Deliberating Downstream: Countering Democratic Distortions in the Policy Process

John Boswell

Key theorists and scholars of democracy have focused on understanding and enhancing the institutions and practices that shape decision-making. Indeed, the most influential contemporary normative account—the deliberative version—though increasingly adapted to the complex realities of contemporary politics, retains a tight focus on the conditions of legitimate will formation. This remains the core underpinning of the normative impetus for innovation and reform in contemporary democratic politics. Yet missing from even the adapted deliberative account is detailed consideration of what happens after will formation. I turn here to the policy and administration literature to show how the inescapably attritional and opaque policy process can magnify asymmetries that theorists and scholars of contemporary democracy, chief among them deliberative democrats, ought to be much better attuned to. I argue that in failing to consider these problems adequately, contemporary democratic thinkers, scholars, and reformers risk lending legitimacy to institutions and practices that might sustain the very biases they are mobilized against. As such, I identify institutional innovations and governing practices that can embed aspects of democratic deliberation "downstream" in the policy process in order to counter distortions and rebalance asymmetries. I conclude by calling for theorists, researchers, and reformers to explore the value of these institutions and practices, and to expand the repertoire of governing mechanisms available to counter the distortions that occur through the policy process.

Democratic thinkers and scholars have shown deep concern about the distortive effects of power at every point up to and including the formation of will: meanwhile, the execution of that will is largely ignored, implicitly read off as given, technical, apolitical. The policy and administration literature tells us that it is anything but. Decisions are often vague and contingent. The policies and programs that result offer "wriggle room"—flexibility that enables policy elites to exercise considerable discretion in how to apply given decisions for a particular context. Wriggle room is not just available to bureaucrats, either. Networks of private actors, professionals, and experts must equally exercise discretion in policy oversight and service delivery. The political battle among them continues in low profile settings, where better-resourced actors often wriggle away from costly actions. Consequently, the process typically favors powerful actors—especially business elites and technocratic experts—who steer policies towards their own interests and away from those of many engaged "upstream" in the democratic process. These are power asymmetries that scholars of democracy ought to take much more seriously.

This is especially so for proponents of deliberative democracy, broadly understood as the pursuit of accountable, public, and inclusive discussion on matters of common interest.[1] I focus on the deliberative account for four reasons. First, it is the most influential.[2] Deliberative democracy dominates normative theory, but, contra the stereotypical image of this subfield, is hardly an esoteric enterprise; it underpins the most active and influential efforts to reform democratic politics in practice today. Second, it epitomizes the problem. Deliberative democrats cling explicitly and persistently to a stylized ends/means (or politics/administration) distinction that sees democratic politics cease at the point of will formation. Third, it is especially vulnerable. The pervasive distortions that recur after will formation threaten the norms that deliberative democracy is supposed to imbue; clouding accountability, obscuring publicity, and blocking

John Boswell is a Lecturer (Assistant Professor) in Politics at the University of Southampton (j.c.boswell@soton.ac.uk). He conducts research on deliberative democracy, democratic governance, and health policy. He is the author of The Real War on Obesity, *forthcoming from Palgrave Macmillan, and has articles published or forthcoming in* Political Studies, Journal of European Public Policy, Policy Sciences, Critical Policy Studies, *and* Public Management Review.
He would like to thank Carolyn Hendriks, John Dryzek, David Owen, Rod Rhodes, the journal's anonymous reviewers, and its editor, Jeffrey C. Isaac, for their constructive advice and engagement with this paper.

doi:10.1017/S1537592716001146

inclusion in the policy process. Fourth, it provides a toolkit to combat these distortions. Better embedding aspects of democratic deliberation after will formation can reassert elite accountability, ensure greater publicity, and enable greater inclusion. It can mitigate the power asymmetries entailed in turning will into action.

To be clear, my claim is not that the existence of power asymmetries in the "real world" is somehow a revelation to scholars of democracy, least of all deliberative democrats. On the contrary, the normative core of the deliberative movement, even as it has evolved considerably, has remained a desire to mitigate power asymmetries in democratic politics. This underpinned Habermas' pioneering work on communicative ethics in the public sphere.[3] It subsequently inspired the micro focus on scaled-down institutional designs in the hope that they might bypass the pathologies of the broader public sphere.[4] And, again, in the face of unequal capacities and entrenched interests that can undermine the work of scaled-down innovations, it has been central to the recent shift back towards conceptualizing deliberative democracy at the large scale.[5] Power biases, then, have remained front and center. Nevertheless, scant attention has been paid to the exacerbation of such biases "downstream" in the policy process, and their impact on how given decisions actually take shape. This is an oversight that threatens to undermine efforts to enhance and reform democracy in practice. By continuing to neglect the politics of administration and implementation, deliberative democrats don't just fail to identify important distortions in the long, attritional, iterative policy process: they risk endorsing institutions and practices that might, when pursued in democratic life, inadvertently reinforce these pathologies.

So my aim here is not to abandon the deliberative account, nor to find fault in recent adaptations to confront the asymmetries in opinion and will formation. The key is to extend these concessions further, beyond the point of will formation. I argue for the need to embed aspects of democratic deliberation through the policy process as vague, contingent decisions are put into action. Doing so can better confront and counter prevailing power asymmetries downstream, and realize a more deliberative and democratic form of politics.

The main body of this paper builds this argument over three parts. In the first, I draw out shifting ideas about deliberative democracy in order to highlight the consistent and overwhelming focus in this project on democratic politics up to (and only up to) the point of will formation. In the second, I draw across rich scholarship on policy and administration to highlight the complex political contestation that occurs through the long, attritional process after will formation, with a view to emphasizing the power asymmetries that implementation can exacerbate. These asymmetries, I argue, reflect precisely the sorts of problems that democrats—especially deliberative democrats—are typically concerned about, and which ought to be a much greater focus in their scholarship and practice. In the third part of the paper, I begin thinking through the mitigation of these distortions via embedding democratic deliberation through the policy process. I advocate institutional innovations, including *scrutiny forums*, through which bureaucratic elites justify their interpretation of policy commitments, *contestatory reviews*, which civil society actors can trigger in response to perceived bias in interpretation, and *feedback funnels*, which enable inclusive reflection on the experience of service delivery. I also note emerging governing practices, including *structured partnerships*, which guarantee lesser-resourced actors informal access, and *co-production*, which elicits citizen participation in the provision of public services. I highlight how these promising examples can counter pathologies downstream in democratic policy-making. In the conclusion, I stress the value of democratic scholars and thinkers rigorously examining, and seeking to expand, this repertoire.

Theorizing Will Formation: The Evolution of Deliberative Democracy

Scholarship on democracy and democratization is overwhelmingly concerned with the inputs to decision-making. Normatively, the focus is on how best to reach collective ends: the means through which such ends are achieved is implicitly read off as apolitical. Empirically, too, analyses of democratic quality emphasize the formation of public preferences, legislative responsiveness to those preferences, and institutions that scrutinize decision-making: the subfields of policy and administration are ignored or typecast as technical. I will return to the implications for these broader literatures towards my conclusion. However, as explained in the introduction, my focus falls on the deliberative account, singled out because it represents an important and, *potentially*, promising field of inquiry. Yet, as I have already intimated, this promise presently manifests as deeper vulnerability, so long as deliberative democrats fail to acknowledge the distortions that occur downstream in the policy process.

What makes this problematic oversight particularly glaring is that deliberative democracy has otherwise been adapted so readily in the two or three decades since its revival in normative theory. Deliberative theorists have responded positively to challenges from feminists and agonists. They have made other concessions after engaging with and in empirical scholarship. What began as an ideal account of a perfectly rational forum has evolved into a messier, contingent account of boundedly rational communication, distributed across democratic venues and over time.[6]

This adapted account of deliberative democracy has great merit. It increases the relevance of the deliberative account for scholars working on various aspects of

https://doi.org/10.1017/S1537592716001146 Published online by Cambridge University Press

democratic politics. It appeals as tractable to agents of democratic reform and renewal. But deliberative democrats have not gone far enough in adapting ideas about deliberative democracy to the realities of contemporary politics because they still do not adequately consider the complex politics after will formation. In fact, in adapting their account, key theorists have actually rendered deliberative democracy especially vulnerable to the distortions that pervade the policy process. I focus on two key moves —the incremental shift away from the ideal of consensus, and the recent rapid shift to a vision of distributed deliberation—to explain how, when combined, these moves risk endorsing democratic practices that remain vulnerable to the pathologies of the drawn-out policy process.

Abandoning Consensus and Embracing Ambiguity

The deliberative account of democracy is closely associated with Jürgen Habermas, whose influential *Theory of Communicative Action* was at the forefront of this project. Central to Habermas' ideal account is communicative rationality: that free and equal citizens operating in an "ideal speech situation" should engage in the exchange of reasons and, compelled only by the forceless force of the better argument, eventually reach consensus.[7] The appeal of communicative rationality is that it counters the power asymmetries that afflict democratic politics. The vision of an accountable, public, and inclusive forum sparked a proliferation of experimental innovations and a groundswell of enthusiasm about their potential to strengthen democratic politics.[8]

In early Habermasian terms, interlocutors would eventually—under the right conditions—converge on an agreed best answer. But even at the height of enthusiasm for the forum ideal, key deliberative theorists quickly abandoned consensus as a goal. Conceptual challenge and empirical critique suggested that even obtaining consensus on complex political problems would likely be symptomatic of hidden coercion.[9] Consensus, then, quickly softened to a form of contingent agreement—one that a sufficient number of actors sign up to (and which those who disagree in substance can accept the procedural legitimacy of) but which is liable to need continual reaffirmation or reconsideration.[10]

Yet there has been a significant relaxation in what constitutes a sufficiently robust agreement even of this sort. Though most agree that there is potential for multiple normatively just outcomes from deliberation,[11] the most influential work on this point remains Sunstein's defense of "incompletely theorized agreements." He argues that agreements almost never go "all the way down," nor should they be expected to, as beliefs can be irreconcilable. Instead, Sunstein sees value in the inevitably loose and shallow nature of such agreements. He argues that agreements at the lowest level of specificity are more useful for facilitating constructive dialogue among actors and dealing with contentious issues—a contention that has largely been accepted and woven into deliberative theory.[12]

So deliberation is no longer bound up with notions of communicative rationality leading to a fully-worked-through consensus. It can feature only thinly-reasoned argumentation leading to a shallow and differentially understood agreement. This maneuver takes deliberative democracy away from its attempt to eradicate uncertainty and ambiguity, and instead recognizes them as ineliminable elements of political communication that must be accounted for. Equally, though, it draws attention to the inadequacy of the stylized distinction between will formation and will execution—something especially problematic when seen in conjunction with the next key move.

Abandoning the Forum by Distributing Deliberation

Where the move from consensus to ambiguity has been an incremental one, the move from single deliberative venue to networked multiplicity of venues has been rather more recent and radical. Deliberative democratic theorists have sought to adapt their ideas in the face of conceptual critique and empirical observation that proliferated in this booming literature through the late 1990s and early 2000s. As a result, the sharp concentration around an ideal forum embodying Habermasian communicative ethics has recently come to be seen as simplistic and naïve to the messy complexities and the pervasive power distortions that afflict contemporary democratic politics.

In fact, Habermas himself had been quick to step back from the ideal forum and retain his focus on the macro context of democratic contestation. His subsequent non-ideal account, *Between Facts and Norms*, sets out a dual-track model: public opinion, formed through citizen deliberation in the public sphere, is to be transferred via media and election campaigns to the legislature, where it becomes policy.[13] Prompted by a backlash to the micro focus of much empirical investigation in this field,[14] the most recent evolution in deliberative democratic thought has been to extend this dual-track model. A new orthodoxy is crystallizing around the idea of "deliberative systems." This is an account of deliberation as an activity with a variety of different purposes and ends, and one that does and should occur in an iterative process across a complex system made up of a multiplicity of sites in democratic politics.[15]

There are nuanced differences among proponents of this view.[16] For some—especially those who draw directly on Habermas' dual-track model for inspiration—the key to systemic deliberation is spatial disaggregation. Hendriks, for instance, speaks of deliberative democracy as something that can and should involve a multiplicity of venues.[17] She holds that these overlapping sites should

https://doi.org/10.1017/S1537592716001146 Published online by Cambridge University Press

attract and enable different sorts of actors, that these sites should be integrated in such a way that they feed into one another, and that a crucial component of this integration are sites that bring diverse actors together. Other theorists have stressed temporal disaggregation, and especially the value of sequencing deliberation as it filters through to decision.[18] The notion is not that any particular moment should resemble idealized communicative rationality aimed toward a definitive decision. Instead, the hope is that different qualities can be enhanced at different stages of the process, with the prospect that deliberation may be sequenced to meet these requirements in a way that is "good enough."

These minor differences in emphasis aside, what emerges is an account in which the facets and functions of democratic deliberation are distributed through different institutions and practices. Like the shift away from consensus, this is a move to make democratic decision-making more accountable, public, and inclusive, while remaining mindful of the constraints of *realpolitik*.

Overall, then, the systemic vision of deliberative democracy is a sophisticated account that makes allowances for imperfect deliberation and, in fact, entirely non-deliberative activities, provided that they are of sufficient benefit to the system as a whole. This nascent turn makes the deliberative project more relevant to mainstream political science, and more tractable for agents of democratic reform and renewal. And for this it is to be applauded. Yet in failing to adequately consider the realities of democratic politics after the point of will formation, the systemic turn risks underpinning democratic practices that fail to address pervasive power asymmetries through the policy process.[19] Worse still, it might, as it feeds into and inspires further efforts towards democratic renewal and reform, provide the veneer of legitimacy to practices that actually further entrench power asymmetries and undermine deliberative and democratic goals. In embracing complexity and iteration—especially in the context of vague and contingent outcomes of decision-making—deliberative democrats ought to consider how and to what effect such qualities pervade the policy process as well. I take up that mantle in the sections that follow.

Undertheorizing What Happens Afterwards: Lessons from Policy and Administration

I draw on policy and administration scholarship to highlight that the institutional architecture through which deliberation is channeled into political action is long, recursive, attritional, and low-profile. There are unintended but foreseeable adverse consequences to the maneuvers described earlier that deliberative theorists must attend to. The shift to embrace ambiguity and distribute deliberative functions risks playing into the hands of precisely those who the policy literature tells us exercise privileged influence over democratic governance—private business interests and technical experts.[20] These interests can call on immense resources—financial clout and expertise, respectively—to dominate democratic contestation, especially behind the scenes. This influence allows them to steer wriggle room enabled by ambiguity in self-regarding directions, across a range of venues over time, often away from effective scrutiny. The adverse consequences are crucial, then, because they hint at an inadvertent disconnect between the state-of-the-art articulation of deliberative democratic theory and this movement's normative core—one constituted against the biases to power, based on hierarchy, access, and material resources, that contemporary theorizing is liable to reproduce.

Below, I spell out the key lessons for democratic theorists and scholars about what happens after will formation. To ground the discussion and clarify its implications for this journal's broad readership, I draw on an extended exemplar of efforts to tackle the "obesity epidemic." This issue, I will show, exemplifies the pathologies that can occur downstream in the policy process.

Ambiguity and Wriggle Room

The ambiguity inherent in Sunstein's "incompletely theorized agreements" has long interested policy and administration scholars. In the dominant tradition of public administration, as in ideal deliberative democratic theory, it has been viewed as problematic. Ambiguity, in reference to the traditional-stages model of policy making, represents an incomplete process of policy formulation that leads to problems and gaps in implementation and enforcement.[21] And, as such, scholars in this tradition have given significant attention to coming up with ways of minimizing ambiguity. Among those who adopt a more bottom-up approach to policy implementation, though, there has been greater recognition of the ineliminability of goal ambiguity.[22] Indeed, influential scholarship in this mold has actually heralded ambiguity as a tremendous *resource* in policymaking, echoing in many ways Sunstein's defense of incompletely theorized agreements. Stone's seminal *Policy Paradox*, for instance, posits ambiguity as the key feature that enables adaptation to temporal and spatial context.[23] Yanow's rich analysis of the Israel Corporation of Community Centers draws this observation out in practice. She shows how this program unfolded over time, its meaning and nature reproduced continually in symbolic interaction that sustained buy-in from stakeholders.[24]

However, some policy scholars are beginning to problematize ambiguity again. They argue not that ambiguity represents an incomplete process—there is widespread recognition of the need for wriggle room to

https://doi.org/10.1017/S1537592716001146 Published online by Cambridge University Press

adapt to local context and unfolding conditions. Instead, the problem they identify is that some actors have much greater capacity to influence wriggle room than others. These scholars show that typically those with greater material resources, hierarchical or professional status, and greater access to officials can exploit their position to ensure that incompletely theorized agreements are put into action in ways that further their interests, often at the expense of actors party to the initial agreement. There are many examples in recent policy scholarship but I will focus on two that notably highlight these dangers of ambiguity.[25]

One is Smith and Kern's analysis of Dutch environmental policymaking.[26] Their focus is on the "environmental transition" toward a more sustainable Dutch economy. They find that the agreement around the need for transition in general terms actually disguised intense disagreement around what form any change should take specifically. They highlight the fact that powerful actors have been better positioned to see that their much more moderate interpretations of this agreement were put in place. The result, they show, has been the realization of little more than tokenistic changes in environmental policy and practice—powerful actors ultimately exploited the ambiguity of the proposed reform to minimize disruption to their private interests.

Zahariadis and Exadaktylos provide another example.[27] Their work on reforms to Greek higher education shows how a decision-making process that produces near consensus at a general level—the legislation to modernize this sector passed by the largest majority since Greek democracy was restored in 1974—can in the fine detail be eroded by vested interests. They detail the various strategies by which university executives and professionals took advantage of the ambiguity inherent in translating legislation into action on the ground. These embedded actors were able to resist the reforms in practice and sustain much of the status quo within the sector.

But these concerns are more obvious still in relation to efforts to tackle the obesity epidemic. In general, policymakers have been reticent to make specific policy commitments to tackle climbing rates of obesity, cowed by the powerful food industry and fear of public anger. However, even in one famous case where such firm commitment was made—the Danish government's commitment to a "fat tax"—there is strong evidence of how pervasive power asymmetries can undermine implementation.[28] Bødker et al.'s analysis shows that the Danish food lobby made extensive legal and political challenges to this tax as it took concrete form, exploiting wriggle room in the legislation to win concessions, delay implementation, and ultimately undercut its feasibility. They show that industry also bankrolled publicity to expose teething problems and to turn the tide of public opinion against the tax, all while public health experts and advocates were frozen out of the implementation process. The outcome, they argue, has been an abandonment of the tax, and little political appetite for any further regulatory reform—much to the frustration of public health advocates whose hopes had been raised in the initial "decision."

These challenges of ambiguity are, in turn, exacerbated by the networked arrangements that now typify administration and implementation, where I now turn my attention.

Distributed Deliberation and Complexity

There has been widespread interest in the notion of networked governance and the interaction it implies between various state and non-state actors across an array of formal and informal venues.[29] The lesson from this scholarship is that discursive transmission across sites and over time is likely to be considerably distorted in practice. The networked sites in any system engender a multiplicity of institutional norms and professional discourses, and thus the claims, recommendations, agreements, or ideas generated in one are filtered and adapted in others.[30] It is common for recommendations from the discursive designs that bring diverse actors together—be they more traditional committees or inquiries, or more radical democratic innovations—to be filtered and moderated as they are taken up and discussed in formal political and administrative institutions.

This process is not problematic per se. After all, one task of deliberative system is to launder ideas and claims, and render them amenable to moderation. Another task involves translating opinion in public space into will in empowered space, publicizing the rejection of ideas that are not technically feasible. Transmission, in both cases, implies some form of transformation.[31] And it is clear that complex governing arrangements have some advantages for administering and delivering policies and programs. The wriggle room provided by ambiguous agreement and its diffusion across sites can be useful in legitimating policies and the processes that surround them. In this sense, the incremental, diffuse nature of policy change is not just a result of limited information, but of negotiating clashing values and ideas. The recursive process is democratically useful in that it allows time for mutual learning between actors through the protracted process of deliberation and negotiation, through the evolution of their relationships, and through the impact of transformative new technologies or compelling new evidence.[32]

The concern, however, is about bias in transmission to empowered venues of policy action. Complex governance networks can have a "dark side."[33] They typically give privileged access and influence to actors with greater material resources or professional authority, whereas the critical claims of civil society actors can be subject to resistance or exclusion. Crucially, too, the drawn-out nature of the policy process favors powerful interests, allowing them to neutralize inconvenient concerns and

https://doi.org/10.1017/S1537592716001146 Published online by Cambridge University Press

issues. It is actors with greater resources who can bear the costs involved in continuous, low-profile, behind-the-scenes engagement. Civil society groups can lack the capacity to "stay" with issues through the convoluted, attritional process.[34] Meanwhile, actors with more resources at their disposal can instigate or repress deliberation in different parts of the system, be that via the mass media and the public agenda or through personal connections to political elites.

Again, the tendency of complex governing arrangements to entrench power relationships is a common finding in policy and administration literature.[35] However, I will provide color and context with reference to some particularly vivid examples.

One is Bulkeley's widely-cited analysis of climate change policy in Australia.[36] Bulkeley analyses the interaction between interests, discourses, and institutions to show how claims about climate-change policy transform as they move towards empowered sites of political decision-making. In particular, she demonstrates that claims are adapted over time as they become institutionalized so as to emphasize issues of efficiency and exclude more radical proposals around, for example, stricter management of energy demand. She shows that this attritional journey of moderation across sites of policy discussion, decision-making, and implementation occurs in such a way as to neutralize more radical critique and align climate-change policy with the interests of powerful actors.

Patashnik shows how these concerns can be compounded when executing a raft of new policies and programs as part of a broader reform package.[37] He compares major public-interest reforms enacted in the United States in relation to tax, agricultural subsidies, and airline deregulation. He details the fierce political opposition to each package, and the repertoire of activities that affected industries adopt to undermine or block reform. He finds ultimately that only the airline-deregulation reform package is successfully sustained over time, with both of the former incrementally eroded by powerful vested interests. He concludes that the politics of controversial policy reform is never over, that the passage of legislation marks only one battle in a much longer war.

But again these challenges are nowhere clearer than with respect to tackling obesity. Much effort has been devoted to resolving obesity in networked partnership with the private and third sectors. In practice, though, networks tend to be heavily steered by powerful interests in the food lobby. In Britain, for instance, there are intricate networked arrangements for key policies and programs tackling obesity. In practice, they have done much to boost the image of corporate social responsibility. But, especially given the heavy reliance on industry funding and technical support, they have done little to achieve agreed aims of reformulating food products and restricting the marketing of unhealthy foods to vulnerable groups, with industry actors successfully resisting any outcome with significant economic implications. The complexity of these governing arrangements ensures that debate is carefully managed and disaffection effectively neutralized; there is the veneer of due process, and an apparent or surface responsiveness to public concern, but the "rules of the game" favor these powerful and entrenched interests.

Embedding Deliberation in Theory: Countering Distortions Downstream

The potential for shallow, ambiguous agreement, diluted and filtered through various channels over time, all to the benefit of powerful actors, appears a long way from *any* account of democracy, let alone the deliberative ideal of inclusive, public, and accountable governance. Indeed, it suggests that the state-of-the-art conception of deliberative democracy might inadvertently work to endorse the power asymmetries it has long been constituted against.

Yet the modifications to the deliberative account remain very appealing. There is considerable value in loosening the goals of deliberation, opening up the range of venues in which different aspects of deliberation might be thought to occur at different times. Moreover, there is by now a wealth of evidence to suggest that deliberative practices can mitigate the power biases that pervade upstream in democratic politics, in processes of opinion and will formation. As such, what I suggest is simply that similar attention be shifted further downstream by better embedding deliberative democratic ideas and practices through the policy process. Doing so, I suggest, has obvious and profound implications for conceptualizing and assessing deliberative systems, but also subtly important ones for conceptualizing and assessing policy implementation and administration.

Reconciling Wriggle Room

The call for embedding deliberation acknowledges the pragmatic need for diverse actors to come together on agreements at a low level of specificity. Indeed, it goes further, following key interpretive policy scholars in recognizing that ambiguity can be a tremendous resource in governing complex issues. Ambiguity, after all, is what enables effective governance of issues in the context of increasing complexity and amid the diversity of actors that need to work together to deliver policy and services; it gives state and non-state actors alike much needed wriggle room to get down to the business of governing. By consciously working to embed aspects of democratic deliberation through the policy process, the benefits of ambiguity—in ensuring this flexibility and buy-in from stakeholders—can be maintained. The actors involved in deliberation are not being asked to come to a final settlement, since the emphasis is on the provisional nature of any agreement. It enables precisely the sort of contingent agreement that has long been the democratic norm.

https://doi.org/10.1017/S1537592716001146 Published online by Cambridge University Press

Importantly, while embedding deliberation accommodates wriggle room, it also serves to highlight it. It makes explicit the contingent nature of any agreement, and assures all actors involved that they will get a chance to revisit the agreement in light of subsequent evidence of enactment and implementation. It thereby mitigates the risks and downsides catalogued earlier of ambiguity—where the devil is in the detail of how vague compromise is translated into action—by allowing all the actors involved to revisit the issue and further flesh out the detail of what has come before. Guaranteeing access and voice to actors through the process can redress the power asymmetries that typically enable the best-resourced and -connected to have greater influence over how ambiguous agreements take finer shape.

Recognizing Complexity

Another key benefit of working to embed deliberation downstream is that it can counteract the sort of diffusion and neutralization common to complex and contested political issues through the complex architecture of government. Where the deliberative systems' account is largely concerned with decentering deliberation, from one ideal site to a wide variety across the system, practices devoted to embedding deliberation after will formation can help to publicize the issue and the policy work being done in relation to it, building connections along the deliberative system and countering the inevitable loss of specificity that occurs in the diffusion of claims across sites and over time. Embedding aspects of democratic deliberation through the policy process can guard against the neutralization or containment of issues that risks reinforcing the interests of the already powerful. This is because at the same time as providing greater latitude for ambiguous agreement, it also provides greater scope for the enactment of conflict.

It is useful here to consider Rummens' reflections on systems of representation in contemporary liberal democracies, in which he emphasizes the importance of democratic venues that encourage the active performance of opposition to legislative and administrative action.[38] Recognizing the ineliminability of conflict over complex and contentious issues, he astutely sees the ongoing, dynamic forms of representation these stages enable as working to publicize the contingent or unsatisfactory nature of deliberative outcomes. Though Rummens remains focused on the established set-pieces enacted in existing institutional architectures, working to embed deliberation through the policy process might greatly multiply the spaces for such representation. It expands the scope of these opportunities, beyond high-profile political debates in legislative chambers and the mass media to the less-visible realms of policy work, where many more of the mundane but crucially important matters of political conflict, complexity, and uncertainty are dealt with. It provides greater public scrutiny over these otherwise opaque matters. Just as importantly, it expands the range of participants who get to perform oppositional conflict, providing a platform from which lesser-resourced actors can make their concerns heard. It allows these actors to draw attention to the distortions or emerging problems that occur as contingent, ambiguous agreements are put into action, reigniting conflict across the deliberative system.

In the sections that follow I outline some ideas for embedding aspects of democratic deliberation in practice. I draw on lessons from the successes of upstream democratic innovations and on emergent practices of democratization in policy and administration.

First, though, a caveat: A central appeal of the adapted account of deliberative democracy is its concession that we should not strive for perfect deliberation at all times, and that other democratic goods or norms may be more appropriate at particular junctures.[39] I am, in this spirit, not advocating that deliberation be embedded *throughout* the policy process (i.e., at every juncture). Attempting to do so would be counterproductive—creating an institutional bottleneck, straining state resources, or exhausting stakeholder and citizen good will. Embedding aspects of democratic deliberation *through* the policy process would entail establishing routinized or responsive institutions and practices that incorporate some deliberative goods to mitigate the distortions that pervade will execution. It would, at minimal cost and effort, help to ensure greater publicity for how ambiguous and contingent compromises are enacted and implemented in practice, and provide impetus for the sort of sustained, open-ended and inclusive deliberation that remains the ideal.

Embedding Deliberation in Action: Institutional Innovations

One way of achieving these ends is through institutional innovation. As in the explosion of interest in new upstream inputs to the democratic process, there is potential in new institutional forms that extend the range and scope of deliberation through the policy process. There are three forms that I identify here as particularly promising: scrutiny forums, contestatory reviews, and feedback funnels.

Scrutiny Forums

There is much in the architecture of contemporary democracy devoted to scrutinizing decision-making processes. But relatively little is dedicated downstream, to the execution of those decisions. Given that the ad hoc and informal nature of the links between democratic innovations and established processes of decision-making can play into the hands of powerful interests, it is important to also consider additional institutional levers that might help lower the barriers to rekindling deliberation,

https://doi.org/10.1017/S1537592716001146 Published online by Cambridge University Press

providing lesser-resourced actors with promising new platforms through which to publicize unjust or inappropriate exercise of wriggle room.

An especially promising example comes from Sabel and Zeitlin's pioneering work on EU governance.[40] They highlight the emergence of "experimentalist governance" across a wide range of policy sectors within the EU. Their particular focus is on new processes that have emerged to help policymakers work through complex issues of multi-level coordination and implementation. These processes enable lower-level units, usually within member states, to pursue overarching directives as they see fit within local context. The key here is that these actors must subsequently account for their actions publicly. They must justify their actions both to European regulators and alongside counterparts from other member states in what is designed to be a process of policy learning based on rigorous peer review. Importantly, there is also potential at this juncture for new actors or coalitions of actors—especially those within civil society—to take part in some of these scrutiny forums, and, if necessary, seek to revise the measures handed down to lower-level units. They can hold powerful actors accountable for their use of discretion by assessing the review of their actions and comparing it with those pursued for the same ends in other member states (albeit, as Sabel and Zeitlin concede, that the extent to which civil-society actors exercise scrutiny is highly variable across sectors and countries).

Critics of Sabel and Zeitlin see them as overly optimistic about the deliberative democratic benefits of experimentalist governance. Papadopoulos, for instance, sees experimentalist governance as "deliberative elitism," dominated by a technocratic culture at the expense of citizen participation.[41] Nevertheless, it serves as proof of concept here. It shows that scrutiny forums can embed key aspects of deliberation through the process. This mode of governance acknowledges and seeks to preserve the value of vague agreement couched at a high level of abstraction. But it also imposes greater scrutiny on those with the power to interpret vague agreements and exercise discretion in putting them into practice. Moreover, further experimentation could require a broader array of actors—across different levels of government and among non-state actors engaged in governance networks—to subject their actions and interpretations to such scrutiny. It might also, following Papadopoulos' concerns, engage civil society groups and citizens in these processes. Indeed, it might replace elite-dominated committees altogether with the sorts of citizen-based democratic innovations pursued in decision-making input in the last two or three decades.[42]

In the obesity case, then, one might envisage scrutiny forums whereby policy elites—bureaucrats, but also food industry representatives and public health professionals—routinely report on and publicly justify their exercise of discretion in administering and implementing vague policy commitments, perhaps even to a committee of affected citizens themselves. This would threaten to expose powerful actors who exploit their position to block agreed policies to curb marketing or reformulate processed foods. It might even condition them to consider the public interest as they navigate wriggle room on these issues in the first place.

Contestatory Reviews

Yet as well as periodic processes of publicity and accountability, there should also be opportunities for urgent processes reflective of particularly pressing concerns about developments in the policy process. Routinization may beget complacency on the part of policy actors or disinterest on the part of key democratic watchdogs. It may also prove impractical or expensive in particular contexts. And so another key approach to scrutinizing the exercise of wriggle room may be through a higher-order process of accountability that citizens or civil society groups can trigger in response to concerns about unfolding events.

Here it is especially useful to consider and build on one of the core ideas in Philip Pettit's vision of "contestatory democratization."[43] Bemoaning the lack of ongoing accountability in the representative relationship between elected officials and their constituents, Pettit argues here for mechanisms that enable constituents to challenge the mandate of their representatives.[44] Keeping the same core idea, the complex context of governance networks would require a broadening of this remit. "Contestatory reviews" could be one such mechanism whereby the actors engaged in administration and implementation—private and third-sector actors, professionals, and experts—are all compelled to publicly account for their actions.

So, following Pettit, there should be provision for lesser-resourced actors to trigger emergency deliberative bodies to subject the low-profile settings of administration and implementation, and the actions and inactions of the representatives involved, to greater scrutiny and contestation. Such an institutional mechanism would enable these actors to invoke a higher order of deliberation when they perceive that contingent, ambiguous agreement is being steered by stealth towards the interests of powerful elites. It would subject these often low-profile settings and the actions and inactions of the representatives involved to greater scrutiny and contestation.

Applied to obesity, for instance, public health and patient groups would be able to trigger an emergency deliberative process to follow-up on the administration and implementation of laws and policies. Such a process could well have been triggered, for instance, in response to the perceived failures of networked arrangements in Britain. In practice, many British public-health advocacy groups walked away in an attempt (largely unsuccessful in

https://doi.org/10.1017/S1537592716001146 Published online by Cambridge University Press

practice) to draw media attention to perceived injustices.[45] A contestatory review at this juncture might have more effectively reduced wriggle room, better exposing the obstructive actions of the food industry and generating bolder impetus to check their influence downstream.

Feedback Funnels

Embedding deliberation may require more than just enabling greater accountability and publicity downstream. It may equally require more of that other key (deliberative) democratic norm: inclusion. Indeed it is downstream in the policy process that citizens, as service users, have greatest interaction with the state and so it represents a unique and largely overlooked source of potential inclusion in democratic politics. The qualifier potential is used advisedly, however, because the bulk of the administration and policy literature reveals that citizens largely play a limited role in implementation. They are typically characterized as consumers or clients. Their behaviors and preferences are procured and quantified (via social service data and, occasionally, surveys) but seldom explored in depth or engaged with dialogically.[46] The effect is largely to reinforce dominant market forces that further empower private sector elites and professionals to pursue their own interests in administration and implementation. Yet there remains potential for institutional innovations—what I dub "feedback funnels"—that enable citizens to reflect on their experiences and have their concerns about service delivery heard.

A promising example is the fledgling NHS Citizen project in the UK. Commissioned by NHS England, this project seeks to uncover the reactions and experiences of individual encounters with health service provision (via sophisticated web-trawling), to enable enhanced discussion and sorting of priorities by affected citizens and civil society groups (via online and offline deliberative forums), and to engage NHS England officials in discussion of the key concerns and demands that emerge (via a public assembly). It is an institutional innovation that funnels feedback about service delivery for providers in ways that go beyond a market orientation, actively engaging citizens in the setting of service priorities and the development of strategies for delivery. This innovation has, given the controversial context of health reform in which it has been born, not been entirely successful or seamless in its development.[47] Nevertheless, it represents a promising model for eliciting widespread inclusion in the process of administration after will formation.

With respect to the obesity case, then, embedding deliberation in this way could help to ensure widespread inclusion through the process, as vague commitments about a "whole-of-society" approach are actually turned into action. These individuals would no longer be targets towards whom policymakers and the experts and professionals engaged in public health policy implementation often adopt an antagonistic stance. Providers of public health services would have to actively collect and solicit the input of obese individuals and their carers.

Embedding Deliberation in Action: Governing Practices

As useful as these innovations might be, faith in any institutional fix should be tempered. I have been at pains to assert that the formal deliberation that occurs within democratic institutions can be undermined or subverted by powerful actors behind-the-scenes. As such, a crucial augmentation to embedding deliberation in institutional form is to seek to embed aspects of democratic deliberation in governing practices outside of formal institutions. I look to the contemporary literature to suggest two key ways of doing this: structured partnerships, and co-production.

Structured Partnerships

A particularly promising approach to this difficult task is to instantiate informal practices that actively expand the range of participants in activities typically undertaken only by insiders in policy networks. These sorts of activities might include routine face-to-face meetings, or more ad hoc policy briefings, planning sessions, reviewing of document drafts, and program status updates.

At first glance, such a suggestion would seem to be antithetical to the classical deliberative ideal of publicity, given that these practices and activities of contemporary governance are seldom subject to oversight or scrutiny. But, of course, one of the attractive features of the deliberative systems' account is its capacity to make space for practices that fall short of all or perhaps many deliberative norms in isolation, but which when seen in context contribute valuably to the functioning of the overall system. Indeed, there can be considerable broader value in such deliberation behind closed doors, in that it allows actors to speak frankly and without fear of upsetting or losing their "constituency" at that moment, and instead report back later on the outcomes of their involvement.[48] Providing more equal opportunities for backstage deliberation can help to redress the power asymmetries that result from privileged access to informal opportunities for influence. Such an approach to embedding deliberation would give lesser-resourced actors regular access to information about how wriggle room is being navigated in practice, and a regular audience with service providers, administrators, and decision-makers with which to influence this process or publicize concerns about its nature.

A good example is Iusmen's analysis of civil-society actors' influence over the EU's children's-rights policy.[49] She argues for the value of a "structured partnership" approach to engagement, enabling civil-society actors equal access to deliberation with policymakers behind closed doors. Her point is that what matters is a genuine

https://doi.org/10.1017/S1537592716001146 Published online by Cambridge University Press

perception of buy-in and inclusion, and that this is not always best provided in the sort of institutional democratic innovation that deliberative democrats are familiar with. Indeed, she shows how one such innovation—the Forum on the Rights of the Child—was deemed to be "window-dressing" by the civil-society actors involved, and that instead they showed much greater enthusiasm for more informal "partnering" arrangements with Commission officials. She shows the benefits of cultivating, but not institutionalizing, the relationship between civil-society actors and the European Commission through regular meetings, policy draft reviews, and program rollout initiatives. Such an arrangement has given these lesser-resourced actors genuine influence to counter the traditional power of state actors and private interests in seeing ambiguous policy aims through to their manifestation in practice. Of course, there remain some limitations in the capacity of civil-society actors to influence implementation. Nevertheless, the case highlights successes in lowering barriers to lesser-resourced actors, allowing them to stay with the issue and especially to influence the direction of the Commissions' external policy aimed at member states. It shows how cultivating such arrangements can work to foster ongoing input, scrutiny, and contestation, effectively embedding aspects of democratic deliberation downstream.

Applied to obesity, such structured partnerships would involve ongoing engagement with public health advocacy groups typically peripheral to administration and service delivery. This would go further than the involvement of civil-society groups and experts as participants in broader network arrangements. It would provide these actors with privileged access to policymakers and officials to match that enjoyed informally by powerful food lobbyists. These actors might be able, for instance, to halt the erosion of a fat tax in the face of lobbying efforts, or at least draw on their inside knowledge to publicize concerns effectively.

Co-production

While structured partnerships go some way to making the execution of will more inclusive, there are more radical alternatives to realizing this (deliberative) democratic good. In the public-management literature in particular there is growing enthusiasm for "co-production" of public services, enabling practices whereby affected citizens play an active role in the implementation of policies and programs.[50]

An important precursor to the enthusiasm for co-production is Soss's seminal study on welfare service delivery in the United States.[51] Soss's comparative study of welfare programs shows the potential value in having citizens, as users, actively engaged in service delivery. He points to the discrepancies among programs targeted at low-income children: some carried forward the tradition of regulatory or market-based coercion in welfare policy, while others adopted a co-productive approach to delivery through ongoing engagement with Head Start organizations—voluntary collectives of parents and carers who became partners in the oversight and delivery of services to low-income children. He shows that, under more coercive models, affected citizens remained less capable or confident of accessing services, while those under the more democratic model were more likely to have knowledge of, and the assurance to actively access, essential services. Just as importantly, Soss finds a positive democratic feedback effect—highlighting how greater interaction between democratic theory and policy scholarship can be *mutually* beneficial, with closer attentiveness to normative considerations greatly enriching implementation scholarship, too. He shows that while coercive approaches further alienate disaffected citizens, co-productive approaches empower them to feel more efficacious and engage more broadly. In other words, embracing co-production through the policy process can enhance democratic deliberation in practices of opinion and will formation as well.

On the ground, public health scholars and activists are beginning to call for co-production in obesity policy-making. They advocate that local communities, patient groups, and affected citizens themselves be empowered to perform and promote policies and programs to tackle obesity. And small-scale innovations at the local level have shown promise not just in reducing rates of obesity, but in transforming the way marginalized groups interact with health providers.[52] Co-producing services can ensure that affected citizens no longer feel like victims of state-sponsored coercion.

Conclusion: Encountering Democracy Downstream

My focus has been on dragging attention away from the inputs to democratic decision-making and towards the complex, iterative process by which decisions are turned into action. The most obvious implication of this argument is to open up an important new agenda for deliberative theorists, researchers, and reformers. The mechanisms and practices I identify for deliberating downstream may not work everywhere. They may work better or worse in particular combinations. They may also be undermined in practice by powerful actors who perceive a threat to their privileged position. These are things we need to know much more about, both in theory and in practice.

However, while I have largely focused on bringing insights from policy scholarship into view for deliberative democrats, this need not be one-way communication. Policy scholars can equally learn from the nuanced account of contemporary, non-ideal deliberative theory in which deliberation no longer represents a pre-decisional add-on to the policymaking process. Understanding deliberation

https://doi.org/10.1017/S1537592716001146 Published online by Cambridge University Press

as being performed at different times, in different places, in different ways through the policy process ought to further encourage these scholars to explore practices of implementation within their broader context—how they build on, reflect and feed into inclusive, public, and accountable governance.[53]

More fundamentally, this dialogue has implications for democratic theory as a broader enterprise. As I have hinted at throughout the discussion, the distortions I identify downstream are not just deliberative problems. Epistemic democrats, for example, should be concerned about biases in the knowledge underpinning action as vague commitments are implemented, agonists about the neutralization of conflict via wriggle room, and participatory democrats about the gradual marginalization of affected interests. They ought also to see value in the remedies I promote, albeit for different reasons and with different ends in mind.

And there are equally salient lessons for that other culture of democratic theory—the vast literature devoted to empirically measuring the quality of democracy.[54] In particular, my discussion further problematizes the tendency of these scholars to equate democratic quality with responsiveness to public opinion. It is not just that responsiveness is not always desirable, but that in any case it is not nearly enough. Even an appropriately responsive decision is liable to be eroded as it takes shape on the ground. Understanding democratic quality requires attentiveness to how policies unfold in practice. Closer assessment of these subtleties can account for the varied, nuanced institutional architectures and governing practices that enhance or hinder democratic quality downstream.

Central in all these cases is a call to move beyond the stylized separation of democratic decision-making and bureaucratic implementation into separate analytical components—a call to scholars of democratic governance to consider and engage in dialogue with each other about the consequences of pervasive power distortions downstream after any decision is made. Doing so will enable scholars with a range of expertise, from a range of vantage points, to add to, elaborate on, and amend the repertoire of governing mechanisms that I introduce here. And the result, as these scholarly ideas filter into practice, might be more effective countering of the power distortions that persist downstream in democratic policymaking.

Notes

1 See Chambers 2003.
2 Deliberative democracy easily outstrips any other brand of democratic theory on publication metrics during the last two decades; see Dryzek 2015.
3 Habermas 1984.
4 Fung and Wright 2001; Smith 2009.
5 See Parkinson 2006 and Hendriks 2011.
6 See the contributions to Parkinson and Mansbridge 2012.
7 See Habermas 1984, 25.
8 Smith 2009; Leighninger 2012.
9 Niemeyer and Dryzek 2007.
10 Gutmann and Thompson 1996, 7.
11 Mansbridge et al. 2010.
12 See Sunstein 1995. Sunstein wrote about "incompletely theorized agreements" in the context of an argument about constitutional law, which he often distinguishes from his broader work on public deliberation. Nevertheless, his account has been picked up by many working to extend deliberative democratic theory (e.g., Bohman 1996, 86; Niemeyer and Dryzek 2007; Mansbridge et al. 2010).
13 See Habermas 1996, 307–8.
14 See Chambers 2009 and Pateman 2012.
15 See Mansbridge 1999; Goodin 2005; Neblo 2005; Parkinson 2006; Hendriks 2006; Dryzek 2009; and the contributions to Parkinson and Mansbridge 2012.
16 Owen and Smith 2015 provide a thoughtful review.
17 Hendriks 2006.
18 Neblo 2005; Goodin 2005.
19 Parkinson 2006 (169) provides a sequential rubric extending beyond will formation, with the inclusion of an "implementation" phase. This is a useful concession. However, much like the criticism directed at the "stages" heuristic in policy studies (on which his account is based), it is a highly stylized rendering that fails to consider any empirical insights into processes of administration and implementation.
20 For classic statements, see especially Lindblom 1977 and Schattschneider 1960.
21 Mazmanian and Sabatier 1989.
22 Baier, March, and Saetran 1986; Matland 1995.
23 Stone 2002, 158–159.
24 Yanow 1993.
25 See, for example, Hudson 2006; Hupe, Nangia, and Hill 2014; and Bache et al. 2015.
26 Smith and Kern 2009.
27 Zahariadis and Exadaktylos 2015.
28 Bødker et al. 2015.
29 See Hajer and Wagenaar 2003, ch. 1.
30 Schmidt and Radaelli 2004.
31 Neblo 2005.
32 Heclo 1974; Sabatier 1988.
33 O'Toole and Meier 2004.
34 Mazey and Richardson 2012.
35 See Thacher and Rein 2004.
36 Bulkeley 2000.
37 Patashnik 2003, 2008.
38 See Rummens 2011. There are clear affinities between Rummens' account and Warren's (1996) earlier account relating deliberative democracy and authority. Warren, too, promotes institutions that can structure conflict and subject authority to scrutiny.
39 See Mansbridge et al. 2010; Owen and Smith 2015.

40 See Sabel and Zeitlin 2008.
41 Papadopoulos 2012.
42 See Smith 2009.
43 Pettit 1999.
44 See also Saward 2009.
45 Boswell 2016.
46 See Osborne, Radnor, and Nasi 2013.
47 Bussu and Zacharzewski 2014.
48 See Chambers 2004 for the conceptual argument and Naurin 2007 for some empirical evidence.
49 Iusmen 2012.
50 See Alford 2009; Thomas 2013.
51 Soss 2000.
52 E.g., Jurkowski et al. 2013.
53 Existing work on "policy feedback loops" provides an excellent starting point, with the aforementioned work of Soss 2000 an important landmark. The deliberative systems account might equip this scholarship with more nuanced understandings of how particular norms and functions might be distributed throughout the loop.
54 Sabl 2015.

References

Alford, John. 2009. *Engaging Public Sector Clients: From Service-Delivery to Co-production*. Basingstoke: Palgrave Macmillan.

Bache, Ian, Louise Reardon, Ian Bartle, Matthew Flinders, and Greg Marsden. 2015. "Symbolic Meta-Policy: (Not) Tackling Climate Change in the Transport Sector." *Political Studies* 63(5): 830–51.

Baier, Vicki E, James G. March, and Harald Saetren. 1986. "Implementation and Ambiguity." *Scandinavian Journal of Management Studies* 2(3–4): 197–212.

Bohman, James. 1996. *Public Deliberation: Pluralism, Complexity and Democracy*. Cambridge: MIT Press.

Boswell, John. 2016. (Ahead-of-print). "The Performance of Political Narratives: How Britain and Australia's 'Fat Bombs' Fizzled Out." *British Journal of Political and International Relations*. DOI: 10.1177/1369148116630232.

Bødker, Marlene, Charlotta Pisinger, Ulla Toft, and Torben Jorgensen. 2015 "The Rise and Fall of the World's First Fat Tax." *Health Policy* 119(6): 737–42.

Bulkeley, Helen. 2000. "Discourse Coalitions and the Australian Climate Change Policy Network." *Environment and Planning C: Government and Policy* 18, 727–48.

Bussu, Sonia and Anthony Zacharzewski. 2014. "NHS Citizen: Designing Democracy in the Light." Presented at the Participatory and Deliberative Democracy Conference, Newcastle upon Tyne, July 7–9.

Chambers, Simone. 2003. "Deliberative Democratic-Theory." *Annual Review of Political Science* 6: 307–26.

———. 2004. "Behind Closed Doors: Publicity, Secrecy, and the Quality of Deliberation." *Journal of Political Philosophy* 12(4): 389–410.

———. 2009. "Rhetoric and the Public Sphere: Has Deliberative Democracy Abandoned Mass Democracy?" *Political Theory* 37(3): 323–50.

Dryzek, John S. 2009. "Democratization as Deliberative Capacity Building." *Comparative Political Studies* 42(11): 1379–402.

———. 2015. "Deliberative Democratic Agents of Justice." Directions in Deliberation Workshop, University of Westminster.

Fung, Archon and Erik Olin Wright. 2001. "Deepening Democracy: Innovations in Empowered Participatory Governance." *Politics & Society* 29(1): 5–41.

Goodin, Robert E. 2005. "Sequencing Deliberative Moments." *Acta Politica* 40(2): 182–96.

Gutmann, Amy and Dennis Thompson. 1996. *Democracy and Disagreement*. Cambrdige, MA: Belknap Press.

Habermas, Jürgen. 1984. *The Theory of Communicative Action*. Boston: Beacon.

———. 1996. *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*. Cambridge: Polity Press.

Hajer, Maarten A. and Henrik Waagenar, eds. 2003. *Deliberative Policy Analysis: Understanding Governance in the Network Society*. Cambridge, UK: Cambridge University Press.

Heclo, Hugh. 1974. *Modern Social Politics in Britain and Sweden: From Relief to Income Maintenance*. New Haven, CT: Yale University Press.

Hendriks, Carolyn M. 2006. "Integrated Deliberation: Reconciling Civil Society's Dual Role in Deliberative Democracy." *Political Studies* 54(3): 486–508.

———. 2011. *The Politics of Public Deliberation: Citizen Engagement and Interest Advocacy*. London: Palgrave Macmillan.

Hudson, Bob. 2006. "User Outcomes and Children's Services Reform." *Social Policy and Society* 5(2): 227–36.

Hupe, Peter, Monika Nangia, and Michael Hill. 2014. "Studying Implementation beyond Deficit Analysis: Reconsidering the Top-Down View." *Public Policy and Adminstration* 29(2): 145–63.

Iusmen, Ingi. 2012. "Civil Society Participation and EU Children's Rights Policy." *Journal of Civil Society* 8(2): 137–54.

Jurkowski, Janine, Lisa Mills Green, Lawson Hal, Mary Bovenzi, Ronald Quartimon, and Kirsten K. Davison. 2013. "Engaging Low-Income Parents in Childhood Obesity Prevention from Start to Finish: A Case Study." *Journal of Community Health* 38(1): 1–11.

Leighninger, Matthew. 2012. "Mapping Deliberative Civic Engagement: Pictures from a (R)evolution." In *Democracy in Motion: Evaluating the Practice and Impact of Deliberative Civic Engagement*, ed. Tina Nabatchi, Gastil John, M. Weiksner, and Leighninger Matthew. New York: Oxford University Press.

Lindblom, Charles E. 1977. *Politics and Markets: The World's Political-Economic Systems*. New York: Basic.
Mansbridge, Jane. 1999. "Everyday Talk in the Deliberative System." In *Deliberative Politics: Essays on Democracy and Disagreement*, ed. Stephen Macedo. New York: Oxford University Press.
Mansbridge, Jane, James Bohman, Simone Chambers, David Estlund, Andreas Føllesdal, Archon Fung, Cristian Lafont, Bernard Manin, Jose Luis Martí. 2010. "The Place of Self-Interest and the Role of Power in Deliberative Democracy." *Journal of Political Philosophy* 18(1): 64–100.
Mansbridge, Jane, James Bohman, Simone Chambers, Thomas Christiano, Archon Fung, John R. Parkinson, Dennis F. Thompson, and Mark E. Warren. 2012. "A Systemic Approach to Deliberative Democracy." In *Deliberative Systems: Deliberative Democracy at the Large Scale*, ed. John Parkinson and Jane Mansbridge. Cambridge, UK: Cambridge University Press.
Matland, Robert E. 1995. "Synthesizing the Implementation Literature: The Ambiguity-Conflict Model of Policy Implementation." *Journal of Public Administration Research and Theory* 5(2): 145–74.
Mazey, Sonia and Jeremy Richardson. 2012. "Environmental Groups and the EC: Challenges and Opportunities." In *Environmental Policy and the EU: Actors, Institutions and Processes*, ed. Andrew Jordan and Camilla Adelle. Earthscan: London.
Mazmanian, Daniel A. and Paul A. Sabatier. 1989. *Implementation and Public Policy*. Washington, DC: University Press of America.
Naurin, Daniel. 2007. "Backstage Behavior? Lobbyists in Public and Private Settings in Sweden and the European Union." *Comparative Politics* 39(2): 209–28.
Neblo, Michael. 2005. "Thinking through Democracy: Between the Theory and Practice of Deliberative Politics." *Acta Politica* 40(2): 169–81.
Niemeyer, Simon and John S. Dryzek. 2007. "The Ends of Deliberation: Meta-consensus and Inter-subjective Rationality as Ideal Outcomes." *Swiss Political Science Review* 13(4): 497–526.
Osborne, Stephen, Zoe Radnor, and Greta Nasi. 2013. "A New Theory for Public Service Management? Toward a (Public) Service-Dominant Approach." *American Review of Public Administration* 43(2): 135–58.
O'Toole, Lawrence and Kenneth Meier. 2004. "Desperately seeking Selznick: Cooptation and the dark side of public management in networks," *Public Administration Review*, 64, 681–93.
Owen, David and Graham Smith. 2015. "Survey Article: Deliberation, Democracy, and the Systemic Turn." *Journal of Political Philosophy* 23(2): 212–34.
Parkinson, John R. 2006. *Deliberating in the Real World: Problems of Legitimacy in Democracy*. Oxford: Oxford University Press.
Parkinson, John R. and Jane Mansbridge, eds. 2012. *Deliberative Systems: Deliberative Democracy at the Large Scale*, Cambridge: Cambridge University Press.
Papadopoulos, Yannis. 2012. "On the Embeddedness of Deliberative Systems: Why Elitist Innovations Matter More." In *Deliberative Systems: Deliberative Democracy at the Large Scale*, ed. John Parkinson and Jane Mansbridge. Cambridge: Cambridge University Press.
Patashnik, Eric. 2003. "After the Public Interest Prevails: The Political Sustainability of Policy Reform." *Governance* 16(2): 203–34.
———. 2008. *Reforms at Risk: What Happens after Major Policy Changes Are Enacted*. Princeton, NJ: Princeton University Press.
Pateman, Carole. 2012. "Participatory Democracy Revisited." *Perspectives on Politics* 10(1): 7–19.
Pettit, Philip. 1999. "Republican Freedom and Contestatory Democratisation" in Ian Shapiro and Casiano Hacker-Corden (eds.) *Democracy's Value*. Cambridge: Cambridge University Press, 163–190
Rummens, Stefan, 2011. "Staging Deliberation: The Role of Representative Institutions in the Deliberative Democratic Process." *Journal of Political Philosophy* 20(1): 23–44.
Sabatier, Paul A. 1988. "An Advocacy Coalition Framework of Policy Change and the Role of Policy-Oriented Learning Therein." *Policy Sciences* 21(2–3): 129–68.
Sabel, Charles and Jonathan Zeitlin. 2008. "Learning from Difference: The New Architecture of Experimentalist Governance in the EU." *European Law Journal* 14(3): 271–327.
Sabl, Andrew. 2015. "The Two Cultures of Democratic Theory." *Perspectives on Politics* 13(2): 345–65.
Saward, Michael. 2009. "Authorization and Authenticity: Representation and the Unelected." *Journal of Political Philosophy* 17(1): 1–22.
Schattschneider, E. E. 1960. *The Semi-Sovereign People: A Realist's View of Democracy in America*. Chicago, IL: Holt, Rinehart and Winston.
Schmidt, Vivian and Claudio Radaelli. 2004. "Policy Change and Discourse in Europe: Conceptual and Methodological Issues." *West European Politics* 27(2): 183–210.
Smith, Graham. 2009. Democratic Innovations: Designing Institutions for Citizen Participation. Cambridge: Cambridge University Press.
Smith, Adrian and Florian Kern. 2009. "The Transitions Storyline in Dutch Environmental Policy." *Environmental Politics* 18(1): 78–98.
Stone, Deborah A. 2002. *Policy Paradox and Political Reason: The Art of Political Decision Making*. Rev. ed. New York: WW Norton & Company.
Soss, Joe. 2000. *Unwanted Claims: The Politics of Participation in the U.S. Welfare System*. Ann Arbor: University of Michigan Press.

Sunstein, Cass R. 1995. "Incompletely Theorized Agreements." *Harvard Law Review* 108(7): 1733–72.
Thacher, David and Martin Rein. 2004. "Managing Value Conflict in Public Policy." *Governance* 17(4): 457–86.
Thomas, John Clayton. 2013. "Citizen, Customer, Partner: Re-Thinking the Place of the Public in Public Management." *Public Administration Review* 73(6): 786–96.
Warren, Mark E. 1996. "Deliberative Democracy and Authority." *American Political Science Review* 90(1): 46–60.
Yanow, Dvora. 1993. "The Communication of Policy Meaning: Implementation as Interpretation and Text." *Policy Sciences* 26(1): 41–61.
Zahariadis, Nikolaos and Theofanis Exadaktylos. 2015. "Policies That Succeed and ProgramsTthat Fail: Ambiguity, Conflict, and Crisis in Greek Higher Education." *Policy Studies Journal* 44(1): 59–82.

https://doi.org/10.1017/S1537592716001146 Published online by Cambridge University Press