

## **Power and Reason\***

Joshua Cohen and Joel Rogers\*\*

### **1. Aims**

For more than two decades the democratic left has sought to clarify the content of a “post-socialist” political project. The theory and cases studies gathered in this volume are part of that discussion, and their contribution is best understood by reference to it.

The socialist project, including its more common social democratic variant, was defined by a characteristic set of moral-political values and an institutional and political strategy for advancing them. The values were egalitarian and participatory, with a strongly economic inflection. The institutional models included Keynesian macro-economic steering, state regulation of market actors, workplace economic democracy, and some measure of direct state ownership and planning. The political strategy centered on the nation state, which was the chief regulator, macro-economic manager, agent of income redistribution, and sometime owner and planner.

Debate within the post-socialist left begins from the conviction that this statist and economic approach to advancing egalitarian-democratic ideals is neither plausible nor adequate under contemporary conditions. In part this conviction follows from greater appreciation of the limits of the state, in part from a more expansive understanding of those values themselves.

Appreciation of the limits of state competence and capacity flows from at least two quarters. One, primarily concerning the economy, draws negative lessons from the failures of much socialist planning, and notes the fact that economic globalization—particularly given the current distribution of political and military power—qualifies the capacity of nation states, particularly small ones, to effectively steer the economy within their borders. On the demand side of that national economy, the Keynesian consensus at the foundation of social democracy has substantially collapsed, leaving states much more cautious as economic actors promoting working class well-being. On the supply side, central authorities typically lack the local knowledge needed to carry out potentially pro-worker policies in modernization, industrial adjustment, and training.

---

\* To appear in Archon Fung and Erik Olin Wright, eds., *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance* (New and London: Verso, 2002). Forthcoming. We have included all references to the book parenthetically in the text.

\*\* Respectively, Goldberg Professor of the Humanities, professor of philosophy and political science at Massachusetts Institute of Technology (jcohen1@attbi.com); Macarthur professor of law, political science, and sociology at University of Wisconsin-Madison (jrogers@ssc.wisc.edu).

This last point generalizes beyond the economy to a second skepticism about the state, of great relevance to the work in this volume. These doubts follow from expansion in the scope and diversity of “local” problems that states are now routinely asked to remedy. Typically, though not always, such problems—in the environment, health, education, public safety, or countless other policy domains—present important inequalities in the power of affected actors. So leaving them to narrowly local solution is unacceptable; indeed, it commonly provides the first impetus to state involvement. But almost by definition, that involvement is immediately vexed. The most efficient solution to such problems requires knowledge of local circumstances and flexibility in adjusting general standards to them—something not easily achieved by central states. This problem only gets worse where, as is commonly the case, regulatory solutions in different policy domains or communities of interest are interdependent, and need to be reconciled. Such reconciliation requires a yet higher order of informed and flexible coordination by central authorities, a task that is typically beyond them.

Thus changes in the global economy undermine the state's capacity as economic manager. And what the state never claimed much capacity for—eliciting and acting on local knowledge, with nearly limitless monitoring and enforcement capacity for regulatory standards and solutions—it is increasingly asked to do. For both reasons, the nation state appears a less plausible agent of egalitarian-democratic advance.

On values, meanwhile, the gradual emergence of a more inclusive, tolerant, cosmopolitan understanding of the political public has undermined the appeal of a politics focused on economic-class concerns, to the exclusion of interests in gender or racial justice, self-government by national groups, ethnic rights, the environment, and more. An egalitarian-democratic must respect the heterogeneity of reasonable political demands. But this heterogeneity immediately creates a political problem—how to achieve collective focus, particularly among subordinate groups, on the achievement of any matter of shared concern.

Framed by these shifts in the world, debates in the post-socialist left about models of a more just society have been dominated by two distinct, though compatible, lines of argument.

The first, growing out of appreciation of the state's limits as an economic manager, combines socialism's commitment to material equality with a renewed respect for markets as the preferred arena of economic coordination. Unlike social democracy, which left initial property positions largely intact, or state socialism, which abolished such positions entirely, it aims to promote greater

equality through new forms and distributions of initial property assets,<sup>1</sup> which combine with markets to produce the desired result. In the *Real Utopias* series, John Roemer provides one example of such “asset egalitarianism.” His “clamshell” socialism proceeds from a equalized *per capita* division of productive assets, and permits lifetime stock trades and consumption of dividends, if not principal.<sup>2</sup> Sam Bowles and Herb Gintis provide another example. Their work offers models that correct for inequalities in existing markets for essential goods not by direct regulation, but by endowing citizen consumers with new assets and special bargaining powers.<sup>3</sup>

The second line of argument grows out of an appreciation of the more general limits of the state’s regulatory capacity. Building on the participatory, radical-democratic strand of traditional socialism, it seeks to construct models in which “local” players can be involved more directly in regulation and collective problem solving, albeit with some form of center that coordinates local efforts. The idea is that empowering citizens, and then on more equal terms, is an intrinsic good, and a means of ensuring a fairer distribution of material resources. But it is also an important strategy for achieving more effective solutions to collective problems—informed by local knowledge, engaging local energies, and otherwise improving on the performance of a distant command and control central state.

Traditionally this radical democratic strand of the socialist project has been associated with ideas of economic democracy, including self-management and worker ownership, as well as more ambitious projects of democratic coordination above the level of the firm. But changes in firm and work organization and career patterns— more fluid firm boundaries, more discrete and shifting “communities of interest” within them, less sustained firm-specific employment, increased payoff to heterogeneous skills, greater integration of work and family life—suggest that the firm may not be the right locus of economic democracy. At the same time, the virtues of participatory, radical-democratic strategies are not confined to the economic arena. They seem to “travel” well to many areas of policy, including those areas of “local” coordination already noted. So the fact of political heterogeneity, while a challenge to socialism’s traditionally privileged site for

---

<sup>1</sup> The social-democratic project left the inequality of property holdings largely intact, and thereby guaranteed eternal contest over achievement of a passably equal income distribution, which required a “taking” from those who had benefited from initial property inequalities.

<sup>2</sup> John Roemer, *Equal Shares: Making Market Socialism Work* (New York and London: Verso, 1996).

<sup>3</sup> Samuel Bowles and Herbert Gintis, *Recasting Egalitarianism: New Rules for Communities, States and Markets* (New York and London: Verso, 1999).

participatory democracy, here seems to invite its direct extension to a wider area of social life.

\* \* \* \* \*

The work in this volume, and some of our own, exemplifies this participatory strand in post-socialist thought. Our work on associative democracy, which inaugurated the *Real Utopias* series with a volume on *Associations and Democracy*,<sup>4</sup> centered on the idea of improving democratic process and performance by a deliberate “politics of association.” Instead of taking as fixed the strength and distribution of secondary organizations intermediate between state and market, liberal democratic governments would explicitly encourage an associational population better suited to representing underrepresented interests or adding to state capacities for regulation. In the concluding essay to that volume, we came around to the view that the point was not simply to foster associations of suitable kinds, but also to build new arenas for solving problems through citizen deliberation. Thus the idea was both to foster greater equality of power and to discipline the exercise of power directly through the common reason of citizens: to build a more democratic society, and a more deliberative democracy.

The present volume builds on this second strand of argument. Archon Fung and Erik Olin Wright offer a model of “empowered participatory governance” (EPG), very much about the construction and use of citizen arenas for practically-inclined democratic deliberation. The contributors then seek to assess the robustness and appeal of that model by considering some contemporary cases that arguably exemplify it. The cases vary widely: from Chicago schools and policing, to participatory budgeting in Porto Alegre, to the design of a range of public programs in West Bengal and Kerala, to the planning of complex regimes of habitat conservation in various parts of the United States. And at the very least, they present impressive evidence of social capacity for political invention. Across radically different circumstances, we see new forms of participation, all devised for attractively mundane purposes: making sure that schools work, that roads and water pipes get built where people need them, that jobs and endangered species both get protected, and that public safety improves in dangerous places.<sup>5</sup> These innovations are animated by and give evidence for the truth of the hopeful, radical-democratic assumption that explicitly animates this book—that ordinary people are capable of reducing the political role of untamed

---

<sup>4</sup> Joshua Cohen and Joel Rogers, *Associations and Democracy* (New York and London: Verso, 1995).

<sup>5</sup> Hannah Arendt might have shuddered to think that the noble activity of political innovation could be brought so low, but so much the worse for Arendt.

power and arbitrary preference, and, through the exercise of their common reason, jointly solving important collective problems.

In our comments, we explore what more the book tells us about this hopeful assumption. In particular, we focus on the role in EPG of deliberation—the idea of subjecting collective decision to the rule of reason—and its relation to power. We find some important evidence here for the view that deliberative democracy is not, contrary to some of its critics, simply a way to empower the verbally agile and increase the returns to cultural capital, nor is it emphasis on reasons unduly respectful of the *status quo*. But we also criticize the presentation in the book for its inattention to conditions of background power. The cases discussed here differ sharply from one another in those background conditions, and on how they, or their remedy, figure in the activities under discussion here. By treating these cases as all instances of a common model, Fung and Wright may obscure the importance of this difference, and may exaggerate the capacity of deliberation itself to neutralize the effects of unequal power.

## 2. The Empirics of Deliberation

The model of empowered participatory governance (EPG) comprises three conditions: focused problem-solving, participation, and deliberation. We have EPG when parties who are affected by a certain area of policy come together to deliberate about which policies are most suitable to their case, and the results of their deliberation in fact determine the policies adopted. The ideas of focused problem-solving and participation raise large questions.<sup>6</sup> But we put these issues aside here, and focus instead on what the cases tell us about the “deliberation” aspect of EPG.

Briefly, to deliberate means to debate alternatives on the basis of considerations that all take to be relevant; it is a matter of offering reasons for alternatives,<sup>7</sup> rather than merely stating a preference for one or another, with such preferences then subject to some rule of aggregation or submitted to

---

<sup>6</sup> In his discussion of Chicago policing, Fung says that “17-21 residents generally attend each meeting in addition to five or six beat officers.” With 4000-6000 adults living in each beat, these numbers may seem very small, but they are, he says, “more than enough for problem-solving planning and implementation” (138). Without disputing this assertion about sufficiency for solving problems, we might naturally wonder what such low participation rates indicate about *democratic* promise, and what would be required to show that participants are sufficiently representative or accountable to answer those concerns.

<sup>7</sup> Of course, the availability of such shared reason may itself be in doubt. Much of the recent literature on deliberative democracy aims to clarify just what the relevant idea of a reason is, particularly when participants in deliberation are assumed to have basic disagreements in their respective philosophies of life. We will not pursue this issue here, but recommend the wide-ranging and illuminating discussion in Samuel Freeman, “Deliberative Democracy: A Sympathetic Comment,” *Philosophy and Public Affairs*, 29, 4 (Fall 2000): 371-418.

bargaining. The exchange of reasons that a deliberative democracy puts at the center of collective decision-making is not to be confused with simple discussion, or the revelation and exchange of private information. Any view of intelligent political decision-making sees such discussion and exchange as important, if only because of initial asymmetries in the possession of relevant information. What is distinctive about a deliberative view is that the processing of this information is disciplined by the claims of reason—that arguments must be offered on behalf of proposals, and be both supported by considerations that are acknowledged to provide relevant reasons, even though there may be disagreements about the weight and precise content of those considerations.

Consider, by way of illustration, the case of education. In deciding how to allocate resources, some relevant and potentially competing reasons might be: enabling each student to achieve his or her potential; promoting the performance of those who are performing least well; providing a common educational experience for students of diverse backgrounds. In the case of health care, they might be: benefiting those who are worst off; aiding those who would benefit most from medical resources; assisting the largest number of people; ensuring that all people have fair chances at receiving help, regardless of the urgency of their situation and of expected benefits from treatment.<sup>8</sup> As these examples suggest, the reasons relevant to particular domains can be complex, varied, and often competing, and there often will be no clear, principled basis for ranking them: Reasonable people may reasonably disagree on how they should be weighted. And after the competing reasons are all aired, they may continue to disagree about the right result. Nevertheless, they accept the results of the deliberative process as legitimate in part in virtue of its having given due consideration to the relevant reasons.

The normative attraction of deliberation goes well beyond the prospect of public action based on the most complete relevant information, even the most complete information about possibly principled bases for action. In the ideal case, collective decision-making through deliberation also *neutralizes the political role of arbitrary preferences and power* by putting collective decisions on a footing of common reason. In ideal deliberation, the only power that prevails is, as Habermas puts it, the “force of the better argument”—and that is a force equally available to all. If a commitment to deliberation in this way neutralizes power and equalizes chances to influence collective-decision making, moreover, it should also tend to produce more equitable *outcomes* than would otherwise result. The deliberative ideal of using common reason to discipline power and preference thus arguably connects to substantive norms of political equality (fairness of process) and distributive equity (fairness of result).<sup>9</sup>

---

<sup>8</sup> See Norman Daniels and J. Sabin, “Limits to Health Care: Fair Procedures, Democratic Deliberation, and the Legitimacy Problem for Insurers,” *Philosophy and Public Affairs* 26 (1997): 303-350.

Other effects and virtues are sometimes associated with deliberation: that it changes preferences in desirable, democracy-promoting, ways; that it encourages mutual respect among parties; that its connection to common reason fosters legitimacy in a way that bargaining, or majority rule with a simple counting of heads, do not; that it promotes more information revelation and, finally and simply, more intelligent decisions.<sup>10</sup> But the idea that deliberation helps to neutralize power is fundamental, and provides our focus here. What precisely is this claim, and what do the cases assembled here tell us about the possibilities of its achievement in the real world?

### ***Two Prefatory Points***

Before answering this question, however, we enter two prefatory points.

First, if the cases tell us anything hopeful at all, it will be largely news. Empirical literature on deliberation is thin, and not very promising in observed effects. As Rebecca Abers notes, the “case study literature on experiments in direct citizen participation in governance is on the whole pessimistic” (208), especially if measured against the standards of democratic deliberation proposed here. Either the full range of those affected by decisions— particularly the poor and less equipped with education and other “cultural capital”— did not actually participate in discussion. Or deliberative bodies were “talk shops,” whose conclusions did not guide final policy decisions. More recent assessments also raise concerns about how deliberation may produce polarization, and about how reticence to express political judgments may lead to inequalities in deliberative participation.<sup>11</sup> But the concerns about polarization emerge most sharply in settings in which *like-minded* people deliberate, and the concerns about reticence have been studied in informal settings of discussion different from the problem-solving arenas that provide the focus for the case studies here.<sup>12</sup> One of the great strengths of this volume, indeed, is its wealth of examples from such arenas, presumably the most relevant to taking deliberative democracy seriously in actual public policy.

Secondly, however, a large caveat needs to be entered on the kinds of inferences that can be supported by these cases. In selecting their cases, the editors sought to find illuminating illustrations of EPG, not to test a theory about it. In effect, they have sampled on a dependent variable. Given the immature state of theory and data in this area, this judgment made sense. Its downside, however, is that we lack the variation needed for testing hypotheses.

For example, in his treatment of participatory budgeting in Porto Alegre, Gianpaolo Baiocchi presents suggestive evidence in support of the claim that EPG has helped produce a fairer allocation of public works spending in that city,

one more attentive in particular to the needs of poorer neighborhoods. But the evidence presented, while consistent with this claim for EPG, is also consistent with the hypothesis that this fairer allocation results more directly from the Workers Party (PT) dominance of city government. Absent the pairing of cases with relevant variation—say, Porto Alegre with other cities run by the PT for comparable numbers of years, but without participatory budgeting; or different cities with participatory budgeting but with sustained differences in party control—we cannot decide this issue, or understand EPG’s distinctive contribution. Similarly, the study of Kerala by T.M. Thomas Isaac and Patrick Heller finds increased popular participation as a result of institutionalization of the local *Grama Sabhas*, and fairer allocations of public resources following adoption of the Communist Party of India/Marxist’s highly devolved program of economic development. Isaac and Heller do not find much deliberation in the *grama sabhas*, which meet infrequently, often at great distance from would-be participants, and are “too large and unwieldy for meaningful deliberation” (112). So we may simply have evidence for the idea that popular empowerment itself shifts the balance of political power to poorer citizens, and this—rather than reason-giving—generates shifts in public spending. In any case, the selection of cases counsels caution in drawing inferences.

This limitation acknowledged, the cases are instructive on the practical details of popular deliberation. In particular they suggest that at least some familiar objections to democratic deliberation are overstated, and at least some of its promised returns are in evidence—if overdetermined, or perhaps determined solely, by the supportive political organizations and movements that spurred the experiments in the first place.

### **3. Two Common Objections to Deliberation’s Promise**

The cases presented here seem to offer good evidence against two common objections to deliberative democracy, or to power-neutralizing claims made on its behalf.<sup>13</sup>

#### ***The Power of the Word***

The first objection—suggested by Pierre Bourdieu’s skepticism about “linguistic communism”—departs from the observation that reasoning is an acquired capacity, not equally distributed among all. So collective decision-making through reason-giving may not *neutralize* power, but instead create new forms of unequally distributed power: a “logocracy,” in which power goes to the rhetorically or laryngically gifted. Moreover, this rule of the reasoners (not of reason) is likely to compound existing social inequalities. According to some critics, we can expect a preponderance of the economically advantaged, or men, or those otherwise possessed of cultural capital and argumentative confidence.

But from the evidence of the cases considered here—particularly those concerning less educated and in the cases considered by Baiocchi (Porto Alegre participatory budgeting), Isaac and Heller (West Bengal and Kerala economic planning and budgeting), and Fung (Chicago policing and schools)—this objection is less than compelling. It overstates the weight of the feared effect, and underestimates the capacity of deliberative bodies and political officials to recognize and alleviate it, should it arise. Thus Fung finds that citizen participation in Chicago policing efforts is greater in poorer neighborhoods, and that the city, cognizant of concerns about cultural and class bias, invested resources in training participants in policing and schooling efforts. Baiocchi finds high rates of involvement by poorer, less-educated citizens, and a substantial role for women's participation in participatory budgeting bodies. And Isaac and Heller report high rates of participation by women, the poor, and less educated—indeed, if anything, an overrepresentation of the poor in the *Grama Sabhas*, owing to their higher stake in the decisions made there.

The case of Habitat Conservation Planning (HCP) is very different. Noting the great diversity in HCPs, and the difficulty of drawing any crisp lessons from the experience, Craig Thomas observes that many HCPs are “relatively small and elitist,” and that internal deliberation is often dominated by experts, not ordinary citizens. What is not clear from his discussion, however, is whether the arenas are expert-dominated *because* they are deliberative, and thus unwelcoming to citizens who lack rhetorical confidence—or simply because the planning process has few democratic ambitions.<sup>14</sup>

Moreover, the cases suggest some support for the claim that decision-making through joint reasoning shifts *outcomes* and not only processes. In Porto Alegre and Kerala, there appear to be substantial shifts in the allocation of public resources to the poor, and in Chicago some redirection of police capacities to more pressing problems identified by citizens. It should be said, however, that Thomas and Heller do not find a great deal of deliberation in the Kerala case, so it may be that the results come from the dominance of the left party, or from the sheer fact of broader participation. But deliberation may help in the other cases, and in any case does not seem to have the deficiencies identified by some critics.

Of particular interest are the arguments that deliberative bodies need not take rates and kinds of participation as given. When biases appear in citizens' capacity to participate, deliberative bodies can undertake affirmative measures to address those biases. In particular, they can help to train participants in the issues decided by the body and in how to frame arguments about the relevant policies. In Kerala, indeed, “a critical component of the Campaign has been an elaborate training program that has become one of the largest non-formal education programs ever undertaken in India” (92), with several hundred

thousand participants involved in multiple rounds of multi-day training focused on one or another part of the planning process. On this, Jane Mansbridge is right that it would help to know more about the details of training offered to ensure deliberative equality (196). Is the training really disinterested, and directed at increasing participant skills? Or is it abused for indoctrination or political control? This is a fair concern, perhaps especially when the deliberative body is sponsored by a political party. But then, some version of it might be applied to almost any program of civic education. Here, in any case, the straightforward capacity-building aims of training appear clearly dominant over any “political education.”

A final observation on this first line of criticism: it needs to be acknowledged that the favorable findings presented here on the practice of deliberation may reflect something about the specific kinds of deliberative bodies under consideration. As Fung and Wright emphasize, the deliberative bodies studied in this volume aim to solve relatively concrete problems—to improve policy in relatively well-defined areas—not to have open-ended public debate that sets political priorities, or to arrive at principles of political morality. So the cases do not show much about whether remedies for inequalities of deliberative capacity carry over to other cases, where (a critic might argue) inequalities of argumentative skills may be more recalcitrant to remedy. But it does seem that critics of deliberation were too quick to suppose that decision-making through joint reasoning would inevitably empower the verbally agile.

### ***The Suppression of Self Interest***

A second objection to deliberation is that its conception of reason giving as the favored form of political speech will work to the disadvantage of subordinate groups. Because those groups are subordinated, their particular interests may not be well understood or included within conventional understandings of the common good. To limit deliberation to arguments somehow appealing somehow to that good, or to other considerations that are commonly cognized as reasons, boxes members of subordinate groups out of stating their interests at all: norms, according to the critic, reflect power, and are not an alternative basis of collective decision. Rather than playing this rigged game of deliberation, then, subordinate groups would do better to engage in straight-up bargaining. Thus Mansbridge observes that “a single focus on the common good tends to make the assertion of self-interest illegitimate. Yet recognizing and asserting self-interest helps one figure out oneself what one wants. Recognizing and asserting self-interest helps in becoming understood (and respected) for what one wants and needs. Recognizing and asserting self-interest helps unveil hegemonic understandings of the common good when those understandings have evolved to mask subtle forms of oppression” (190).

But this objection rests on a conceptual confusion about deliberation, and has—at least from the cases considered here—almost no empirical basis.

Deliberation does not preclude statements of self-interest. The deliberative view holds that expressions of self-interest do not qualify as *justifications* for anything—as statements of reasons in the desired sense. But it admits them as ways to present *information*. For example, a relevant consideration in deliberation, and a possible justification or reason for a policy, is that it represents a fair accommodation of the interests of all, or advances the good of those who are in greatest need. But to know that it does either of these things, we need to know what those interests are, and expressions of self-interest by relevant persons is one way to find that out. Where the deliberative norm cuts is simply that saying “this policy is in my (my group’s) interest(s)” is not itself a reason for adopting a policy; but again it may be very relevant information in choosing among different policies.

More immediately still, however, the objection lacks any empirical referent in the cases considered here. Even in those cases involving the most subordinate of groups, they suggest no evidence that members of those groups are reluctant to express their self-interests, or even to bring forth proposals specifically geared to meeting them. Nor is there any suggestion that statements are met with criticism.

#### **4. Why Reason Together?**

But it is a third concern about deliberative democracy that needs more attention from proponents. The presentation in the book, however, is not very illuminating on this issue.

According to this objection, deliberation is a ruse unless substantial background equality of position is already assured. Or, conversely: under conditions of substantial inequality of power, a requirement of presenting reasons is unlikely to limit or neutralize power. Because constraints on what counts as a reason are not well defined, the advantaged will find some way to defend self-serving proposals with considerations that are arguably. For example, they may make appeals to ideas of the common advantage, but press a conception of the common advantage that assigns great weight to the *status quo*. “Common advantage” will then consist in advantage relative to the existing framework of inequality, with that framework itself left off the deliberative table. Or if they fail in this, the advantaged will simply refuse to accept the discipline of deliberation. They will recognize, to paraphrase Hobbes, that reasons without the sword are but words with no force to tie anyone’s hands. So actors with sufficient power to advance their aims without deliberating will not bother to deliberate. Or if for

some reason they formally agree to deliberation, we can expect them only to offer “reasons” for action that in fact are purely self-serving proposals.

If this objection is right, then proposals for deliberative democracy that are inattentive to background relations of power will waste the time of those who can least afford its loss: those now subordinate in power. The time and energy they spend in argument, laboring under the illusion that sweet reason will constrain the power that suppresses them, is time and energy they could have spent in self-organization, instrumental efforts to increase their own power, or like efforts to impose costs on opponents.

What to make of this objection?

As a first response, let’s be clear that observing the importance of background differences in power is not a criticism of the deliberative ideal *per se*, but a concern about its application. Deliberative democracy is a normative model of collective decision-making, not a universal political strategy. And commitment to the normative ideal does not require commitment to the belief that collective decision-making through mutual reason-giving—particularly reason-giving that expresses the democratic idea of members as equals—is always possible. So it may indeed be the case that some rough background balance of power is required before parties will listen to reason. But observing that does not importantly lessen the attraction of the deliberative ideal; it simply states a condition of its reasonable pursuit.

Thus, in Habermas’ account of the ideal speech situation, or Cohen’s account of an ideal deliberative procedure, inequalities in power are stipulated away for the sake of model construction.<sup>15</sup> These idealizations are intended to characterize the nature of reasoned collective decision-making and in turn to provide models for actual arrangements of collective decision-making. But actual arrangements must provide some basis for confidence that joint reasoning will actually prevail in shaping the exercise of collective power, and gross inequalities of power surely undermine any such confidence. In *Justice as Impartiality*, Brian Barry refers to the social and political conditions needed to actualize idealized deliberation as the “circumstances of impartiality.”<sup>16</sup> In Barry’s account, parties in the circumstances of impartiality need to be well informed, and prepared to listen to reasonable objections, regardless of the source of the objections. So discussion that expresses the deliberative ideal must operate with a background of free expression and association, thus providing minimal conditions for the availability of relevant information. Equally, if parties are not somehow constrained to accept the consequences of deliberation, if “exit options” are not foreclosed, it seems implausible that they will accept the discipline of joint reasoning, and in particular to reasoning informed by the democratic idea of persons as equals. Firms retaining a more or less costless ability to move

investment elsewhere are not, for example, likely to accept the discipline of reasoned deliberation about labor standards, with workers as their deliberative equals.

Deliberation, then, is an ideal whose realization has preconditions. In the absence of those preconditions, we cannot expect the force of the better argument to prevail. And equally, when those preconditions are not met, we have a problem in the circumstances, not in the ideal that condemns them.

Specifying the conditions in which it can work is an empirical question, at the very heart of the concerns of this volume: What are the needed conditions? How widely can they be secured? Unfortunately, while the presentation of theory and cases in this book are consistent with acknowledging the importance of such questions—and of the underlying issue of differences in background power—the similar treatment of very diverse cases obscures the issue.

To be sure, Fung and Wright note important differences among the four cases (7). But their principal emphasis is on *similarities*: “Though each of these case differs from the others in its ambition, scope, and concrete aims, they all share surprising similarities in their motivating principles and institutional design features. They may have enough in common to describe them as instances of a novel, but broadly applicable, model of deliberative democratic practice that can be expanded horizontally . . . and vertically” (16). And indeed, the cases do share some features. In each case, we have discussion aimed at problem-solving, rather than at the clarification of opinion. In each, the decisions more or less directly affect the allocation of public resources, rather than simply the decisions of non-public bodies. And in each, the participants in discussion are not territorial representatives with general responsibilities of representation, but ordinary citizens participating in person, or representatives with discrete responsibilities and policy bounds.

But on the issue that concerns us here, the relevance of background differences in power to deliberation, little is made of important differences among the cases. Those discussed by Fung (schools, policing) and Thomas (environmental regulation) are set against a background in which imbalances of power are not of obvious relevance to decision-making. Neither suggests that deliberation neutralizes power, but only because inequalities of power are not what stands in the way of achieving reasonable aims in these cases. Such inequalities of course exist in US politics. But in both cases the issue is essentially one of achieving coordination for *mutual* benefit.

In the Chicago policing case, for example, the large problem is a lack of the information that is needed to target policing efforts. The role of the deliberative bodies is to provide that information, which citizens living in

neighborhoods are assumed to have, and to provide it in the context of focused, practical discussions aimed at addressing neighborhood security needs. But the deliberation does not address a fundamental conflict of interests; instead it generates information and perhaps fosters greater trust between cops and citizens. And where there are conflicts of interest about neighborhood security—about how much to invest in police, and about the value of policing and other methods of improving community security (economic improvement, for example)—the community policing system described by Fung does not actually address those issues. In the case of HCPs, deliberation does not neutralize power but instead proceeds against the background of power-neutralizing threats of litigation or alternative EPA rulemaking or decree available under the Endangered Species Act, a big stick that was “part of the background that brings actors to a common table” (175), and that provided developers, in particular, an incentive to work with environmentalists.

In contrast, deliberative problem-solving arrangements in the non-US cases do not result from such discrete innovations designed to address bounded policy problems—to be solved either through better information or through *de facto* “bargaining in the shadow of the law.” They are instead part of much larger political projects, themselves aimed precisely at changing a more fundamental balance of power between large forces in society. In Porto Alegre and Kerala, the deliberative arenas and practices were established by leftist parties, with a broad social base and a program of mobilizing and activating the poor and dispossessed. The relevant participatory bodies are both effect and cause of a wider political mobilization that enabled groups to participate who had not participated before, and, importantly, those bodies have much wider powers than the more policy-specific bodies considered in the US cases. Whereas the US cases are arguably about achieving mutual gains through better coordination, and the point of the deliberation is to settle on a mutually beneficial plan, the non-US cases are apparently about redistributing power and advantage. Indeed, they are as much about shifting the balance of power to create democratic conditions in the first place—including local democracy in traditionally centralized political systems—as they are about establishing specifically deliberative forms of democratic practice. Indeed, in the Kerala case, Isaacs and Heller find *only* the empowerment, not the deliberation. In Porto Alegre, the shift in power achieved by the participatory budgeting arrangements appear to establish the social and political conditions that give a *point* to joint reasoning.

In emphasizing the common features of the different cases considered in this volume, Fung and Wright seem to overlook this difference, a difference that bears on the generalizability of deliberative problem solving. Precisely because the US cases are instances of deliberation aimed at improved coordination, we may—if we do not attend to the differences—lose the essential importance, in cases of distributive or redistributive politics, of shifting the relations of power as a

precondition to enabling public deliberation to work its effects. The problem of generalizing deliberation is not that subordinate groups are unable to hold their own in deliberation, but that those with power advantages will not willingly submit themselves to the discipline of reason if that discipline presents large threats to their advantage.

Perhaps this relative inattention to the differences among the cases is simple oversight. But something more may be at work, and it is worth asking what that might be. That is, is there a more fundamental reason for thinking that deliberation *is* generalizable, making differences in background relations of power are less significant than we are supposing? Why might someone suppose that deliberation can work its power-neutralizing effects under a very broad range of political conditions, and not simply when there has been an explicit effort to redress profound background inequalities of power?

The most plausible rationale is an argument from uncertainty. Grant that actors will not hold their interests hostage to deliberative problem-solving *if* they have reasonable assurance of an ability to protect themselves and promote their interests without such submission. But what if they don't have that assurance? What if in fact they don't know yet what their interests are? The willingness to join in deliberation may derive precisely from uncertainty on these essentials.

Here is how this might go. First, even an agent who apparently has large resources and power will want to generate new information. Second, that agent will recognize that other agents have information relevant to his or her own protection and advantage. But then suppose, third, that the environment is not very stable and that information relevant to advancing interests changes rapidly. Then apparently more powerful agents will have strong incentives to elicit the willing cooperation of apparently less powerful agents so that the latter reveal the information they have that bears on the interests of the more powerful. And one strategy for eliciting that cooperation will be to offer reasons rather than force to the subordinate. Moreover, because the relevant information cannot be provided on a one-shot basis (this is the force of the assumption about the shifting environment), the incentive is actually to establish some form of ongoing discussion in which information will regularly be gathered and reported. So even the apparently powerful agents emerge from reflection on the circumstances of uncertainty with an interest in establishing ongoing arenas of deliberative discussion aimed at exploring solutions to practical problems.

Now this uncertainty-based argument may seem not to get us all the way to deliberation. If the aim is simply to elicit information, it may be possible simply to pay for it: that is, to ensure some form of mutual gains, in the way that bargaining does. But the acknowledgement of pervasive, persistent, and profound uncertainty, and the associated recognition of mutual dependence, may

throw into question our sense of our own interests. After all, even the powerful come to see their own fate as dependent on securing the willing cooperation of others, as the fate of the weak depends on the willing cooperation of the strong. And this recognition of commonality of circumstance and mutual dependence—of a sense of being “in it together”—may produce a sense of shared identity and shared fate, which in turn changes the understanding of interests. How I think about my good, after all, plausibly depends on how I understand myself; and the facts of pervasive interdependence, constantly reinforced in arenas of discussion with diverse others, is bound to change that self-understanding.

Or so the uncertainty argument might go.

But note two things about this argument, as it bears our focus on the neutralizing effects of deliberation on power. First, uncertainty’s effects here are felt directly, not *via* deliberation. The argument is not about the power-neutralizing effects of deliberation itself, under background conditions of uncertainty, but about how pervasive uncertainty itself undermines differences of power, leading to acceptance of deliberation. Deliberation emerges as a way to pool information and explore strategies of coordination *given* the power-neutralizing effects of uncertainty. Second, and more to the point, it seems clear that the profound, pervasive, and sustained uncertainty required to achieve this direct effect—that is, to make substantial differences of power only apparent, and of no real effect in protecting and advancing interests—is a very special case. We cannot assume that, as a general matter, uncertainty takes that distinctive form. And if it does not, then gaining the benefits of deliberation may well require direct efforts to address inequalities of power.

## 5. Moving Forward

Creating a deliberative democracy is an important part of the post-socialist, egalitarian-democratic project. And much of the evidence presented in this book indicates that efforts to make democracy more deliberative have considerable promise: they appear not to be vexed by inequalities in deliberative capacities, or to silence historically excluded groups; moreover, the promise of deliberative democracy appears to resonate, under a broad range of circumstances.

But the project of constructing a more deliberative democracy should not be based of naïve expectations about the autonomy of reason from political reality or the capacity of reason to defeat naked power. A central aim of the democratic project, indeed one way of expressing the democratic ambition itself, is to ensure a place for the shared reason of equals in practical politics. This place cannot be claimed at all, however, unless the inequalities of power that would thwart an expansive role for such reason are defeated, or at least momentarily kept at bay. The Fung/Wright model of EPG is consistent with this

observation, but its application—its like treatment of the very different cases, involving different roles for background differences in power—is insufficiently disciplined by attention to these inequalities. Cases in which deliberation emerges as a way to exploit possibilities of mutually beneficial coordination differ substantially from cases in which deliberative problem solving depends on and follows from a broader democratization of social power. The project of deliberative democracy must respect that difference. Neglecting it invites illusions about the present place of reason in our politics, and about what would be required to increase its prominence.