

## **David Booher**

Reflections on Dispute Resolution/Deliberative Democracy Conference

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Thanks to everyone who participated. This was a very valuable learning experience for me personally and continues to influence my thinking about the state and future direction of both theory and practice in what I sense is an emerging new field that will build on work in both deliberative democracy and consensus building. I would like to share some of my initial reflections from the conference.

### *State of the Practice and Theory*

I think the practice of dispute resolution has evolved beyond the earlier stages when it focused on solving discreet conflict problem situations. Many of the methods and theoretical thinking growing out of this practice is now finding its way into other practice arenas such as public participation, visioning, network structures, governance, and institutional capacity. Many of these evolutions are captured in some of the literature. For example, the Consensus Building Handbook includes excellent chapters on visioning and organizational collaboration. As I look at much of the work in the field it seems to me that many practitioners are working as much with some of these topics as they are with public dispute episodes. It also seems to me that the practice models for these other arenas may depart from practices in dispute resolution. If this is true, practitioners have some thinking to do to explore how the practice from dispute resolution can inform other practice arenas and the areas where adaptations are needed. I came away from the conference thinking the work in deliberative democracy theory building can help with this thinking.

The work in deliberative democracy theory seems to me to be similarly very much a work in progress. I inferred from the interactions at the conference that there is an opportunity for theorists in deliberative democracy to work together to attempt to more clearly define a coherent theory of deliberative democracy. I don't share the view that the objective of this work should be to deliver immediate lessons to practitioners. I appreciate the importance of theorists to both think abstractly and empirically about the elements of a useful theory. I also think that as a more coherent theory emerges practitioners and scholars will be able to apply it to their work and improve the depth and adaptability of their practices.

### *Thinking About the Future*

As I stated at the Friday night dinner, the state of representative democracy and the underlying pluralist theory of democracy is very troubled in 21st century governance. The practices that are emerging based upon deliberation, dialogue, and collaboration are gaining traction in many diverse settings in governance. But they are still very challenged by existing norms, heuristics, structures, and practices of governance institutions. To make governance institutions more effective in addressing societal problems I believe that both robust theory and effective new practices are required. I don't know yet what form this will take, although we are learning a lot from the research of folks like Archon

Fung. I hope and expect this conference will serve as a platform from which we can all collaborate in creating an augmentation or alternative to pluralist democratic theory that is based on deliberation and dialogue.

It did seem to me that there are several areas of convergence for the practice and theory similar to those Carrie listed in her reflections. I think one of the most important is the shared interest in improving institutions of governance.

Patsy Healey, who could not join us, talks about collaborative policy in three venues: Episodes, programs, and institutions. I think learning from each of the “lower” venues can inform thinking about “higher” ones. Episodes are the kind of venues that traditional conflict resolution and consensus building address. Programs are the venue where some of the changes with organizations and stakeholders as a result of their work with episodes occur. For example, many successful consensus building projects result in outcomes that include changes to government programs. Many practitioners are beginning to work with change in the third venue, institutions. This is much more problematic because collaboration, deliberation, and dialogue often are in conflict with firmly entrenched bureaucratic practices grounded in expert culture, adversarial heuristics, and “pork” barrel political norms. But it is the venue where many practitioners are seeing more demand for their services. It seems to me that there may also be a fourth venue to add to Patsy’s observation. I think of it as systemic. Beyond the institutional stage we may be interested in how the system of democracy might change to appropriately incorporate deliberation, dialogue, and collaboration. It is in this venue that the contributions of deliberative democracy theorists seem to me to be particularly important.

Recently members of the Collaborative Democracy Network (CDN) negotiated and published a “Call to Scholars and Teachers of Public Administration, Public Policy, Planning, Political Science, and Related Fields.” Among other things, this document offered suggestions for future research and education agendas. (Several of the conference participants are among the 48 scholars who endorsed this statement. For a copy of the “Call” go to [www.csus.edu/ccp/cdn/](http://www.csus.edu/ccp/cdn/) ) I think this statement is a good foundation to continue discussion about the future for a more deliberative democracy. CDN will welcome the involvement of any conference participants. Just let me know if you are interested.

#### *Observations about the conference*

On balance I think the use of scenarios was a good vehicle to structure the discussion. The scenarios helped me to understand how others saw some of the basic dynamics they manifest differently than I had before. I agree with Judy that the scenarios could have been improved by having a deliberative democracy theorist help prepare them. I also think the conference discussion would have benefited by participation of more DD folks. We did invite several more but for future conferences the organizers will need to think about strategies to be sure more DD theorists participate.

I also think the conference resulted in better understanding by both DD folks and DR folks about each other’s work. I can see this leading to many fruitful exchanges in the

future. In retrospect I regret we couldn't arrange more time for one on one and smaller group discussions.

Finally, I sense that we could have gone further in exploring the guidelines for practice that Larry summarized, in particular how these guidelines might need to be adapted to address the institutional and system context I discussed above. I interpreted some of the exchange between the DR folks and the DD folks to be grounded in questioning about whether those guidelines as summarized are adequate for addressing the question of enhancing democracy at the institutional and system levels. I think there is extensive empirical evidence that the guidelines work in dispute resolution and consensus building. But I think much more research needs to occur to inform their translation into other venues of democracy.