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Reflections on MIT Dispute Resolution/Deliberative Democracy Meeting

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I want to thank Larry and the other organizers of the conference for hosting a very engaging and thought provoking meeting. It was a chance to see old friends and make some new ones. The workshop also comes at an important moment in the development of thought on deliberative democracy and, I gather, in negotiation and dispute resolution.

I quite liked the format of the sessions. For some reason, though, for me they fell short of illuminating the extent of agreement and disagreement between DR and DD. It might have helped to force a more extended and deliberate application of contending models to a particular actual or hypothetical situation to clarify the comparison and highlight what's at stake. Just to take one, consider Carolyn's Listening to the City project. For a problem and conflict such as the redevelopment of lower Manhattan, what is gained and lost in (i) Carolyn's method, (ii) Jim's method, (iii) a stakeholder dispute resolution, (iv) some more encompassing process in the public sphere, perhaps as elaborated Maarten's notions about performance and on-going narrative. With some exceptions, I didn't get a sense of the structure of agreement and disagreement. At the most rudimentary, do DR/DD people think that there are some situations that are more appropriate for stakeholders to deliberate than ordinary citizens and vice versa? Then, of course, there are a thousand more questions to ask about the process.

Building on some of Josh's observations about the objectives of deliberative democratic theory and then Larry's 2x2 that Carrie laid out in her remarks, I want to suggest a slightly different way of thinking about who works on what, and what more needs to be done. Here, the columns are DD and DR. But the rows, instead of distinguishing between theory and practice, lay out different levels of problems and levels of abstraction. These three levels are (i) concrete problems (e.g. disputes over urban plans, educational policies, the rights and benefits of workers, energy policy), (ii) mid-level institutions (such as elections, bureaucracies, media and the institutions of the public sphere), and (iii) whole conceptions of democracy (e.g. should we think of our society as one that is governed by the exchange of good reasons, one in which a few leaders do almost all of the work of governing, one in which everyone participates in making the decisions that most affect them, or some other Big Idea about how democratic society writ large ought to work). Within each of these cells, I think that the distance between practice and theory is less important than the distinction between levels at which people work. So, my sense is that much of the "theory" in DR is theory about what constitutes a good process to resolve particular problems and disputes, and that the theorists who do this work are relatively well connected with the practitioners who attempt to solve those problems. Indeed, many individuals in the DR/concrete problem cell move very easily between theory and practice in their own lives. This is cell (3).

So, the table looks like this:

	Dispute Resolution	*Deliberative Democracy*
Conception of democracy writ large	(1) Weak	(4) Strong, Bread and Butter
Middle level institutional accounts (e.g. national elections, bureaucracy, policy process etc.)	(2) Emergent?	(5) Weak
Solving particular problems	(3) Strong, Bread and Butter	(6) Emergent (Yankelovich, Fishkin, Lukensmeyer, many others)

One of the reasons that it is so difficult to get a conversation going between DR and DD is that most of the work in each addresses very different phenomena. Most deliberative democrats argue about how we should thing about democracy, or democratic society, with a capital D. There isn't much agreement among them, often very little discussion, even about what sorts of mid-level institutions (cell (5)) fit best with the deliberative conception of democracy: some think that the institutions we have can be tweaked to realize deliberation, and other more radical deliberative democrats think that we need socialization of the means of production, equalization of material resources that individuals command, etc., before we can get there. There are those -- such as Jim F, Dan Y, Carolyn L, and emergent others who work in the lower right hand cell of Deliberation/Concrete Problems -- but it's fair to say that work here is in the minority. Indeed, I think there are many cell (4) deliberative democrats who think that DD doesn't require any of the kinds of practices that I have identified as cell (6) work.

I don't know the area, so this is guessing, but my guess is that most of the work in both theory and practice of DR is in the lower left hand cell (3). As Maarten said, it isn't clear what people in (3) would talk to people in (4) about. It is clear, and this came out in the meeting, that people in cells (3) and (6) have lots to talk about.

My sense furthermore is that there is some reluctance on the part of DR to develop a more articulated account, or position, in cells (1) and (2). When Larry denies Josh's contention that "it depends," I take him to be saying in part that "I have a set of cell (3) practices that work well no matter what (row 2) middle level institutions you happen to have and what (row 1) your Big Idea of democracy is. The downside of efforts in DR to get more specific about what a DR world requires in cells (1) and (2) is that the set of practices risks losing some generality in its appeal. But, and I think that this sense may be spreading, it seems to me that some mid-level institutions are more favorable to DR

practices than others. So, at one point in the meeting, I said that a local-level "home run" case for empirical examination for me when I work in cells (5) and (6) is when I find a city that has a long standing structure of robust and deliberative neighborhood organizations that do much of the work that in other cities is done by planning departments. Some of the DR people said that they usually don't find institutions like that, but that they would be good to have. Is part of the cell (2) DR view that all planning should be re-organized into participatory, empowered councils? This is clearly put too crudely to make a point, but I'd like to know one way or another.

People in DR camp are eager to move their work and thought into cells (1) and (2) when they say, as some have, that we should have talked more about the relationship between representative government and DR and/or DD.