

## **Susan Sherry**

Thank you to the organizers -- Larry, John, David, Judy, and Carrie -- and all the participants for an invigorating two days. As a practitioner in the trenches, the workshop was a time for me to pause and reflect why we do the work we do and how can we use our work to foster participatory and deliberative democracy in our communities. In my comments below, I confess I had the advantage of reading what others wrote.

I view the practice in this field as a laboratory for deliberative democracy. And, although I consider myself skilled in policy dispute resolution, I do not now consider my practice to be limited to or defined exclusively by policy dispute resolution. I would like to give you a short description of how this happened. This will provide some context for my comments about the workshop.

The university-based center that we launched in 1992 was originally called the California Center for Public Dispute Resolution. It was and continues to be one of the government-sponsored centers in the national network of public dispute resolution "offices." By 2002, our experiences in the field led us to challenge our identity. Our work, the participants in our processes, our clients, our environment at the seat of government in California, and our dialogue with our practitioner peers repeatedly pushed us to redefine how we saw ourselves, how we entered projects, and what expectations and outcomes we had for ourselves, our clients and the citizens who become involved in these processes.

At that time, we began a year-long intensive strategic planning process to understand why and how we needed to change. David Booher did considerable research to inform our discussions. At the end of the year, we were debating what to call ourselves to match our new understanding of where we were evolving. The names Center for Collaborative Governance and Center for Collaborative Democracy were many of our first choices. We settled on the tamer Center for Collaborative Policy as our informal polling indicated that clients either considered the first two names too abstract or possibly telegraphing a partisan bias. (We also consulted with a well-respected Jewish Rabbi in Sacramento to test out the term collaborative, as the one of the forms

of the word -- collaborator -- held a very different meaning 50 years ago.)

Many of the practitioners in the Center's network now see themselves as practitioners of collaborative governance, which for us has become a synonym for deliberative democracy. This is not to say, by any means, that we have developed a coherent deliberative democracy practice. We have not. We know discrete pieces of it, and are hoping that by putting pieces together and inventing more of the pieces, we will be able to build a practice model for our deliberative democracy aspirations.

Here are examples of some of the pieces. Inclusion of ethic and economically disadvantage communities (sometimes two distinct interests) "at the table" is key. More and more our stakeholder processes are interwoven with good (but not yet great) public engagement efforts, but we want to experiment more with stakeholder decision processes that tack back and forth (real time) with larger public engagement efforts of "unaffiliated" citizens (thank you David Kahane for that term of art.). One of our practitioners is an expert in working in very large groups -- 300 to 400. Last summer, she was involved in the Parliament of World Religions convocation where 5,000 people participated.

For us, DR is now seen as a very essential *tool* in our tool kit, along with other tools for untangling policy gridlock, community problem-solving, civic engagement, strategic planning and organizational development and change. In DR cases, which we have many, the outcome is both to achieve a sustainable, implementable agreement as well as take steps "calling for a different political culture" (Frank Fischer) within the institutions, constituencies, and individuals at the table.

The DR field could move to another level by examining its day-to-day work against the backdrop of the ideals of deliberative democracy. That does not mean that practitioners pursue actionable and implementable agreements any the less, alter the rigors of the DR practice, or change our professional standards of neutrality. But, but it may mean that we: Look more critically at who and how many participants are at the table; integrate visioning of the future "commons" either as a prelude to the negotiation or in place of a

traditional DR process; encourage scientific public opinion polls to be commissioned as an integral piece of a stakeholder negotiation if the issue directly impacts a large number of people in the state, region or community; combine a larger public engagement dialogue on the issue as part of the educational part of the negotiation preparation; or pursue our work with an intentional objective of creating civic and institutional leadership dedicated to deliberation, dialogue and collaborative decision-making.

I agree with John Dryzek's reflection that "deliberative democracy as an ideal should not be equated with its manifestation in any single institutional design or process be it deliberative polling or dispute resolution." No one method for bringing citizens together to solve problems, resolve disputes, re-create their community's future or deliberate is going to make a difference by itself in changing the governance systems around us. Each lends a hand, while serving other legitimate objectives. The success of a *wide variety* of processes and settings of public deliberation, dispute resolution and informed public decision-making enhances the theory of deliberative democracy and hopefully begins a reinventing of our institutions of self-government.

We talked about the differences between the dialogue and DR decision-making. How one goes about structuring a process for one over the other is definitely different (Josh's "it all depends..."), but they both appear to rise from the same wellspring. It seems that they both have roots in deliberative democracy.

Of special interest was the ongoing discussion we had around power, injustice, and exclusivity. By their nature, DR processes do exclude many. The real question is: Does it matter against our democratic ideals? Sometimes yes and sometimes no. In one long-term mediation on water, we wanted the ethic and low-income folks at the table. In our conversations with the leadership of these communities, they told us that they were focused on other issues that more directly affected them. They told us: If the water comes out of the tap - then go on without us. In another process, where ethnic and low income representative were very much present, the missing piece was the "unaffiliated" citizen - which became stunningly obvious when the

electorate dismissed the work of a four-year process with one fell swoop of an ballot initiative.

The notion of stakeholders in a DR process as a "special interest" has resonance for me. As much as we try to expand our work to be more inclusive, this remains a nagging question. In California, similar to much of the rest of the county, the constituencies are all so polarized - even the ones that were genuinely concerned with the "commons" just a decade ago. A further exploration of the special interest stakeholder within a deliberative democracy framework would be helpful.

The workshop did not develop shared meaning on what deliberative democracy means. So, it was at times challenging to come to a tentative integration of ideas since various workshop participants approached the term somewhat differently. This is unlike DR where the definition of the practice is better defined and accepted within the profession. If we convene again, understanding the nuances of how the term deliberative democracy is defined by different theorists would be very helpful, not only at the workshop but for the work on the ground.

I also felt at times that some of the creative tension in the room might have been more the result of theorist and practitioners trying to understand one another rather than the differences between dispute resolution and deliberative democracy.

When we meet again, I would like to take the differences that we explored between dispute resolution and deliberative democracy and discuss the concepts as points on a continuum. The challenge is to develop integrative practices while respecting the practical and professional boundaries inherent in one method or theory over another. I thank the workshop for examining the differences so we can begin the task of integration.