

## **Locating Public Engagement**

Seldom in the history of democracy has there been such widespread agreement that citizen engagement must be increased. Across government and the policy-making community, academic disciplines and civil society, the 'participatory turn' in democracy is much in evidence. Whether motivated by concerns over citizen disengagement, democratic deficits or unresponsive public services, we are now awash in initiatives to engage the public through citizens' juries, focus groups, satisfaction surveys, public consultations, 'new localisms' and 'big conversations' (OPDM, 2005).

It must be said, however, that few such initiatives succeed in their aims. Some flounder on inappropriate methods, while others pit unrealistic public demands against management and budgetary constraints. Still more are merely cynical ploys. Yet the most common cause of failure is the apparent disinterest of the citizenry, which is variously attributed to 'consultation fatigue' or plain laziness (Bale et al, 2006; McHugh, 2006). Public apathy is an age-old problem in the history of democracy, and classically takes the form of two distinct and competing accusations (DeLuca, 1995). Either apathy is due to the failure of government to provide adequate institutions for participation, or to the 'fact' that ordinary citizens possess neither the will, nor the ability, to participate effectively. When initiatives to engage the public fail, proponents of both positions claim validation and become further entrenched. We thus face the danger that current attempts at public engagement, beset as they are with significant conceptual confusions, will succumb to cynicism, mutual recrimination, capture by special interests and general exhaustion on all sides.

This paper draws on the history of democratic theory to diagnose recurrent failures in public engagement. It seeks to clarify confusion among public managers as to the actual purposes of public engagement, to examine how such purposes are best achieved and to explore locations where such engagement can, and does, occur. For those who blame government for the apathy of citizens, it suggests directions for institutional reform. For those who blame the public, it takes issue with empirical demonstrations of citizen laziness and argues that appropriate methods and locations can result in significant increases in public motivation to engage. The paper attempts to show that the 'participatory

turn' now constitutes what amounts to an ideological challenge, not only to existing public service provision, but also to the current structure of liberal democracy. As such, it cannot be characterised merely as a petulant stamping of feet and endless demands for more. Nor can it be thwarted by the grim realities of creeping privatisation, ornate rituals of verification (Power, 1997) or incaltrant managers. Instead, before we give up on public engagement, we might invoke John Dewey, and suggest that 'the solution to the problems of democracy is more democracy'. That, or risk losing it altogether.

### **The Purposes and Methods of Public Engagement**

Public services have been variously criticised for their chronic ineffectiveness, subjected to the rigours of New Public Management and threatened with creeping privatisation. Yet still, they remain unresponsive to user need. The 'participatory turn' towards public engagement in public services is all that is left us as a means of reform. We do not know the 'good' for others - or in modern parlance, the needs of service users - and so must interact with them to find out. Our services lack legitimacy, accountability and responsiveness, and so must engage citizens in their design, provision and evaluation. We thus do democracy not because we *know*, but because we do not.

Consequently, motivations to increase public engagement are two-fold. First, such engagement reveals the needs of users and the effects of services upon them. In other words, it provides feedback on the effectiveness of policies and of their implementation. Second, engagement gives legitimacy: the ability to defend decisions and practices with 'good reasons.' Whether in argumentation with the treasury in spending reviews, or in the pages of the *Daily Mail*, the most powerful form of legitimacy is democratic -precisely because it derives from public engagement. Perhaps paradoxically, therefore, we seek to increase public engagement in order to *strengthen* the hand of management (Coleman & Gotze, 2001). Managers should thus use it to both direct and legitimate their actions.

When public managers are unclear as to *why* they are promoting engagement in a particular area of their service, it remains very difficult for them to figure out *how* best to do so. So, for example, co-opting a service user onto a management board in the belief that s/he will 'represent' user opinion will not suffice. Similarly, democratic legitimacy cannot be won merely by circulating feedback forms for service users to fill out. The answer to the *why* question thus informs the subsequent question of *how* public engagement is to be best achieved. When it comes to public engagement, purpose determines method. Consequently, as we shall explore below, confusion in regard to purpose leads to the incorrect selection of methods, which in turn results in *disengagement*.

Of course, when we ask how to gain the engagement of the public, we immediately stumble upon one of the most common objections to democracy: the charge that it is unrealistic, impossible and

impractical. So, for example, in the late seventeenth century, a certain Lord Sidney retorted to John Locke with deep indignation: 'What! Will you have us poll the whole nation?' Nowadays, we can answer: Well... yes. Yet today, we continue to assume that not *all* citizens can participate in governance, and in the arena of public service reform, it is only recently that we have begun to consider a wider range of methods by which public engagement can be realistic and practical.

When the question of practical methods for public engagement first arose, it seemed that all problems were to be addressed with 'customer' surveys, focus groups or citizens' juries. Now, however, research in participatory governance can provide a better understanding of the wide variety of techniques, public fora and micropublics available. Both Gaventa and Fung's research, for example, survey the many different types of micropublics and shows the relative merits of each (Goetz & Gaventa, 2001; Fung, 2003). Citizens' juries thus emerge as effective means of validating management decisions, and thus in the provision of legitimacy, while they are not as effective at providing feedback on policy impacts - where focus groups might be better suited. Practical methods for participation can also be understood to lie on a 'ladder' of intensity (Arnstein, 1969). They thus range across the mere provision of information, to public consultation, then to acting in partnership with, and finally to the provision of support for independent citizen-led initiatives. Questioning *why* we should increase participation thus leads us to select from a growing menu of available practical methods that address questions of *how* best to do so.

When we use such methods to discover the needs of service users, we can draw on recent developments in social scientific research, and particularly on advances in deliberative democracy (Dryzek, 2002; Elster, 1998). The problem of needs, or indeed, preferences generally, is that they are not static, are often unformed and equally often, are uninformed. So, for example, asking citizens about increasing police foot patrols results in a resounding 'yes'. Now show those same citizens the budgetary constraints upon such patrols, and they begin to 'refine' their responses (Luskin, Fishkin & Jowell, 2002). Enabling citizens to deliberate about their fear of crime will result in still further preference refinement. Moreover, inconsistencies in preferences arise, so that, for example, while crime figures have decreased, the fear of crime has increased (Horner, Lekhi & Blaug, 2006). We cannot, therefore, assume that public preferences are always 'rational,' consistent, informed or static. Indeed, this is classic source of irritation with democracy, rendered so succinctly in Schumpeter's comment (1966) that we cannot possibly base government on the 'bovine stupidity of the masses'.

In regard to the apparent irrationality of public preferences, recent research in deliberative democracy shows that it is precisely in discussion that we both *discover and form* our needs. Human consciousness may even be, at its very core, deliberative in nature - for in order to make decisions, we engage in what amounts to a process of internal debate (Morson & Emerson, 1990). If we are to

consult and engage the public in governance, therefore, we must provide fora in which preferences can be formed and refined in deliberation with others and in the light of accurate information. Only then can we gain knowledge of user needs and arrange services that are responsive to them. It is for this reason that so many of Fung's practical 'designs' are deliberative.

We should here acknowledge that when managers of public services do *not* want to know about the impact of their services, have little interest in the needs of users or have no institutional capacity to be responsive to those needs, they should not ask. Indeed, one of the great dangers for democracy has always been authoritarian action that *pretends* to be democratic (Ober, 1989). Unfortunately, some initiatives in participatory governance have amounted to little more than box-ticking and cynical manipulation. So, for example, the recent 'consultation' on nuclear power was soon unmasked, both by campaigning groups and the courts, as a sham - with the provision of information being one-sided and the decision to proceed having already been taken. A further example is afforded by the consultation over the third Heathrow runway, where eighteen months of research and planning is followed by twelve weeks of public consultation which must somehow marshal 'scientific' evidence to prevent the development. Such cynical initiatives result in yet more cynicism; particularly among citizens who increasingly distrust their elected officials and would counter charges of 'bovine stupidity of the masses' with cries of elite deception. Participatory governance is thus significantly undermined when a planning system in which 'community involvement' is central goal is widely perceived to have been captured by corporate and/or institutional interests and when public consultations that are no such thing (see, for example, CPRE, 2008a; 2008b). Indeed, with three out of four citizens reporting (even before the latest expenses scandal) that they do not trust politicians to tell the truth (IPSOS/MORI, 2008), one is tempted to ask whether public cynicism and 'consultation fatigue' is already so advanced that current attempts to secure public engagement amount to too little, too late.

Such concerns seem increasingly plausible when we consider the current depth of citizen disengagement. It is an empirical fact that an extraordinary gap now exists between the number of citizens calling for more participation and those actually willing to participate themselves (McHugh, 2006). This gap resonates with current concerns over falling voter-turnout - with citizens widely reporting that their vote 'makes no difference' and that there is 'no real choice' - and with the perception that citizens lack the means by which to ensure proper redress for public service failure. For example, in the NHS, only 56 per cent of those who believe they have grounds to complain bother to do so and of those that do, an astonishing 68 percent regarded the complaints process as 'pointless'.

In fact, however, it is not public cynicism that prevents us from participating in the provision, design and evaluation of public services. Indeed, historically, citizens are often motivated to participate precisely by their mistrust in government. We cannot, therefore, cite popular cynicism as the cause for

low participation, and instead must look elsewhere to explain McHugh's 'gap' between popular demands for engagement and the actual willingness to do so.

In particular, we must acknowledge that democracy is rather more complex than is commonly supposed. Not so long ago, we imagined that liberal democracy constituted the end of all ideological conflict (Fukuyama, 1989). Having defeated fascism and communism, democracy as practiced in the west seemed to be both stable and of discernable form. Free and fair elections, the protection of civil rights, a free press – these were surely desired by all right thinking individuals. Nowadays, of course, we have been shocked out of our complacency, and have again become aware of other cultures and other forms of democracy. Indeed, those who study the history of democracy now question the usual story in which our enlightened elites gradually devolved power to the populace, extended the franchise and gave participation institutional and constitutional forms (Keane, 2009). Rather, when we look back, what appears is a mess. Democracy, it turns out, is not given to the people, but is, instead, wrested from elites in an ongoing struggle over power (Rancière, 2006). What we have today can thus be conceived as the very *least* public engagement it was possible for governing elites to get away with. The 1832 Reform Act, for example, is often seen as playing an important role in heading off the revolutionary zeal that gripped Europe in 1848. Yet after that Act, only 653,000 people out of a population of 14 million had the vote; all of them property-owning males.

A more complete understanding of history shows that the nature of democracy, and therefore also of participation, depends on one's perspective. Elites and citizens in fact gaze upon an object that appears very differently to each. It is this divergence of perspective that begins to explain why people want public engagement, yet in the next breath, state they are not willing to engage in it themselves.

Governing elites seek stable institutional forms for participation that are compatible with complex administrative imperatives. As such, democracy appears as a series of institutional forms within which they must work. Against this, citizens situated *outside* the structures of governance, see participation as a response to injustice, as a form of resistance and as a very personal, or interpersonal, experience (Wolin, 1994; Pizzorno, 1970; Blaug, 2002). The history of democracy is thus, in part, one of constant 'outbreaks' or eruptions of participatory energy. Recent scholarship has shown this to have occurred in protest movements, slave rebellions and even pirate communities (Linebaugh & Rediker, 2000). Such experiences of participatory practice are then expunged from history, co-opted and partially institutionalised. Yet the ephemeral, empowering and very personal nature of these experiences sits in stark contrast to the ordered, administrative and, indeed, de-politicised forms of public engagement usually offered by governing elites.

One reason citizens are not willing to participate is because our liberal democracy provides no engaging and effective institutions in which they can experience empowered deliberation. There is

nowhere for people to speak; nowhere that speaking makes a difference. As we shall see, participatory institutions *can* – particularly in an empowered deliberative forum – provide for debate, excitement and meaningful action. Yet what is most usually offered is the ‘invited spaces’ of mere administration. Once we grasp these two quite distinct perspectives on participation, we can more adequately diagnose public disengagement, and also, explore methods and locations in which the public might actually want to participate.

When we seek to increase public engagement in public services, and to understand why some initiatives attract the interest of citizens while others do not, it is instructive to identify three rather different locations where participation has been, or is being, used. So, for example, we can distinguish between initiatives that seek participation in the actual delivery of services, those concerned with participation in the setting of service objectives and those pertaining to matters of public accountability. In each, there are gradations of intensity, and in each, we can observe the effects of the divergent perspectives on participation explored above.

### **Location 1: The Delivery of Services**

At the start of this most recent ‘participatory turn’ in democracy, most public engagement initiatives sought the direct participation of citizens in the actual running of services. The attempt here was to bring their particular and local knowledge - as service users - to bear on largely *operational* concerns. Such initiatives were often motivated by the desire, on the part of providers, to both gain insight into the effects of their services and to legitimise their existing activities. This resulted in inviting service users to sit on management boards - sometimes accompanied by an advocate - in the holding of public meetings and in a raft of surveys and questionnaires designed to reveal user needs and levels of satisfaction with services. Initiatives to increase public engagement in the actual delivery of services has generated, and continues to generate, some markedly intensive examples, such as tenant participation in - and even operation of - housing associations, service delivery partnerships and the contracting out of services to voluntary bodies. Participatory budget holding has been a particularly important development in this area, and still provides some of the best examples of public engagement. The *In Control* project, for example, in which disabled service users both control their own budgets and select the services they require, is exemplary here. This programme now encompasses 105 local authorities, over two thousand service users and wields a budget of £20 million.

Two particular problems arise when we attempt to increase public engagement in the delivery of services, however, and these have served to limit their effectiveness and lower public expectations of their success. The first concerns the difficulties encountered when provider expertise is inappropriately hampered by public participation, or where this expertise cannot be easily learned by participants

(Andras & Charlton, 2002). The scope for what amounts to *replacing* professional expertise with amateur citizens has continued to limit this form public engagement and has been a recurrent source of contention among public managers (see, for example, Dzur 2002; Esquith, 1990) Tensions between what are often characterised as the imperatives of bureaucracy and democracy have thus provided pessimists with an easy rod with which to beat those who seek to increase public engagement. This rod is particularly effective when we limit participation to a single place: the actual running of services.

The second problem with participation in the area of service delivery has been, and continues to be, the studious disinterest of citizens themselves. Foundation Hospital boards, for example, have struggled to attract public members (Klein, 2004; McHugh, 2006: 550), and the Housing Corporation has confronted similar problems with recruitment to its own management board. It is thus quite correct to assert that, when it comes to operational matters, the public do not want to participate (Chisholm et al, 2007). Indeed, lacking either the personal vocation or the salaries of professionals, it is little wonder that so few are willing to sit on management boards, attend public meetings or fill in questionnaires. McHugh's 'gap' between wanting participatory governance and being bothered to participate oneself might not, therefore, be due to laziness, but to the manner and *place* in which participation is usually offered. Administrative tedium, consultation fatigue and sitting among arid bureaucratic hierarchies are not, for most, particularly engaging (Carr, 2004). This, added to the confused and often cynical motivations for involving citizens in the first place, as well as the repeated failure to respond to such involvement on the part of service providers, is enough to put most people off entirely. Here, then, the public balks at participating in the actual delivery of services, and largely holds this to be a task for professionals (Lowry, 2000).

Even with its limitations, however, there would seem to be considerable scope for increasing direct participation in operational matters. Perhaps the most instructive example of this kind of participation is afforded by jury duty, which directly involves many citizens in the making of decisions in criminal courts. Jury duty engages the public in operational matters, is deliberative and can be seen to make a discernable difference to outcomes. It is, therefore, not so surprising that of those citizens who have undertaken jury duty, 85% state they would be willing to do so again (Home Office, 2004). Certainly, the value attached to this institution is much enhanced by its long and distinguished history, but so high a percentage speaks powerfully against the charge of citizen laziness. Finally, the extraordinary numbers of citizens who do voluntary work again suggests that direct engagement in the actual provision of services constitutes an important and burgeoning place for increasing public participation (Green et.al. 2004).

Yet when we unwittingly imagine that the actual delivery of services is the *only* place to involve the public, we also encounter some of the more hysterical responses to initiatives to increase public

engagement. Bale, Taggart and Webb thus criticise the *Power Inquiry's* call for more participation by accusing it of advocating the total replacement of representative decision-making with a foolish public. This, of course, is a snowball argument; along the lines of 'don't sit in that seat, because if everybody sat there, they would be crushed to death.' So taken to extremes, the *Inquiry* appears as 'populist' and as advocating 'mob rule'. Yet, again, the actual running of services is only *one place* for participation, and we have noted how it often fails to engage the public. More considered concerns, such as McHugh's stress on distinguishing between public debate and political decision-making (McHugh, 2005: 4, 17), and Habermas's call for conceiving of democracy as having 'two-tracks': opinion formation and policy-making (Habermas, 1996; Squires, 2002), articulate the limitations of popular involvement in operational governance, yet manage to refrain from blurting out the old elitist charge that a little more participation amounts to the inmates taking over the asylum.

In terms of McHugh's 'gap' between wanting more participation and not being willing to do it, we must therefore acknowledge the role played by the kind of participation usually on offer, the lack of payment or discernable impacts of participation, the absence of institutions in which participation can occur and the simple fact that citizens have never before had such experiences. Before we jump to labelling the citizenry as lazy, we should seek to address these lacunae and show that public engagement can take place in other locations as well.

### **Location 2: Setting Service Outcomes**

A rather different 'place' for participation is now emerging in public service reform agendas, this being public engagement in the construction of evaluative criteria, policy goals and service outcomes. The public and deliberative setting of performance expectations for public services constitutes an important area of experimentation in participatory governance (Hanberger, 2006: 4), and is particularly advanced in recent debates around 'public value' (Moore, 1995) and commissioning (Blaug & Lekhi, 2007). If public services are to be genuinely responsive to local needs, engaging the public in determining those needs would seem to be paramount.

In fact, examination of this 'place' for public engagement reveals not only how little citizens are involved in the setting of evaluative criteria for their own public services, but also, once again, the determination with which service providers adhere to their own interpretations of local needs even when they do seek participation. Traditionally, determining the purpose and appropriate ends of public services has been the purview of expert and evidence-based management. Services are thus designed to produce certain outputs – be they a number of hospital beds, primary school places or rubbish bins emptied. Service performance is then evaluated for the efficiency and effectiveness with which it provides these outputs.

Recent experimentation with public engagement has sought to involve the public in the setting of service goals that more accurately reflect local needs. Examples again lie along a 'ladder' of intensity, but must include the London Borough of Lewisham's decade-long use of a Citizens' Panel of 1000 residents that considers local problems, takes evidence from expert witnesses and advises on local needs. The V&A's involvement of Muslim, evangelical and atheist groups in designing their exhibition of Medieval and Renaissance art are also exemplary. Here, public engagement has moved beyond merely measuring user satisfaction with services and towards the actual setting of service goals. Such initiatives often feature deliberative fora, the provision of good information and participation that has discernable impact. They thus increase mutual understanding between managers and participants *and* enhance both the legitimacy and responsiveness of the service provided.

Engaging the public in the setting of evaluative criteria is also a central element in emerging conceptions of 'public value.' Such an approach sees services as creating *public* value when organisations focus on their own distinct and local objectives, formulate and 'authorise' those objectives in public debate and then use them as evaluative standards. So, for example, *the Children's Rights Service* run by Newham Council has developed a number of ways – including planning groups and a Youth Parliament - to involve children and young people in determining local needs and designing services to meet them. Similarly, a PFI in social housing in Camden engaged residents' groups in specifying the measures that would determine payment to the service contractor.

This latter example raises two issues that emerge when we seek public engagement in the setting of service goals. First, we must note the tendency to further accelerate the move from overarching 'outputs' – usually stipulated by managers – to publicly-informed service 'outcomes'. Second, where services are increasingly outsourced to private and voluntary organisations, we face the requirement that public commissioners of services somehow incorporate a democratic element in the outcomes for which they are contracting. We here take each in turn.

The drive for increased responsiveness in public services has resulted in a growing attention to outcomes – specific goals and effects - rather than to numeric outputs. An example of this distinction might be the output of the number of people who took an educational course against the outcome of how much they learned. Another might be the number of people being served by a drug rehabilitation unit vs. the number who stopped using drugs. The move from outputs to outcomes is currently being fueled by attempts to use joined-up service provision to reduce complex problems like social exclusion and criminal recidivism. In addition, we should notice that what people value about a public service often takes the form of outcomes. They are thus more concerned with the effects, results and accomplishments of a public service than they are with outputs.

Yet as Kelly, Muers and Mulgan point out (2002), it is far easier to stipulate outputs than it is to deliver on promissory notes that commit a service to having an actual and particular effect. An output like a number of hospital beds is thus immediately deliverable in a way that 'cured individuals' are not. The problem here is partly one of complex causation, as it is by no means clear how an outcome is to be brought about, or even how particular problems arise in society in the first place. On top of this, delivering outcomes such as 'community cohesion' and 'a healthier population' are hard to quantify, range over the remits of a number of different service providers and thus demand considerable coordination. Finally, institutional intransigence to public engagement in the setting of service outcomes is reflected in the findings of a recent survey of PCT providers, where managers evinced low expectations that public engagement would make much difference to their existing decisions. Only 20% of PCTs using patient fora saw them as 'highly influential' and 69% of respondents cited the 'public's lack of comprehension' as a barrier to their effective involvement (Chisholm et al, 2007). Nevertheless, Kelly, Muers and Mulgan hold that public engagement in the setting of service outcomes affords significant opportunities in the design of services that more adequately reflect public preferences and local needs.

Where public service reform seeks to purchase services from private and voluntary providers, the role of the public body becomes that of commissioner and procurer. Leaving aside the question of whether such privatisation is desirable, government increasingly contracts with private actors in order to deliver services. While this raises important issues about the availability of open information – and perhaps even exacerbates them, for now information must flow not only from public bodies but also from private ones (Cameron 2004) – it also requires that responsiveness to local needs somehow be built into service contracts (McCrudden, 2004). To be compatible with public engagement in the setting of service outcomes, therefore, contracts must allow for the additional flexibility required to accommodate the evolving needs and demands of those whose voices are sought. Yet the high political risks associated with service failure make such flexibility very hard to incorporate and to stipulate in a contract. Indeed, there is a strong countervailing tendency for public bodies to micro-manage contractors in ways that serve to limit flexibility and innovation, and a similar tendency on the part of contractors to carefully control the risks associated with service provision.

Public engagement in the commissioning of services thus demands not only a re-orientation to outcomes, but also, the writing of contracts that allow for creative responsiveness to *changing* outcomes. In contractual terms, flexibility and risk cost money. It is, therefore, by no means clear that the privatisation and public engagement agenda are compatible, or that they will be adequately funded. Nor should we fail to notice that creeping privatisation is now being asked to deliver a level of responsiveness that has entirely evaded public agencies in the past. Once again, however, questions

of flexibility and cost are here a matter of the intensity of public engagement. It is clearly possible to at least partly re-orient services to outputs, to achieve more public engagement in the determination of those outputs and to attempt some contractual flexibility. As always, even a small gain in participation constitutes a good start.

### **Location 3: Public Accountability**

A third *place* where participation might be deliberative, engaging and effective is in the area of public accountability. In our democracy, public accountability is usually limited to elections, but recent experimentation is beginning to extend its evident power - both real and symbolic - to other areas of governance.

Public accountability is a complex matter, but it always denotes a family resemblance between practices involving scrutiny *and* sanction (Rubin, 2006: 53; Newell, 2004: 59). Scrutiny entails examination and evaluation of representative decisions by an informed public. It thus raises inevitable issues in regard to the openness of information and the transparency of procedures. Sanction entails empowered action, a public agreement to accept or reject the account given by a public official and a stark demonstration of popular power. So, for example, *electoral* accountability constitutes a moment of profound clarification, for here, the people actively assert their ultimate sovereignty over government (Dunn, 1999; Przeworski, Stokes & Manin, 1999; Dowdle, 2006: 3, 12). Degrees of public accountability are also exercised by parliament over government (Przeworski, 1999: 21; Dowdle, 2006: 13), judges over parliament and senior public managers over their subordinates. In our liberal society, accountability may also extend to markets, the media and the public sphere. Public accountability is thus multifaceted and multi-layered. It operates both horizontally and vertically (Przeworski, 1999: 19; Dowdle, 2006: 17; Goetz & Gaventa, 2001: 7), can be informal (Scott, 2004; Morgan, 2004: 245; Cameron, 2004: 61) and/or variously formalised in an array of institutions and mechanisms (Przeworski, 1999: 10; Dowdle, 2006: 4; Cameron, 2004: 60). In all democratic societies, however, public accountability is a crucial site of political contestation and an important symbolic moment of reckoning. As such, it should constitute a place where public engagement regularly occurs.

Indeed, recent high profile problems with public accountability, such as those of Railtrack, the Criminal Records Bureau and the war in Iraq) have shown, again, that government institutions and corporations remain doggedly unresponsive, and indeed, often get away with murder. They have thus served to stimulate demands for greater public accountability (Dowdle, 2006: 10). Such demands again highlight the importance of public scrutiny, and of open information (Cameron, 2004: 59; Anechiarico, Jacobs & Jackall, 1996). In this, civil society associations are much aided by developments in information technology, which not only make more information available for scrutiny but also enable the

instantaneous formation of communities (Cameron, 2004: 66; Graham, 2002: 5). Where citizens and associations are armed with knowledge, they have played an important part in developing a raft of new 'disclosure systems' requiring corporations and governments to share information and be transparent in their procedures (Graham, 2002). So, for example, upon discovering that up to 98,000 Americans died each year from medical errors, the *Institute for Medicine* recommended that hospitals be compelled to disclose their rates of error to the public and to use the internet to do so.

Public accountability thus raises inevitable concerns about the *quality* of knowledge available to participants, and by implication, the quality of their subsequent judgments. Where sanction follows scrutiny, knowledge is all. The stakes are particularly high in the area of contemporary political protest, where mass direct action and internet swarming now threaten governments and corporations with new and virulent forms of public attention. Experimentation with participatory governance here takes the form of deliberative fora scrutinising and sanctioning management performance. Contemporary policy innovations, such as citizen-led initiatives to arrange public hearings and inspect public services (Hanberger, 2006: 3), thus constitute a distinct 'place' for public engagement, here in the accountability of office holders by empowered and informed citizens.

Innovations in public accountability remain, for the most part, underpowered, and so have concerned themselves more with scrutiny than sanction. They have therefore largely focused on the issues of open information, procedural transparency and public disclosure. So, for example, the Australian Department of Finance has pursued, in its *Performance Management and Reporting Framework* in Victoria, a focus on the public reporting of policy outcomes, explicitly to inform public scrutiny (Cameron, 2004: 61). Similarly, the *Global Reporting Initiative* lists the many companies that now publicly report their 'economic, environmental and social performance' ([www.globalreporting.org](http://www.globalreporting.org)). Rather more intense forms of public accountability have gone beyond informational transparency and sought to use deliberative fora in which citizens can gain information, deliberate and sometimes even to decide. Such fora have been used with great diversity to reconnect citizens and public officials in a direct way, often in an advisory or consultative capacity. Examples include citizens' juries and panels, peoples' parliaments, public hearings and oversight boards, appellate fora and Deliberative Opinion Polls (Fishkin, 1992).

Though not usually empowered to deliver sanction, such micropublics clearly constitute high intensity examples of public engagement, and can be used both to enhance policy feedback and to provide (or deny) legitimacy. They can be carefully structured to ensure they are representative of both individual and group interests, and of demographics. Micropublics can also be adjusted to ensure adequate representation of hard-to-reach groups (Burnheim, 1985) and to compensate for intransigent class, race and gender bias in the selection of officers. The latter seems particularly well addressed by

recent innovations in the use of random selection (Carson & Hart; 2005; McCormick, 2006), in the selection of officers and for populating micropublics (Hanberger, 2006: 2). Often drawing on debate and decision methods akin to those developed by *AmericaSpeaks*, such micropublics are increasingly combining new information technologies with techniques of group facilitation. The *Virtual Agora Project*, for example, allows for online collective deliberation (<http://virtualagora.org>). Fung describes micropublics that are empowered to act and to deliver sanction as the highest form of public engagement (2003: 355). His main example is again the participatory budget programme at Porto Alegre, where public accountability is direct, and owed to an empowered deliberative council. Many organisations have, at their heart, a sovereign assembly of members to which all officers are accountable, including *Consumers International*, *the Women's League of Voters*, the *National Framework for Tenants Participation Groups*, *Friends of the Earth International* and the *Sierra Club*. Fully fledged citizens' or constituent assemblies now sit in British Columbia, Bolivia and in New South Wales, Australia, where they are variously empowered to make legislation and steer constitutional change.

Two innovations in particular suggest ways in which participatory forms of accountability might be empowered to deliver both public scrutiny *and* sanction, and these are Public Reviews (Hanberger, 2006: 16) and Citizens' Audits (McCandless, 2002). Citizen's Audits as developed by the *Alliance of Public Accountability* are intended to provide public assessments of institutional performance. Similar *ex post* evaluations have also taken place in parallel institutions set up by citizens to express public judgment on incumbent performance. So, for example, a variety of public hearings and mock trials have pronounced on issues such as the legality of the Vietnam War, police brutality and crimes against humanity (Kenyon, 2004). Though lacking powers of sanction, such retrospective evaluations share the symbolic power of truth and reconciliation commissions. They thus entail a public holding to account, an opening up of information and an *ex post* airing of grievance (Parlevliet, 1999). Yet while truth and reconciliation commissions seem to derive their effectiveness precisely from their *lack* of power to sanction – here by removing consequences for disclosure – participatory methods of public accountability seem particularly promising in that they deliver an experience of public engagement that really bites.

As already noted, most *ex post* evaluations of institutional performance suffer from being under-powered, particularly when it comes to powers of sanction. Yet, intriguingly, the bite provided by participatory mechanisms for public accountability is not really about sanction at all. Indeed, even suitably empowered fora have remained relatively modest in this regard - for the most part calling for little more than a (very) public dressing down. The power of these mechanisms seems, therefore, to be largely symbolic - though no less important for being so – for they offer a public 'performance' of

popular sovereignty rather than substantive punitive sanctions. Even where the power to sanction is minimal, they serve to effectively deter abuses of power. This, in turn, suggests that what is lacking in contemporary experimentation with public engagement in accountability is not so much the power to sanction, as the power to *demand* answers (McCandless, 2002: 133). Fully empowered fora would thus be characterised not by the severity of their sanctions, but by their capacity to subpoena witnesses and insist upon disclosure. In this, participatory mechanisms for accountability differ markedly from Truth and Reconciliation Commissions, where witnesses need not answer questions.

In the ancient republics of Athens and Rome, citizens made extensive use of participatory mechanisms for public accountability, and spent centuries adjusting their constitutions to get them right (Elster, 1999; McCormick, 2001). In each, public accountability often took the form of a 'ferocious populism,' with public officials required to account for their actions before the assembled people at the end of their official term. These events were powerful symbolic demonstrations of public scrutiny and sanction. Part theatre, part genuine *ex post* examination, they operated to engage and educate the citizenry, to increase the responsiveness of office holders and to enervate participatory governance.

For all our talk of public engagement, we make no use of time-tested direct mechanisms for public accountability and have generally strayed little from the vote as the centrepiece of both democratic participation and accountability. In the liberal democracies, there remains a 'total exclusion of the general citizenry from censure, impeachment, or removal proceedings directed at suspect public officials,' (McCormick, 2006: 155; McCandless, 2002: 11). Among the various effects of participatory mechanisms for accountability, both real and symbolic, is thus their ability to reveal how far we have yet to go with open information and citizen empowerment if our good participatory intentions are to mean anything at all. Deliberative mechanisms for public accountability thus constitute an important *place* for public engagement, one where participation can really bite and where citizens are far more likely to want to engage.

Were we to find ways to engage the public in the setting of service outcomes and in the development of evaluative criteria, we could then combine our second and third locations for public engagement and hold service providers to account, in public, for their performance against such criteria. Once again, mixing and matching is better than one size failing to fit all. If we really wanted to increase public engagement, we would take greater care to ascertain precisely why, in a particularly situation, we intend to do so, and then select from a wide variety of available practical methods that can be both engaging and effective. To recognise that there are many methods and many locations for participation is surely an important step towards developing institutions that enable public engagement rather than constraining it, inadvertently stimulating apathy and then pointing at that apathy as a reason to give up on engaging the public.

## Conclusion

The current agenda for public engagement can still go either way. If we can find creative locations and appropriate methods to engage the public, then we can provide democratic government with a 'root system' (Boyte, 2007). However, if our inability to overcome public apathy results in this agenda being abandoned, we contemplate our failure to democratise civil society and to adequately underpin our representative institutions - leaving them suspended in the air. The democratic achievements of the distant past will then appear increasingly alien to us, and we risk their being all too casually lost.

It may well be that we are more individualistic than our ancestors, but so are we less deferential and forgiving of elite incompetence. Given the many problems we face, we cannot merely diagnose political apathy as laziness, and must look elsewhere – in history and democratic theory – for a more adequate explanation. When seeking to increase public engagement, we have noted the need for clarity of purpose. Deciding whether engagement is primarily for feedback on service direction and quality, or for legitimacy, assists the correct selection and mix of deliberative fora, surveys and methods for consultation. We have also noted the importance of public deliberation and open information that enable local needs to be both clarified and discovered. Finally, we have reviewed possible locations in which public engagement can, and is being, meaningfully increased: the design and delivery of services; the setting of outcomes and evaluative criteria; and methods of accountability that provide for public scrutiny and sanction.

The many practical locations and methods for increased public engagement, their differing degrees of intensity and their evident limitations, suggest that the old elitist and snowball charge of 'mob rule' cannot be sustained. The empirical demonstration of McHugh's gap between wanting more participation and being actually willing to participate proves nothing at all. It is the social scientific equivalent of using a sundial to show that the sun revolves around the earth. Certainly, one can measure the gap, but like the sundial, one is calibrating an illusion. As we have seen, creatively engaging citizens in a variety of locations, to a variety of ends, in a variety of ways and with a variety of intensities, would go a long way to closing that gap.

Whether we opt for more or less public engagement, we can certainly expect democracy to continue to exert pressure on elite rule – with participation taking ever new, more virulent and even virtual forms. We must thus find new locations for public engagement, or face participation of an altogether different, and increasingly desperate, kind.

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