

# Collaborative Governance Practices and Democracy

BY DAVID E. BOOHER

The Sacramento Water Forum was a contentious group of environmentalists, business leaders, farmers, and local government officials who spent six years in an intensive consensus-building process. As a result of the success of this effort, leaders in Sacramento decided to organize another consensus process on transportation and air quality. At one point, when environmental groups decided to sue the regional transportation agency for not protecting the region's air quality, some members of the business community were ready to pull out of this new process. A leading businessman and elected official, who had been involved in the water forum and influenced by this way of working, interceded. In an eloquent speech to the business leaders, he told them they had no choice but to stay at the table, because there was no acceptable alternative. When some of them accused him of "crossing over" to the environmentalist side, he told them they were wrong: "The Water Forum process transformed me," he explained. "I now understand that collaboration is the only way to solve problems. I do it now in everything I do, including running my business and dealing with my suppliers, employees, and customers." The business community stayed with the process, and consensus building on transportation and air quality was launched.<sup>1</sup>

The Sacramento Water Forum is just one example of a variety of new collaborative efforts to tackle complex and controversial public policy issues.<sup>2</sup> Increasingly, public officials, civic leaders, business leaders, and the public are turning to these practices to help them find solutions for many of these challenging issues. In addition to public policy consensus processes such as the Sacramento Water Forum, there are others: community visioning, consensus rule making, collaborative network structures, roundtables, study circles, online forums, participatory budgeting,

and large-scale community meetings.<sup>3</sup> Many of them are carried out in parallel with traditional government processes. For example, many of the agreements of the water forum were subsequently enacted into law by local governments. Together these processes point to the emergence of a new approach to governance, one that is more deliberative and democratic than traditional forms of public participation.

The Sacramento Water Forum is just one example of a variety of new collaborative efforts to tackle complex and controversial public policy issues.

The purpose of this essay is to discuss and explain some of these emergent practices and their potential importance for democratic governance. First I summarize some of the changes in context for governance that scholars have identified as challenges for politics and policy making in contemporary society. I then describe four cases of the governance practices that are emerging in response to these challenges. Next I discuss some of the challenges for the practices. Finally, I explore lessons that these experiences suggest for democratic governance.

## Challenges for Policy Making in Contemporary Society

Scholars have identified five key challenges to politics and policy making in contemporary society that are factors in the emergence of new processes of collaboration, dialogue, and deliberation.<sup>4</sup>

First, new "spaces" are being created for governance. In traditional policy making the political space is based on government institutions in a hierarchy with clear roles and responsibilities. The local fits within the regional, regional within state, and

state within national. Each level of government has its areas of authority and responsibility, both geographically and substantively. This authority is often carried out through a hierarchical, command-and-control-oriented practice. But increasingly these traditional spaces for political decision making are being augmented by new spaces that include collaboration among traditional agencies and with institutions outside the traditional political realm. For example, many complex policy problems, such as environmental protection and transportation, transcend jurisdictional boundaries. Public agencies find they must collaborate with others to find solutions to these shared problems in the context of shared power. Similarly, new nongovernmental institutions are emerging alongside political parties and interest groups to influence policy making. These include such social movements as the environmental justice movement and new institutions of civil society. For example, in California a group of twenty-one regionally based civil society groups are seeking to change governance on the basis of collaboration, deliberation, and dialogue.<sup>5</sup> These new spaces create an important need for new ways of interacting, increased communication, a high level of trust, and new processes and rules for accountability. All of the cases discussed here emerged in these new spaces. In the case of public policy consensus building, visioning, and collaborative network structures, these were spaces adjunct to the traditional government institutions. In consensus rule making, a new space was created within the formal organization of regulatory practice.

Traditional spaces for political decision making are being augmented by new spaces that include collaboration among traditional agencies and with institutions outside the traditional political realm.

In a second challenge for policy making, the complexity of contemporary society has created an increasing sense of uncertainty. To some extent, policy making has always been constrained by uncer-

tainty. However, the failures of traditional government agencies have created a new awareness among the public of the unintended, and sometimes perverse, consequences of large-scale planning and the limits to centralized hierarchical control by government agencies.<sup>6</sup> The public is uneasy about this uncertainty, and public officials are more aware of its impact on the public and how the public deals with uncertainty. Yet policy must be made despite the lack of complete knowledge. A key element in all of the cases discussed here was the important role that uncertainty played in encouraging and then challenging the collaborative practices. The practices in each case turned out to be central to the participants for managing this uncertainty.

A key element in all of the cases discussed here was the important role that uncertainty played in encouraging and then challenging the collaborative practices.

The third challenge results because society has become more culturally diverse. Solving policy problems now requires decision makers to deal with an array of publics with their own languages, values, perspectives, cognitive styles, and worldviews. The importance of difference increases the problem of communication and decision making both in the public and for public leaders seeking solutions for complex and controversial policy problems. A central element of the practices in each case discussed here was the extent to which all the affected parties were included in the decision making, and processes were created in which dialogue and deliberation led to mutual understanding.

Solving policy problems now requires decision makers to deal with an array of publics with their own languages, values, perspectives, cognitive styles, and worldviews.

The fourth challenge is increased awareness of interdependence in policy making. Although diversity poses challenges of communication and understanding, interdependence creates the need to overcome these challenges. When publics and public agencies recognize they cannot solve problems alone, because they share the same physical space or because they share the same social or environmental problem, they recognize that a solution depends on collaboration. If traditional government agencies are unable to produce accepted solutions, then communities of the public must create the capacity to interact, share power, and find shared problem definitions with paths to solutions. Traditional government institutions may nurture this capacity, as when local governments in the Sacramento region sponsored formation of the Sacramento Water Forum. In each practice discussed here, recognition of this interdependence of the participants was central to both initiation of the collaborative practice and its success.

Although diversity poses challenges of communication and understanding, interdependence creates the need to overcome these challenges.

Finally, arising out of all this is the issue of how the dynamics of trust have changed. Trust has always been a factor in politics. For traditional government, trust and confidence on the part of the public originates in the legitimacy of constitutional institutions. In the new context, though—in which actors must collaborate across institutional boundaries—trust can no longer be assumed. If problems can no longer be solved by traditional government practices and the public feels the need to address them, then new practices must be invented. Creating the dynamics of trust for these practices becomes a critical challenge. Policy making is not simply about finding solutions but also creating processes for collective action and problem solving that generate trust among the actors. In the practices discussed here, success in establishing and nurturing trust was fundamental to

their overall success, and trust was germinated from them in other collective problem-solving activities.

Policy making is not simply about finding solutions but also creating processes for collective action and problem solving that generate trust among the actors.

### Newly Emergent Collaborative Governance Practices

In this context of challenges to traditional government practices, we are seeing generation of a variety of new practices that are based on collaboration, deliberation, and dialogue. Unfortunately, space prevents me from addressing more than four. I hope these examples will permit us to consider some of the common attributes of the practices as well as their challenges and opportunities. I focus on four of the most important: public policy consensus building, community visioning, consensus rule making, and collaborative network structures. They all reflect key similarities: emphasis on diversity and interdependence, processes that support dialogue and deliberation, the building of trust and ongoing capacity to collaborate in the face of continuing uncertainty and change, and the search for solutions that embody good outcomes for the public. As becomes clear, they also embody similar steps while manifesting different aspects in each of those steps.

### Public Policy Consensus Building

The Sacramento Water Forum is a good example of public policy consensus building.<sup>7</sup> It emerged in the context of a history of water conflicts in California, where, as Mark Twain is reputed to have said, “Whiskey is for drinking and water is for fighting.” In the early 1990s, city and county officials recognized that several urgent problems—groundwater use and quality, water supply for planned development, providing protection for wildlife and recreation—needed to be addressed. In particular, there was a stalemate over the city’s need to expand one of its water treatment facilities

in the face of looming and costly litigation that could take many years to resolve. The City of Sacramento decided that a consensus-building approach would be a faster and less expensive way to achieve its goals. The City and County of Sacramento sponsored formation of the water forum in 1993. Over a period of six years, forty stakeholders from local governments, water agencies, civic groups, environmental groups, and business groups met to find agreement on strategies that would ensure reliable water supplies *and* preserve the environment of the Lower American River, which runs through the Sacramento Region.

In November 1999, agreement was reached on seven elements: increasing surface diversions, actions to meet customers' needs while reducing diversion impact during dry years, improved fishery releases from a key reservoir, action to improve habitat management, water conservation, groundwater management, and support for a continuing water forum successor process to monitor implementation and deal with emerging problems. Researchers have since documented that in addition to producing agreements for public policy and ending stalemate, it produced trust and social and political capital among the stakeholders; innovations that were more adaptive and context-dependent than the existing water management practices; agreed-on information and shared understanding; and changes in beliefs, attitudes, and behaviors that carried over to collaboration on other regional problems such as transportation and air quality.<sup>8</sup>

The process for the water forum typified best practice in consensus building. It began with an assessment that identified the relevant interest groups and their concerns. It also determined that the conditions for a successful public-policy consensus-building process were present:

1. Inclusion of a full range of stakeholders
2. A task that is meaningful to the participants

3. Participants who established their own ground rules for behavior, agenda setting, making decisions, and many other topics
4. A process that begins with mutual understanding of interests and avoids positional bargaining
5. A dialogue where all are heard, respected, and equally able to participate
6. A self-organizing process that is unconstrained by conveners in its time or content and that permits the status quo and all assumptions to be questioned
7. Information that is accessible and fully shared among participants
8. An understanding that consensus is reached only when all interests have been explored and every effort has been made to satisfy these concerns<sup>9</sup>

A convening and organization phase followed, in which representatives of all the relevant interests were invited to participate and the ground rules and shared purpose were agreed on. A key requirement of this phase is for stakeholders to set ground rules. Successful collaboration requires assurance to the participants that they can protect their other alternatives for action and that other participants will not use the process for unfair advantage. Ground rules also typically include requirements for the various stakeholders to regularly consult with their constituencies to be sure they are on board with the process.

The information-gathering phase began next. All types of information, technical and local, were included. Importantly, this phase included information about the interests and concerns of each of the stakeholders as well as about the methods and tools of consensus building. Only after this phase was completed did the problem-solving and negotiation phase begin. This phase was engaging to the stakeholders as they interacted and learned together. Challenges to assumptions and creativity were encouraged. The deliberations included not only logic-based reasoning but also other forms of dialogue such as storytelling, role playing, and acceptance of emotion.<sup>10</sup> The focus was on finding solutions that represented mutual gains for all the

stakeholders. Significant effort was made by all the stakeholders to find creative approaches that were acceptable to all. Only after dialogue fully explored all the issues and interests was consensus sought.

Finally the water forum moved into the implementation phase. This phase included outreach to the general public and generated assurances to the stakeholders about how actions would be carried out and monitored. To monitor implementation, the stakeholders decided on a successor water forum process; it still meets regularly.

### Community Visioning

Consensus building is a process where stakeholders build consensus on actions to address specific public policy problems; community visioning is a process where members of a community build consensus on a description of the community's desired future and on actions to help make goals for the future a reality.<sup>11</sup> Chattanooga, Tennessee, is a widely recognized example of successful application of community visioning. Industrial growth brought many major industries and jobs to the city, but in the 1960s the city was unable to develop the kind of professional job growth that favored other southern cities. As a result, growth was stymied. The manufacturing base also resulted in major environmental problems, typified by the U.S. Environmental Protection Agency determination in 1969 that Chattanooga had the worst air quality of any urban area in the United States. Race relations between African American and white residents were strained. The recession of the late 1970s intensified these economic, environmental, and social problems. By the early 1980s, leaders in Chattanooga decided that something had to be done and that traditional government institutions were not up to the task of creating a new future.

A group of local officials and business and civic leaders came together to form a nonprofit organization, Chattanooga Venture, to lead action outside traditional government agencies. They chose com-

munity visioning to begin their work. A second visioning process, ReVision 2010, followed the first (Vision 2000) ten years later. By the end of the 1990s, Chattanooga's success was widely acknowledged as leaders from other cities descended on the city to study the results. Chattanooga continues to benefit from its industrial base. Many of the problems created by manufacturing are being addressed. Projects generated by the visioning process helped vitalize the downtown area, brought in tourism, and improved the environment and human services.

The phases in the community-visioning process are similar to those in consensus building. As with the latter, visioning is appropriate only if conditions exist to support it. An assessment can help to determine whether these conditions exist. Many groups must be dissatisfied with the status quo and share a sense both that the community must find a new future and that existing government is not able to respond to the problems facing the community. If citizens doubt that public dialogue has the potential to develop good ideas, or if pervasive civic disengagement and apathy characterize the community, it is likely to be difficult to organize visioning. Finally, resources must be available to support the visioning process.

The next phase in community visioning is organization. This phase includes key tasks such as establishing a leadership team that is representative of the community and perceived to be credible, forming a staff including professionals with expertise and trained volunteers, and designing an appropriate and credible process to gain broad-based participation from the community with publicity and outreach.

The third phase is information gathering. In community visioning, the focus is on educating the public about the process and key issues being discussed and on gathering ideas from the public about their long-term aspirations for the community. In face-to-face dialogues, citizens are asked to discuss with each other what they value about their community, what they want to preserve, and what they want to

change. In Chattanooga more than two thousand people participated in two rounds of meetings to gather ideas and then formulate goals and actions based on those ideas.

In the face-to-face dialogues of community visioning, citizens are asked to discuss with each other what they value about their community, what they want to preserve, and what they want to change.

Next, the process continues with dialogue about how to turn the ideas into goals and actions. In Chattanooga, a representative committee was convened to prepare a draft of goal statements on the basis of the information gathered from the first community meeting. This draft was then used at another public meeting in which participants dialogued about how well the goal statements captured the ideas generated previously. Once goal statements were agreed on, the dialogue focused on specific programs, projects, and actions that might be implemented to meet the goals. The result was a list of goals with action items that made up the vision. Chattanooga followed this with a Vision Fair held at a downtown plaza in which citizens were invited to review the goals and action items and vote on the five actions they most favored.

Implementation is the final phase of visioning. A key element of implementation is the extent to which the process has built broad-based interest and support. Another element is production of a report that communicates the results of the visioning. A third is organizing responsibilities for carrying through with the action items, such as creating working groups for each category of goals. A fourth element is to create a process to monitor implementation and results, such as a system of indicators.<sup>12</sup>

### Consensus Rule Making

On August 16, 1991, the EPA and thirty-five stakeholders signed an agreement in principle for regula-

tion to implement the requirements of the Clean Air Act for cleaner-burning reformulated gasoline.<sup>13</sup> This agreement resulted from a six-month process using collaboration rather than the traditional regulatory approach of notice and comment. The final regulations were fully operational by the scheduled January 1, 1995, deadline. The result was a more efficient regulatory process with more cost-effective implementation produced with better information and in a timelier manner. Hence, the benefits of cleaner air were arguably achieved sooner than would have been the case with traditional regulation. In traditional regulation, interest groups work behind the scenes to influence the development of proposed rules; the proposed rules are published in the *Federal Register* for comment, and interest groups and others then work to support, oppose, or modify the proposed rules. Interest groups then often seek to litigate the promulgated rules or have Congress overturn them.

With the Clean Air Act collaborative process, the benefits of cleaner air were arguably achieved sooner than would have been the case with traditional regulation.

EPA has been using consensus rule making since the 1980s. In 1990, Congress passed and the president signed the Negotiated Rulemaking Act and the Administrative Dispute Resolution Act, adding their blessing to the use of consensus regulatory rule making. Hence, in this case specific legal practice authorized and encouraged consensus decision making. The process phases for consensus-based regulatory rule making are similar to those for public policy consensus building, so I will not repeat them here. Instead let's summarize some of the key special elements for consensus rule making.

The EPA convened the Clean Fuels Advisory Committee, representing thirty-five affected stakeholders in seven interest categories: oil, automobile

manufacturing, environmental, oxygenate producers (ethanol and methanol), state-level regulators, and the U.S. Department of Energy. The process adhered to the Administrative Procedures Act guidelines for public notice and comment. But unlike traditional procedures for drafting proposed rules, it allowed agency and interest-group representatives to negotiate directly with each other. The consensus dialogue approach is designed to encourage exchange of information among interested stakeholders in search of creative approaches that meet the needs of all the stakeholders. In the case of the Clean Fuels Advisory Committee, fundamental values and setting the standard were not issues. Rather, the issues were how much pollution would be removed from the air on what schedule, how enforcement would be implemented, and what the market shares of the fuel producers would be. Certain critical conditions supported a consensus approach: the shortage and dispersion of information among stakeholders; time and resource constraints on EPA; the potential for a range of approaches; and the potentially large costs in uncertainty, litigation, and lobbying if the traditional method of promulgating rules were used. In this case, executive-level credibility and support and the reputation of EPA for supporting collaboration were also key factors. In particular, a high-level EPA official was credited with bringing both support and facilitative leadership to the process.

In addition, the key to gaining participation of all the stakeholders and to the success of the process was negotiating ground rules to prevent efforts to circumvent an agreement by means of going to the White House or Congress. (The importance of this became clear after the agreement was approved, when the ethanol producers approached Congress and the White House to petition EPA for changes in the agreed-on rule to benefit them at the expense of other stakeholders. This effort, which was opposed by EPA and other stakeholders, failed.) The ground rules included provisions barring executive branch interventions and stakeholder lobbying during the collab-

orations and after agreement was reached. It also contained provisions obligating stakeholders not to litigate a final agreement and to work together to oppose any stakeholder who defected from the final agreement. These ground rules were to remain in effect even after the final regulation was implemented, as long as the regulation complied with the agreement.

### Collaborative Network Structures

In Goodna, Australia (a small community situated between Brisbane and Ipswich), a local crisis occurred when an elderly man was killed by a group of youths.<sup>14</sup> Many of the young people were the responsibility of government and local service providers in the community. This event caused increased scrutiny of the community's escalating social problems. Goodna's population includes a range of disadvantaged groups and was the subject of both intervention by government services and significant funding for these services. But the crisis demonstrated that significant and seemingly intractable problems were continuing despite the interventions and funding. Business as usual did not seem to be appropriate. As a result, concerned human service practitioners held a series of informal meetings to reflect on what had happened. A community meeting was later held including public agency officials. The Goodna Service Integration Project (SIP) emerged from the meetings. The SIP team included representatives of the commonwealth government, several state and local agencies, learning institutions, and project staff. The goal of the project was to move beyond previous attempts at consultation and coordination (which were seen as inadequate) "to develop a sustainable system of human services provision (including design, funding, delivery, and evaluation phases). . . ."<sup>15</sup>

The system was meant to accomplish more alignment among community needs, strategies of service agencies, priority outcomes, and resource allocation. It was also meant to accomplish building social capital; integration of human service delivery; and inter-

connected strategies for relationship building, learning processes, and measurement and modeling among the participants. The key features of the SIP as it emerged are typical of the features of a collaborative network structure: a team of committed and interdependent participants, distributed networks of local service providers, broad local government support, a specific time frame for action (in this case three years), sponsorship from a facilitative leader (in this case the CEO of the Department of Housing and Corrective Services), a small but committed project staff, and vertical links to the funding agency. Although this project is still under way, evidence so far seems to show that SIP is achieving the strategy of collaboration through a network structure to integrate human service delivery.

In a collaborative network structure, the participants must actively work together to address what they recognize as an ongoing problem or issue of mutual concern they individually cannot address. It is helpful to distinguish among networking, networks, and network structures. *Networking* is the idea that people make useful connections with each other through various venues, such as conferences and Web discussions. *Network* refers to a more formalized link between a number of independently operating organizations and individuals with a mutual interest to coordinate their efforts to achieve their separate goals. A collaborative *network structure* goes beyond linkages and coordination; the participants must actively work together to accomplish shared goals. The participants are transformed into a new whole, taking on tasks that are more than the simultaneous action of independently operating organizations. Moreover, there is no one in charge, and traditional forms of power and authority do not work because each participant is an independent actor. Informal power that is based on interpersonal relationships is often more important than formal power. Network structures rely as much (or more) on exchanges founded in these interpersonal relationships as they do on contracts or memoranda of agreement. Hence the essential characteristics of a

collaborative network structure are a common mission, interdependent participants, and a unique structural arrangement outside the limits of traditional hierarchical command-and-control. Table 1 depicts how each of these characteristics requires new behaviors and thinking and produces its own expected outcomes.

In a collaborative network structure, the participants must actively work together to address what they recognize as an ongoing problem or issue of mutual concern they individually cannot address.

Although the phases of the process are similar to those in public policy consensus building, there are some important distinctions. A collaborative network structure typically is preceded by some kind of an assessment in which leaders may decide business as usual won't work and a new approach is needed. In the Goodna SIP case, this occurred through a series of meetings with officials and the public. Other key actors are identified and recruited to participate. Organization of the structure is typically developed through negotiation of a contract or memorandum of agreement. This specifies such things as the shared mission and goals, participants, resource provision and allocation, and ground rules for operation. A key challenge for participants organizing a network structure is how to deal with the conflicts that emerge between the individual participants' goals and the need to commit to joint, overriding goals. The information gathering, negotiation, and implementation phases are usually more concurrent and iterative. Rather than the goal of a final agreement, here the goal is ongoing collaboration in decision making about programs and projects to be initiated, actions to be taken, evaluation of the results of the decisions, and change in either the actions or the initiation of new action. Even the organization of the structure may be regularly revisited, as when new participants are added or current participants leave the network structure.



**Table 1. Characteristics and Outcomes of Network Structures**

Characteristics of Network Structures	Requirements	Expected Outcomes
Common mission	Seeing the whole picture New values—around the issue, not the service New attitudes	Each member sees self as one piece of a total issue Synergies develop Doing more with less Developing more meaningful programs Increasing power by being able to convince the “power brokers” because of the increased strength of the network members as a whole Seeing points of convergence, rather than of contention (not fighting over scarce resources, but seeing how each wants the same thing) Not wasting time and money
Members are interdependent	Changing perceptions: It is not what you expect from others but rather how you understand them that makes a difference Stepping into others’ shoes	Building relationships is primary; tasks are secondary Building trust (in each other and in government) Developing relationships is very time consuming Breaking down communication barriers Building new “resources” to use (gaining new “eyes and ears” on the scene) Expanding “expertise,” meshing different types of expertise Listening to both professional and community “experts” Recognizing the expertise of others Resolving conflicts (or potential conflicts)
Unique structural arrangement, composed of representatives of many diverse organizations and groups; may include representatives of government, businesses, voluntary sector, community	Actively doing something Systems change Members need to represent their own organization and the network structure New way of thinking	Risk taking Flexible, innovative ideas merge Visible and invisible conflicts

Source: Reprinted by permission from Robyn Keast, Myrna P. Mandell, Kerry Brown, and Geoffrey Woolcock, “Network Structures: Working Differently and Changing Expectations.” Table 1. *Public Administration Review*, May/June 2004, 64(3), 368.

Because of tension between individual participant goals and the shared goals, and the importance of building interpersonal relationships and joint learning, participants often need training on how to operate in a new structure. In the case of the Goodna SIP,

a graduate certificate in social sciences (interpersonal leadership) was developed for the SIP participants. It involved sixteen full days over two semesters, in which the participants learned new theories, unlearned old behaviors, cultivated shared

language and skills, and developed the design and organization of the SIP.

### Challenges for Collaborative Democratic Governance

Here I briefly discuss four key challenges to these emergent collaborative governance practices: pluralism, activism, institutional practice, and transaction costs. They represent both theoretical and practical problems, but they do not preclude the continued growth of the practices.

There are four key challenges to these emergent collaborative governance practices: pluralism, activism, institutional practice, and transaction costs.

#### Pluralism Challenge

Pluralism is perhaps the most dominant theory of American democracy. The basic idea is that the public is neither informed enough nor inclined to be actively involved in the formation of public policy. Instead, public policy is created through the exercise of power on the part of legitimate governmental institutions. Legislatures enact policy that is executed by agencies accountable to the legislative body and other elected officials. Courts protect the integrity of the process and the rights of individuals. Behind the scenes, special interests clash to influence development of public policy. The only role for the public is to hold elected officials accountable through periodic elections.<sup>16</sup> Collaborative governance practice is not legitimate because it is outside of the traditional institutions of authority and accountability. Pluralist theory is a contested concept; I do not summarize the debate here.<sup>17</sup>

Nonetheless, the empirical evidence from experience suggests that pluralist theory does not preclude collaborative practice. First, the underlying premise of pluralism is not challenged by the practice. E. E. Schattschneider stated the premise this way: “The problem is not how 180 million Aristotles can run a

democracy, but how we can organize a community of 180 million ordinary people so that it remains sensitive to their needs. This is a problem of leadership, organization, alternatives, and systems of responsibility and confidence.”<sup>18</sup> This premise does not necessarily limit the American people to traditional forms of “leadership, organization, alternatives, and systems of responsibility and confidence” to fulfill its conditions. When done correctly, collaborative governance practices can also provide for them. Perhaps experience suggests that pluralist theory needs to be refined to take account of new conditions for democracy by looking at new ways in which leadership, organization, and systems of responsibility can be structured to incorporate collaborative governance practice. Second, each of the practices discussed here includes or is linked to existing governmental institutions. For example, in the Sacramento Water Forum governmental institutions were both participants in collaborative dialogue and implementers of the agreements of the forum through traditional processes. With the Clean Fuels Advisory Committee, Congress established a legal space for the new practice. Collaborative governance practice is emerging as an augmentation to existing government, not a replacement.

“The problem is not how 180 million Aristotles can run a democracy, but how we can organize a community of 180 million ordinary people so that it remains sensitive to their needs.”

E. E. SCHATTSCHNEIDER

#### Activism Challenge

This challenge is the concept that significant injustices and social harms exist in society that must be confronted by activism. Collaborative governance practice may prevent this confrontation because processes are not inclusive and do not set unacceptable constraints on the terms of collaboration and its agenda. The participants in such a practice, moreover, are influenced by a common societal dis-

course that is based on a product of structural inequality.<sup>19</sup> Again, these are contested concepts.<sup>20</sup>

Nonetheless, the empirical evidence suggests that collaborative practice is not incompatible with the concept that activism is required to represent the disadvantaged, for at least two reasons. First, when done properly collaborative practice is inclusive of all the interests and concerns relevant to a policy issue. If not, it is not truly a collaborative process. In addition, collaborative governance practice requires that activists, like all participants, be able to freely challenge existing discourse. This brings out a key lesson because there are situations where a governmental process may be called collaborative but instead be a strategy to coopt potential opposition. These “counterfeit” processes must be challenged not only by activists but also by proponents of authentic collaborative governance.

Second, proper collaborative governance practice does not require that activists give up their right to pursue their cause outside the process if they believe it is necessary. For example, with the Sacramento Transportation and Air Quality Collaborative (a spin-off from the Sacramento Water Forum), the process continued even while environmental activists took their challenge to the courts. On the other hand, the participants in the Clean Fuels Advisory Committee—among them environmental activists—insisted on ground rules that constrained outside advocacy against the process. There is a clear tension between collaborating in a process and at the same time taking the issue to another venue for action. This reality sometimes requires participants to “live in two worlds.” Groups setting clear ground rules about what participants can expect of each other help manage the tension. In the final analysis, activists have the option of declining to participate if they feel they are better off pursuing their concerns in another venue. As Iris Marion Young has argued, activists seeking to promote justice need to engage both in discussion with others to persuade them and in direct action when it is neces-

sary: “The best democratic theory and practice will affirm both while recognizing the tension between them.”<sup>21</sup>

As Iris Marion Young has argued, activists seeking to promote justice need to engage both in discussion with others to persuade them and in direct action when it is necessary.

### **Institutional Challenge**

A third important challenge to collaborative governance practice is the way the existing institutional context is structured around adversarial approaches to collective decision making that discourage collaboration. Collaboration is likely to conflict with the political and bureaucratic styles that define much public policy practice.<sup>22</sup> Many public officials and members of the public are unfamiliar with such methods of collaborative governance practice as mediation and facilitation, process design, authentic public participation, cross-cultural communication, and reflective dialogue; nor do they have the skills to participate. The practice may feel risky to many people in traditional agencies because it could upset long-established arrangements and have unknown consequences. Further, many traditional practices, such as holding public hearings, are not designed to involve the public in decision making.<sup>23</sup> In addition, many structural aspects of these institutions have unintended perverse effects that discourage deliberative dialogue.<sup>24</sup>

The existing institutional context is structured around adversarial approaches to collective decision making that discourage collaboration.

The institutional challenge is a difficult practical obstacle, but the collaborative governance practices discussed here suggest that it can be addressed. For example, new skills and methods can be imparted to

public officials and citizens, as with a university providing a graduate certificate course to the participants of the Goodna SIP. In the case of the Sacramento Water Forum, all the participants were given training as part of the information-gathering phase of the process. The institutional structure can also be changed, for example, as it was when Congress and the EPA established a new structure for the Clean Fuels Advisory Committee. Finally, there are strategies public officials and community leaders can use to change or manage around existing practices to create a space for collaborative governance practices.<sup>25</sup>

#### Transaction Cost Challenge

All collective decision making entails transaction costs, and collaborative governance practice is no exception. Deliberative dialogues require time. Financial resources are required for professional support to ensure that dialogues are conducted efficiently and effectively. They entail costs in time and money, the risk of failure (not all are successful), and opportunity costs of using collaboration instead of or in addition to adversarial strategies. For example, the Sacramento Water Forum required six years and more than \$5 million. Those considering collaborative practice must give due consideration to these costs. They should also consider the transaction costs of alternative approaches. Adversarial strategies include significant costs for attorneys and lobbyists. They also entail a risk of failure and opportunity costs in comparison to using a collaborative practice, such as forgoing the more innovative solutions grounded in better information that can emerge from the latter. Adversarial strategies frequently result in the costs of lengthy delay or even stalemate in resolving a public policy problem; the Sacramento Water Forum was created because after decades of conflict the participants could find no other strategy to overcome stalemate. Moreover they were spending enormous amounts of money just to maintain a stalemate. In the case of the Goodna SIP, the government had been pouring substantial

resources into social service delivery with unacceptable results.

Two lessons are suggested by the cases discussed here. The first is that analysis of transaction costs requires a new way of thinking about assessing costs and benefits to recognize the long-term value of collaborative practice that is often not included in traditional approaches to program evaluation.<sup>26</sup> The second lesson is that potential participants should carefully weigh and compare the respective transaction costs of both strategies in deciding which to pursue. The cases suggest that often what looks like a significant cost for collaboration pales next to the cost of business as usual.

Often what looks like a significant cost for collaboration pales next to the cost of business as usual.

#### Lessons for Democratic Governance

The cases discussed here suggest a number of important lessons for the role of collaborative governance practice in democracy. First, the evidence shows that it can be an effective strategy to address the challenges for democracy imposed by contemporary society. Collaborative governance practice can resolve seemingly intractable public policy conundrums and produce successful policy outcomes. It can also produce important outcomes in addition to agreement. It can increase the capacity of communities, organizations, and individuals to work together in the future to solve collective problems. It can create innovative changes to practice. Finally it can yield new understanding and information to serve as the basis for better decision making in the future.

Collaborative governance practice can resolve seemingly intractable public policy conundrums and produce successful policy outcomes.

A corollary and second lesson is that collaborative practices are not appropriate for every public policy problem, or even most problems. By and large, existing institutions and practices work adequately to manage policy issues, and these practices do not offer any added value. Alternatively, actors may believe that they cannot address their problem with collaboration. In addition, collaborative practices are not appropriate where the eight conditions enumerated earlier in this article don't exist to initiate or sustain them. Most important, for the practices to be effective the full diversity of the interests affected by the issue must be included and the participants must recognize their interdependence in moving toward a solution. If used for an inappropriate situation, the practices may not only fail to produce outcomes in the public interest but actually do harm.

Collaborative practices are not appropriate for every public policy problem, or even most problems.

A third important lesson is that it matters very much how the practice is carried out. Not every process calling itself collaborative is an authentic collaborative governance practice. To be authentic requires the use of appropriate organization, methods, and tools; facilitative leadership; and deliberative space free of coercion. Authentic collaborative practice usually requires professional expertise for guidance. It begins with an assessment to determine whether the conditions and resources exist for potential success. It requires in the organization phase adoption of ground rules for the process. Also needed is an information-gathering phase before the negotiation and problem-solving phase begins. This latter phase must ensure the conditions for authentic dialogue.<sup>27</sup> Finally, it calls for an implementation phase that offers assurance to the participants and the means to monitor and adapt to results. A process not carried out properly is also not likely to produce out-

comes in the public interest, and it may actually cause harm.

It matters very much how the practice is carried out. Not every process calling itself collaborative is an authentic collaborative governance practice.

The fourth lesson these cases suggest is that public officials and community leaders can do much to create a context for collaborative democratic governance to emerge when it is appropriate. They can create the space for the practice, as the public officials in Sacramento did when they created the Sacramento Water Forum. They can create the structures for collaborative governance practice, as Congress and the EPA did when they created a structure for the Clean Fuels Advisory Committee. They can provide support and facilitative leadership to initiate and maintain practices, as they did in all these cases. They can present training opportunities for managers and the public to give them the tools and methods to use in collaborative practice. Public managers can adapt their everyday practices for public participation to make them more participatory. They can build into their performance incentives for managers' recognition of the importance of collaborative skills, along with the other skills of management. Institutions of higher education can generate curricula that educate students in public administration, public policy, planning, and political science about collaborative governance practices. For example, my own Department of Public Policy and Administration at California State University, Sacramento, has integrated collaborative policy making into its program for graduate students. Finally, scholars can undertake research and theory building to strengthen the capacity of democratic governance to produce better public policy with appropriate collaborative practices. As an example, the Collaborative Democracy Network, a network of international and interdisciplinary scholars, began in 2003 to collaborate toward this end.

Public officials and community leaders can do much to create a context for collaborative democratic governance to emerge when it is appropriate.

A final lesson suggested by these cases is that even when collaborative practice is done correctly and in an appropriate situation, changing traditional governance is still a daunting task. As Machiavelli observed centuries ago, “It ought to be remembered that there is nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of things.”<sup>28</sup> As the challenges I have discussed indicate, much remains to be done in introducing more collaborative governance practice into democracy. But the experience of the leaders who are taking this practice in hand show that introducing a “new order of things” may be possible. Given the reality of the challenges for governance in contemporary times and the potential of these emerging practices for producing better public policy outcomes, can we really afford to ignore them?

“It ought to be remembered that there is nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of things.”

NICCOLÒ MACHIAVELLI

#### ENDNOTES

1. Innes, J. E., and Booher, D. E. “Collaborative Policymaking: Governance Through Dialogue.” In M. Hajer and H. Wagenaar (eds.), *Deliberative Policy Analysis: Understanding Governance in the Network Society*. Cambridge, UK: Cambridge University Press, 2003.
2. There is not space here to explore many practices from other countries. A particularly interesting example, though, is local implementation of Agenda 21 in Europe using collaborative practice. For more information, see <http://www.un.org/esa/sustdev/documents/agenda21/index.htm>. See also Murray, M., and Greer, J. *Participatory Village*

*Planning: Practice Guidelines Workbook*. Belfast, N.J.: Rural Innovation and Research Partnership, 2001.

3. For an example of large-scale participatory budgeting and planning, see Potapchuk, W. R. “Neighborhood Action Initiative: Engaging Citizens in Real Change.” In D. D. Chrislip (ed.), *The Collaborative Leadership Fieldbook*. San Francisco: Jossey-Bass, 2002.
4. Hajer, M., and Wagenaar, H. “Introduction.” In M. Hajer and Wagenaar (eds.), *Deliberative Policy Analysis: Understanding Governance in the Network Society*. Cambridge, UK: Cambridge University Press, 2003.
5. Collaborative Regional Initiatives. <http://www.calregions.org/civic/index.php>. Accessed on November 19, 2004.
6. Scott, C. J. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven, Conn.: Yale University Press, 1998. See also Pressman, J. L., and Wildavsky, A. B. *Implementation: How Great Expectations in Washington Are Dashed in Oakland, or, Why It's Amazing That Federal Programs Work at All*. Berkeley: University of California Press, 1973.
7. For more information about the Sacramento Area Water Forum, see McClung, S. “The Water Forum Agreement: A Model for Collaborative Problem Solving: A Special Report.” Sacramento, Calif.: Water Education Foundation, 2002.

For more information about consensus building, see Susskind, L., McKernan, S., and Thomas-Larmer, J. (eds.). *The Consensus Building Handbook*. Thousand Oaks, Calif.: Sage, 1999.

8. Connick, S., and Innes, J. E. “Outcomes of Collaborative Water Policy Making: Applying Complexity Thinking to Evaluation.” *Journal of Environmental Planning and Management*, 2003, 46(2), 177-197.
9. Adapted by permission of Sage Publications Ltd from Judith Innes, “Consensus Building: Clarifications for the Critics.” *Planning Theory*, 2004, 3(1), 5-20. © Sage Publications.
10. Innes, J. E., and Booher, D. E. “Consensus Building as Role Playing and Bricolage.” *Journal of the American Planning Association*, Winter 1999, 65(1), 9-26.
11. For more information on community visioning and the source of this summary, see Moore, C. M., Longo, G., and Palmer, P. “Visioning.” In Susskind, McKernan, and Thomas-Larmer (1999). For an update on continuing challenges and collaboration in Chattanooga, see Elliott, M.

“When the Parents Be Cancer-Free: Community Voice, Toxics, and Environmental Justice in Chattanooga, Tennessee.” In R. J. Lewicki, B. Gray, and M. Elliott (eds.), *Making Sense of Intractable Environmental Conflicts: Concepts and Cases*. Washington, D.C.: Island Press, 2003.

12. For more information on indicators, see Gahin, R., and Paterson, C. “Community Indicators: Past, Present, and Future.” *National Civic Review*, Winter 2001, 90(4), 347-361.

13. For more information on consensus regulatory rule making and the source of this summary, see Weber, E. P. *Pluralism by the Rules: Conflict and Cooperation in Environmental Regulation*. Washington, D.C.: Georgetown University Press, 2001. For an additional case study of consensus regulatory rule making, see Sunoo, J. J.-M., and Falkner, J. A. “Regulatory Negotiations: The Native American Experience.” In Susskind, McKernan, and Thomas-Larmer (1999).

14. For information on network structures and the source of this summary, see Keast, R., Mandell, M. P., Brown, K., and Woolcock, G. “Network Structures: Working Differently and Changing Expectations.” *Public Administration Review*, May/June 2004, 64(3), 363-371. See also Mandel, M. (ed.). *Getting Results Through Collaboration: Networks and Network Structures for Public Policy and Management*. Westport, Conn.: Quorum Books, 2001.

15. Keast, Mandell, Brown, and Woolcock (2004), p. 366.

16. See, for example, Truman, D. B. *The Governmental Process*. New York: Knopf, 1951; Dahl, R. A. *Who Governs? Democracy and Power in an American City*. New Haven, Conn.: Yale University Press, 1961; and Schattschneider, E. E. *The Semi-Sovereign People: A Realist's View of Democracy in America*. New York: Holt, Rinehart and Winston, 1960.

17. An extensive literature on deliberative democracy includes treatments of pluralist theory. See, for example, Pateman, C. *Participation and Democratic Theory*. Cambridge, UK: Cambridge University Press, 1970; Gutman, A., and Thompson, D. *Democracy and Disagreement: Why Moral Conflict Cannot Be Avoided in Politics, and What Should Be Done About It*. Cambridge, Mass.: Harvard University Press, 1996; Dryzek, J. S. *Deliberative Democracy and Beyond: Liberals, Critics, and Contestations*. Oxford, UK: Oxford University Press, 2000; and Gastil, J. *By Popular Demand: Revitalizing Representative Democracy Through Deliberative Elections*. Berkeley: University of California Press, 2000. For empirical research on the extent to which collaborative practice may

meet criteria of democracy, see Leach, W. D. *Is Devolution Democratic? Assessing Collaborative Environmental Management*. Sacramento, Calif.: Center for Collaborative Policy, 2004. ([www.csus.edu/ccp/publications.htm](http://www.csus.edu/ccp/publications.htm))

18. Schattschneider (1960), p. 138.

19. For an excellent discussion of this challenge, see Young, I. M. “Activist Challenges to Deliberative Democracy.” In J. S. Fishkin and P. Laslett (eds.), *Debating Deliberative Democracy*. Oxford, UK: Blackwell, 2003.

20. For an excellent response to this challenge, see Innes, J. E. “Consensus Building: Clarifications for the Critics.” *Planning Theory*, 2004, 3(1), 5-20.

21. Young (2003), p. 119.

22. Innes, J. E., and Gruber, J. “Planning Styles in Conflict at the San Francisco Bay Area’s Metropolitan Transportation Commission.” *Journal of the American Planning Association*, in press.

23. See Innes, J. E., and Booher, D. E. “Reframing Public Participation Strategies for the 21st Century.” *Planning Theory and Practice*, in press.

24. Boxer-Macumber, L. “Too Much Sun? Emerging Challenges Presented by California and Federal Open Meeting Legislation to Public Policy Consensus Building Processes.” Sacramento, Calif.: Center for Collaborative Policy, 2003. ([www.csus.edu/ccp/publications.htm](http://www.csus.edu/ccp/publications.htm))

25. Innes and Booher (2004), and Boxer-Macumber (2003). See also Bohman, J. *Public Deliberation: Pluralism, Complexity, and Democracy*. Cambridge, Mass.: MIT Press, 1996.

26. Innes, J. E. “Evaluating Consensus Building.” In Susskind, McKernan, and Thomas-Larmer (1999), pp. 631-675.

27. Booher, D. E., and Innes, J. E. “Network Power and Collaborative Planning.” *Journal of Planning Education and Research*, Spring 2002, 21(3), 221-236.

28. Machiavelli, N. *The Prince*. Chicago: Encyclopaedia Britannica Great Books, 1952, p. 9.

---

*David E. Booher is a planning and policy consultant in Davis, California. Among his clients is the Center for Collaborative Policy at California State University, Sacramento. He gratefully acknowledges the suggestions for this essay by Judith Innes, Myrna Mandell, and Iris Marion Young.*

---

For bulk reprints of this article, please call (201) 748-8789.