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# Design matters: CBNRM and democratic innovation

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## EXECUTIVE SUMMARY

- CBNRM aims to realize sustainable management of resources and improvements in livelihood. A central focus is the empowerment of indigenous and local communities through customary or devolved rights to common pool resources. Less attention is given to the extent to which inclusive forms of governance are realized in CBNRM.
- Democratic innovations are institutions designed explicitly to increase and deepen citizen participation in political decision-making. A number of exemplary cases around the world provide evidence that it is possible to empower citizens in ways that are inclusive and achieve desirable outcomes such as redistribution, recognition of marginalized groups and improved livelihoods.
- By clarifying elements of the design of democratic innovations – in particular goods, tasks, mechanisms and co-design – it is possible to understand how effective forms of participatory governance can be crafted.
- With careful attention to the endogenous practices of indigenous and local communities and the governance structures imposed by public authorities, CBNRM practitioners can draw on these elements of democratic design to craft forms of inclusive participatory governance that promote sustainable management of resources and improve livelihoods.
- A program of collaboration between CBNRM and democratic innovations practitioners would contribute to improvements amongst both communities of practice and the communities they serve.

## 1. RATIONALE FOR THE PAPER

This paper brings community-based natural resource management (CBNRM) into conversation with the theory and practice of ‘democratic innovations’. The aim of the paper is to explore aspects of design for participatory governance to help inform the work of CBNRM practitioners.<sup>1</sup> CBNRM can be understood to have three broad objectives. The first is ecological: ensuring the sustainable use of renewable natural resources. The second is economic: raising the livelihoods of local communities. The third is democratic: decision-making that is equitable, inclusive and empowering. It is the achievement of the third objective that motivates this paper. CBNRM practitioners recognize the need for inclusive communication and free and fair access to decision making across social groups as conditions for effective management of ecological resources and the achievement of equitable outcomes and wellbeing. But how is this to be achieved? Practitioners and scholars working on democratic innovation – from participatory budgeting to citizens’ assemblies – pay close attention to how to design governance arrangements to increase and deepen citizen participation. This paper draws out lessons on the design of participatory governance that may inform the work of CBNRM practitioners. Attention to design can affect mobilization, inclusion, scalability, transparency, impact on political decisions and outcomes such as redistribution and empowerment.

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<sup>1</sup> While the aim of this paper is to draw lessons for CBNRM from democratic innovations, there is much that the work on democratic innovations can learn from the experience and practices of CBNRM. This paper represents only the first step in a conversation.

## 2. CBNRM AND THE PARTICIPATION CHALLENGE

CBNRM is a broad family of approaches to 'sustainable governance' that emphasizes the devolution of responsibility for the management of renewable natural resources such as wildlife, forestry and fresh water fisheries to local communities as a way to improve livelihoods and well-being. Devolution can be driven by indigenous and local communities claiming rights over natural resources and their management and/or government-led programs. While the realization of customary or devolved rights to common pool resources receives significant attention, less consideration is given to how inclusive forms of governance are realized in CBNRM and how existing shortcomings can be addressed. The design of participatory governance arrangements has a significant impact on the achievement of sustainable resource management, empowerment and equitable livelihoods and well-being (Jones et al. 2006). To be effective, such designs need to be sensitive to power dynamics at play within communities and between communities and public authorities (Hobley 2006, Nelson 2010, Bixler et al. 2015).

### 2.1. The devolution agenda

CBNRM is typically promoted in areas of the world rich in biodiversity and disproportionately inhabited by poor, marginalized and/or indigenous communities. A 'community-based' approach has been developed in response to the limits of top-down management of resources by distant public authorities. Failures in the governance of natural resources can be traced to the lack of knowledge of and sensitivity to local conditions by public officials and widespread corruption in many low-income states.

The aim of CBNRM is to both protect resources and eco-systems and improve community well-being and rural economies in ways that are inclusive and equitable. Reflecting on the trajectory of community-based forestry (CBF), Gilmour notes: 'while collaborative forms of CBF were often originally conceived to halt and reverse forest degradation, they are now generally expected to achieve an increasingly diverse set of conservation, social, economic and political objectives... leading to an increasingly complex policy and operational environment' (Gilmour 2016: 10).

CBNRM is influenced particularly by the work of the Nobel prize winning political economist Elinor Ostrom (1990; Cox et al 2010) who argues that communal regimes can manage effectively common pool resources. Key to Ostrom's work is the principle that property rights over local common resources need to be held by the local community so that they are in control over how those resources are managed. In this way, the 'tragedy of the commons' – the overuse of natural resources because of the absence of political authority – can be avoided. Common property regimes, according to Ostrom, provides the incentives for local people to exploit natural resources in a sustainable fashion. Such rights enable the community to exclude others from their resources and manage the land collectively. These property rights may be customary (already held by local communities) or defined through legislation.

Much of the debate within CBNRM understandably concerns the degree of community ownership and the devolution of rights over resources. In CBF, the extent to which rights are held by indigenous and local communities leads to different approaches: participatory conservation, joint forest management, community forest with limited devolution and community forest with full devolution (Gilmour 2016)

Most countries that have adopted collaborative forms of CBF have policies in place to decentralize and devolve rights and responsibilities. However, in practice, decentralization and devolution have been only partially realized and many governments retain significant authority over forest management, with the result that CBF faces major restrictions.... Without real devolution of power, the objectives of CBF will be difficult to achieve because they are premised on this transfer (Gilmour 2016: xxii)

But establishing community control does not in itself necessarily imply inclusive governance is achieved (Agarwal 2001). Communities claiming rights or having rights and powers devolved to them does not in itself ensure fair and equal access to decision making across different social groups or the achievement of equitable outcomes.

## 2.2. Inclusive governance

While the focus is often on her argument for establishing rights for common pool resources, Ostrom (1990) continually reiterates the importance of *inclusive communication* and empowerment in achieving collective action (see also Cox et al 2010). Communication is the foundation for the creation and maintenance of social capital (reciprocity and trust) on which cooperation rests and social learning that allows communities to adapt to changing socio-ecological conditions. For Ostrom, inclusive communication generates shared norms and sanctions for the management of resources that can be validated and accepted across the community. As Ostrom comments: ‘simple cheap talk allows individuals an opportunity to make conditional promises to one another and build trust that others will reciprocate’ (1998: 6). Inclusive communication is also necessary for sensitivity to different forms of knowledge that can inform the sustainable management of resources, in particular indigenous and local knowledges of natural resources that are embedded within social, cultural and spiritual practices.

Inclusion must also be empowered. Communication needs to be tied to decision making power. As Ostrom argues, effective management of common pool resources requires that ‘most individuals affected by the operational rules can participate in modifying the operational rules’ (Ostrom 1990: 90).

Social learning and empowerment are thus central components of inclusive communication and governance. The inclusion of voices with different perspectives and knowledge in the management of natural resources is critical if the resilience and adaptation of socio-ecological systems is to be sustained and equitable livelihoods are to be realized. Empowered inclusion has intrinsic and instrumental value.

## 2.3. Power dynamics

Ostrom makes visible the endogenous practices of indigenous and local communities – the ways in which their customary laws and local practices enable the management of common pool resources. Such customary governance practices can respect diversity within communities and afford a place for traditionally marginalized voices.<sup>2</sup> Equally, existing devolution programs can embed aspects of inclusive governance. But community-led governance can just as easily perpetuate marginalization and exclusion of the least powerful, in particular women (Agarwal 2001; Nightingale 2002; Keene 2019). Where rights of common pool resources are secured, it may simply have the effect of sustaining and reinforcing the social and economic position of those who already hold power within a community. As Gilmour argues: ‘While collaborative forms of CBF have sometimes contributed significantly to improving rural livelihoods and livelihood security, they have not always done this in a way that targets the poorest members of communities; benefits have often been captured by local elites’ (Gilmour 2016: xxii). Higher level hierarchy is often replaced with local hierarchy. Where local participatory processes are in place, they may be weak and ineffective and/or co-opted or undermined by locally powerful or external political and bureaucratic actors (Cox et al 2010).

The critical literature on CBNRM has been effective in highlighting how ineffective forms of

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<sup>2</sup> See for example recent work on biocultural diversity (Apgar 2017) and the reports by networks such as [Indigenous and Community Conserved Areas](#) and [Global Forest Coalition](#).

participatory governance reinforce inequalities and marginalization (Barnaud et al 2010). But less creative work exists on how to meet the participation challenge for CBNRM: how to ensure that the governance of natural resources is inclusive and empowered, leading to equitable outcomes and livelihoods. In some localities this will require the respect and sustenance of existing endogenous practices; elsewhere hybrid institutions will need to be crafted in recognition of the limits of existing practices.

### 3. DEFINING DEMOCRATIC INNOVATIONS

How to design inclusive and empowering forms of participatory governance has been the central concern of democratic innovations – a body of practical and theoretical work that focuses on institutions that have been designed explicitly to increase and deepen citizen participation in political decision making (Smith 2009). The term democratic innovations captures forms of governance that involve the direct participation of citizens and represent a departure from the traditional institutional architecture of contemporary democracies (and non-democracies).

Democratic innovations are often referred to as ‘invited’ spaces in that they are often sponsored and crafted by public authorities which then ‘invite’ citizens to participate (Brock et al. 2001; Cornwall and Schattan Coelho 2007; Cornwall 2017). In development studies, the term ‘induced’ participation has been proposed (Mansuri and Rao 2012).<sup>3</sup> Invited spaces are contrasted with the ‘claimed’ spaces of social movements. As with most definitions, a hard distinction between invited and claimed spaces breaks down quite quickly: many ‘invited’ spaces are co-created by public authorities and communities. In a similar vein, the creation of ‘invited’ spaces can, under certain circumstances, lead to more bottom-up, ‘organic’ forms of civic action (Touchton & Wampler 2014). In his characterization of the broad field of participatory governance, Dean distinguishes two dimensions (Dean 2017). The first is ‘prescribed-negotiated’: democratic innovations can be constructed solely by public authorities (the classic ‘invited’ space); but they can also be negotiated spaces in which citizens are actively involved in shaping the conditions under which they participate. The second dimension, ‘agonistic-solidaristic’, highlights that democratic innovations can be spaces of contestation and cooperation, both between citizens and between citizens and public authorities.

Extensive evidence exists showing that democratic innovations can be effective in engaging and mobilizing citizens in ways that have significant effect on political decision making and outcomes (Smith 2019; Nabatchi and Leighninger 2015). In Ireland, for example, the Irish Convention on the Constitution and the Citizens’ Assembly that followed in its wake, enabled randomly-selected citizens to propose changes to the constitutional status of same sex marriage and abortion that were then supported through national referendums (Elkink et al, 2017; Suiter et al, 2018)<sup>4</sup>. In Latin America, participatory budgeting (PB) across a number of municipalities, has been effective in reversing long standing differentials in participation. The mobilisation of disadvantaged groups, especially the poor, has led to more equitable redistribution of public goods and improvements in social wellbeing in areas such as health care and infant mortality rates (Baiocchi, 2003; Wampler 2007; Touchton and Wampler, 2014).<sup>5</sup>

But claims need to be tempered. The tendency – as exhibited above – is to pick out exemplary cases;

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<sup>3</sup> The work by Mansuri and Rao (2013) suggests the need of a distinction between organic participation (endogenous efforts by civic activists) and induced participation (large-scale efforts to foster public participation through projects).

<sup>4</sup> <https://www.citizensassembly.ie/en/>

<sup>5</sup> Recent research also shows that participatory budgeting has led to an increase in tax revenues (see Touchton et al. 2019).

to focus on success stories. Such examples show us what is possible through well-crafted participatory processes that have strong political support. But this selection bias means that we neglect more mundane application of participatory processes and failures of attempted democratic innovation (Spada and Ryan, 2017), in particular their misuse and abuse by public authorities. The boundary between democratic innovations as exemplary forms of participatory governance and more mundane or failed cases of public participation is not clear cut. The term democratic innovations has been used expansively to capture all forms of institutionalized public participation in the decision-making processes of public authorities, however successful; at other times the idea of ‘increasing and deepening citizen participation’ highlights a more limited class of effective participatory process (Smith 2019).<sup>6</sup>

Careful attention to the design of participatory spaces has emerged against the widespread suspicion and skepticism towards public participation and its effects (Smith 2009: 14-20). Many of these concerns will resonate with those considering the role of participation in CBNRM. First, participation may simply reinforce existing social and economic power, with the already politically interested and active dominating participatory spaces. Whether we look at voting patterns or political engagement activities beyond elections, we find differential rates of participation across social groups, with the politically marginalized participating less. The danger is that opening up new avenues for participation provides the already politically advantaged with further opportunities to advance their interests (Lijphart 1997). Second, critics focus on the lack of political competence of citizens. Survey data shows that many citizens lack basic knowledge and skills to participate effectively (Archen and Bartels 2016). The fear is that enhancing participation leads to ill-informed decisions. Third, too often participation is little more than window-dressing, used to legitimate decisions that have been made elsewhere. Critics contend that participation is frequently cooption of the public by political elites (Cooke and Kothari 2001). Where decision-making powers are shared or held elsewhere by a public authority, reasonable concerns exist that proposals from citizens will be ignored or ‘cherry-picked’ – often with no explanation.<sup>7</sup> Fourth, participation places unrealistic expectations on participants in terms of the time and inclination to be involved in politics. The costs of participation are not borne equally: the poorest and those with caring and familial responsibilities often find it hard to justify political engagement when there are other pressing demands (Warren 1996). And finally, a common criticism is that participation can only work in small groups. As governance units increase in size and scale, participation becomes increasingly unmanageable (Dahl 1998).

The success of celebrated democratic innovations – for example, participatory budgeting and citizens’ assemblies (both discussed in detail in section 5) – show how these concerns can be ameliorated through careful design. Such participatory institutions may seem a long way from the experience of CBNRM. Though the context is very different, investigating how practitioners and academics have grappled with realizing inclusiveness, communication and empowerment in democratic innovations may help inform the CBNRM community when faced with similar challenges. We often learn most by comparing what at first sight appear to be very different enterprises.

## 4. DESIGN ELEMENTS

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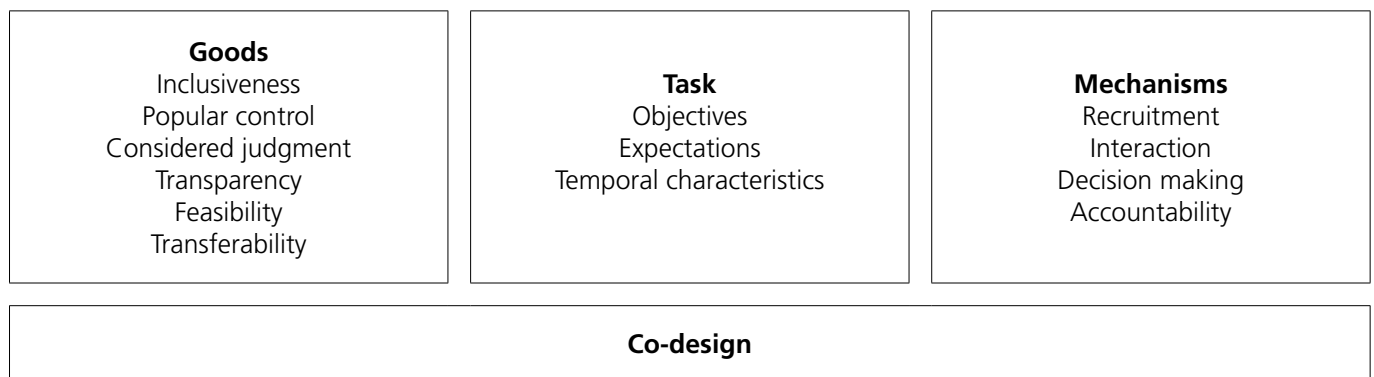
<sup>6</sup> Fung offers a more normative categorization of ‘empowered participatory governance’ that he distinguishes from more educative, advisory or collaborative problem-solving participatory processes (Fung, 2003: 340-1; see also Fung and Wright 2003).

<sup>7</sup> See, for instance, systematic evidence from Spanish local participatory processes (Font et al 2018).

The design of effective democratic innovations has often emerged fairly organically through trial and error. However, we can disaggregate key elements of design that can help inform the governance of CBNRM:

- Goods. A broad set of democratic and institutional qualities that forms of participatory governance attempt to realize, including democratic goods such as inclusiveness, popular control, considered judgment and transparency; and institutional goods such as feasibility and transferability.
- Task. Clarification of the specific governance tasks, with a particular focus on objectives, expectations placed on participants and temporal features.
- Mechanisms. The building blocks that make up particular designs, in particular recruitment, interaction, decision making and accountability mechanisms.
- Co-design. The principle that wherever possible, communities should be involved in the ongoing design of participatory processes.

**Figure 1: Elements of participatory design**



### 4.1. Democratic goods

In *Democratic Innovations: Designing Institutions for Citizen Participation* (2009), Smith suggests four democratic goods that we can use to judge the quality of participatory institutions.

- *Inclusiveness*. Participatory institutions should be designed to ensure the presence and voice of different social groups, particularly those who tend to be marginalized politically. Being present is important, but not enough. Participants must have the capacity to voice their perspectives in ways that are considered by others and which are given equal consideration in decision making (Phillips 1995; Young 1990).
- *Popular control*. Participatory institutions should be designed to ensure that they have a material effect on the decision-making process: from agenda-setting to decision making to implementation. Participation without influence is meaningless (Arnstein 1969). Empowerment gives participants a stake in decision making.
- *Considered judgement*. Participatory institutions should not simply aggregate participants' pre-held views. Participation is an occasion to learn about the issue under consideration and come to an understanding of the perspectives of others within the community. Intimate knowledge of participants contributes to social learning as much as forms of scientific and bureaucratic knowledge (Warren 1996).



- *Transparency*. Participatory institutions need to be transparent to participants, so that they fully understand the conditions under which they are participating and the powers they are able to exercise. Their activities should also be transparent to the rest of the community and higher levels of governance so they can be held to account for decisions (Chambers 2004).

Beyond these democratic characteristics, Smith suggests two institutional goods that need to be carefully considered in design processes:

- *Feasibility*. A recognition that the virtues and benefits of participation need to be balanced against the costs and anxieties that participation can place on participants and the administrative costs to public authorities. The particular cost/benefit ratio will vary depending on the design and outcomes of a participatory process and between different social groups.
- *Transferability*. A recognition that while it may be desirable to transfer democratic designs from one context to another, context is a critical consideration. Effectiveness of participatory designs requires an understanding of the democratic characteristics of already existing (endogenous) local institutions and practices. Democratic innovations are designed in response to perceived weaknesses in existing governance arrangements. Too often choices about participatory design are driven by factors exogenous to the task at hand – for example the desire to emulate other localities that have adopted a particular form of participatory governance ('isomorphic mimicry'). Participatory mechanisms that operate in one locality may well need to be reconfigured for a different context or may be completely redundant. See Section 5.1. for a brief discussion of how the history of PB provides important lessons for the limits of transferability.

## 4.2. Task

The most effective democratic innovations are crafted to tackle specific practical problems. Where governance arrangements lack a clear task, they tend to lack impact. This is *not* to suggest that the task of a participatory process must be set by higher authorities: the task of a participatory process may well be setting the agenda. Rather, designers (whether in the community or elsewhere) need to be cognizant that the designs suitable for one task (for example, effective agenda-setting) may well be different from those suitable for the realization of other tasks (for example, scrutiny, exploring options, decision making).

Clarifying the task requires consideration of objectives, expectations and temporal characteristics:

- *Objectives*. Participatory processes are designed to achieve particular ends; with particular objectives in mind. Democratic innovations can be focused on different parts of the decision making cycle, from agenda setting through to implementation. They can have the objective of empowering particular parts of the community and contributing to decision making in particular ways, whether consultative, collaborative or full decision-making power. Fung offers a four-part categorization of participatory processes according to their primary objective: (a) *educative forums* in which participants form, articulate, and refine opinions about particular public issues; (b) *participatory advisory panels* that aim to align public policies with the considered preferences of participants; (c) *participatory problem-solving collaboration* that engenders continuous and symbiotic relationships between public authorities and communities to solve particular collective problems; and (d) *participatory democratic governance* that seeks to empower citizens in the determination of policy agendas (Fung 2003: 340-342). Dean (2017) develops this idea further by differentiating four broad objectives for participatory processes: knowledge

transfer, collective decision-making, choice and voice and arbitration and oversight.

- *Expectations placed on participants.* The task will assume particular roles on the part of participants. Fung (2006) distinguishes between governance arrangements in which participants are expected to express pre-existing preferences, develop their preferences, aggregate preferences and bargain, negotiate, deliberate or contribute their expertise. In his differentiation between the different objectives of participatory processes, Dean (2017) recognizes that they place different expectations on participants: (1) knowledge transfer in which the expectation is that citizens articulate their preferences or contribute their expertise to inform decision making elsewhere; (2) collective decision-making in which citizens are co-authors of decisions realized through processes of reason giving; (3) choice and voice in which citizens express their preferences in quasi-market contexts; and (4) arbitration and oversight in which citizens are expected to offer impartial judgments. Dean and Fung's argument is that understanding the objective and expectations placed on citizens helps clarify design options.
- *Temporal characteristics.* The nature of the task will have temporal implications: whether its fulfilment entails a discrete event (or a number of events) or arrangements that persist over time.

Examples of how these elements of task definition combine can be seen in participatory budgeting and deliberative mini-publics – both discussed in further detail at Section 5. Participatory budgeting in Porto Alegre was originally designed with a number of broad objectives: to engage the population in budgetary decision-making; to overcome prevalent clientalism; to redistribute resources towards the socially marginalized (Abers 2000). The designers recognized that a number of tasks are at play, including demand-making, rule-making and oversight. Each of these tasks places different expectations on participants (from expressing preferences through to impartial judgment on the rules). Rather than potentially confusing them in a single forum, different institutions were created within the participatory budget within which participants took on these different roles. The budgeting process works on an annual cycle (so persists over time), but within that cycle we find individual institutions with different temporal dynamics. The initial demand making across the population occurs on a single day with participants expressing their individual preferences. Rule-making is time-limited, but takes place over a number of meetings, with the task requiring collective and impartial judgment. The oversight function requires ongoing participation by representatives from each area of the city to ensure implementation of proposals. The Irish Citizens' Assembly dealt with the politically controversial issue of the constitutional status of abortion, alongside four other high-profile and contentious issues. This was a clear task: one that required a diverse group of citizens to consider a wide range of evidence and come to a collective judgment. While it took 6 separate weekends to learn, deliberate and come to a judgement on the status of abortion, this was a time limited exercise. The recommendation was then considered by a binding referendum: the broader population legitimated the proposal.

### 4.3. Mechanisms

Democratic innovations are made up of various mechanisms which in combination realize different aspects of democratic goods. Four broad sets of mechanisms can be distinguished: *recruitment*, *interaction*, *decision-making* and *accountability* mechanisms. Where democratic innovations have proved effective, they have combined mechanisms that are responsive to the task at hand and sensitive to the context in which they are applied: responding to limitations in (un)democratic systems and institutions in ways that

do not crowd out existing democratic practices.

In the discussion of these mechanisms, particular attention is paid to the empowerment of marginalized groups.

#### **4.3.1. Recruitment mechanisms**

Who participates is fundamental to the legitimacy of democratic innovations (Smith 2009) and to leverage the dispersed knowledge within a population (Page 2008, Landemore 2017). A tension often emerges between the desire to involve large numbers, ensuring a diverse body of participants and selecting a smaller group to engage in more detailed work. The task assigned to the participatory process generally affects how the balance between these competing ambitions is drawn. Selection mechanisms, and the structural incentives that can be applied alongside them, have differential effects on the willingness and ability of marginalized groups to participate. But as Phillips suggests: ‘when policies are worked out for rather than with a politically excluded constituency, they are unlikely to engage all relevant concerns’ (Phillips 1995: 13).

The basic options for recruitment are: open to all, elections, random and appointment (Smith 2009: 21).

*Open to all.* By placing no restriction on who enters a participatory space, open assemblies are often considered the de facto democratic design. But open processes tend to attract participants who are already more politically interested and active within a community, in so doing, reinforcing existing power dynamics. Those who are less politically confident are less likely to participate.

*Elected.* Where the number of participants is to be restricted (for example, because large numbers are deemed unmanageable for the particular task), the use of elections is the traditional method of choice within democracies. Elections offer an accountability mechanism (see 4.3.4), but will again tend to privilege those who are already politically active within a community.

*Random selection.* Random selection (or sortition) techniques are increasingly used in democratic innovations as a way of recruiting a diverse group of participants. A civic lottery is employed in which citizens receive an invitation to participate. From those who put themselves forward, quota sampling ensures ensures a body that reflects politically salient characteristics of the relevant population. Typically demographic criteria such as age, gender, ethnicity, social class, geography – and on occasion attitudinal criteria – are applied.<sup>8</sup> Historically random selection has been employed with rotation to guard against concentration of power (Owen and Smith 2019; see 4.3.4)

*Appointment.* Appointment is rarely conceived as a democratic method, but where appointment criteria and process are transparent, it can be a way of ensuring the presence of participants with particularly relevant backgrounds, experience and skills who might not otherwise put themselves forward.

*Structural incentives.* The operation of these selection practices can be mediated significantly by the application of structural incentives. Making it easier to participate for traditionally marginalized groups is a simple step. This can be as basic as considering appropriate times and locations of meetings for members of those groups. Support for those with caring responsibilities can be critical as is compensation for travel. The promise of good food has often proved to be a great draw! The attractiveness of open processes

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<sup>8</sup> Deliberative polling uses simple random selection without the application of quota sampling in part because it involves large numbers (Fishkin 2018)

can be radically altered by targeted mobilization within marginalized groups and by linking participation to outcomes that are particularly valued by those groups. Targeted mobilization will often involve explicit capacity building and outreach strategies. Lessons from engagement with rural and indigenous communities in the US suggests that such targeted outreach is most effective when it activates existing networks and trusted gatekeepers. Inviting people in person has a significant effect (Everyday Democracy 2008). The linking of participation processes to outcomes valuable to marginalized communities seems obvious, but is often missed by designers who then lament the lack of engagement. Not to consider intrinsic and extrinsic participants' motivations is a failure of design. Both active mobilization strategies and incentive structures that prioritize investment in poorer neighborhoods have been exploited by designers of participatory budgeting (see Section 5.1.)

Quotas are a familiar tool within electoral processes to reserve places for representatives from social groups that are recognized as systematically marginalized and excluded. They indicate the value placed on the presence of particular social groups amongst the elected body (Phillips 1995; Young 1990). A similar targeting logic is at play with the use of quota sampling in randomly selected bodies. Less politically active and interested social groups are often harder to recruit, but the application of quotas ensures that the final body is reflective of the broader population (however much effort recruitment takes).

A small number of designs have introduced payment (or honorariums) for participation, particularly in more intense and demanding formats, such as citizens' juries and assemblies that run over several days (Smith 2009: 82). Payment is not without controversy. For critics, it demeans and commercializes what should be recognized as a civic duty. Proponents suggest that payment both marks the civic importance of participation (after all, we pay politicians) and acts as an additional incentive for those who may not otherwise put themselves forward.<sup>9</sup>

In all cases, these structural incentives are put in place to promote or ensure a critical mass of participants from particular social groups. It is recognized that such a critical mass can be important in building confidence amongst marginalized groups and in achieving recognition and outcomes in participatory processes. This logic can be further reinforced by the creation of separate bodies or committees for particular social groups, whether based on gender, ethnicity, social class, age, etc.

#### **4.3.2. Interaction mechanisms**

A second set of practices of democratic innovations focus on the form of interaction that occurs within participatory processes. For a small number of processes, for example direct forms of voting (e.g. referendum), their defining characteristic is the *absence* of designed interaction between participants, although there are increasingly examples of more deliberative processes that are coupled with forms of direct democracy (Gastil and Richards 2013).

*Dialogue and deliberation.* The practice and academic study of democratic innovations has been influenced heavily by deliberative democracy: the idea that legitimate decision-making rests on the free and fair exchange of reasons between equals. The terms dialogue and deliberation are often used interchangeably, although for some practitioners and academics, deliberation assumes more rational analysis, whereas dialogue recognizes the more emotional demands that can be placed on participants when faced with differences in experience and perspectives (Gastil and Levine 2005: 8). For ease of

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<sup>9</sup> This is often the case in citizens' assemblies (see section 5.2). A historical precedent is found in classical Athens, which provided compensation for those who were selected randomly for the various offices of state.

reference, we will refer to deliberation as an overarching term here, recognizing a shared ambition to realize mutual understanding.

Deliberation is often contrasted with strategic bargaining in which participants aim to find common ground, but without the necessity of reflecting on pre-existing preferences. Advocates argue that through reflection on our own and others' perspectives, deliberation leads to more legitimate decisions and better outcomes that reflect the common good, are epistemically more robust and contribute to more refined and, at times, transformed preferences. The inclusive ambitions of deliberation have strong resonances with the type of empowered, open communication articulated by Ostrom.

While deliberation is often held up as the ideal form of communication, it is recognized that for politically weak social groups, finding their voice may be a challenging first step and may require the type of structural support discussed in the previous section (4.3.1). Concerns also exist that more dominant groups will undermine deliberation and consensus-seeking for their own ends. Deliberation requires a rough equality of power between participants (Fung and Wright 2003). At times this can be achieved through facilitation (below) or the threat of veto (Section 4.3.3). However, where structural inequalities are persistent, supporting 'enclave deliberation' within and amongst marginalized groups may be necessary to build confidence and a shared sense of purpose to challenge social power. Equally spaces may need to be created for marginalized groups to voice their perspective without immediate challenge. This may be through storytelling or testimony as an attempt to make their perspective understood and recognized.

*Facilitation.* Deliberation does not happen 'naturally'. The tendency is for dominant groups to remain dominant. This is recognized by designers of democratic innovations – hence the extent to which facilitation is a key element of many designs as a way of balancing asymmetries of power between participants. The capacity to facilitate across social groups is a skill that needs to be developed. Community leaders are not always the best facilitators – leadership and facilitation involve a different set of capacities. In a number of designs, independent trained facilitators are brought in to ensure fairness of proceedings. In other designs, facilitators are trained within communities. Stress is then placed on ensuring that facilitators are drawn from different social backgrounds and experiences. The presence of such skills and capacities can be highly valuable to the community in the long-term beyond the achievement of a particular governance task (Everyday Democracy 1998; 2008).

Recent research in social psychology suggests that engendering diversity and facilitated communication has positive group effects. For example, where homogeneity can often lead to group polarization, the presence of diversity and active facilitation enable an orientation towards the common good and consensus seeking (Grönlund et al. 2015; Sunstein 2002).

*Small group work.* Deliberation is often best achieved in facilitated small groups – it is easier to promote voice and active listening. Most people lack the confidence to speak to large assemblies. [Everyday Democracy](#), which has a reputation of working creatively with rural and indigenous communities and on issues such as racism, bases much of its work on facilitated small groups, connecting that dialogue to social, political and policy change.

*Managing different knowledge claims.* Facilitated processes are often critical for integrating different knowledge claims, particularly where the knowledge claims from within communities are brought into dialogue with scientific or bureaucratic expertise. Facilitation typically is necessary for managing the power dynamics that come into play. This is not to suggest that the only tension is between local community

knowledge and more abstract scientific or bureaucratic knowledge. Some of the most difficult tensions that need to be managed are between different knowledge claims within communities, especially where the knowledge of certain social groups is rarely heard or not recognized as significant by more dominant groups. This can be the case, particularly where activities within communities are highly gendered or class-based. Examples abound of participatory processes in which intimate and local knowledge is overwhelmed by the application of scientific or bureaucratic knowledge (Fischer 2003; Petts and Brooks 2006). The most successful participatory processes aim at the co-creation of knowledge, where different forms of knowledge are brought to bear on a problem and with continual and transparent oversight by participants (see section 5).

### **4.3.3. Decision-making mechanisms**

Consensus is often viewed as a desirable outcome of participatory processes. Deliberation is generally considered to be a 'consensus seeking' activity, but faced with a plurality of perspectives, it is recognized that consensus is rarely achievable. An apparent consensus often masks the dominance of the perspectives of the most influential within the community, with weaker groups unwilling or unable to challenge out of deference, lack of confidence or fear of retribution (Mansbridge 1980, Urfalino 2014). Attempts by community leaders to 'take the sense of the meeting' can simply reinforce existing dynamics of social power.

Given the condition of plurality within most communities, some form of opinion collation or voting is necessary. In many public meetings, fairly simple voting techniques are used, from a show of hands to participants placing colored dots against proposals that they support. Such public decision making faces some of the problems associated with consensus: where voting is public, direct or indirect pressure can be placed on less powerful participants. Votes can be bought or pressure placed to vote in a particular direction – or potential dissenters can feel under social pressure to conform. Good democratic reasons exist for considering secret ballots.

Different voting systems have different democratic effects. Simple majority rule can mean that minorities are structurally disempowered: it is difficult for them to influence final decisions. More protection is offered by the adoption of supermajorities (e.g. 60 percent, 70 percent etc.) and/or concurrent majorities where majorities are required across different social groups. Delay and veto rules can help empower minorities. Where a threshold level of objections is reached, the issue is sent back for consideration. This threshold can be a particular percentage of the population (usually a fairly significant minority vote) or delay can be triggered by failure to achieve concurrent majorities across defined social groups. For example, a vote might require a majority amongst men and women, different age groups or across different geographical locations within a community. The knowledge that a specific group holds delay or veto power can motivate others to be more receptive to their perspectives in deliberations and negotiations (Young 1990).

Where different options are available, forms of preference voting are common in order that participants can rank options – this allows comparison of first preferences and also more sophisticated collective ranking across options. Intensity voting has been adopted in Polish citizens' assemblies, where a 7-point scale from 1-7 (plus an eighth: 'it has already been realized to a sufficient degree') is offered to participants. The first three points ('strongly agree' to 'I agree, but have certain doubts or objections') translate into support for the motion; 4-7 equates to rejection (Gerwin 2019; 72-78).

A development in participatory budgeting has seen the use of negative (or disapproval) votes: participants



not only have one or more votes for preferred options, but also at least one vote for an option they would not like to see happen. This capacity to vote against particular options can drastically change outcomes.

#### **4.3.4. Accountability mechanisms**

Where participatory governance invests a level of authority amongst a smaller group within the community, accountability mechanisms need to be in place. Elections embody the most familiar mode of accountability: on a regular basis, those holding positions of power have to seek authorization to continue their role. This moment of authorization provides an opportunity for the broader community to make retrospective judgments on performance to date and prospective judgments as to future promises of action (Manin 1997). The more regular the elections, the more accountable the process.

Re-election limits restrict the number of times that a given person can hold a position of authority and have been used to reduce the tendency for elections to concentrate power (4.3.1.). Holding office for a specified time period makes it harder to abuse that position.

Rotation plays a similar role where random selection is in operation. Ancient Athenians introduced rapid rotation to ensure that positions of authority were not captured by powerful social and economic interests within society. Lot and rotation embodied the principle of democratic citizenship: citizens had the opportunity to rule and be ruled in turn (Manin 1997: 28; Sintomer 2010, Owen and Smith 2019).

Recall provides citizens with a method of removing a representative or group of representatives from office. By filing a petition with the required number of valid signatures (or a certain number of votes in a public forum), citizens can force a vote on continued tenure in office. The main argument in favor of recall is that it provides continuous accountability for those in political power – citizens do not have to wait until the next election or rotation to remove an incompetent, dishonest, unresponsive or irresponsible public official or group. Critics, on the other hand, contend that it can be expensive, disruptive and polarizing (Cronin, 1999: 133-150).

Public hearings can provide regular occasions for those in authority to give an account of their actions. In the annual cycle of the original model of participatory budgeting, for example, public authorities were required to provide an explanation in local assemblies as to their progress on the implementation of the previous year's projects (see 5.1). Similarly, PBs have implemented transparency mechanisms that provide information to communities about the progress of projects. The best randomly selected bodies make sure that all evidence provided to participants is available and often give an account of how they came to their recommendations in their final report.

Where decision making power rests with public authorities rather than local communities, reasonable concerns exist that proposals from participatory processes will be ignored or 'cherry-picked' – selectively adopted (Font et al 2018). Increasingly advocates of participatory processes are turning their attention to how participatory processes are 'coupled' with decision making processes and how public authorities can be held accountable in the way that they respond to proposals from citizens (Hendriks 2016).

#### **4.4. Co-design**

One of the dangers of participatory governance is the tendency towards 'isomorphic mimicry' – the application of particular designs that enhance external legitimacy rather than improve broader social outcomes (Andrews et al. 2013). Often public authorities are driven by trends in public participation, rather than considering the best option for the particular task and context. This means that designs are often ill-suited for the task at hand. Relatedly, concerns abound that participatory designs are 'imposed'

on communities which have no opportunity to shape the conditions under which they participate.

It would be an unfair caricature of the democratic innovations literature to suggest that such a 'top-down' is always prevalent. Terms such as 'invited' or 'induced' space can certainly give that impression. But many democratic innovations are the product of negotiated rather than prescribed processes (Dean 2017) and as such the distinction between 'invited' and 'claimed' spaces tends to break down. Certainly a limitation of the democratic innovations literature is its general failure to engage creatively with forms participatory governance that are 'community-led' (Hendriks 2017).

A growing recognition is emerging that examples of 'co-governance' need to be more clearly articulated (Bussu 2019), differentiating public authority-led (or imposed) processes from those which have been co-designed with participants. Participatory budgeting in Porto Alegre (see 5.1) is a particularly impressive case in which local social movements collaborated with the municipal authority to develop new participatory spaces collaboratively (Abers 2000).

Principles of co-design in participatory processes have not been articulated systematically and co-design can refer to the whole system design or negotiation around particular elements such as agenda-setting and decision making. Strong connections can be made with the interest in problem-driven iterative adaptation, in which co-design can play a critical role in embedding rapid feedback loops (Andews et al 2013), ultimately enabling local knowledge to inform the design process in an iterative and adaptive manner.

## **5. BRINGING IT ALL TOGETHER – DESIGNING DEMOCRATIC INNOVATIONS**

Form follows function in democratic innovations. Ensuring clarity of the task informs the way that participatory mechanisms are then crafted together. One of the downfalls of democratic innovations is the failure to clarify tasks effectively, or to try to deal with too many tasks within the same participatory space. Assuming that a single participatory design can deal with a range of different tasks may overload and confuse participants or open up opportunities for manipulation as different tasks are played off against each other. Additionally, inappropriate design choices driven by participatory fashions rather than the nature of the task at hand can undermine democratic potential. A couple of well-known participatory designs from the world of democratic innovations provide insights into how task (function) and mechanisms (form) are carefully crafted together.

### **5.1. Participatory budgeting**

PB is practiced across the world, although often in a form that differs significantly from how it was originally established in Brazil. The common, simplified design involves a three-stage process. First, a public authority makes a certain budget available to a community. Second, groups within that community put forward proposals for how the money could be spent. Third, the wider community votes on its preferred projects. Such an approach is celebrated because it puts agenda-setting and decision making in the hands of the local community. The principle of PB is that communities are in the best position to know what investments would improve their locality. But in this simplified form, PB does little to challenge existing power differentials within the community. Those who are most organized have an advantage.

The original model of PB that was established in Porto Alegre over 30 years ago was more sophisticated. As mentioned earlier, the aim of the designers was to create a process that was open to anyone from within the population to engage, but in such a way that it would overcome clientelism and corruption and redistribute resources towards the socially and economically marginalized. To achieve these



ends, the designers distinguished between different tasks:

- (a) rule-making – decisions about the rules for the division of resources;
- (b) demand making – proposals from different parts of the community as to where investments should be made;
- (c) oversight of the implementation of the spend.

It was not assumed that these tasks could be fulfilled in a single forum – after all, if rules and demands are generated by the same group, there is clear danger that the rules will be arranged with satisfaction of the demands in mind. Rather those rules should be made independent of knowing what the demands are to be.

Proposals were made in open assemblies in different areas of the city. These were then collated and prioritized by a smaller group elected from each assembly. A clear incentive for mobilization was embedded at this point in the process: the more people supporting a proposal, the more representatives elected for the prioritization process. This area-based elected body was also responsible for overseeing the implementation of projects once the budget had been decided. Separately, a city-wide body constituted by two representatives from each locality decided the rules of the budget distribution: for example, what type of projects should be given priority, or whether particular areas of the city should be prioritized because of their relative poverty. Importantly, this body set the rules before it knew which proposals were prioritized from each area. The opportunity for strategic action was thus limited and so interactions between elected participants were fairly deliberative in character. In the absence of knowing which projects would be generated, the rules tended to favor more socially just outcomes: redistribution of resources to poorer neighborhoods and investments critical to basic needs (e.g. sanitation, health provision, roads). The separation of demand-making and oversight from rule-making ensured that the rules of the budget were not influenced unduly by the interests of particular groups or communities. The knowledge that rules tended to support investment in poorer communities meant that mobilization was particularly high amongst those groups compared to other forms of political engagement.

Three further characteristics of PB in Porto Alegre are critical. First, the municipal bureaucracy was reorganized to ensure that projects were delivered as quickly as possible. The demonstration effect helped mobilize new participants each year as they witnessed the impact of the PB process. Second, resources were put into community mobilization, especially amongst the poorest communities that had little political experience. In other cities, special committees have been established to empower marginalized social groups such as women and young people – both to make demands and to contribute to rule making. Third, at all points throughout the PB process, the application of technical knowledge was overseen by citizens.

As PB spread beyond Porto Alegre, particularly outside Latin America, the important distinction between demand-making, rule-making and oversight was lost. In many designs, rule-making simply disappeared – or took place in the same forum as demand-making. As such the more radical, equity outcomes of the original model often disappeared (Ganuza and Baiocchi 2012).

## **5.2. Deliberative mini-publics**

Deliberative mini-publics (DMPs) are tasked with making public judgments on pressing, controversial and often complex political and constitutional issues. How to craft an institution that ensures that participants are informed and reflects the variety of perspectives within broader society? For advocates of DMPs, the answer lies in the combination of two practices: the ancient democratic method of random selection and

facilitated deliberation. DMPs bring together randomly selected citizens to learn, deliberate and make recommendations on matters of public concern (Grönlund et al 2012; Setälä and Smith 2018). Typically, these are issues characterized by political deadlock or where politicians are unsure how to progress and value the informed input of citizens. DMPs vary in size and time-scale. Deliberative polls bring together hundreds of citizens over a weekend. Smaller citizens' juries and panels of between 12 to 50 citizens can meet for anywhere between two to ten days. Citizens' assemblies have brought together 100-160 citizens who have dealt with significant constitutional issues over several weekends. For example, the Irish Citizens' Assembly met across 12 weekends over 18 months.

By using random selection techniques, DMPs are more diverse than any other political institution. Most DMPs use some form of quota sampling to ensure the presence of key demographics (e.g. gender, age, social class, education, geography) and, on occasion political attitudes. Advocates of DMP often argue that it is the strong resemblance between participants and the diverse characteristics of the broader population that gives them democratic legitimacy.

The task of a DMP is typically set by the sponsoring body (e.g. public authority). A steering group comprised of different interests ensures that the task is acceptable across political divides and oversees the selection of experts and advocates and the content any briefings provided to participants.

An independent body is usually commissioned to facilitate to ensure fairness in proceedings – both in relation to the deliberations between citizens and to ensure no undue interference by public authorities or special interests. Most DMPs follow the same broad pattern. Participants learn from and are able to question expert witnesses and advocates. The principle is that members of the assembly are informed, but are not dominated by experts or advocates. This learning phase is followed by a deliberation phase in which the participants discuss the issues in small groups and plenary sessions. Great care is taken to make sure that less experienced and confident participants are able to contribute fully. Finally, the citizens make a series of recommendations or decisions.

Recent developments in DMPs mirror lessons from PB. Almost all DMPs to date have been organized at the behest of government – on issues chosen by those in political power. They are also one-off affairs. While the Irish Citizens' Assembly ranged across five different issues (not only abortion, but also climate change, fixed term parliaments, aging population and the use of referenda), it was a time-limited exercise. The next stage in the development of DMPs is for them to be 'institutionalized'. This has two dimensions. First, becoming a permanent feature of a political systems; second, agendas being set by citizens themselves and not just the political elite. In 2019 the Parliament of the German-speaking community of Belgium adopted a permanent mechanism for engaging randomly-selected citizens through two distinct bodies: a citizens' council which is charged with deciding which topics should be considered (taking recommendations from parliament and government, but also civil society and the general public) and citizens' assemblies that are tasked with learning, deliberating and coming to recommendations on the selected topics. The designers of the process ensured that the two randomly-selected bodies had clear and unambiguous tasks: a division of labor between the Council (agenda-setting) and the Assemblies (scrutiny).<sup>10</sup>

The evidence from DMPs to date is pretty conclusive that under these conditions ordinary citizens are able to deal with highly complex and controversial issues when the task is clear, they receive information from different sources and they have the opportunity to reflect and deliberate before coming to decisions.

### **5.3. Other designs**

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<sup>10</sup> <http://constitutionnet.org/news/institutionalizing-deliberative-mini-publics-madrid-city-and-german-speaking-belgium-first>

By no stretch of the imagination do participatory budgeting and deliberative mini-publics exhaust the range of participatory governance arrangements. These are just two examples that are prominent within the democratic innovations literature and highlight how task and practices can be combined effectively to craft participatory spaces that promote democratic goods, in particular the interests and livelihoods of marginalized groups.

Other designs range from the study circles of Everyday Democracy that aim to mobilize diverse groups and facilitation from within communities, through forms of petition and direct voting that involve very little formal deliberation and dialogue. While PB has had significant attention over recent years, other forms of participatory governance, ranging from community councils to national policy conferences have developed across Latin America (Avritzer 2009; Cameron et al 2012).<sup>11</sup> The global platform Participedia provides some insight into the diversity of practice in democratic innovations.<sup>12</sup>

The resources section at the end of this report suggests further materials where different designs are presented and interrogated.

## 6. DESIGN LESSONS FOR CBNRM

The ambition to realize the range of democratic and institutional goods that are articulated within the democratic innovations literature is shared within the CBNRM community: participatory processes that are inclusive, empowered, support considered judgment and are transparent; and at the same time recognize feasibility constraints and transfer practices in ways that can be scaled, but are sensitive to context. The two communities also share the same concerns about how participation can be undermined by poor design. This may be through the application of inappropriate designs by higher levels of authority and/or the failure to recognize the potential of existing indigenous and local governance practices to support inclusive forms of engagement.

The way in which design is considered by democratic innovations scholars and practitioners can offer practical insights to CBNRM. The first step is in relation to task definition. The ‘increasingly diverse set of conservation, social, economic and political objectives’ (Gilmour 2016) embedded within CBNRM hides a complexity of tasks. At least three broad objectives can be delineated:

1. Governance of the sustainable use of the natural resource
2. Governance of the distribution of assets resulting from the exploitation of resources within the community
3. Monitoring and oversight of the implementation of decisions from (1) and (2)

The idea that all these tasks might be fulfilled effectively within a single participatory body is unlikely. Lessons from democratic innovations suggest that the distinctiveness of these objectives may well require separate institutional spaces. They may well be connected in different ways, but the distinctiveness of the activities suggests that different designs may be appropriate. The differing objectives place different demands on citizens. For example, the governance of natural resources will need to draw on the local knowledge of those familiar with the resource in question – this knowledge is likely to be dispersed across indigenous and local communities. But that form of knowledge is not necessarily so significant for the

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<sup>11</sup> See also the LATINNO database <https://www.latinno.net/en/>

<sup>12</sup> <http://participedia.net/>

second task of distributing assets in a fair and equitable manner. Here CBNRM practitioners may well draw lessons from PB, thinking creatively about how to separate demand-making and rule-making such that the interests of more marginalized groups are considered in the process. And in all cases it will be important to understand how existing endogenous governance practices are already engaged in these tasks and the extent to which they protect the interests of the most marginalized. It may well be that endogenous practices outperform favored exogenous designs, or can be integrated into co-designed processes to create more inclusive hybrid institutions. The importance of designing processes that enable the co-creation of knowledge from across different knowledge traditions (local, scientific, bureaucratic) is critical to embedding effective governance (Apgar 2017).

But consistent concerns emerge across the CBNRM literature that the voice of certain social groups – in particular women and especially women from lower classes or castes – are not heard or respected (Agarwal 2001; Nightingale 2002; Keene 2019). Often women's knowledge of resource management is undervalued in ways that leads to poor outcomes. Where ensuring more marginalized groups are engaged in more inclusive forms of governance is a critical concern – as it is for many CBNRM scholars and practitioners – then the various ways in which mechanisms can be combined to craft inclusive participatory processes are worth exploring. Democratic innovations provide an evidence base on which well-considered choices can be made in relation to recruitment, interaction, decision making and accountability. Marginalized groups can be empowered through the adoption of (for example) random selection and rotation, targeted mobilization and capacity building, active facilitation and delay and veto rights. How such mechanisms are combined will depend on the nature of the task at hand and the particular power dynamics and context in the local community.

Finally, emerging critical work on democratic innovations suggests that the tendency to engage in isomorphic mimicry – the selection of participatory processes on the basis of current fashion rather than being guided by the demand of the task – needs to be replaced with more attention to co-design. Again, this raises the sensitivity that is necessary in designing participatory governance. Scaling up participatory initiatives across localities has potential advantages, but thinking that 'one size fits all' for governance initiatives misunderstands the importance of responding to existing endogenous governance practices. Where democratic innovations have proved effective, they have combined mechanisms that are responsive to the task at hand and sensitive to the context in which they are applied: responding to limitations in existing (un)democratic systems and institutions in ways that do not crowd out existing democratic practices. This mirrors the challenge within CBNRM where it is necessary to be sensitive to the existing characteristics and dynamics of endogenous forms of governance and those imposed by higher levels of governance.

## 7. ENABLING CONDITIONS

Democratic innovations do not function effectively in isolation – the same will be true for CBNRM. In both theoretical and practitioner literature, attention is turning to the broader context that needs to be in place in order to move from a few celebrated cases of democratic innovations to more extensive application of empowered participatory governance. Within democratic theory, work on deliberative systems makes the case that we need to consider the deliberative qualities of a broader set of institutions and practices rather than just the qualities of isolated forums (Burall 2015; Mansbridge et al 2012; Owen and Smith 2015).

In their influential book, *Public Participation for 21<sup>st</sup> Century Democracy*, Nabatchi and Leighninger (2015) argue that our focus needs to be not just on the design of democratic innovations, but on

strengthening *participatory infrastructure*.<sup>13</sup> Three specific elements of that infrastructure require particular attention: (1) empowering and activating democratic leaders and networks, (2) assembling participation building blocks, and (3) providing systemic supports. Participation leaders and networks cut across different institutions and groups in the public, private and civil society sectors that convene, organize and fund democratic innovations. The building blocks of a participatory infrastructure are varied and go beyond the design of a single democratic innovation. They include institutions and processes to disseminate information, gather input and data, support discussion and connections, enable small-scale and large-scale decision making and encourage public work. Finally, they point to the need for systemic support that generates ‘incentives for participation leaders, opportunities for training and skills development, adequate financial and other resources, clear policies and procedures, and reliable evaluation measures and benchmarks’ (2015: 67; see also Sirianni and Friedland 2001).

The codification of participation is gaining traction as a way of embedding a more participatory system – local and national laws that require participatory processes under particular conditions. In Peru and the Dominican Republic, for example, participatory budgeting is mandatory for municipalities under national law. However, law can only take us so far – what is then implemented under the name of PB varies considerably. It is instructive that in Porto Alegre, the birthplace of PB, activists were resistant to the codification of the process, arguing that this would be a break to creativity and further innovation of the design. But that arguably left the process vulnerable to a less supportive incoming mayor when the Workers’ Party lost control of the city and PB in its birthplace was weakened substantially. A similar experience seems to be in place for CBNRM, where law and policy is in place, but effective and inclusive governance is missing (Glimour 2016).

A second emergent phenomenon that has the potential to improve the quality of the participatory system is the small cadre of autonomous public organizations dedicated to public participation (AOPPPs) (Bherer et al, 2014). To date, AOPPPs have been created by governments with the mandate to organize or oversee democratic innovations in legally specified areas of policy. Examples include the Oregon Citizens’ Initiative Review Commission, the former Danish Board of Technology (DBT) (Teknologiraadet), French National Commission on Public Debate (Commission nationale du débat public) (CNDP), Montreal Board of Public Consultation (Office de consultation publique de Montréal) (OCPM) and Tuscany Participatory Authority (TPA) (Autorità regionale per la garanzia e la promozione della partecipazione). AOPPPs remain relatively rare and have achieved differential success. But their degree of autonomy and visibility protects them to some extent from day-to-day political pressures, ensuring a degree of quality and oversight of participatory arrangements and a competent authority to promote the outcomes of democratic innovations within decision-making processes. Whether such an organization would be effective within those states that are promoting CBNRM is an open question worth exploring.

While advocates argue that the legal status of AOPPPs is an important characteristic, many of its functions could well be played by civil society organizations. Certainly the range of civil society organizations active across the broad CBNRM field – international organization such as Forest Trends and the Rights and Resources Initiative and national organizations such as the Namibian Association of CBNRM Support Organizations (NASCO) – can play a more extensive role in promoting good practice and learning in participatory governance. Examples do exist – for example, the [Community Conservation Resilience Initiative](#) – reports on a number of CBNRM initiatives around the world, with particular concerns

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<sup>13</sup> This section draws heavily on Smith (2019)

about questions of participation and representation and the voice of women. Understandably though, much of the focus of organizations within this space continues to be on the realization of customary or devolved rights.

The engagement of these national and transnational organizations is critical as laws and institutions will never be enough. Hearts and minds need to be changed – and budgets need to be focused on creating the participatory infrastructure to support democratic innovations. Embedding questions of the design of effective and inclusive participatory governance needs to be a central plank of the CBNRM movement if more sustainable governance that realizes more equitable outcomes is to be embedded systematically. Participatory governance is on the agenda of many civil society and international organizations. However, it is one element of the broader agenda of CBNRM and, arguably, tends to receive less attention than the realization of indigenous and local rights to common pool resources and broader concerns of ecological sustainability.

## **8. CONCLUDING COMMENTS AND FUTURE WORK**

The establishment of customary or devolved common property rights and ensuring adequate return for sustainable management is not enough to achieve more equitable outcomes in CBNRM. What is important is how decisions are made within communities about the way in which communal rights are realized and assets distributed in practice. This is where work on democratic innovations can contribute.

The practical and theoretical work on democratic innovations indicates how design choices – in particular clarification of tasks and mechanisms – affect the realization of democratic goods and outcomes. Such insights can help inform CBNRM practitioners and indigenous and local communities in developing inclusive forms of governance aimed at sustainable management of resources and equitable livelihoods and well-being. The complexity of governance activities within CBNRM, including tasks such as the management of resources, the investment and distribution of assets and oversight, and sensitivity to endogenous social, cultural and spiritual practices, means that the design task is not simple. In some communities, inclusive governance practices that empower marginalized social groups may be well developed; in other contexts, such practices may be lacking. There is no one right way to design democratic innovations – much depends on the context, the task and the desired outcomes.

A productive future research agenda for both CBNRM and democratic innovations would see collaboration across these two communities of practice in working with indigenous and local communities and public authorities. This would enable nuanced assessments of how different governance tasks are currently realized and learning from those localities where endogenous forms of inclusive governance are well established. Drawing on such learning, the principles and practices of democratic innovations can be brought to bear (where necessary) to help improve the quality of governance in CBNRM and the outcomes it generates. A better understanding of the relationship between context, design and outcomes will thus emerge. Collaborations across CBNRM and democratic innovations communities of practice and sensitive experimentation in the field can lead to the development and adoption of more inclusive participatory designs to govern natural resources sustainably and the enhancement of more equitable livelihoods and wellbeing for indigenous and local communities.

## **9. Resources**



Participedia <https://participedia.net/> - a platform collating cases and methods of democratic innovations and participatory governance.

LATINNO <https://www.latinno.net/en/> - a platform collating innovations for democracy in Latin America.

Stephen Elstub and Oliver Escobar (eds) (2019) *Handbook of Democratic Innovation and Governance* – a comprehensive selection of essays on different aspects of participatory governance.

John Gastil and Peter Levine (eds) *The Deliberative Democracy Handbook: Strategies for Effective Civic Engagement in the 21st Century* – sets out the case for deliberative approaches to civic engagement and provides a critical evaluation of different approaches around the world.

Graham Smith (2009) *Democratic Innovations: Designing Institutions for Citizen Participation* – sets out the democratic characteristics of different forms of democratic innovation.

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