baiocchi has pointed out, Porto Alegre stands apart from many other similar attempts in Brazil and Latin America, in terms of both the numbers involved and the amount of decision-making power devolved to popular mandate.<sup>40</sup> Attempts to introduce participatory budgets in Europe have so far met with mixed success.

One noteworthy experiment in the British context was the Harrow Open Budget Process, designed and managed by the Power Inquiry in association with the London Borough of Harrow. On a Sunday afternoon in March, 2005, 300 residents took part in six hours of deliberation, discussing and voting key priorities for the borough's 2006/2007 budget. The recruitment campaign for the deliberative assembly succeeded in ensuring the presence of a fair cross section of the community. At the end of the afternoon the participants elected an Open Budget Panel, whose main role was to keep an eye on the local politicians as they drew up the budget, and report back on the extent to which the assembly's priorities were being addressed.<sup>41</sup>

It is the ambitions and rigour of the Porto Alegre model that recommend it in the context of this book; that is, of 'returning to first principles', of trying to rethink democracy not merely in contingent or mechanical terms, nor primarily as a question of institutional engineering. If we return to the two yardsticks that I suggested earlier, the experience of Porto Alegre goes a long way to satisfying both. It has genuinely helped to create,

year by year, widening circles of participating citizens, who have entered into a virtuous relationship with the administrators and politicians of the city. Families and neighbourhoods have been linked to civil-society associations and the local state in a continuous form.<sup>42</sup>

The deliberative practice of the OP has also helped to change the administrative culture of the city itself. The clientelism and corruption which is so marked a feature of Brazilian politics has been checked. Administrators and experts have not been left to their own deliberations, but forced to come out of their offices and explain in comprehensible language what they consider possible or impossible, and why. This, too, forms part of an invaluable Millian educative process for all concerned.

A last point. It has sometimes been suggested by experts in this field that there is no need to choose a single model of deliberative practice, nor establish a hierarchy among them. There is force in this argument, but also danger. It is clear that different practices are appropriate in different contexts, and that it may also be possible to combine practices. But a citizens' jury or a town meeting does seem to me to be qualitatively inferior in terms of democratic renewal to the sort of civil-society-state experimentation that has taken place at Porto Alegre. That difference should be clearly recognised. Furthermore, if all practices are presented as being equally significant, it is all too easy for lukewarm politicians to *substitute* a demanding process of renewal with something much less arduous. The 'ascending power' of which Norberto Bobbio talked is then channelled into limited solutions which are more auxiliary than others, and which have little momentum. In this way a repetition of the European experience in the 1970s is on the cards, with a great head of participative steam

unable to push the locomotive of democracy more than a few metres along the track.<sup>43</sup> We should instead be clear about our overall objectives, in no way ashamed of their ambitions, and act accordingly.