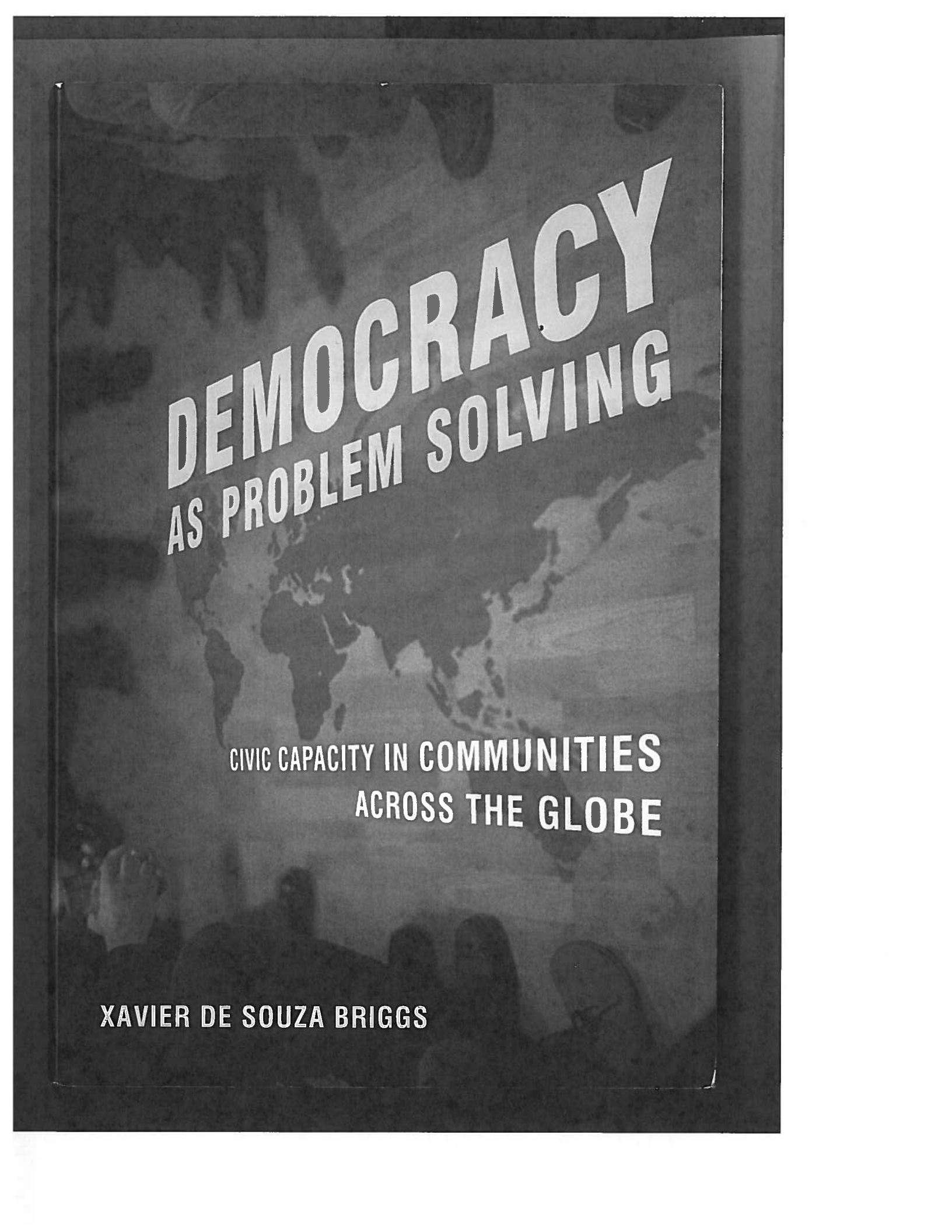




DEMOCRACY AS PROBLEM SOLVING

**CIVIC CAPACITY IN COMMUNITIES
ACROSS THE GLOBE**

XAVIER DE SOUZA BRIGGS

Democracy as Problem Solving
Civic Capacity in Communities Across the Globe

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For my

Conclusion

Unless local communal life can be restored, the public cannot adequately resolve its most urgent problem: to find and identify itself. But if it be re-established. . . . it will be alive and flexible as well as stable, responsive to the complex and worldwide scene in which it is enmeshed. While local, it will not be isolated.

—John Dewey, *The Public and Its Problems* (1927, 216)

In the broad sweep of history, the transformation in collective action on local challenges from that rooted in small-town communal life in agrarian societies to the institutionally complex, city-led democracies of today's global age has been remarkably quick. But as I reviewed in chapter 2, so was the emergence of deep disaffection with a model of public problem solving resting on broad mandates from voters linked to "expert" planning, regulation, and service delivery by professionalized bureaucracies. Along with that disaffection came a debate between those who see democracy functioning—in practice, if not in principle—as a contest for influence and those who seek to expand deliberation, broaden our conceptions of self-interest to include collective values and interests, and make us better citizens—as part of a public that thinks of itself as a public—and not just craftier competitors, in the process. Yet many ideas about making democracy work stop at asking the question: how might we improve the relationship between citizens and their government? That is an important question, but I have pursued a broader one: how might we improve the relationships among citizens, government, and private parties (including businesses and unelected interest-group advocates and philanthropies that bring vital resources and capacity) *in relation to important public problems?*

The most pressing problems of our day call for collective learning and bargaining, as well as mechanisms of accountability, that go well beyond the recipe of free and competitive elections through which citizens in

democratic societies are supposed to “steer” government. That global influences can make it very challenging for local leaders and institutions to steer change in desired directions does not alter the fact that a wide array of urgent problems—from health and environmental sustainability to education, economic competitiveness, and more—require broad-based community action *with and beyond government*, that is, across the public, private, and nongovernmental sectors. At the same time, too many hopes for making democracy a stronger recipe for solving problems mistake trusting interpersonal bonds, or the usefulness of specific procedures and institutional designs for consensus-building or deliberation (mechanisms or tools), for the more complex and elusive resource of civic capacity. Conversely, some pessimists have concluded—despite scholars’ efforts to stress the contrary—that some places are destined to be effectively “civic,” and other places not, for all time.

In this chapter, I discuss six major lessons of the study and then return to the broader question of how we define democracy or, more precisely, of what makes particular approaches to collective problem solving worthy of the label “democratic.”

Six Lessons

1. *History is not a curse: civic capacity is producible, even against the odds, and transformable.*

The first lesson of this inquiry is that is possible to construct effective forms of civic capacity, under particular conditions outlined below and at the end of each case chapter, even where history has not endowed a place with a tradition of civic cooperation, trust in public institutions, and a widely shared sense of *being* a public with common concerns and a collective ability to tackle them. Indeed, in communities across the globe, significant and precious forms of civic capacity, including institutional space to name problems and devise better approaches to them, mechanisms for organizing disengaged or disenfranchised stakeholders, and more can be built even where history has not endowed a place with those valuable starting points and “stocks” of social capital. Civic capacity can be built in spite of such deficits, against the odds so to speak.

Yet as I stressed in the introduction, there is everything to confirm, Robert Putnam’s (1993, 183) claim that “the civic community has deep historical roots.” To cite two brief examples, Envision Utah invoked

Mormon settler roots, not only to help a public define itself vis-à-vis the issue of rapid urban growth but even to remind Utahns of the early commitments that shaped their century-and-a-half history in the American West. In Mumbai, the slum dwellers movement draws on the shared traditions of rural migrants to that megacity and the patterns of cooperation that reflect their shared struggle for survival and livelihood in the city’s slums. The effort to redevelop the slums physically, while also developing new civic capacity to make that possible, meanwhile, has inherited the government structures and gradual reforms that followed Indian independence half a century ago, plus the deep reservoir of mistrust slum dwellers have for government, based on decades of abuse, corruption, incompetence, and neglect. But in both places, creative action transformed the limited ingredients of civic capacity into more robust and visible forms that invited wider cooperation and bolder risk taking over time. In those cases and the others, creative action also focused preexisting social capital on specific problems and built new relationships and social capital, across stubborn old divides, in a gradual process of risk sharing, trial-and-error, and confidence building. The lessons that follow offer a partial roadmap to that process.

In sum, history matters, and for a variety of reasons, context indeed structures the effort to build and use civic capacity, but the past is not a curse. We need to learn more about the types of contexts and historical moments in which particular civic approaches, such as politically savvy visioning exercises (the Utah case), ballot box initiatives that trigger new performance commitments by public and nonprofit agencies (the San Francisco case), and pragmatic policy innovation grounded in vibrant social movements and government reform (the India case), can contribute most to civic capacity and to the resolution of important public problems.

2. *Civic capacity is important for implementing change, beyond forging and supporting a shared agenda of change, and it need not take the form of a governing regime.*

It is not uncommon, especially among agents of change, to associate civic impact with “running the show.” But the second lesson of this study is that many demonstrably valuable forms of civic capacity lie between the one extreme of the muscular governing coalition (or local regime), which runs the proverbial show on matters of citywide import, and the other extreme of the innovative but isolated partnership project. The former,

the evidence is clear, is particularly difficult to construct or reconstruct as a force for change (Stone 2004), and even revolutions that transform regimes may not produce effective ones. If regimes were the only form of civic capacity, problem solving would indeed be mostly about who has resources rather than who can be resourceful. As for partnerships between organizations, isolated ones function without substantial civic support and thus without much potential for social impact. Partnership projects may be exemplars of collaborative process and the basic unit of coproduction—getting results, not just setting agendas, through joint action—but they often begin, and sometimes endure, as appealing miniatures. They cannot do much without a broader civic strategy, and this is a major reason why social capital on the small scale may not add up to larger change, which inevitably entails confronting conflict, trade-offs, and loss. It is also a reason why so many funder hopes, grounded in a sort of “demonstration theory of social change”—build it small, and if it “works,” the political and financial support will come to scale it up—go unrealized.

If, on the other hand, partnerships come to embody broader civic “schemes of cooperation” (Stone 2004), they give major interest groups new options for deploying resources to accomplish purposes of communitywide importance, such as improving the skills of the workforce, modernizing transportation infrastructure, promoting environmentally sustainable development, and more. This kind of hard-won alignment would not appear to transfer directly from one problem to another, though this is not something my study was designed to examine directly and though some of the civic insights, bonds of trust, and institutional mechanisms for nonroutine problem solving certainly could be transferred. Some useful transfer from one problem domain to another may happen inadvertently. Becoming more purposeful about it would require recognizing what, specifically, is worth transferring, why, and how. And sadly, the surplus of elastic buzzwords for collective action—partnership, collaboration, community building, grassroots leadership, and so on—and of pet formulas for pursuing those things does not help us much.

The test of civic capacity, then, is constructing the schemes and mobilizing significant resources—that is, beyond a microlevel transaction between organizations—without necessarily reorienting the dominant governing agenda of a community. Of the cases I examined, the remarkable Alliance in Mumbai, India, with its “politics of patience,” captures

the robust civic approach to partnering particularly well. But so does the San Francisco children’s movement, inside and outside of government, since investing in child well-being has become a politically potent cause without becoming a top citywide agenda item for a governing coalition in that city.

The two core *structures* for building and deploying civic capacity are stable coalitions, not political marriages of convenience, for broad-based support, developed together with pragmatic, implementation-focused alliances. Coalitions authorize things, and alliance or partnership arrangements get them done. It is in this sense that much joint action on community problems remains civic even when it seems mostly operational. Winning a wider commitment to changing “conditions on the ground” hinges on using implementation to enhance one’s reputation for being legitimate to act on a problem, capable of engaging a variety of participants and resources over time, and also capable of orchestrating productive activity that gets tangible results. These twin structures help reconcile the two pervasive and sometimes competing logics that I discussed in chapter 2: the logic of *empowerment* (which emphasizes changing political and social relationships and access to influence) and the logic of *efficiency* (which emphasizes securing measurable results).

Except for playing the “palace politics” of narrowly serving political patrons or, more generously, of vetting one’s actions with executive and legislative authority figures as part of the politics of public management, traditional bureaucratic approaches to public problem solving divorce legitimacy and support winning from operational effectiveness. This is especially true when insular bureaucracies confront the kinds of public problems I have focused on in this book, where the legitimate authority and the resources required are widely dispersed and not centrally controlled or confined to the machinery of government. Such problems require more complex learning, bargaining, and accountability developed through community stakeholders’ evolving participation, as I explore below. The travails of South Africa’s confident postapartheid government, led by a dominant political party, illustrate these limits of government-led problem solving especially well. Brazil’s democratic transition, which yielded much more political competition and patient institution building at the local level, has taken a very different course. This is a telling contrast since both countries, like many others around the world, embrace the rhetoric of democratic participation and working in partnership.

3. *Civil society intermediaries can be vital cultivators and deployers of civic capacity—yet go unrecognized and undervalued.*

The third lesson is that an important, largely unrecognized role of non-governmental or civil-society organizations in community life is that of intermediary, broker, or go-between. Most research and commentary on the role of civil society organizations or the “third sector” fail to capture these go-between roles well, focused as they are on interest-group advocacy (including the role of associations that “intermediate” between citizens and government) or service delivery roles. Civic intermediaries compensate in specific ways for a lack of civic capacity because of what government, business, or civil society organizations are not able, or not trusted, to do, and also—along a more temporal dimension—for process breakdowns, such as impasse, polarization, and avoidance, that thwart collective problem solving. The roles of a given intermediary can change dramatically over time, even short periods of time, as a process of significant problem solving unfolds (see table 4.1). Examples of intermediary roles include the following: developing space for informal bargaining or conflict resolution, blending service delivery and policy enforcement (the latter being a role more typical of government), blending and disseminating various types of knowledge (professional and “local” or craft knowledge) to improve decisions and implementation, building constituencies and coalitions for a civic approach rather than a policy position, organizing the disenfranchised to have a voice in decisions and also to coproduce change that is in their interests, and developing adjuncts to formal policy processes to compensate for bureaucratic blinders or political constraints on public officials.

Civic brokers and their fluid interactions with business, government, and civil society were evident in every case, from the philanthropies and the Allegheny Conference in greater Pittsburgh and the constantly evolving Envision Utah to the cross-sector civic forums that, sadly, did not long endure in transition from apartheid to multiracial democracy in Cape Town, South Africa. So were healthy questions about whether such players constitute unaccountable “third-party government.”¹ In the cases, I emphasized the electoral processes, rule of law, and other mechanisms that held these groups in check—for example, as influences on agenda setting and implementation—and also emphasized that intermediaries can arise to fill a civic vacuum precisely because electoral politics and professionalized bureaucracies are limited as tools for collective action on big, contested problems. We all know reasons why politicians and

public managers alike can become risk averse, turf-minded, blinded by outdated rules and frames of reference, responsive largely to powerful minority interests, and more—even when they sincerely believe they are doing the public’s work.

Working to shore up the twin ingredients of legitimacy and productive capacity, often where capacity is outdated and trust is threadbare, the go-betweens are sometimes “interested facilitators.” This is significantly different from, and no substitute for, the role of “true neutrals” recommended by advocates of formal, facilitated consensus building or dispute resolution (e.g., Susskind and Cruikshank 1987). That is, some of these actors—SPARC in Mumbai, for example—have interests in specific *outcomes* (unlike professional mediators or other true neutrals), but they invest significant resources—time, money, talent, reputation, and more—in improving decision-making *process* (the classic role of the facilitator), too. That investment in process is an investment in better governance, not just winning a particular outcome. This contributes to community life by bridging otherwise isolated “pockets” of social capital to enable civic cooperation between them.²

Even the classic definition of nongovernmental groups as associations that mediate between citizens and government—checking the power of government, enhancing representation, sometimes facilitating deliberation, and so on (Cohen and Rogers 1995; Fung 2003)—fails to capture important dimensions of the go-between role I have in mind. This is not an argument against the performance of those other roles or against the claim that more traditional associations matter to democracy, as observers from Tocqueville to Putnam have argued persuasively. Rather, it is an argument about how we have understood the kinds of value that civil society organizations may create, the range of ways they interact with government and with other nongovernmental organizations, and therefore the range of ways they may contribute to public problem solving.

Cohen and Rogers (1995) have proposed a restructuring of both government and civil society organizations to enable more effective teamwork (in plain terms) at the task of governing, with civil society groups enriching the information that drives decision making and aiding in policy enforcement and other traditionally governmental aspects of implementation. As recapped above, the cases in this book suggest what forms that teamwork can take and do so beyond the realm of economic policy making on which Cohen and Rogers have focused. But we need to know more about the multiple ways that intermediaries are held

accountable both for fair play and for “creating public value” (Moore 1995), how they evolve as the roles of other actors also evolve, and what kinds of capacities and networks they survive or thrive on.

4. *Combining learning and bargaining is an ongoing, not one-time, requirement, for which formal as well as informal civic space matters.*

Another lesson is that building and using civic capacity in democratic societies that disperse power to get things done hinges on developing durable routines and institutions that combine learning and bargaining—not just over the long haul but in nimble mechanisms that let committed players switch back and forth in real time. This is a practical rejoinder to the contending models of democracy—competitive contest or school for producing deliberative citizens focused on the public good—which, taken narrowly, distort what problem solving actually entails.

Many civic prescriptions, which understand “engagement” to be either consensus-oriented partnership and citizen input or adversarial pressure politics, fail to recognize how central this range and nimbleness are. While they rightly emphasize the value of learning and relationship building, hopes for participatory democracy and planning grounded mainly in better, more inclusive dialogue, for example, often downplay or fail to adequately account (1) for the important place of bargaining, which, to many, connotes “adversary” democracy, egos, and myopic outcomes, or (2) for the ways in which learning and bargaining need to be sequenced.

Mumbai’s cross-sector effort to develop bold new agreements and cooperative implementation mechanisms for resettling and relocating thousands of slum dwellers—a contentious challenge with huge humanitarian, economic, and environmental implications in many Third World cities—is a case in point. Traditional conceptions of policy advocacy through pressure politics “from below” miss the mark, because official policy making held so little legitimacy in the eyes of slum dwellers and because so many of the fundamentals—the issue agenda, space for dialogue, bargaining stakes and leverage for the urban poor and other stakeholders, and promising practices for getting results—were invented as the players interacted with each other. There was no single instance wherein a multistakeholder “table” of consensus building produced a grand design for problem solving. Multiple decision points, connected by pressing concerns, the institutions that evolved to address them, and informal as well as formal bargaining, defined progress.

The Mumbai case illustrated all three forms of social learning I have addressed in this inquiry, and the other cases reflect at least one of the forms: the *distribution of policy-relevant beliefs*, or beliefs about the problem itself, held by those who act in a particular field or domain (Jenkins-Smith and Sabatier 1993); the *insight into counterparts’ interests and values* that is crucial to pragmatic and principled bargaining, as well as evolving innovations in the field of facilitated consensus building (Fisher and Ury 1981; Susskind and Cruikshank 1987, 2006a); and the *assumptions and practices related to how engagement in collective problem solving should happen (assumed rules of the game)*—“transgressive politics,” in the terms employed by students of social movements (McAdam, Tarrow, and Tilly 2001).

All three forms are part of “becoming a public,” in Dewey’s terms. In terms of contributing to public problem solving, learning unveils new definitions of problems, new or once-observed preferences, and better options for action. Learning can also transform relationships and take civic action well beyond horse trading. But bargaining still matters: both informal, on-the-fly, behind-the-scenes bargaining that authorizes the little steps that big breakthroughs require and formal bargaining over major decisions that call for more structured interactions among parties, formalized commitments, writing things down, and often going public with the outcomes and enforcement mechanisms.

In local civic life, where repeat encounters and not one-time transactions are the rule, several other features of bargaining are particularly important: reputations become a vital, intangible asset, rapidly communicated along local networks; players “trade on the future,” linking one bargain to another with promises to do X down the line in exchange for Y today (which adds another dimension of efficiency from the bargaining standpoint but invites resentment about “politicizing” today’s agreements, too); and multilevel strategies add complexity and opportunities for civic entrepreneurship. To elaborate on the last point, with constituents “end running” the agents who represent them and vice versa, and with imperfect communication and knowledge at all levels, the agents’ authorization to act is fluid and sometimes fragile, and since constituents have incentives to insist their agents “hold tough” to positions they have articulated, the risk of costly impasse is great.³

Regardless of the form bargaining takes, without adequate space for it and skill for doing it, civic capacity stops at “assembling resources” and “developing an understanding” (Stone 2001)—that is, without the

means of advancing that understanding in the form of a wisely implemented program of change.

5. *Multiple forms of accountability are needed to connect "top-down" and "bottom-up" contributions to public problem solving.*

All the rest is process and plan without meaningful mechanisms of *accountability*, but these need to cross the ideological lines that are so sharply drawn in discussions of how to promote both "democracy" (defined minimally as inclusive and transparent decision making) and "development" (defined broadly as economic and social progress). And there is the problem that relatively few players in any one sector or interest group are accountable for building the *community's* capacity to solve problems (Stone 2001). Rather, they have more specific duties to their clients, political constituents, donors, and others (Brown and Moore 2001), and to be fair, a myopic focus on accountability can drive out learning and innovating (Ebrahim 2005).

But as instances of civic capacity in the making and in use, the cases in this book show why multiple mechanisms and logics of accountability matter—they win support from different actors and generate different kinds of information—and more specifically how they combine over time. The mechanisms, each with its own logic, include: *pressure politics*, from voters or from social-movement-type organizations or from elite ones, which, when constructive, acts as a check on government, business, or civil-society action (enhancing transparency, spotlighting specific successes and failures, curbing abuse); *informal authorization* (or legitimization) to act, such as that given to nonelected civil society organizations by constituents (in the form of prestige, money, favors, time), often to learn and innovate beyond the "delivery" expectations of the moment;⁴ *market rules and incentives* that exert a different kind of pressure—for efficient and consistent allocation of resources beyond claims or promises, tapping consumer demand but also highlighting crucial contributions by civil society groups and government that can facilitate economic transactions (for example by mitigating the risk faced by private lenders in community development investments) and also project shared community values into those transactions (for example, by certifying to consumers that products are consistent with their values, such as fair trade or environmental sustainability); and codified *rights*, which embody a set of formally authorized, fundamental social standards and, as such, may delineate a societal obligation to invest significant public resources or otherwise act to change a social condition.

I have focused on types and sources of accountability more than on mechanisms for generating it, which, beyond transparent elections and markets, include well-structured and "empowered" citizen participation in governance functions usually monopolized by government (Ackerman 2003; Fung 2004); organized civil-society monitoring of the functions performed by public and private organizations (O'Rourke 2004; Weber 2003); publicly disclosed compacts developed among stakeholders (Behn 2001; Brown and Moore 2001; Weber 2003); elections and performance reviews, formal and informal, within member-based civil society organizations (Skocpol 2003; Warren 2001); and more. Whatever the mechanism, observers agree that the model of the professional bureaucrat "insulated" from politics—in any sector, whether public, private, or nongovernmental—is a recipe for disaster. What matters is not the presence of political pressure but the form it takes and the specific ways it influences behavior. The conventional accountability package—the popular vote, together with government-enforced rules for procedural compliance—is inadequate. The issue is how to induce responsiveness, not rule abidance per se.

The need for accountability of several kinds, operating in several directions, is one reason that policy reform "menus" and calls for community-driven development do not spur more change: there is very little here to suggest a simple transfer of decision-making responsibility, resources, or influence (power). There are multiple transfers—up, down, and across—and multiple checks in place. *Accountability can only be meaningfully defined in a system of relationships* (see Ebrahim 2005).

Furthermore, sweeping changes over the past three decades have triggered vital debates about what ideologies and assumptions are shaping our lives in a market-driven, "postwelfare" age. But approaching accountability from the perspective of civic capacity and effective problem solving suggests that each logic of accountability has a role to play if sustainable solutions to public problems are the end goal. None of these logics is merely a fig leaf for ideological takeover.

6. *Broad calls for "participation" aside, either the grassroots or the grassstops can initiate or lead, and the lead can shift over time.*

The final lesson responds to a grand shift, in debates about democracy and public problems over the past generation, toward "bottom-up" approaches. As previewed above, the shift includes a well-founded skepticism about the quality and the legitimacy of solutions proposed by trained experts, higher-status groups, or those with special access to

power, such as bureaucratic insiders in government, business, or nongovernmental organizations. But this study suggests a useful distinction between who *initiates* action and who *participates*, in other ways, over time.

In particular places and times, efforts to lead significant change can be either “top-led” or “bottom-led,” and both can achieve defensibly democratic results, as long as leaders on either end focus fairly consistently and pragmatically on the other’s motivations to achieve purpose. “Bottom-led” slum redevelopment in Mumbai and the “top-led” quality growth movement in Salt Lake City illustrate this contrast. But the “top” was far more important to the former, and the “bottom” to the latter, than appealingly simple labels or stories would suggest. Moreover, as San Francisco’s children’s movement and the movement to improve the lives of South Africa’s urban poor so richly illustrate, the lead role can shift over time without any of the players leaving the ring, so to speak. This question of who is propelling change most at any given moment does not settle the question that motivated my study: whether there are productive routines for getting things done together across the sectors and across levels of decision making and power.

The tension between the bottom and top is central to the evolution of modern planning, policy making and policy analysis, and public management—and of their discontents (Friedmann 1987; Healey 1996). But a great deal of rhetoric and ideology have obscured things, too, as though interests and legitimacy lined up neatly with government-versus-“community,” powerful-versus-powerless, us-versus-them, distinctions. We have a rich, international body of commentary on which to build, commentary on “tyranny from below”—highlighting the risk of parochial decision making when control is shifted downward, factions within communities that complicate efforts to understand who is representing what to whom, “ritual” versus meaningful participation, and the gap between developing a legitimate mandate to act (which includes a mandate from “below”) and developing the capacity to act on that mandate and get things done (Arnstein 1969; Briggs 2001; Cooke and Kothari 2001; Fung 2004; Piven and Cloward 1977). Yet decades of such critical thinking about bottom-up approaches does not seem to have dimmed or sufficiently enriched a rather unexamined enthusiasm for “community-driven” approaches.

This is not an indictment of the ideal of participatory democracy, participatory planning, or participatory development—related strains of this inclusionary ideal—but rather an observation that too little of the

critical reflection seems to diffuse in common practice. We rely on simplistic labels, and we make the same old mistakes, rather than new ones, from context to context. One reason for this, perhaps, is that examples of top-down, exclusionary planning and decision making still abound, distracting us from the need to get more specific about how alternative approaches could function effectively. But worldwide, our problems demand the attention and the continuous learning of policy makers, resource providers, opinion leaders, and other influencers (“grassstops”) as well as “grassroots” stakeholders. And many grassstops actors are not political or economic elites in the traditional sense; they are simply well positioned to influence others and to mobilize resources. Surely some of the most important tasks ahead include developing a range of recipes, not one best mousetrap, for mobilizing the roots *and* the tops in ways that enable them to problem-solve together. Effective civic intermediaries, a pragmatic willingness to lead or follow at any given stage of problem solving, and a richer appreciation of accountability’s varied and worthy forms all play a role in that.

This is not a dream of easy consensus or inappropriate conformity, of problem solving as getting along well with new ideas in play. Productive conflict and pressure politics can play important roles, such as mobilizing participation, clarifying stakes, and getting more options for action considered, as all of the cases showed. Furthermore, significant transformation includes change that provokes conflict and with it competition. But the need for bridging institutions and routines in diverse and fragmented societies is one reason that go-between roles, as distinct from traditional interest-group advocacy or service delivery, are so important for entrepreneurial civic organizations. This is also why savvy iterations of learning and bargaining, plus multiple forms of accountability that are widely recognized and sustained, are so crucial. Without them, a pluralism of mobilized interest groups leads to a Tower of Babel marked by polarized debate, impasse, domination, and—as a by-product—by disengagement as well, since those who see no payoff to participating have every reason to stay out of politics. But together, the positive ingredients can make democracy a more effective recipe for problem solving. They could also define a new generation of civics education across the life course.

These observations leave unanswered, however, the question of what makes collective problem solving democratic and what the trade offs between core democratic values, such as liberty and equality, and “getting things done” really are. Autocrats, after all, can get certain things done much more efficiently than democrats. And trade-offs must often be

faced when the stakes are high, resources are limited, capacity to solve problems is widely dispersed, and indicators of progress are contested.

On Democracy: How *Should* It Work?

In chapter 2, I juxtaposed two very broad notions of how democratic politics can function: as a contest for influence and control of resources or as a deliberative exercise that helps the public define itself, discover shared interests, and explore a better future even in the face of deep disagreement. My focus thus far in the book has been instrumental and empirical: how things *do* work, not how they *should* work. I have briefly addressed the obvious concerns about unelected leaders driving the show and vigorous popular movements threatening deliberation. But in deferring the normative question of should, I did not indicate what tests a process might have to meet in order to be called “democratic” and not merely collectively efficacious in the narrow sense: tackling a social condition, through joint action, in a promising way.

Since dictators can spur collective efforts to clean up the environment, curb runaway urban growth, eradicate disease, get most students in a society to complete secondary school, restructure outdated economies, and “solve” other complex problems, there is obviously nothing in efficacy as to task (alone) that suggests a democratic problem-solving process accomplished it. With such risk of abuse and subterfuge, and there being so many ways for the players in collective problem solving to interpret what is fair, the normative questions cannot be avoided for long.

Yet there are many ways to define democracy, and important debates about what is essential, as opposed to desirable, to the definition rage on (reviews in Held 2006; Shapiro 2003). This is especially true for the kinds of democratic societies profiled in this book, all of which tolerate extreme economic inequality and also show many deeply rooted political inequalities. But as a process recipe, we expect that democracy requires that the people in those problem-solving scenarios above, and not some strongman as master planner, be sovereign. *This means that those with stakes in key decisions have some nontrivial opportunity to influence those decisions* (Cohen and Rogers 1995). Robert Dahl has added that this includes not only “effective participation” in ways that help set agendas and form preferences but “enlightened understanding” and voting equality (Dahl 1989).

Other leading political theorists, drawing on forebears from ancient Athens to eighteenth-century Europe to the modern day, add that *democ-*

racy is a set of arrangements for structuring relationships of power in ways that avoid domination of some groups by others (Shapiro 2003). This is not to say, of course, that everyone can win all the time. But it requires that no one lose out consistently because their interests are systematically excluded or denied—for example, through biased rules or such extreme inequality that many are effectively rendered voiceless and invisible. Representative government has been the core design in liberal democracies, since the late eighteenth century, for meeting these tests, and yet it often falls short.

As David Held (2006, 275) observes, “None of the models of liberal democracy is able to specify adequately the conditions for the possibility of a structure of common political action, on the one hand, and the set of governing institutions capable of regulating the forces which actually shape everyday life, on the other.” In other words, the formal models provide neither adequate designs for collective problem solving *as legitimate process* nor adequate means of handling the substantive challenges in our lives—crime, war, economic decline, illness, environmental degradation, and more—so as to produce outcomes that would satisfy us. The extreme inequalities I highlighted above exacerbate both shortcomings.

The tests advocated by respected observers of democracy, not to mention the specific requirement that democracy show tangible results on public problems, become so much trickier when our gaze is focused, as it has been in this book, on efforts with and beyond government. Now citizens are not merely voters forming and expressing preferences—to agents who steer government on their behalf—but experts with distinctive knowledge, association builders promoting particular interests, and sometimes coproducers of change who engage in the operational work—the collective “barn raising”—that change requires, through their behavior as consumers, parents, peer advisers, and so on. Because “joint action” can include so many stages and levels, the key decision makers, decisions, and opportunities for influence multiply exponentially. But so do the opportunities for deception, exclusion, forced impasse, and violations of what we consider fair, democratic rules of engagement. Scholars have highlighted these reasons why a brave new world of governance beyond government make accountability so tricky (e.g., Stoker 2002). Yet we must be able to hope for something better than a massive codex of new procedural rules—the kinds that encourage fair treatment and punish abuse in the sphere of government action—to handle this wider orbit.

At the heart of this, I argue, are two questions: What makes action on public problems *legitimate* in the democratic sense? And since inclusion and the avoidance of domination are surely a part of that legitimacy, must there be *trade offs* between those core democratic values and the instrumental value that motivated this book to begin with: progress on public problems? To address both concisely, I will venture a definition and then briefly derive it:

Democracy is a recipe for structuring the participation of stakeholders in solving problems that confront them collectively in a way that (1) makes significant decisions as accessible and inclusive as possible and (2) avoids patterns of domination, subject to the aim of (3) producing outcomes that are recognized as promoting legitimate interests and values.

Dissecting that paragraph could fill another volume—and indeed has filled many, if we consider the debates on the component parts. But the essentials are straightforward: democracy is a particular recipe for structuring participation in problem solving. As a general matter, that participation is important for getting results, for reasons I discussed in chapter 2: better learning, pragmatic accountability in the form of a truly public mandate to act, and fostering the commitment to act in support of the decisions taken. Participation can have all three of those important effects. But too much participation of the wrong kinds, under ambiguous rules, can have exactly the opposite effects. And pervasive disengagement (nonparticipation) creates its own problems: undermining the legitimacy of public action, thwarting learning, encouraging inequality, and more.

That democracy structures power relations, too, by making significant decisions as accessible and inclusive as possible and also by using various mechanisms to avoid domination (civil liberties, distribution of powers, and so on), only follows from a conception that democracy's task is to enable participation that resolves collective problems by structuring the way stakeholders in those problems relate to each other and the problem before them. This is more specific and more demanding than the classic observation that it is the people, in a democratic society, who invent government to serve them, voluntarily binding each other to it—again, because the definition above envisions a role for a variety of structures of collective action beyond government. Also, by creating cross-checks, the recipe generates some of the very fragmentation of power that makes collective problem solving so difficult. Yet the more democratic a process, the more people will be treated as equals in that process (Dahl 1989; Fung 2006b; Shapiro 2003), which does not require that they play equal

or uniform roles or that equal treatment define every stage of an extended process with public stakes. The latter idea is a practical impossibility but also, I think, excessive in principle.

Moreover, judgments about how much inclusion is possible and when, while they may often follow templates (institutional designs) that are replicated from place to place and that persist over time, must suit a place and a time—in the sense of “era”—because problems change, conceptions of success change, and so do social judgments about how to pursue successful outcomes in ways that are fair. Such judgments must be adaptable, or the stakeholders and their representatives will get hung up on procedure—democracy by fixed formula, not democracy as an adaptive recipe—with defenders of the rules winning out over those whose creativity and commitment could make vital contributions to human progress. As Fung (2006b, 2–3) puts it,

Some problems are best solved by experts who do their work largely untethered by tight chains of popular accountability while other issues and contexts call for widespread and empowered citizen engagement. A workable understanding of democracy should account for these two modalities and many others as well. Because our social and political worlds—and the problems in it—are so varied and complex, democrats should resist constructing premature institutional blueprints.

More pointedly, though, the first-order test in my definition, that democracy must enable us to make a collective impact on the state of the world, acts as an appropriate limit on inclusion and even on mechanisms crafted to protect against domination. I am not arguing that some forms of domination are ever acceptable, only that one can thwart democracy's basic purpose—to help us act collectively to improve our lives and not merely protect individual interests or referee among them—with a rigid attachment to well-intended protections. There become too many veto junctures, too many opportunities for parochial interests to undermine vital collective ones.

Finally, it is only in the public square, as deliberative democrats have argued, that we discover which interests and values are legitimate as guides for collective action, which are legitimate but private concerns, and which are illegitimate (uncivil or domineering, threatening to the common good).

There is a long history to many of these ideas. Many scholars have offered and reviewed rich arguments about the risks of tyrannies of the majority or the minority, for example (Shapiro 2003), and how much the effects of particular rules for decision making depend on the nature

Table 12.1
Inclusiveness versus efficacy: Types of governance

Efficacy as to task (public problems)	Inclusiveness in public decision making	
	High	Low
High	Type 1 Effective democracy (institutions and norms for prudent collective direction-setting and regular accomplishment of significant public goals, subject to legitimate protections)	Type 3 Effective autocracy (institutions and norms for directing centralized public authority to accomplish significant goals, without protection against domination)
Low	Type 2 Incompetent democracy (stalled or imprudent collective direction-setting, limited accomplishment of significant goals, subject to legitimate protections). Type 2a Disengaged formalism (minimal participation, pervasive mistrust). Type 2b Activist impasse (scarcity of shared agendas, agreements and schemes of cooperation for implementation)	Type 4 Incompetent autocracy (institutions and norms for strong centralization of authority without the means of accomplishing significant public goals, without protection against domination)

of the political community's interests in an issue: Are they largely shared or in conflict (Innes and Booher 2004; Mansbridge 1980)? Furthermore, astute observers are rapidly expanding our understanding of the dimensions along which participation can be structured, particularly in collaborative public management—dimensions such as who participates, via what modes of communication or exchange, and with what scope of authorization to drive action (e.g., Fung 2006c; Held 2006). My modest aim has been to trace out some implications of rethinking democracy as problem solving *for* the essential values of liberty (exercising choice), which demands access and some form of inclusion, and equality, which specifically calls for measures to avoid domination. A major reason to do this, as the cases made plain, is that much effective action that has public consequences is carried out by unelected parties, some of whom bargain, formally or informally, out of the public eye—though not to say

out of its reach. But the other reason is that the popular vote has proven to be a limited device in democracies both young and old.

Table 12.1 highlights a set of ideal types to illustrate these points at four extremes (the quadrants). In particular, it is a vision of effective versus ineffective democracy. It recognizes that there can be a trade-off between inclusiveness and effectively accomplishing tasks (Type 2b) or a failure to engage the public in participating enough (Type 2a), but that these challenges can be managed better to create democracies that structure participation to accomplish more in the way of solving public problems (Type 1). There is no roadmap here to particular procedures for enhancing effectiveness, such as devolution of authority to citizen councils or supplementing legislative and agency decision making with ad hoc, facilitated consensus-building groups of stakeholders. There is room for a variety of these innovations if they help a society better meet the multiple tests.

But the table has a broader purpose, too, for it implies that human progress is not only about moving societies from the right to the left of the table, because we value people's sovereignty and their right to key freedoms, but also from Type 2 to Type 1, because we value recipes for collective action insofar as they accomplish things that make our lives better. With cultural diversity and concerns about the unprecedented challenge of the climate crisis on the rise in many communities worldwide, with global forces impinging on our local lives and livelihoods, and with the complexity of public problems ever more apparent, it will be very difficult to sustain or recover civic institutions and habits of community—the sense of consciously being a public, with shared stakes, in Dewey's terms—without such accomplishment. This is the civic capacity imperative, and it is urgent.