

Deliberative Participation in Local Development*

In this chapter I aim to improve the theory and practice of participation in local, grassroots, or micro-development initiatives. Accomplishing this goal requires three steps. First, in order to clarify the different approaches to “participation” that have occurred in the last fifty years of development theory and practice, I discuss and enrich some classifications of types of participation, including those of Denis Goulet, J. N. Pretty, John Gaventa, Bina Agarwal, and Jay Drydyk. In relation to these accounts of participation, I propose and explain an ideal of deliberative participation derived from the theory and practice of deliberative democracy presented in the last chapter.

Second, in terms of these kinds of participation, and especially the ideal of deliberative participation, I analyze economist Sabina Alkire’s recent efforts, in *Valuing Freedoms: Sen’s Capability Approach and Poverty Reduction*, to apply Sen’s theory to micro-projects. Although I find much of which to approve of in her approach to grassroots participation, I argue that it could be strengthened by features of deliberative participation.

* I adapted the first and third sections of this chapter from “Participatory Development: Capabilities and Deliberative Democracy,” a World Bank project, which I co-directed with Sabina Alkire, entitled “Responding to the Values of the Poor: Participation and Aspiration,” February 2002 -December 2003. I gave presentations based on these sections at St. Joseph’s University; Fundación Nueva Generación Argentina and Centro de Investigaciones Filosóficas, Argentina; Michigan State University; and the University of Maryland, and the University of Groningen. The second section draws on my “Foreword,” to Denis Goulet, *Development Ethics at Work: Explorations 1960-2002*, London and New York: Routledge, 2006), xxv---xxix. I received valuable comments from Sabina Alkire, Jay Drydyk, Verna Gehring, Douglas Grob, Laura Antkowiak Hussey, Judith Lichtenberg, Christopher Morris, Joe Oppenheimer, and Henry Richardson.

Finally, I analyze and evaluate four objections that have been made to (i) Sen's democratic turn in his version of the capability approach, (ii) the theory and practice of deliberative democracy, and (iii) deliberative participation in local development. Critics find these allied accounts of robust democracy and citizen participation flawed by too much indeterminacy, too little autonomy, insufficient realism, and unjustified or unacceptable egalitarianism.

Before proceeding, it should also be noted that the chapter's focus on local democracy and grassroots development does not imply that local communities and development projects are the only or best place for deepening and democracy and citizen participation. Indeed I would argue that the right kind of democratization should take place not only at the local level but also at regional, national, and global levels and that efforts should be made to forge linkages among the various levels. In the next chapter my emphasis shifts to national and especially global democracy.

Participation in Development

Since their inception after World War Two, national and international initiatives to bring about "development" in "less developed" countries periodically have aspired to make development "participatory." More recently the term "empowerment" sometimes encompasses the idea that the recipients of "development" should participate in some way in the process or results of development. Usually, however, what was meant by "participation" (and "empowerment")—while usually positive in meaning—was vague.¹ Somehow the recipients of development aid were to be involved in the process of

beneficial change “empowered” by it. Even when concepts of participation were precise, substantial differences have existed over the goals, “point of entry,” agents, processes, causes, effects, value, and limits of “participation.” More problematic is that the banner of “participation” has been waved over projects that were, at best, thinly participatory or, at worst, smokescreens for elite control. Several writers have recently exposed and excoriated a dark side, the anti-democratic side, of so-called participatory approaches practices.² Jay Drydyk has ably analyzed and assessed these recent criticisms, and argued for a deeply democratic approach to participatory development.³ Before drawing on and supplementing Drydyk’s ideas, I want to approach the issue of participation and situate the ideal of deliberative participation in relation to some efforts to classify types of participation.

The late Denis Goulet, the widely acknowledged pioneer of development ethics, offers one such classification.⁴ Throughout his career, most emphatically in his 1989 *World Development* article “Participation in Development: New Avenues,” Goulet emphasized the principle of what he called “nonelite participation in development decision-making” or, more briefly, “nonelite participation.”⁵ The basic idea is that persons and groups should make their own decisions, at least about the most fundamental matters, rather than having others—government officials, development planners, development ethicists, community leaders—make decisions for them or in their stead. Authentic development occurs when groups at whatever level become subjects who deliberate, decide, and act in the world rather than being either victims of circumstance or an object of someone else’s decisions, the tool of someone else’s designs. Goulet, for

example, applauds the Brazilian pedagogue Paulo Freire's agency-oriented ideal of participation:

For Freire, the touchstone of development is whether people previously treated as mere *objects*, known and acted upon, can now actively know and act upon, thereby become *subjects* of their own social destiny. People who are oppressed or reduced to the culture of silence do not participate in their own humanization. Conversely, when they participate, thereby becoming active subjects of knowledge and action, they begin to construct their properly human history and to engage in processes of authentic development.⁶

Goulet correctly recognizes that this commitment to nonelite participation does not get us very much beyond "participation" as a universally approved "buzzword" with either little content or, even worse, with whatever content one wants to supply. Everyone is for "participation," but it turns out that in practice people often give the term very different meanings. Goulet makes additional headway in clarifying *his* normative concept of nonelite participation in two ways. First, he borrows Marshall Wolfe's 1983 working "operationalization" of the concept as it relates to development. Participation, says Wolfe, is "the organized efforts to increase control over resources and regulative institutions in given social situations, on the part of groups and movements hitherto excluded from such control."⁷ Non-elite participation has to do with people's decisionmaking about and control over resources and institutions. Productive activity is not participatory unless the producer has a role in freely and intentionally shaping that activity. Second, recognizing that even with this working definition, the term

“participation” covers many different phenomena, Goulet helpfully distinguishes different *types* of participation on the basis of normative role, originating agent, scale, and “point of entry” in a group’s decision-making process.

Popular participation, however conceived, can be either one goal of development, or only a means to other goals (such as economic growth), or both an end and a means. Similar to the agency argument for democracy that I developed in the last chapter, Goulet commits himself to popular agency as intrinsically valuable. Popular participation is a way in which people manifest their inherent worth. To respect and promote such participation is to respect the dignity of hitherto neglected or despised people:

“Participation guarantees government’s non-instrumental treatment of powerless people by bringing them dignity as beings of worth, independent of their productivity, utility, or importance to state goals.”⁸ Goulet also defends participation on instrumental grounds. The right kind of participation, at least its “upstream” variety, is likely to have good consequences in reducing poverty, expanding solidarity, and strengthening self-reliance.

Goulet also recognizes that participation occurs on different scales. Although the popular image of participation is either balloting in national elections or citizen face-to-face involvement in local governments or grassroots development projects, issues of participation of women arise in households and citizen participation in addition to voting is possible in national and global governance structures. Throughout his career Goulet has insisted that one of development’s most important challenges is to find ways in which “micro” participation can be extended to venues of “macro” decision-making.

Furthermore, Goulet distinguishes three types of participation in relation to what he calls “the originating agent.” The originator of development may be from “above,”

“below,” or the “outside.” Elite groups, acting “from above,” sometimes establish nonelite participation on municipal or micro levels. Such occurred in 1989 in Porto Alegre, Brazil, when the Workers’ Party set up the participatory budgeting process in that city of 1.5 million people.⁹ Similarly, in 1996 in the Indian state of Kerala, the Left Democratic Front (LDF) coalition decentralized power and “empowered local government to a far greater degree than in any other Indian state.”¹⁰

Participation can also originate from below when a local community or national sector spontaneously mobilizes and then organizes itself to resist exploitation or oppression or to solve an urgent problem. Underground neighborhood associations during Pinochet’s dictatorship in Chile illustrate the former, and the spontaneous rise of associations of garbage pickers (*cartereros*) in Argentina after its 2001 economic collapse exemplifies the latter. William Easterly is a recent exponent of “homegrown” and “bottom” citizen searching for piece meal and incremental solutions to local problems.¹¹

External agents are Goulet’s third type of originators of participation. Outsiders to the group, whether national or international, need not impose—from above—their views on the group, manipulate it, or co-opt it. Rather, they may *facilitate* the participation of insiders. An important way to do so, one that the next chapter examines, is that outsiders, accepting the invitation of alien groups, may describe options available for insider choice. Temporary “pump primers,” the outside catalytic agents, help people help themselves. The outside agents stay only so long as the people are awakened “to their dormant capacities to decide and act for themselves.”¹² Goulet is aware, as are some recent critics (noted above) of “participation,” that each of the three ways of originating participation

may go astray and weaken or undermine of local control if not result in outright domination. People from above and outside as well as insider leaders, often using the rhetoric of non-elite participation, may capture power and dominate the group. Examples of Goulet's point, arguably, are Venezuela's Hugo Chavez *caudillo* [big boss]-like relation to his own people and the US's imposition of democracy on Iraq.

Finally, Goulet very helpfully classifies types of citizen participation according to the precise point in which nonelites are invited or insert themselves in a group's decision-making process: (i) initial diagnosis of the problem; (ii) listing of possible solutions; (iii) selecting one course of action; (iv) preparing for implementation; (v) evaluating and self-correcting during implementation; (vi) considering the merits of further action. Goulet's classification of these non-expert entry points signals that the more citizens participate "upstream" in decision-making, the more fully people express their agency and the better the likely consequences with respect to social justice. However, when Goulet claims that "the quality of participation depends on its initial entry point," it is not correct that the entry point exclusively determines the quality of participation. As I note below, with respect to *each* of these times of entry, with the possible exception of the last one, a variety of ways or modes of participation exist—some more active, deliberative, and influential than others.

We can supplement Goulet's classification in at least three ways. First, we can classify participatory arrangements, as we can quality of democracy, with respect to inclusiveness: how wide is the membership of the group? Agarwal, for example, assesses community forestry groups in both India and Nepal in relation to extent to which they include or exclude women.¹³ Other researchers examine the extent to which local

development projects include other sectors of the community, especially the poor or the shunned.

Secondly, we should supplement Goulet's typology and, like Agarwal, investigate the causes of and impediments to different sorts of participation and participatory exclusions. "What," asks Agarwal, "determines participation?" With respect to the exclusion of women, for example, she identifies the following causal factors: formal rules that exclude women from group membership; social norms—such as gender segregation in public spaces; the gender division of labor, in which women's domestic duties leave them little time for public participation; gendered behavioral norms that emphasize "self-effacement, shyness and soft speech" —; social perceptions that women were ill-equipped to participate; men's traditional control over community structures; and women's lack of personal property.¹⁴

Third, and for our purposes most importantly, we add to Goulet's typology by distinguishing *how* a group's nonelite members participate, especially in the group's decisionmaking. Here drawing on and supplementing the classificatory work of Bina Agarwal, J. N. Pretty, John Gaventa, and Jay Drydyk,¹⁵ I distinguish—from thinner to thicker—a spectrum of *modes* of participation in group decision-making:

- (i) **Nominal participation:** The weakest way in which someone participates in group decision-making is when someone is a member of a group but does not attend its meetings. Some people are group members but are unable to attend or unwilling to attend because, for instance, they are harassed or unwelcome.
- (ii) **Passive participation:** In passive participation, people are group members and attend the group's or officials' decision-making meetings, but passively listen to reports about the decisions that others already have made. The elite tells the nonelite what the elite is going to do or has done, and nonelite persons participate, like the White House press corps, by listening and, at best, asking questions.

- (iii) **Consultative participation:** Nonelites participate by giving information and their opinions (“input,” “preferences,” and even “proposals”) to the elite. The nonelite neither deliberate among themselves nor make decisions. It is the elite who are the “deciders,” and while they may deign to listen to the nonelite, they have no obligation to do so.
- (iv) **Petitionary participation:** Nonelites petition¹⁶ authorities to make certain decisions and do certain things, usually to remedy grievances. Although it is the prerogative of the elite to decide, the nonelite have a right to be heard and the elite have the duty receive, listen, and consider if not to heed. This participatory model, like that of consultative participation, is often used in traditional decision-making.
- (v) **Participatory implementation**¹⁷: Elites determine the goals and main means, and nonelites implement the goals and decide, if at all, only tactics. In this mode nonelites do more than listen, comment, and express. Like soccer players they also make and enact decision, but the overall plan and marching orders belongs to the coach.
- (vi) **Bargaining.** On the basis of whatever individual or collective power they have, nonelites bargain with elites. Those bargaining are more adversaries than partners. Self-interest largely if not exclusively motivates each side, and nonelite influence on the final “deal” depends on what nonelites are willing to give up and what concessions they are able to extract. The greater the power imbalances between an elite and nonelite, the less influence the nonelite has on the final outcome. An elite may settle for some loss now in order to make likely a larger future gain. Alliances with and support from actors outside and above tend to enhance nonelite bargaining power.¹⁸
- (vii) **Deliberative participation:** Nonelites (sometimes among themselves and sometimes with elites) deliberate together, sifting proposals and reasons to forge agreements on policies that at least a majority can accept.

The further we go down the list the “thicker” is the participatory mode in the sense of more fully expressing individual or collective agency. It requires more agency to attend a meeting than be a stay-at-home member, and even more agency actively to comment or petition than merely listen, accept others’ decisions, or do what one is told. In both bargaining and deliberative participation, nonelite individuals and groups

manifest even more robust agency because they are part of decision-making process and not passive recipients of others' decisions.

It should also be noted that different kinds of participation are likely to differ with respect to their consequences. Of particular importance to the agency-focused capability approach is the extent to which nonelites are likely—through the different kinds of participation—to make a positive difference in the world, for example, promote human development. In a particular context, for example, some sort of nondeliberative participation, such as petitioning or bargaining, may be more efficacious than deliberative participation in promoting development as capability expansion and agency enhancement.¹⁹ Moreover, a nondeliberative mode of participation now may play an important role in bringing about a deliberative participation in the future.

How does Goulet stand with respect to these further classifications of participation? Goulet does emphasize that citizen “voice” or influence must make a difference in development policy and practice. With his concept of participation from below, Goulet argues that participation in micro venues of decision-making must scale up to macro arenas and confer “a new voice in macro arenas to previously powerless communities of need.”²⁰ As in his appeal to Marshall Wolfe’s concept of participation as effective control over resources, Goulet improves upon some notions of deliberative democracy that seem content with talk and agreement even when not efficacious. Agency, as I have agreed with Sen, is not just making (or influencing) a decision, even when the decision is the outcome of deliberation. It is also effectively running one’s own individual or collective life and thereby making a difference in the world.

Although Goulet does emphasize *effective* nonelite participation, his treatment of “deliberative participation.” is relatively underdeveloped. It is true that Goulet endorses, in participation from above, what he calls “reciprocal dialogue”²¹ between experts and nonelite participants. Moreover, he affirms the importance of “vesting true decisional power in non-elite people, and freeing them from manipulation and co-optation.”²² What he does not do, however, is to provide an account of the *process* by which people with diverse value commitments can and often should engage in a deliberative give-and-take of practical proposals and arrive at a course of action that almost all can accept. He rightly insists that the mere fact of consensus does not justify the consensus, since the “agreement” may be the result of elite manipulation.²³ He does not, however, discuss the dynamics of the process leading to a normatively compelling consensus. I intend the account of theory and practice of deliberative democracy, offered in the last chapter, to contribute to filling this lacuna.

Given our model of deliberative democracy as well these various classifications of sorts of participation in development, let us now analyze and evaluate Alkire’s approach to participatory development.

Alkire’s Participatory Approach and Deliberative Participation

Amartya Sen’s capability approach, I argued in Chapter 9, requires democracy conceived as “open public reasoning”²⁴ about matters of social concern. Sen himself urges that this deliberative ideal of democracy be built into our conception of the ends as well as the means of development, whether in “developed” or “developing” countries:

Such processes as participation in political decisions and social choice cannot be seen as being—at best—among the *means* to development (through, say, their contribution to economic growth), but have to be understood as constitutive parts of the ends of development in themselves.²⁵

I now analyze and evaluate—as one way of promoting participatory development—Sabina Alkire’s *Valuing Freedoms: Sen’s Capability Approach and Poverty Reduction*. In this important book Alkire accurately interprets and skillfully applies Sen’s capability approach to three micro-socioeconomic development projects in Pakistan, each of which involves some sort of aid from above and outside. The three groups that constitute Alkire’s Pakistan case studies—the loan-for-goats project with women from four villages near Senghar, Sindh; the Khoj literacy centers near Lahore; and the rose cultivation project in the village of Arabsolangi, Sindh—are all examples of nonpublic, local, and income-generation projects partially dependent on outside help from both an international development agent (Oxfam) and Pakistani NGOs. Although this help does come from beyond the local community, Alkire’s focus is on bottom-up and small-scale development.²⁶ In the three local development groups, local facilitators employed (and later helped assess) the value-laden participatory method, which I will analyze, assess, and strengthen in this chapter’s concluding section.

Alkire supplements Sen’s work with that of philosopher John Finnis.²⁷ The result is a novel approach to an outside development agent’s decision of whether to continue

funding an income-generating and community-building activity for which the group had received earlier support. Unique to this approach is the external funder's use of local facilitator-assessor-reporters to elicit, clarify, and then report on the groups' evaluations of the impact of the project funded earlier. I conclude that an ideal of deliberative participation, informed by the theory and practice of deliberative democracy, would strengthen Alkire approach to local participatory development.

In her study, Alkire draws on and sometimes criticizes not only Sen's ideas but also the development literature concerning popular participation in development initiatives. Alkire's focus is on only one sort of development activity, and she is keenly aware that other participatory approaches may be called for in other contexts. Among these, I note, would be community-based natural resource management, where the resource to be managed sustainably are such things as forests, wildlife, water, and village councils.²⁸ What specific sort of development context does she address?

A global development agency, Oxfam, with the assistance of Pakistani nongovernmental organizations, had selected and invested in income-generating and community-building initiatives in three different grassroots groups. The projects had been in operation for some time, and Oxfam wanted to assess how well the projects had done before deciding whether to continue funding them. Oxfam employs several established methodologies to evaluate success and failure. Among these are cost-benefit analysis and a form of social impact assessment (SIA) that emphasizes a contemplated intervention's anticipated social consequences, especially its negative impacts on human beings.²⁹ None of these methodologies, however, gave the groups themselves or their members much of a role. To remedy this deficiency, Alkire employed educated and local people—

who, however, were not members of the communities studied—and provided Oxfam with a more robust participatory approach. The basic idea is that these evaluators elicited from the groups members the latter's evaluations of the impact of the project on their lives. The results of this evaluation then supplemented the outcomes of the other methodologies. Hence, Oxfam, the ultimate decision maker, was to have richer information with respect to *its* decision of whether or not to continue funding the projects and what sort of projects to fund in the future.

Alkire does not investigate or evaluate the process by which Oxfam itself makes decisions about what projects to fund. If she did, it would be important to know to what extent its decision making was deliberative and to what extent, if any, representatives from the affected groups were involved at this higher level. Her focus rather is on the outsider-facilitated, backward-looking assessment exercise that the groups themselves perform. What role did the outsiders play and did they intentionally or inadvertently communicate Oxfam preferences or interests? What role did the groups themselves and their members play? At what point did they enter the decision making process and how, exactly, did they participate?

The local facilitators (1) *elicited* the group member's value judgments about impacts of past projects; (2) *facilitated* the members' and group's clarification, scrutiny, and ranking of those judgments; (3) *comparatively assessed and reported* to the funding institution the various groups' achievements; and (4) *reported* the funding body's assessments and funding decision back to the investigated groups.

Before describing briefly each role, it is important to underscore that Alkire is acutely aware of the importance that the outsider-facilitators conducted the exercise in what she calls a “participatory manner”:

To the greatest extent possible the facilitators or ‘assessors’ wore simple clothing, used the local language, adapted the methodology flexibly to the situation, respected traditional and religious customs, organized the meeting at a convenient time and place, came with the attitude of informal learning and openness, encouraged quieter persons to speak more and dominant persons to speak less. They also spent time both prior to and after the meeting talking informally, gathering other information necessary for a full assessment, and addressing immediate problems in the activity.³⁰

Alkire justifies these attitudes instrumentally insofar as they are likely to elicit “richer” and more accurate information than would arrogant, know-it-all “facilitators” with culturally insensitive attitudes. She could also make it clear that the outsiders—as both fellow human beings and guests—ethically owed this conduct to community members. Although the facilitators and group members did not constitute an ongoing group, something like the deliberative virtues of respect for autonomy, civic integrity (especially honesty), and civic magnanimity (especially openness) certainly apply.³¹ Alkire rightly mentions one problem in this information-gathering phase, related to our ideal of civic integrity, namely what Robert Chambers calls, “inadvertent ventriloquism.”³² In this kind of distorted communication, the person questioned tells the

questioner just what the latter would like to hear. Some of aspects of the “participatory manner,” which Alkire approves, would reduce this danger. Especially important in this regard would be the “informal talking” about the project, and what R. F. Fenno, Jr. calls “hanging out.”³³ Assuming something like this “participatory manner” on the part of the outside facilitators, let us briefly analyze their four roles and assess them in relation to the deliberative ideals and process sketched in Chapter 9 and the type of participation discussed above.

Elicitation of Value Judgments.

The facilitators—informed by an assessment framework of the “dimensions” of human development—came to the communities and interacted in various ways with their respective members. This framework is not a Nussbaum-type list that “select[s] those human capabilities that can be convincingly argued to be of central importance in any human life, whatever else the person pursues or chooses”³⁴ Recall that in Chapter 6, we discussed Nussbaum’s list and her argument that it should be enshrined in every nation’s constitution. Although a given polity, Nussbaum concedes, may *specify* the list according to its own traditions and culture, “the list is supposed to be a focus of political planning.”³⁵ Nussbaum restricts her attention to constitutionally embodied and governmentally guaranteed entitlements. Alkire, like Sen himself and the position that I have taken in this book, has serious reservations about outsiders or even insiders using such a list on the local level. Even if freely specified, such a list risks removing from communities on every level the opportunity to decide for themselves what impacts they

have reasons to value and disvalue, how to prioritize their various values, and what policies to adopt.

Alkire's outsiders, however, do not come with nothing, thereby leaving everything—the identification of topics as well as the making of assessments—to the group members. Why? Alkire answers: “Unsystematic public discussion and participatory exercises to date (at local and national levels) have often failed to consider key categories of valuable ends implicitly or explicitly.”³⁶ On the basis of Alkire's synthesis of ideas from both Sen and Finnis, the outsiders did come with a conception of the multiple *dimensions* or categories of human development. It is in terms of this schema that the facilitators elicited value information. The facilitators did not *prescribe* ways of being and doing; instead they used the Alkire-Finnis dimensions to *stimulate* answers in relation to certain categories or to *sort* the multiplicity of *elicited* value judgments into what they call “basic reasons for acting”:

- Life/health/security
- Knowledge
- Work/play
- Beauty/environment
- Self-integration/inner peace
- Religion
- Empowerment³⁷

What the outsiders elicit and the insiders provide and clarify—in terms of these *types* of valued functionings and capabilities—are insider valuations of the changes that have occurred during the course of the project and perhaps attributable to it. In the field, the facilitators elicited this information about value judgments in two ways. Initially, the outsiders used the dimensions as an “agenda for conversation”³⁸ and successively asked for value judgments under each of the above seven rubrics. When this approach seemed

too mechanical and to stifle a free-flowing interchange, the facilitators used the categories differently. After explaining “the general intent of the exercise (to think about the full range of impacts of an activity, good and bad, anticipated and unanticipated),” the facilitator would ask “a purely open question ‘what valuable and negative impacts have you noticed?’”³⁹ After discussing the impacts in thematic clusters, whether or not they fit the dimensions, the facilitator toward the end of a session would question whether the group had any value judgments to make under any of the seven neglected categories. Quoting Finnis, Alkire remarks that this use of the seven-item menu “could catalyze the missing discussions by providing ‘an assemblage of reminders of the range of possibly worthwhile activities and orientations open to [a community].”⁴⁰

The difference between Nussbaum’s prescriptive list and either version of Alkire’s open menu approach is clear. In Nussbaum’s account, the list constitutionally mandates certain social goals and political planning, although Nussbaum encourages groups to *specify* the norms in relation to its cultural context.⁴¹ In Alkire’s approach, the dimensions “could usefully spark conversation”⁴² about whether there have been any impacts—good or bad—within a given category.

Alkire’s approach to this point is notably different from the thinner participatory modes discussed above. In *nominal participation* one participates through merely being a member of the group. In contrast the women in Alkire’s group attend meetings and evaluate their project. In *passive participation*, elites report their decisions and nonelites passively listen and at best question; but the Pakistani women assess the strengths and weaknesses of their past projects.

Value Clarification, Scrutiny, and Ranking.

Facilitators did not just elicit information on valued or disvalued changes; they encouraged group members to participate in a deeper way, namely to scrutinize their choices, rank them by importance, and clarify and prioritize the underlying values they used in these rankings. Here, as in the first stage, a certain kind of social *interaction* among the group members took place. In the goat loaning project, one member—valuing the empowerment on other issues that she believed resulted from the project—said: “We sit together . . . and whoever gives the best opinion, we do this.”⁴³

Given the focus on the past, the absence of much disagreement within relatively homogenous groups, and the absence of an emphasis on what ought to be done collectively, it might appear that there was no attempt on the part of either the insiders or facilitators to convert the individual judgments and rankings into a social assessment of the past or a choice for future action. In fact, although the text could address this question more explicitly, the participants together seem to have ranked—in and through discussion—the various impacts of past projects as well as the basic values expressed.⁴⁴ Moreover, the facilitators themselves assessed the groups’ assessments. Although I would like to find out more about these facilitator-assessments, Alkire provides one crucial detail: “[One aim of the facilitator is] to assess impacts in such a way that the concerned community could (and did) reflect critically on *the relative value or desirability of different* impacts and formulate ongoing objectives (and on the basis of these select monitoring indicators).”⁴⁵ The group had an opportunity to react to and shape the report to be given to the funding institution. All too often outside development actors study and

report on a project to their superiors but rarely give the report to the community for assessment and revision. To do so is to deepen the participation of group members.

Reports to the External Group.

Following this second step, the facilitators reported the value information and rankings, which the women's groups had generated, to the external funding institution (Oxfam). Hence, the funders knew how the communities judged and weighed the impacts of the projects on their lives and something of what the communities viewed as their most important values. In addition, the facilitators—also called “assessors”—were responsible for comparing (employing common categories) the various projects that they investigated and, as noted above, performing their own (group-mediated) assessment of each project in relation to the others. The external funders took the insiders' information and assessments as well as the facilitators' comparative assessments, combined them with standard assessments such as cost-benefit analysis and social assessment techniques, and decided whether or not to continue funding a particular project. The final decision—to continue or discontinue funding—resided exclusively with the funding agency and not with the communities themselves. It would be interesting to know whether this decision was made in and through democratic discussion or in some other way.

How does Alkire's approach to this point stand in relation to *consultative*, *petitionary*, *bargaining*, and *deliberative participation*? As in consultative participation, the funding agencies consulted—through the mediation of the facilitators—the three groups about each group's evaluations of their own projects. Unlike engaging in mere

consultation, Alkire's groups reached their evaluative conclusions through a deliberation process. Like consultation, however, the elite funders made the final decision about whether to continue funding. It is not clear, but it seems doubtful, that the Pakistani groups believed they had a *right* to be heard and petition. It would not be surprising, however, if the funders believed they had an obligation to elicit—through the facilitators—and take account of the groups' assessments prior to the funders' final decision. Going well beyond *implementation* of the funders' decisions, the groups had a role in influencing those decisions.

Although Alkire's account is silent on the matter, the communities may have had a deliberative role in initially deciding their needs and the focus—goats, roses, or something else—of their income-generating projects. Hence in this sense they were not treated as “passive recipients of the benefits of cunning development programs.”⁴⁶ Still, in the evaluation of their past project, a fuller deliberative opportunity was missed. The external donors and the various communities (and perhaps the facilitators) could and arguably should have deliberated *together* about the projects' continuance.

Reports Back to the Communities.

Outside investigators, even participatory ones, often neglect to return to the community to share with their informants the investigators' assessments and the donor's funding decisions.⁴⁷ Although Alkire provides scant details, the facilitators did share their and the funders' assessments with the communities themselves. Not only did this exercise provide the community with an occasion to assess critically the way the outside

facilitators and funders evaluated the communities' achievements and failures, but each community also gained an opportunity "to formulate ongoing objectives."⁴⁸ Yet, just at this point, when we would like to hear much more, Alkire's account falls silent. For it is just here in which another possibility emerges for the kind of four-stage deliberative participation discussed in the last chapter with respect to each's groups decisions about the future. There is an understandable—yet avoidable—cause for this failure. The communities responded to the facilitators' reports and donor decisions in the local language rather than in Urdu, the language of the facilitators.⁴⁹ Part of the commended "participatory manner" that Alkire extols is that the facilitators communicate in the local language, yet apparently the facilitators were only able to speak in a language (Urdu) that only some of the group members spoke. Because of this deficiency, the ideal of reciprocity, discussed above, was seriously compromised. Of course, the communities also may have resorted to their own language to gain more ownership over the conversation,⁵⁰ but that possibility raises the question of whether facilitators should have been selected that could use the first local language and whether the communities might have acquired ownership through deliberative give-and-take.

What is significantly underdeveloped if not altogether missing in Alkire's capability-based reconstruction of participation is *the group's* deliberation on the initial projects, their assessments of past projects, their future objectives, and their response to the funders' decisions. Of course, in this exercise in grass roots evaluation and funding decisions, the emphasis was more on evaluating the past, the changes in capabilities and functioning, than in offering a collective procedure for deciding about the future. With respect to both past and future, however, Alkire says almost nothing about the process

prior to deciding, especially if there were disagreements and how the group addressed them. We are eager to know more about the extent to which deliberation did take place within each group as well as between each group and the funders. If deliberative participation did not take place, could and should it have done so? And what role might bargaining play in these deliberative processes?

One reason, perhaps, that Alkire did not address this issue is that social choice in the three groups proved relatively easy given that the groups were composed solely of women and were homogeneous in other ways. Males or group members of different castes surely would have made social choice more difficult and either called for deliberation or, perhaps, made it impossible.

Alkire is aware that work remains to be done on this issue of social choice. She candidly asks whether her facilitator-assessment methodology overcomes Social Impact Assessment's (SIA) alleged weakness of failing "to provide decision criteria"⁵¹ and admits that her methodology leaves many issues about decision-making "unresolved."⁵² For instance, Alkire concedes, the methodology "did not treat in depth the problem of combining this information [about valuable capability change] to reach a decision" or "what to do when one agent's choice is contested."⁵³ These are among the very issues that deliberative democracy attempts to answer. Finally, although Alkire adumbrates aspects of participation compatible with the ideal of deliberative participation worked out here, she rightly worries about some types of participation:

Participation may also *foster the common good*, by stimulating reflection and collective action on common issues, and helping bring into or keep in

the picture people whose needs and interests might otherwise have been overlooked. It may also enable participants to act according to their *conscience*. At times the opposite could occur (as when a participatory decision fractures a community, or requires an individual to act against her conscience in order to implement it). Indeed, none of these potentially positive features may occur, which is why such scrutiny may be valuable.⁵⁴

Alkire's participatory model, I conclude, would be improved by injecting a strong dose of deliberative participation, especially a version thereof that is sensitive to her concerns. Alkire herself recognizes the merit of addressing the deliberative interpretations of democracy:

This chapter does not engage with the very large current literature on public deliberation and democratic practice (both theoretical and empirical) which is directly concerned with these very same issues [“of participation (or decision by discussion)”]—not because this is not an important interface to work, but, to the contrary, because it is too important to be done improperly. I respectfully leave that task to others who are already engaged in it.⁵⁵

One aim of the present and preceding chapters and, indeed, of the entire book is to contribute to that task. Just as deliberative democracy theory can help Sen specify the

concept, justification, and procedures of public discussion and democratic decisions, so deliberative aims, ideals, group membership, background conditions, and processes as well as the ideal deliberator capacities and virtues yield a theory and practice of deliberative participation relevant inter alia to small scale, externally-funded development projects for the destitute.⁵⁶ These communities, as collective agents of their own development, must often make choices about what they ought to do. In addition to clarifying and evaluating what has happened in the past, they together may seek to overcome their differences with respect to ends and means. An ethically defensible way of doing so is by putting into practice—sometimes with the assistance of outsiders—an ideal of deliberative participation informed by deliberative democracy. Then the favored definition of participation will include the italicized addition to Alkire’s definition: “‘Participation’ refers to the process of discussion, information gathering, conflict, [*deliberation,*] and eventual decision-making, implementation, and evaluation by the group(s) directly affected by the activity.”⁵⁷

One way to strengthen Alkire’s approach becomes clear when it is compared with Fung and Wright’s model of Empowered Participatory Governance (EPG). In EPG, the grassroots or neighborhood deliberative sites are both linked together horizontally and are coordinated, monitored, and improved vertically by district-wide intermediate bodies:

These central offices can reinforce the quality of local democratic deliberation in a number of ways: coordinating and distributing resources, solving problems that local units cannot address by themselves, rectifying

pathological or incompetent decision-making in failing groups, and diffusing innovations and learning across boundaries.⁵⁸

The functions of these intermediated bodies are reiterated by a higher order body that has “colonize[d] state power and transform[ed] formal governance institutions.”⁵⁹ Some functions of Alkire’s donor institutions and facilitators, such as funding and assessment, indeed have parallels in EPG. But EPG goes further. Funding, with few strings attached, comes from the state government rather than from international or national NGOs. Local (neighborhood) groups are not isolated from each other but send democratically elected representatives to middle levels, and intermediate levels in turn coordinate, monitor, and build deliberative and other capacities in lower levels, including the capacity (and virtue) of accommodating the views of those with whom one disagrees. Resources, ideas, and skills are shared both horizontally and vertically in a comprehensive network of both direct and representative municipal government in which citizens and their representatives deliberate to solve common and practical problems. Majorities, the evidence tends to show, do not tyrannize minorities if and when all forge an agreement for effective action that at least partially embodies minority concerns and which most all can accept.

Objections

Many criticisms have been launched against the theory and practice of deliberative democracy in general and against deliberative participation in local, national, and global development.⁶⁰ Critics have charged, for example, that deliberative democracy is too rationalistic and orderly for the messy and passionate worlds of democratic politics and participatory development promotion, worlds that do not conform to the alleged tranquility of the philosophy seminar. Others have claimed, in spite of protests to the contrary, that deliberative democrats still think in terms of face-to-face and local group interactions and tend to see national deliberation as “one big meeting.” Still others have claimed that the ideal deliberators are those who ignore their own interests and grievances and ascend to an impossible and ethically undesirable realm of Rawlsian impartiality.

I think these particular criticisms have been or can be met. One way to do so, which I have employed in this and the preceding chapter, is to defend a version of deliberative democracy designed to overcome problems found in earlier versions.⁶¹ Another way is to look at actual experiments in deliberative democracy and consider what the evidence shows. Empirical evidence often reveals that the allegedly bad effects of deliberative democracy in fact do not happen, happen much less than is supposed, or may be eliminated through better institutional designs.

Other criticisms or worries, however, continually surface among those sympathetic to the capability approach, deliberative democracy, or the convergence of the two currents on the ideal of deliberative participation. The first objection, the “indeterminacy and power asymmetry criticism,” accepts deliberative democracy’s

egalitarianism but says that Sen's ideal of democracy as public discussion is insufficiently determinate, would reproduce and even accentuate existing economic and other inequalities, and, therefore, would be bad for women, minorities, and poor people. In contrast, the second criticism, "the autonomy criticism," argues against the deliberative democracy on the basis that the latter allegedly puts too many constraints on a society's decision making. The third criticism accepts deliberative ideals in development but argues that they are totally unrealizable in our unjust world and that, therefore, we should not strive for deliberative institutions.. Let us state and evaluate each criticism:

The Indeterminacy Objection

The "indeterminacy criticism" assumes, as does Sen and most deliberative democrats, that economic, political, and, more generally, social power is distributed very unequally in the world. This asymmetry of power afflicts groups at all levels—local, national, and global. To ascribe unconstrained agency, autonomy, or self-determination to groups themselves is to guarantee that the asymmetries will be reproduced when the group decides and acts. Rather than mitigate let alone eliminate these power imbalances, deliberative institutions and procedures at best have no effect and at worst accentuate unacceptable inequalities. Unconstrained democratic bodies will perpetuate and even deepen minority suppression or traditional practices that violate human rights. People with elite educations and well-traveled families tend to excel in debate; men are often thought to be better deliberators or are permitted more speaking opportunities than

women; and the poor, ill-educated, and newly arrived immigrant will lose out in what is supposed to be a fair interchange of reasons and proposals.

Instead of invoking democratic agency, the objection continues, what is needed is a prescriptive philosophical theory of the good life or human rights to be embodied in every nation's constitution. Some freedoms are good—for instance, freedom from rape and for sexual equality—and some are bad, for instance, freedom to exploit and rape. With constitutional mandates that protect human rights or good freedoms, democratic bodies will not reproduce power inequities but rather will ensure that the human capabilities, valuable freedoms, and human rights of all people, especially those with lesser social power, will be protected.⁶²

In the following lengthy passage, Martha Nussbaum makes this indeterminacy objection, assuming in her formulation not economic inequalities but gender inequalities:

[Sen and I have differed on the issue of] the importance of endorsing unequivocally a definite list of capabilities as goals for international society.[*] Like the international human rights movement, I am very definite about content, suggesting that a particular list of capabilities ought to be used to define a minimum level of social justice, and ought to be recognized and given something like constitutional protection in all nations. . . .Now of course some human rights instruments, or my capabilities list, might be wrong in detail, and that is why I have continually insisted that the list is a proposal for further debate and argument, not a confident assertion. But is it quite another thing to say

that one should not endorse any definite content and should leave it up to democratic debate in each nation to settle content. In the sense of implementation and concrete specification, of course, I do so: no nation is going to be invaded because its law of rape give women inadequate protection against spousal. . . . Sen's opposition to the cultural defense of practices harmful to women seems to me to be in considerable tension with his all-purpose endorsement of capability as freedom [*], his unwillingness to say that some freedoms are good and some bad, some important and some trivial.

When we think about violence against women, we see that democratic deliberation has done a bad job so far with this problem. . . . I view my work on the capabilities list as allied to their [the international women's movement] efforts, and I am puzzled about why definiteness about content in the international arena should be thought to be a pernicious inhibition of democratic deliberation, rather than a radical challenge to the world's democracies to do their job better.⁶³

I have four problems with Nussbaum's argument. First, in comparing democratic decision making with a democracy constitutionally constrained by her list, she compares failures of "actually existing" democracies with alleged successes of democracies in which her list is not only constitutionally embodied but the constraints are actually result in compliance with constitutional norms. This recalls the equally unfair comparison of ideal capitalism with actually-existing socialism (or the reverse). One can compare the

ideal competitors with other ideal competitors or the actual social formations with “really existing” rivals but not actual democratic decision making with ideal list-informed constitutional democracies. It is important to observe that fine philosophical theories of justice and splendid constitutions do not—by themselves—guarantee that a society is just or law-abiding. Asymmetries of power can be just as inimical to the rule of philosophers or the rule of law as it is to rule by the people.

Second, I fully endorse Nussbaum’s challenge to democracies to “do a better job.” But one way to do so is that they become more robust democracies, ones that are more inclusive, tackle rather than duck important issues, and both offer opportunities for and promote higher quality of citizen participation. It is not quite right to say that the only solution to a defect in democracy is more and better democracy. Nondeliberative and even nondemocratic methods sometimes may be used to bring about or protect a democracy as such and deliberative democracy in particular. We deliberative democrats, however, have good reason to believe that it is precisely in making democracies more democratic—along the four dimensions I propose above—that democracies are most likely to make decisions that provide the very protections, including that of minorities, that Nussbaum rightly deems important. As Sen reminds us, both agency (the *process* aspect of freedoms) and capability (the *opportunity* aspect of freedom) are intrinsically important, and each can contribute to the other. The importance of promoting and protecting well-being freedoms should not, however, weaken our commitment to the at least equal importance of fair agency freedom and achievement.⁶⁴ [0]

Third, Nussbaum’s “constitutionalism” gives insufficient weight to the role that democratic deliberation plays in the formation, interpretation, and change of

constitutions. Although constitutional conventions, and the larger public discussion of which they are a part, involve much power politics—interest-based politicking, lobbying, bargaining, and negotiation—such conventions also illustrate the very deliberative features captured in the model of deliberative democracy. Moreover, although more or less difficult to alter, constitutional democracies have procedures for constitutional amendments. Finally, although Nussbaum leaves ample room for a democratic body “specifying” her list, this exercise would not be sufficiently robust. It does not permit, as it should, a democratic body deciding that in its particular situation personal security is more important (right now) than health care (or vice versa). Democratic bodies, at whatever level, must often decide not merely between good and bad but also between good and good in particular situations. To block all trade-offs within her list, is not only to limit the agency of democratic citizens, but also to prohibit them achieving increments of good in those situations where all good things do not go together.⁶⁵

It is precisely because of the importance of self-determination that federal constitutions increasingly devolve a certain range of decisions (and resources to implement them) to state or municipal democratic bodies.⁶⁶ Similarly, outside funders, such as Oxfam in Alkire’s cases, often provide the resources and then require that local development projects make their own decisions on their ends and means. Perhaps drawing on the Brazil case, Goulet in 1989 recognized that agents from above and the outside could initiate robust citizen participation in local development.

A fourth problem with Nussbaum’s statement of the “indeterminacy objection” relates to her assumption about the respective roles of normative theorizing, constitutions, and democratic decision making. Nussbaum, as we observed in Chapter 5, has changed

her list over the years, often responding to criticism. And she says about her current list that she puts it forward not as a “confident assertion” but as “a proposal for further debate and argument.” Yet, she continues to propose that (something like) her list will be enshrined more or less intact in constitutions, which then, should be the new touchstones of normative correctness. It is better, I submit, to resist the impulse to absolutize any of the three—normative theory, political constitutions, and democratic bodies. Rather, we should see them in ongoing dialectical tension and mutual criticism. For each can make serious mistakes, and each can be improved by listening to the other. Nussbaum hit the right note when she self-describes her list as “a proposal for debate.” Such debate should take place among and between constitutional framers, judges, and democratic bodies at all levels. Constitutional advances, like democratic experiments, can in turn correct the one-sidedness of normative theorizing.

It might be argued that neither Nussbaum’s criticism of democracy (without a constitutionally enshrined list) nor my four replies confront a deeper problem with democracy. Democratic bodies—whether or not constitutionally constrained (Nussbaum) and whether or not inclusive, wide-ranging, deep, and effective—can make unjust decisions, ones inimical to the well-being of minorities or even majorities. The notion of agency might be taken to imply that everybody, including slave-owners or white racists, could do whatever they wanted and not be constrained by a commitment to the well-being of others. Democracy is but a tool to effect justice in the world, and when it fails to do so it must be criticized in the light of the intrinsically good end of justice.

It is true that the democrat is not only committed to agency as intrinsically good and as expressed in democratic procedures but also to reduction of injustice. She believes

that one good way—but not the only way—to promote and protect everyone’s well being freedom is by an inclusive, deliberative, and effective governance structure based on the *equal* agency freedom of all. Robustly democratic institutions are venues in which both free and *equal* citizens express their agency through a fair process. This process is not fair if some are excluded from participating or if the minority (or majority) does not accommodate both the agency and concerns of the majority (or minority). The solution is often to improve the democratic body along one or more of the dimensions of breadth, range, depth, or control. For instance, citizen petitioning of officials or nondeliberative protests might be more effective than deliberation in influencing decisions. Better ways may be found to ensure that power asymmetries are more effectively neutralized and that everyone has voice.

Yet democracy, while intrinsically good, is not everything; and sometimes democrats concerned with justice will have to by-pass or suspend it to prevent or remove some great injustice. It does not follow that we need a *theory* of justice or a philosophical list of capabilities or entitlements to tell us when to choose well-being outcomes over agency-expressing democratic process. And the choice of justice over democracy is or itself should be an expression of agency (rather than someone else’s choice). What follows, rather, is that our commitments to both equal agency freedom and equal well-being freedom for all should lead us to criticize democratic processes both when they fail to be sufficiently democratic and when they fail to deliver on their promise of justice.

The Autonomy Objection

The autonomy criticism criticizes both Sen's democratic turn and deliberative participation because they allegedly impose on a community a rigid, autonomy-threatening model of democratic and deliberative aims, ideals, processes, and virtues. What if a society would rather keep to its past traditions of hierarchical decision making rather than democratic decision making based on an assumption of free and equal citizens? What if a local community decides to reject outside development assistance if and when this assistance is tied to inclusive deliberation? If we genuinely embrace Sen's ideal of agency and deliberative democracy's ideal of being in charge of one's own (collective) life, should we not respect a group's decision to be nondemocratic and even anti-democratic? Should not we respect what Galston calls the group's "expressive liberty" to choose and live a communal life that prizes obedience to top-down authority.⁶⁷

There are two responses to this argument, both of which presuppose the value of agency. The first response challenges the assumption that everyone in the group is in agreement with the "will" or "decision" of the group.⁶⁸ In fact it may be that a small elite has decided on hierarchical rule and has imposed that decision through force, fear, manipulation, or custom on the remaining members of the community. It should not be assumed that this elite, which is well-served by hierarchical practices, speaks for everyone. Moreover, the only way that it could be known whether everyone freely agreed with leaders or the culture of obedience, would be for people to have the real chance to decide for themselves and engage with their fellows in public discussion on the merits of different forms of governance. Part of an individual's having the freedom to decide for

or against the nondemocratic way of life would be having information about alternatives and being able, if she chose, to exercise critical scrutiny of claims and counter claims. Some features of democracy, then, would be necessary for a people (and not just their leaders) freely to decide to reject democratic freedom and deliberation.

The second response bites the bullet and accepts that most members of a group knowingly, voluntarily, and freely decide to reject democracy and deliberative participation. Those members who disagree should be aware of --and critically able to assess--alternatives and have the right and the means to exit from the nondemocratic group. And democratic groups should have a duty to give them refuge and a new life. What about those who decided to stay and continued in oppose democratic and deliberative modes? I think the only consistent answer for the defender of agency is to accept this decision (as long as it was not imposed and takes place in the conditions just sketched). There might be some suspicion that conditions for a free choice really did not exist—that people were still being forced or conditioned to accept nonfreedom. But at some point, reasonable doubt should be satisfied. Then the proponent of autonomy regretfully respects the group members' autonomous choice no longer to exercise their agency. The leaders, presumably, accept the will of the people and agree to stay in charge.

This second response is also the basis for answering the specific objection that democracy is incompatible with autonomy. More specifically, this version of the autonomy objection argues that public discussion, which Sen endorses, violates autonomy, and so does—even more so—deliberative democracy's package of aims, ideals, four-stage procedure, and citizen virtues. Although she does not herself accept this objection and indeed tries to show that it does not undermine her own proposal for a

political procedure based on Nussbaum's "thick vague" theory of human good, Deneulin formulates the autonomy criticism (before attempting to answer it):

Letting policy decisions be guided by a certain procedure of decision-making is inconsistent with the demands of human freedom, and inconsistent with the spirit of democracy itself. Indeed, by assessing the quality of how people decide about matters that affect their own lives in the political community through evaluating to what extent their decisions have respected certain requirements, one deeply infringes on their freedom. People are somehow not allowed to exercise their political freedom the way they wish so. ⁶⁹

Deneulin's formulation does not quite get the objection right for the term "letting policy decision be guided" is too lax. Better for the autonomy objection to say, as Deneulin does later in the quoted passage, that freedom is infringed because "people are somehow not allowed to exercise their political freedom the way they wish." Sen, so the objection goes, is imposing public discussion on people. Deliberative democrats are forcing people to participate in inclusive, wide-ranging, deep, and inclusive democracy. The autonomy criticism sounds like the little boy who plaintively asked his "free school" teacher in 1970: "Do we have to do whatever we want to do again today?" "Do we," asked the autonomy critic, "have to engage in public discussion and democratic deliberation if we choose not to?"

Again, the answer is: “No, you don’t have to, but this option is open to you.” Similarly, to decide to accept the aims, ideals, procedures and virtues of deliberative democracy is not an abrogation of freedom as long as one has other options and one (or the group) makes its own decisions to embrace, modify, or reject deliberative democracy. The point is illustrated by the decision to compose within the musical blues tradition. One is not forced to compose or sing the blues. Other musical genres are available. Once one uses her freedom to be a bluesman or blueswoman, however, there are certain blues conventions that composer-performers from Robert Johnson and Bessie Smith to B. B. King have observed. Freedom goes further, however, for the blues composer, guitarist, or vocalist can creatively modify and supplement the blues format. Likewise, deliberative democrats offer their model not as something to impose on groups, but as something they have putative reason freely to accept and modify as they see fit.

Moreover, as I argued above and in the last chapter, there may sometimes be good reasons to reject or postpone rather than employ deliberative and other democratic methods. Employing deliberation may sometimes be too costly with respect to other values, such as non-domination or group solidarity. The women in Alkire’s micro-development projects may decide collectively to defer to one of their leaders. To decide autonomously not to express group agency in deliberation is itself a manifestation of agency or autonomy. The problem for both Sen and the deliberative democrats comes when someone, a tyrant or *jefe máximo*, or something else, an unscrutinized tradition or the “force of circumstance,” makes

the decision for the group. Then the group is not in charge of its own life, and individual and group agency has been sacrificed.

The Realism Objection

Many people respond initially to the ideals of robust democracy in general and deliberative participation in particular. They end up rejecting the latter, however, because it is too utopian or “idealistic,” too much concerned with “what ought to be” and too far removed from “*actual* world conditions.”⁷⁰ Deliberative democrats must take this objection very seriously, but I believe it can be answered. Let us initially make a distinction between two versions of the realist objection, both of which appeal—as did the indeterminacy critique—to the premise of asymmetry of economic, political or social power. One criticism says that due to power asymmetries, it will be impossible to advance from our present unjust world of thin democracies to the symmetric conditions presupposed by robust democracy. The other version says that even if deliberative democracy or participation were somehow established it would soon reinforce and even deepen power imbalances.

The most effective refutation of the impossibility version of the realist objection is to point to actually existing deliberative institutions. It is surprising how rarely self-described realists examine the *actual* world that they hold up as a touchstone for normative truth. If they did, they would find that there are hosts of deliberative institutions around the world.⁷¹ It is true that many of these are at the neighborhood or city level, although Kerala’s renovated Panchayat system functions in an Indian state of

40 million people. It is also the case that many of these institutions are fairly recent, and should be termed experiments rather than sustained institutions. Moreover, much more research is needed about what sorts of impact these institutions have had on people's lives and their surrounding societies.⁷² Finally, the efforts to democratize existing democracies and development practices vary with respect to how well they realize the goals of an inclusive, wide-ranging, and deep, and effective democracy.

We do know enough, however, to challenge both versions of the realist objection. Some democratic innovation, especially those in Kerala and Brazil, are redistributing both power and opportunities. Moreover, we are learning ways to improve democratic practice so that new institutions more fully approximate the ideal. The ideal is something to guide action and remedy shortcomings not an impossible dream.⁷³

The lessons learned through the hundreds of innovative democratic practices around the world also provide lessons for how to get from a thinly democratic and unjust world to a more deliberative and just world. Here Archon Fung's recent work is particularly instructive. Fung distinguishes between deliberative and nondeliberative methods for advancing the goals of deliberative democracy. And he distinguishes two very different sorts of obstacles, each of which comes in degrees, to the realization of these goals, (i) unwillingness to deliberate, and (ii) inequality.

Where members of a group are more or less willing to deliberate, they often find institutional designs for improving the quality of deliberation. These devices are most successful when group members are similar and relatively equal, as was the case with Alkire's three communities. The arrangements, however, are also effective—if there is willingness to deliberate—in overcoming inequality of various sorts. For example,

participants in a deliberative exercise may be randomly selected or invited from underrepresented groups. Seats for women or historically discriminated groups are set aside in assemblies. Skilled facilitators fairly distribute chances to participate in deliberative give and take. Agreed upon rules give women, junior members, or those who have not yet spoken, the right to participate first or next. Higher level structures “capacitate” members of lower level groups, monitoring and improving their deliberative skills. Deliberative exercises provide information on the issues to less informed or less educated participants. These arrangements, whether employed in setting up or improving a democratic body and whether used in groups with unequal or equal members, all presuppose that group members are of good will and willing to deliberate.

To meet the realist objection more adequately, however, Fung considers cases where there is both significant unwillingness (and even hostility) to deliberate and inequality among group members. Under these circumstances he wisely rejects two options. Deliberative democrats should not foolishly use deliberative methods when they have no chance of working any more than a proponent of reasoned persuasion should try to reason with a crazed and knife-wielding killer. Neither should deliberative democrats go to the other extreme and indiscriminately use any and all nondeliberative method to work for a more deliberative society. Those methods not only include the legal staples of power politics – logrolling, lobbying, clientalism, public shaming—but also illegal methods such as “dirty tricks,” vote stealing, bribes, and worse.

The deliberative democrat seeking to advance the prospects of deliberative democracy in an unjust world may choose nondeliberative methods but only when he (i) initially acts on the rebuttable presumption that those opposing deliberation are sincere,

(ii) reasonably exhausts deliberative methods, (iii) limits nondeliberative or nondemocratic means by a principle of proportionality, analogous to a proportionality principle in justification of civil disobedience. The more extreme the hostility to deliberative democracy and the more entrenched are power asymmetries, the more justified are political agitation, mobilization, and even coercive means, such as political pressure and public shaming. Just as the person engaging in an act of civil disobedience is willing to be arrested and tried, rather than flee the law (because he is protesting one law or policy and not the rule of law), so deliberative democrat in an unjust world limits how far he goes in pursuing his goal. What Fung has given deliberative democrats is not only a model of deliberative democracy that indicates how unjust and undemocratic structures can be transformed. He has also provided a compelling “political ethic that connects the ideal of deliberative democracy to action under highly hostile circumstances.” As he concludes his essay:

In such a world, the distinctive moral challenge is to maintain in thought and action the commitment to higher political ideals, despite the widespread violation of those norms. Deliberative activism offers an account of how it is possible to practice deliberative democracy in the face of inequality and hostility without being a political fool.⁷⁴

The Objection to Equality

I turn now to the fourth and last objection, one that differs from the first three because it challenges the egalitarian and democratic assumptions of my version of the capability approach. Let us call this version ACDD (agency-focused capability plus deliberative democracy). The counter-argument goes like this: ACDD assumes without argument that equality and democracy are good things. But everyone does not agree with these assumptions. Economic libertarians value liberty rather than equality, and most Chinese believe that economic prosperity and social stability trump or altogether exclude human rights and democracy. Hence, the ACDD gives no reason for anybody but egalitarians and democrats to accept its vision and, hence, is preaching to the choir.

How should we assess this argument? First, just because some people do not share ACDD's egalitarian and democratic commitments, let alone the vision of deliberative participation, does not entail that the commitments are not reasonable. Flat earth believers do not undermine the reasonable view that the earth is not flat. Second, although they ascribe somewhat different meanings to key terms, some libertarians, as I show below, *do* accept the ideal of equal agency or equal liberty. Likewise, Chinese human rights and democracy activists and scholars sometimes are committed to (and risk their well-being) for some sort of egalitarian and democratic commitments.⁷⁵ And even those who propose a normative political philosophy compatible with Asian "values," may defend an "Asian" version of democracy and human rights.⁷⁶

A third response to the equality objection is that ACDD does not just *assume* that democracy is a good thing but *defends* an inclusive, broad, and deep conception of democracy on the basis of democracy's intrinsic, instrumental, and constructive value. One instrumentalist defense of democracy is that even minimalist democracy, as Sen and

others argue, tends to be instrumentally better than autocracies in preventing and responding to natural and human catastrophes.⁷⁷ Moreover, the intrinsic value argument that I set forth for democratic rule, based on the premises that agency was a good thing and democracy optimally manifests agency, shares some commonality with libertarianism. Perhaps the purest of recent libertarians, philosopher Robert Nozick, affirms the moral importance of agency and defends it in relation to the notion of having or striving for a meaning life:

What is the moral importance of this . . . ability to form a picture of one's whole life (or at least significant chunks of it) and to act in terms of some overall conception of the life one wishes to lead? Why not interfere with someone else's shaping of his own life . . . A person's shaping his life in accordance with some overall plan is his way of giving meaning to his life; only a being with the capacity to shape his life can have or strive for meaningful life.⁷⁸

But, the anti-egalitarian might respond, although Nozick endorses agency, he rejects *equality*. That response, too, misses the mark. Sen is surely right that most thinkers—Nietzsche would be a notable exception—are egalitarians in some sense. Few escape the importance or fail to answer Sen's question: "equality of what?"⁷⁹ Nozick answers the question with "equality of liberty" or "equality of agency"—construed as each person's right—without interference from other—to shape their own life. What is right for one (not being coerced) is right for all regardless of such things as riches,

ethnicity, religion, gender, age, sexual orientation, and nationality: “Individuals have rights, and there are things no person or group may do to them (without violating their rights).”⁸⁰ Sen and I differ from Nozick not because we have a concept of equal agency that he altogether lacks, but because our concept of agency is more robust than his. Agency is linked not only to the absence of others’ interference (in the shaping of one’s life) but also the presence, which others may be obligated to supply, of real and valued options. That of which we try to convince right-wing libertarians by actual and hypothetical examples, is that it is just as bad to limit someone’s agency by refusing to provide the necessary means—such as food and security—as it is to limit it by coercion, such as rape and torture.⁸¹ We are not struck defenseless but argue for a better account of those common premises that in turn will support better conclusions.

The inequality objector is not finished. She might concede that all individuals have equal agency (and hence moral worth) and even should be afforded equal protection of the law and from rights-violating coercion. But she might insist that neither the state nor other people have the duty to provide people with *economic* equality (equal income and wealth) or exactly the same sort and level of capabilities (for such equality would require coercive redistribution from the rich to the poor).

Here the inequality objector has misunderstood ACDD. The proposal is not that distributive justice requires strict equality of income or capabilities but that each community should decide its own distributive principles. Within the capability space, among those matters to be decided are the most important capabilities and the principles for their promotion and distribution. Sen’s own proposal to democratic bodies is not that they put everyone on the same level of income or capability, but to ensure that everyone,

who so chooses (to exercise her agency) is able to get to a communally-determined moral minimum. What is important is not strict equality but a certain sort of equality of opportunity or freedom. Whether she chooses to get to that level or go beyond it is (if she is not disabled) up to her. The choice, however, of a specific distributive principle or principles is up to collective agency of the community in question—as is the question of the weight of that principle in relation to such values as economic prosperity and social stability.

The inequality objector, however, might press on. Is it not the case, she might argue, that Sen is concerned that democratic processes will reinforce inequalities of economic and political power unless citizens deliberate in conditions of strictly equal economic and political power? Is not ACDD begging the question with respect to its egalitarian “enabling conditions?” No and yes. On the one hand, only “rough” economic and social power is called for in the sense both that all citizens are able, if they so choose, to get to the threshold and that the remaining inequalities do not permit the rich and well-connected unfairly to dominate the have-nots. Moreover, given this enabling condition of rough equality, the community may exercise its agency and choose an inegalitarian distributive principle or outweigh justice with other values. On the other hand, it is true that the notion of a fair process (including the rule of law) presupposes not just that all persons have moral worth (agency) as human beings but that *all* group members should be relatively free to participate fully in deliberating and deciding. Is it possible to convince someone that believes in rule by experts or guardians to give up this belief in favor of democratic rule by group members “roughly” equal in economic and social

power? Perhaps not—especially if the objector is privileged and benefiting from inequality—and we may be at the end of the line.

The proponent of inequality might at this point take refuge in the assumption that motivation is always and only self-interested and that any appeal to the justice of rough economic and political equality would require a degree of altruism that is not psychologically possible. In response, both economists and philosophers have cast reasonable doubt on self-interest as the *only* motive. And even if self-interest were true (most of the time), a Rawlsian thought experiment along the lines of the “original position” (where the deliberators don’t know whether or not they are or will be privileged or destitute) is a device to get people to affirm fair procedures and just arrangements. It is in each person’s long-term self-interest to agree to an arrangement in which she can achieve at least minimally adequate well-being regardless of her fortune.

In this chapter I have set forth and defended the way in which agency-focused capability approach coupled with deliberative democracy generates a deliberative ideal of local and participatory development. I have concluded by replying to four objections to the normative vision (chapters 4-6 and 9) and its application to a deliberative reconstruction of citizen participation in grassroots development. To avoid dogmatism, a critical development ethics must seek out and engage serious criticisms of and alternatives perspectives.

NOTES

1. For a helpful recent discussion, with full references, on both the theoretical and policy-oriented discussion of participation in development, see Bina Agarwal, “Participatory Exclusions, Community Forestry, and Gender: An Analysis for South Asia and a Conceptual Framework,” *World Development* 29, 10 (2001): 1623---48; and Sabina Alkire, *Valuing Freedoms: Sen’s Capability Approach and Poverty Reduction*, Oxford: Oxford University Press, 2002, chap. 4.

2. See, M. Rahnema, “Participation,” in W. Sachs, ed., *The Development Dictionary: A Guide to Knowledge as Power* (London: Zed Books, 1992), 116---31; B. Cooke and U. Kothari, eds, *Participation: The New Tyranny?* (London: Zed Books, 2001); S. Kumar and S. Corbridge, “Programmed to Fail? Development Projects and the Politics of Participation,” *The Journal of Development Studies*, 39, 2 (2002): 73---103; G. Williams, “Evaluating Participatory Development: Tyranny, Power, and (Re)politization,” *Third World Quarterly*, 25, 3 (2004): 557-78; William Easterly, *The White Man’s Burden: Why the West’s Efforts to Aid the Rest Have Done So Much Ill and So Little Good* (New York: Penguin Press, 2006), 144---45, 195---99.

3. Jay Drydyk, “When is Development More Democratic?” *Journal of Human Development*, 6, 2 (2005): 247---67.

4. I have adapted this section from my “Foreward” to Denis Goulet, *Development Ethics at Work: Explorations 1960-2002* (London: Routledge, 2006), xxv---xxix.

5. *World Development*, 17:2 (1989): 165---78. This article is partially reprinted in Denis Goulet, *Development Ethics: A Guide to Theory and Practice*, New York: Apex Press, 1995), 91---101. Paulo Freire’s classic is *Pedagogy of the Oppressed* (New York: Continuum, 1970).

⁶. Denis Goulet, "Participation in Development: New Avenues," *World Development*, 17, 2 (1989): 185.

7. Marshall Wolfe, *Participation: The View from Above*, Geneva: UNRISD, 1983, 2. Goulet cites Wolfe in "Participation," 166.

8. *Ibid.*, 99.

9. See Gianpaolo Baiocchi, "Participation, Activism, and Politics: The Porto Alegre Experiment," in *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*, eds., Archon Fung and Erik Olin Wright (London: Verso, 2003), 45---76. Goulet applauds Porto Alegre participatory budgeting process in "Global Governance, Dam Conflicts, and Participation," *Human Rights Quarterly* 27, 3 (2005): 890---92.

10. T. M. Thomas Isaac and Patrick Heller, "Democracy and Development: Decentralized Planning in Kerala," in *Deepening Democracy*, eds. Fung and Wright, 78. Jean Drèze and Amartya Sen's discussion of the Indian constitutional amendments that facilitated the renovation of the Panchayat system of governance; see their *India: Development and Participation*, 2nd Ed. (Oxford: Oxford University Press: 2002), 349, 358. In many nations one sees been recent efforts to decentralize the national government and put more power and resources under the control of state or local governments. Recent comparative studies confirm anecdotal evidence that decentralization has had a mixed record in making local (or national) democracies more deliberative. See James Manor, *The Political Economy of Democratic Decentralization* (Washington, D.C.: World Bank, 1999); and Philip Oxhorn, Joseph S. Tulchin, and Andrew Selee, eds. *Decentralization, Democratic Governance, and Civil Society:*

Perspectives from Africa, Asia, and Latin America (Baltimore: Johns Hopkins University Press/Woodrow Wilson Center Press, 2004), Andrew D. Selee, “The Paradox of Local Empowerment: Decentralization and Democratic Governance in Mexico,” Ph. D. dissertation, University of Maryland, School of Public Policy, 2006. The latter study includes an exhaustive bibliography.

11. Easterly, *White Man’s Burden*, 195---99 and chap. 10.

12. Goulet, “Participation,” 94.

13. Agarwal, “Participatory Exclusions.”

14. *Ibid.*, 15---18.

15. See J. N. Pretty, “Alternative Systems of Enquiry for Sustainable Agriculture,” *IDS Bulletin*, 2: 25, 37---48; John Gaventa, “The Scaling Up and Institutionalizing of PRA: Lessons and Challenges,” in *Who Changes: Institutionalizing Participation in Development*, eds. J. Blackburn and J. Holland, eds. (London: Intermediate Technology Publications, 1998), 157; Drydyk, “When is Development More Democratic?” 259---60.

16.. Petitionary participation differs from consultative participation because the activity of petitioning is more robust than merely expressing views and making proposals; in the former but not the latter, the nonelite have the right to be heard and the elite have the duty to “receive and consider” petitions. See James W. Nickel briefly discusses the nature and importance the right of citizens to petition governments and the related “duty of governments to receive and consider petitions” in “Gould on Democracy and Human Rights,” *Journal of Global Ethics*, 1, 2 (2005), 211. In consultative

participation, the nonelite are dependent on the favor rather than the duty of the elite to “receive and consider.”

17. In “Participatory Exclusions,” Agarwal calls this mode “activity-specific participation,” but I believe my term better captures the idea that the elites decide on the plan and the nonelite carry it out.

18. For a defense of *bargaining* with the state, with the community, and within the family, see Agarwal, “Participatory Exclusions,” 18---22. For a fairly sharp distinction between bargaining and deliberation based on the former’s prudent motivation and latter’s desire to justify one views to others, see Gutmann and Thompson, *Democracy and Disagreement*, 52---63, 349---50; and *Why Deliberative Democracy*, 113---15, 148---49. There are, of course, various models of both bargaining and negotiation, some of which include a deliberative component rather than exclude it altogether. Moreover, a group may deliberately decide to bargain, and its bargaining now may be a means to achieve eventual deliberation. In future work I intend to clarify the relations between and assess the respective merits of different models of bargaining, negotiating, and deliberating.

19. In his normative conception of democracy, Jay Drydyk helpfully emphasizes the concept of control understood as people’s influence over decisions and the social environment, especially well-being freedoms and achievements. See Drydyk, “When is Development More Democratic?” *Journal of Human Development*, 6, 2 (2005): 247---67, especially 252---57.

20. *Ibid.*, 97.

21. Goulet, “Participation,” 93.

-
22. Ibid., 96.
23. Denis Goulet, "World Interdependence: Verbal Smokescreen or New Ethic," Development Paper 21 (Washington, D. C.: Overseas Development Council, 1976), 29.
24. Amartya Sen, "Democracy and Its Global Roots," *The New Republic* 229, 4 (2003): 33.
25. Amartya Sen, *Development as Freedom* (New York: Random House, 1999), 291.
26. In contrast to much government-to-government funding by the U.S. Agency for International Development, for more than thirty years the U.S. Inter-American Foundation (IAF) has emphasized grass-roots development. See Sheldon Annis, Sheldon and Peter Hakim, eds., *Direct To The Poor: Grassroots Development In Latin America*. (Boulder: Lynne Rienner Publishers, 1988) and Ramón Daubón, "A Grassroots View of Development Assistance," *Grassroots Development: The Journal of the Inter-American Foundation*, 23, 1 (2002): 1---9. For recent an assessment of recent efforts of USAID to promote both citizen participation in its projects and broad-based governmental democracy, see David A. Crocker and Stephen Schwenke, "The Relevance of Development Ethics for USAID," Desk Study for USAID, April 2005.
27. See Alkire's brief overview of Finnis's work in *Valuing Freedoms*, 15---18. See also John Finnis, *The Fundamentals of Ethics* (Oxford: Oxford University Press, 1983).
28. See Agarwal, "Participatory Exclusions;" and Judith Mashinya, "Participation and Devolution in Zimbabwe's CAMPFIRE Program: Findings from Mahenye and Nyaminyami," Ph.D Dissertation, School of Public Policy, University of Maryland, 2007.
29. Alkire, *Valuing Freedoms*, 218---22.

30. Alkire, *Valuing Freedoms*, 225. An aspect of this participatory manner becomes important below. Although the outside assessors spoke Urdu, a language that many group members spoke, the assessors did not speak the group members' first language.

31. Alkire's account would be enhanced by further attention to the ethical issues that emerge when outsiders elicit and clarify question insiders about their values. See above, Chapter 4; Deepa Narayan, Robert Chambers, Meera K. Shah, and Patti Petesch, *Voices of the Poor: Crying Out for Change* (New York: Oxford University Press for the World Bank, 2000); David Ellerman, *Helping People Help Themselves: From the World Bank to an Alternative Philosophy of Development Assistance* (Ann Arbor: University of Michigan Press, 2005).

32. Robert Chambers, "All Power Deceives," *IDS Bulletin*, 25, 2 (1994), **XX**. See also Robert Chambers, *Ideas for Development* (London: Earthscan, 2005). Citing Nicolas Van de Walle (*Overcoming Stagnation in Aid-Dependent Countries* [Washington, D. C.: Center for Global Development, 2005], 67). Easterly identifies a less inadvertent kind of ventriloquism: The World Bank and the International Monetary Fund no longer impose certain conditions on loans to poor countries, but rather listen to what the poor country plans to do with the loan. But the effect is the same: "So the poor-country governments, instead of being told what to do, are now trying to guess what the international agencies will approve their doing" (Easterly, *White Man's Burden*, 146). Cf. Nicolas van de Walle, *Overcoming Stagnation in Aid-Dependent Countries* (Washington, D. C.: Center for Global Development, 2005), 67.

33. R. F. Fenno, Jr., *Watching Politicians: Essays on Participant Observation* (Berkeley, CA: IGS Press, 1900); Peter Balint, “Balancing Conservation and Development: Two Cases Studies from El Salvador,” Ph.D. dissertation, School of Public Policy, University of Maryland, 2000; Mashinya, “Participation and Devolution,” 82.

34. Martha Nussbaum, “Capabilities and Human Rights,” in Pablo De Greiff and Ciaran Cronin, eds. *Global Justice and Transnational Politics* (Cambridge, MA and London: MIT Press, 2002), 128.

35. Ibid. See also Martha Nussbaum, “Women’s Bodies: Violence, Security, Capabilities,” *Journal of Human Development* 6, 2 (2005): 178---79.

36. Alkire, *Valuing Freedoms*, 224.

37. Ibid., 282. See 118.

38. Sabina Alkire, personal communication, 6 April 2003.

39. Ibid., 225.

40. John Finnis, *Natural Law and Natural Rights* (Oxford: Clarendon Press, 1980), 90. See Alkire, *Valuing Freedoms*, 224.

41. Nussbaum, *Women and Human Development*, 77. Nussbaum also allow that a community may contest and remake items on the list, but Nussbaum’s list is meant to have a prescriptive and perhaps presumptive force.

42. Alkire, *Valuing Freedoms*, 38.

43. Alkire, *Valuing Freedoms*, 221.

44. Sabina Alkire, personal communication, 6 April 2003.

45. Alkire, *Valuing Freedoms*, 225. Italics in Alkire’s text.

-
46. Sen, *Development as Freedom*, 11.
47. Deepa Narayan and colleagues note that the investigations, which issued in the three volumes, *Voices of the Poor*, often failed in their moral obligations to share the results of their studies with the people whom they investigated. See Deepa Naranyan, Robert Chambers, Meera K. Shah, and Patti Petesch, *Voices of the Poor: Crying Out for Change* (New York: Oxford University Press for the World Bank, 2000), 16---18.
48. Alkire, *Valuing Freedoms*, 225
49. Alkire, personal communication, 6 April 2003.
50. For the way in which use of a local language can protect a community from fragmentation and outsider control, see Ariel Dorfman, "Into Another Jungle: The Final Journey of the Matacos?" in *Grassroots Development: Journal of the Inter-American Foundation*, 12, 2 (1988): 2---15.
51. Alkire, *Valuing Freedoms*, 289.
52. Ibid.
53. Ibid.
54. Ibid.
55. Alkire, *Valuing Freedoms*, 127---28. In a note in Ibid., 128, n. 10, Alkire refers to the work of both Richardson and Bohman on public deliberation and says that "both of whom," she says, "carry forward Sen's work directly."⁵⁵ For a similar comment, with reference to Bohman, see "Why the Capability Approach," *Journal of Human Development*, 6, 1 (2005): 130.
56. An important topic for further research would be the differences as well as the similarities between global, national, and middle levels – especially governmental ones –

of deliberative democracy and the sorts of grassroots development projects, whether governmentally or nongovernmentally funded, with which these chapter has addressed.

57. Alkire, *Valuing Freedoms*, 129. See also 283.

58. Fung and Wright, ed. *Deepening Democracy*, 21.

59. Fung and Wright, "Thinking about Empowered Participatory Governance," 22.

60. Iris Marion Young helpfully analyzes and evaluates these and other objections in *Inclusion and Democracy* (Oxford: Oxford University Press, 2000), 36---51.

61. Such is the strategy of Iris Marion Young, when she criticizes the "face to face" and "rationalism" arguments, and of Jane Mansbridge, when she responds to the "impartiality" objection. See Young, *Inclusion and Democracy*; and Jane Mansbridge, "Practice-Theory-Practice," 178---195.

62. See, for example, Carol C. Gould, *Globalizing Democracy and Human Rights* (Cambridge: Cambridge University Press, 2004, chap. 1, especially 31---42.

63. Martha C. Nussbaum, "Women's Bodies: Violence, Security, Capabilities," *Journal of Human Development*, 6, 2 (July 2005): 179. The first two omitted endnotes refer to Martha C. Nussbaum, "Capabilities as Fundamental Entitlements: Sen and Social Justice," *Feminist Economics* 9, 2-3 (2003): 33---59; and the third omitted endnote to Sen, *Development as Freedom*.

64. Sen, *Development as Freedom*, 17, 285, 290---92.

65. Nussbaum repeatedly argues that since the items on her list are incommensurable (which I accept), they cannot be traded off. See, for example, Martha C. Nussbaum, *Women and Human Development: The Capabilities Approach*

(Cambridge: Cambridge University Press, 2000), 81; *Frontiers of Justice: Disability, Nationality, Species Membership* (Cambridge, MA: Harvard University Press, 2006): 174---76. The conclusion does not follow from the premise. Just because love of life and love of country are incommensurable, it does not follow that the Moroccan deciding whether or not to escape severe privation in his homeland cannot—when he cannot have both—decide for one good (more opportunity in Spain) rather than the other (being part of his family and country). Given insufficiency of resources, governments must choose among or prioritize various goods, such as health care and lower taxes. It is not that more of one good makes up for or compensates for less of the other, but that we often cannot have two good things at the same time and must choose between them. Citing Finnis, Deneulin states the “no trade off” claim in an uncompromising way:

The choice of pursuing one component of human well-being should not damage another: what can be referred to as *the requirement of non-compensation*. This requirement directly follows from the plural and incommensurable nature of the human good to be pursued (each central human capability is irreducible to each other, there are no possible trade-offs (Severine Deneulin, “Promoting Human Freedoms under Conditions of Inequalities: a Procedural Framework, *Journal of Human Development: Alternative Economics in Action*, 6,1 [2005]: 88; her note 8, citing Finnis, is omitted).

66. The 1988 Brazilian Constitution defines health as both a right of all citizens and the responsibility of the state to provide it through its Unified Health System (SUS). The SUS in turn “introduced the notion of accountability (*controle social*) and popular participation” and “stated that the health system had to be democratically governed and that the participation of civil society in policymaking was fundamental for attaining its democratization.” (Vera Schattan P. Coelho, Barbara Pozzoni, and Mariana Cifuentes Montoyo, “Participation and Public Policies in Brazil,” in Gastil and Levine, eds. *The Deliberative Democracy Handbook*, 176). Within this Brazilian legal framework, health councils, in which citizens deliberative on health priorities and policies, have proliferated on federal, state, and municipal levels of government.

67. William A. Galston, *Liberal Pluralism* (Cambridge: Cambridge University Press, 2002).

68. For Sen’s employment of this argument, see *Development as Freedom*, 241---242.

69. Severine Deneulin, “Promoting Human Freedoms under Conditions of Inequalities: a Procedural Framework,” *Journal of Human Development: Alternative Economics in Action*, 6,1 (2005): 89.

70. *Ibid.*, 81.

71. The three most important anthologies have already been cited: Fung and Wright, eds., *Deepening Democracy*; Santos, ed., *Democratizar la democracia*; Gastil and Levine, *The Deliberative Democracy Handbook*. For the point about theorists and other scholars benefiting from learning about concrete cases, see Peter Levine, Archon Fung, and John Gastil, “Future Directions for Public Deliberation,” in Gastil and Levine, eds., *The Deliberative Democracy Handbook*, 280---81.

-
72. Ibid., 271---86, especially 280---81.
73. See the case studies in the anthologies cited in n. 69.
74. Fung, “Deliberation before the Revolution: Toward an Ethics of Deliberative Democracy in an Unjust World,” *Political Theory*, 33, 2 (2005), 416.
75. Xiaorong Li, *Ethics, Human Rights and Culture: Beyond Relativism and Universalism* (New York: Palgrave Macmillan, 2006). Cf. Amartya Sen, *Development as Freedom*, chaps. 6 and 10.
76. Joanne R. Bauer and Daniel A. Bell, eds. *The East Asian Challenge for Human Rights* (Cambridge: Cambridge University Press, 1999); Daniel A. Bell, *Beyond Liberal Democracy: Political Thinking for an East Asian Context* (Princeton and Oxford: Princeton University Press, 2006).
77. Morton H. Halperin, Joseph T. Siegle, Michael M. Weinstein, *The Democracy Advantage: How Democracies Promote Prosperity and Peace* (New York: Routledge, 2005); Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore and London: Johns Hopkins University Press, 1999).
78. Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), 50.
79. Amartya Sen, “Equality of What?” in *The Tanner Lectures on Human Value*, ed. Sterling M. McMurrin (Salt Lake City: University of Utah Press, 1980), 197---220; *Inequality Reexamined* (Harvard: Harvard University Press, 1992).
80. Nozick, *Anarchy, State, and Utopia*, ix.
81. David A. Crocker, “Functioning and Capability: The Foundations of Sen’s and Nussbaum’s Development Ethic, Part 2,” in *Women, Culture and Development: A*

Study of Capabilities, eds. Martha Nussbaum and Jonathan Glover (Oxford: Clarendon Press, 1995), 182---196. See also, David A. Crocker, *Praxis*, 68---76; 114---128.