

# Democratizing Participatory Governance Through Countervailing Power

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## Introduction

Over the last several decades, political institutions in the established democracies have experienced eroding legitimacy. These legitimacy deficits are likely driving participatory responses, often led by ministries and agencies with very specific governance tasks, around which they need to build legitimacy sufficient to develop and administer policies (Fischer 2012; Warren 2014). Do these responses deepen democracy? Not always: in many cases, new kinds of participatory strategies seem to be ‘participatory window-dressing’, probably in the hope that they can add legitimacy to decisions taken elsewhere or for other reasons (Fung and Wright 2003, 265; Fuji Johnson 2015). These concerns are foreshadowed in Arnstein’s (1969) ‘ladder of citizen participation’ that arrays citizen participation on a spectrum from token participation to full citizen empowerment. Here we focus on a key structural feature of contexts that is likely to be important: the extent and strength of countervailing powers. Following Fung and Wright (2003, 260), we understand *countervailing power* as ‘a variety of mechanisms that reduce, and perhaps even neutralize, the power advantages of ordinarily powerful actors.’ Powers are “countervailing” when they lie outside the control of decision-makers, and yet must be anticipated as they make decisions and develop policies. Countervailing powers are not “democratic” in themselves: they may be deployed by traditionally powerful elites who wish to influence other elites—as when economic elites seek to influence political elites. But powers are likely to function democratically when they are widely distributed, often in the form of latent powers that can be mobilized for purposes of pressure—for example, when labour power is mobilized by union organization. While Arnstein (1969, 216) suggests that it ‘is the redistribution of power that enables the have-not citizens to be deliberately included in the future,’ pushing them up the ladder of citizen participation, here we look more broadly at those countervailing powers that might push participatory governance in democratic directions.

This is not a new idea. In addition to Arnstein’s focus on broadly distributed powers, it is common in the literature on democratization (e.g., Tilly 2007). Our innovation here is to apply this insight from the democratization literature to emerging forms of participatory governance within the established democracies. Accounts of democratization that focus on countervailing power suggest that empowered political inclusions are driven by mobilizations of resources – potential or actual – outside of the direct control of political elites. The basic strategic logic is straightforward: decision-makers and other elites will introduce public engagement processes when they are (a) uncertain about their legitimacy; (b) aware of actors that might make governance difficult; (c) know that they lack information about when countervailing powers are likely to undermine their interests; or (d) where they are uncertain about the kinds of interests potentially impacted by decisions. Such strategic interests are not exhaustive of motivations: elites may also have professional interests and ethics that they may also seek to pursue through participatory governance.

From the standpoint of democracy, then, we need to theorize the kinds of countervailing powers that weaker actors can use to push processes toward more inclusive responsiveness to their interests.

First, we develop two general challenges for democracy within participatory governance. Second, we borrow from democratization theory to develop the general structural logic that connects countervailing powers to democratization, and, by extension, public engagement within the context of countervailing powers to democracy. Third, we theoretically identify seven sources of countervailing powers that are often usable by weaker actors. Fourth, we outline two consequences of countervailing power – deadlock and uncertainty – and theorize how each prevents elites from acting as they might otherwise. Fifth, we distinguish between adversarial and collaborative countervailing powers to examine why deadlock produces stronger incentives for democratic participatory governance. Finally, with the concept of countervailing powers in view, we reconsider the risks to democracy that can emerge within public engagement, particularly co-optation and exclusion.

### **Two Kinds of Challenges to Participatory Governance as Democracy**

Participatory governance is not necessarily democratic. Indeed, examples of participatory engagement by political elites can be found in many authoritarian regimes (He and Warren 2011), as it is a key strategy for managing political demand and undergirding political legitimacy. Political elites within the established democracies often have similar motivations (Fuji Johnson 2015). From the standpoint of democracy, there are two general kinds of challenges that often accompany participatory governance.

#### *Co-optation*

One significant challenge to democratic participatory governance is co-optation of actors in ways that undermine or fracture coalitions aiming at inclusion. Historical examples include elites extending the suffrage just to those in the middle-class who have less extreme demands than the poor and who thus appear as less threatening to vested interests (Acemoglu and Robinson 2009; Ansell and Samuels 2014; Tilly 2007). Co-optation involves processes in which elites seek the approval of citizens or their representatives through consultation, with the effect of co-opting potential opposition, and bringing citizens onside with elite decisions. Or co-optation can involve processes that provide the appearance of consultation for decisions that are effectively made elsewhere and for other reasons. In such cases, elites may try to use processes of deliberation to legitimate decisions, even if the decisions are unaffected by the process, or taken for other reasons, or reflect the preferences of other powerful actors. Fuji Johnson (2011; 2015), for example, develops a number of cases in which normative claims, public pressure, and strategic advantage encourage democratic participatory governance, but the processes themselves had little impact on the ultimate decisions.

#### *Inequalities that Reproduce Exclusions*

Critics of deliberative participatory governance have long noted that it ‘doesn’t equalize the inequalities of inclusion and empowerment,’ while *democratic* ‘deliberation requires that these inequalities have been largely neutralized’ (Cohen and Rogers 2003; Lee et al. 2015). When relevant actors are excluded and do not have the capacity to demand access to such forums, their democratic credentials are undermined (Curato and Boker 2016, 182-183).

In addition, the democratic aspects of participatory governance can be undermined by what Young (2001) called *internal exclusions*. For instance, deliberative forums constructed for democratic purposes can still reproduce broader social inequalities if they devalue (usually unintentionally) the contributions of participants who talk or reason in ways that are unfamiliar to the dominant participants (Lee et al. 2015; Papadopolous and Warin 2007, 455; Young 2001). So while including those who are affected by policies is vital to improving the democratic legitimacy of participatory governance, there is also the problem of the relative influence of those who are included. Socialization, previous experience, education, and other factors may discourage some participants from contributing at all. Actors with resources – economic, political, or professional – can overshadow those with fewer resources, even when they are included in participatory governance. So while including those who are affected by

policies is essential to improving the democratic legitimacy of participatory governance, we should not lose sight of the problem of the relative influence of those who are included.

### **Countervailing Power and Democratization**

These two general kinds of challenges can keep participatory governance from contributing to democracy. In extreme cases, participatory governance can actually reinforce authoritarianism, bureaucratic or technocratic decisionism, and/or broad patterns of inequality. We need to ask: Under what conditions can participatory governance contribute to extending and deepening democracy? One general answer is this: When those affected by governance processes are *empowered* to set agendas, negotiate, deliberate from a standpoint of strength, and to demand accountability, participatory processes will converge with democratization processes. Because power is always relational, we shall need to think about empowerment in relative terms – that is, in terms of *countervailing* power. When empowerments are sufficient to be *countervailing*, they should serve to motivate democratic inclusions.

As we have suggested, it is the comparative democratization literature that has done the most to theorize the place and importance of countervailing power for democratization processes. Accounts of democratization usually focus on the extension of the franchise and related political rights, devices that clearly empower inclusions by enabling citizens to select and remove political elites. The key question within the comparative democratization literature is this: Why would powerful actors concede to redistributions of power? Answers to this question usually focus on the extension of the franchise and related political rights, devices that clearly empower inclusions by enabling citizens to select and remove political elites. There is a growing recognition, however, that there are multiple causal pathways to countervailing powers (Geddes 1999; Haggard and Kaufman 2012; Teorell 2010). One answer that repeats in the literature is that incentives for powerful actors to redistribute power can be found in resources – economic, organizational, and even normative – that are progressively accumulated by those excluded from political power. For instance, Acemoglu and Robinson (2009) conceive of democratization as a process by which the *de jure* power of the state is no match for the *de facto* power of a revolutionary populace, which citizens can use to force credible commitments to political inclusions from elites (see North and Weingast 1989). On this account, inclusion is driven by costly conflict between political elites and those they exclude from power. Ansell and Samuels (2014) provide a different explanation in which they argue that the franchise is extended when wealthy elites seek political empowerments to protect themselves from predation by dictators. Other theories note the importance of other sources of countervailing power, such as social class (Haggard and Kaufman 2012; Rueschemeyer, et. al. 1992), the military (Geddes 1999), or interventions by foreign powers (Levitsky and Way 2006). A recent meta-analysis suggests that democratization is driven by conflicts between multiple groups that are the result of, or made salient by, economic crisis, political pressures from neighbouring powers, regional organizations, peaceful demonstrations, and multiparty autocracy (Teorell 2010).

While these accounts differ in multiple ways, the common thread is the importance of countervailing power (Acemoglu and Robinson 2016). Institutionalized inclusion of new political actors often originates as a way of resolving conflicts in which powerful actors find their interests threatened and calculate that they may suffer greater losses if they do not broaden inclusions. This said, it is important to note that the beneficiaries of countervailing power often do not have much control over its deployment. Often countervailing powers increase simply because of common collective action problems among the elite. Svoblik (2009), for instance, argues that two-thirds of dictatorships collapse due to conflicts among elites rather than struggles with the masses. Similarly, the sources and beneficiaries of countervailing power remain distinct in accounts of democratic transitions that assign importance to international actors (Levitsky and Way 2006).

Others have contended that similar dynamics have propelled further inclusions in decision making in established democracies through the growth of referendums and other devices of direct

democracy (Schiller 2012). While participatory governance is not unique to democratic systems (e.g. He and Warren 2011), it is more likely to be democratic when situated within a democracy. This is, of course, because democracies institutionalize the wide distribution of latent powers that can be mobilized into countervailing forces, most clearly reflected in political and civil rights such as the rights to vote, assemble, and speak freely, but also because welfare supports and protections tend to reduce hierarchical social dependencies and produce relatively well educated populations.

### **Sources of Countervailing Power**

While a key contribution of the democratization literature is its focus on the power resource dynamics that result in expanding inclusions, it focuses primarily on the franchise and related political rights. This relatively narrow focus can limit our understandings of the kinds and extent of countervailing powers, particularly those involved in democratizing public engagement and participatory governance. Some kinds of countervailing powers, as noted above, can be indirectly enabled by the actions of more powerful actors, as in elite competition theories of democratization. In these situations, those with little political influence are empowered by mutual agreement between powerful actors who each hope that broadening inclusions will increase support for policies that support their interests. In looking for kinds and sources of countervailing powers, then, we should cast a wide net, paying particular attention to the forces that can incentivize democratic inclusions. Including but also looking beyond the democratization literature, we believe there are at least seven kinds of patterns that are potentially relevant for democratizing participatory governance (see, e.g., McFarland 1998, 10; Fung and Wright 2003, 260):

(1) *Opposing Elites*: The classic formulation of the concept of countervailing power considers economic elites who have divergent interests coming into conflict. Galbraith (1952) argued, for example, that the increased power of large corporations was offset by the countervailing powers held by unions or governments. The elite competition model of democratization also suggests that conflict between the elites who control government and those who control wealth can initiate processes of political inclusion. The traditional focus on conflict has been increasingly attuned to questions of process and opportunity that reveal that cooperation between actors is often just as likely as conflict (Pettincchio 2016, 168). This said, where political conditions are such that elites can increase their powers relative to other elites through followings, the less powerful may find they have increasing countervailing powers.

(2) *Economic opportunity*: Often elite power is enforced by a fusion of political force and economic organization, as were the relationships of dependence in feudal societies. Economies pried open by trade or entrepreneurship, particularly in ways that provide more opportunities for political elites to tax, also tend to generate middle classes with bargaining power. These processes were important to establishing parliament in England (Bates 1991). In another example, shortages of labour caused by World War II opened opportunities for black tenant farmers in the US South, helping to end that semi-feudal system, and becoming a factor in the civil rights movement (Alston and Ferrie 1993). Contexts that increase demands for labour tend to provide conditions for transforming labour power into countervailing political power, as the history of the welfare state suggests (Rueschemeyer, et. al. 1992).

(3) *Issue Networks*: Issue networks are broad webs of influence made up of interest groups, government agencies, elected officials, journalists, and other members of civil society where membership is flexible and the boundaries are fuzzy (Hecló 1995, 275-277). They have become powerful largely because the growing complexity of policy agendas in contemporary societies has led state authorities to rely on the sources of specialized knowledge that have emerged outside of government (Hallacher 2005, 16-20; Hecló 1995, 276-278). Yet, it is not knowledge alone that provides issue networks with power, as they rely on windows of opportunity to mobilize public support (Michaels 1992, 254-255). Because issue networks are driven by policy activists rather than technocrats, there are career incentives to prioritize dissent over consensus, to refuse assent to finalizing decisions, and to spread blame to other parties in

political conflicts (Hecllo 1995, 284-285; Michaels 1992). As such, issue networks have valuable resources for getting things done, but their incentive structures frequently drive them to obstruct decisions and to organize countervailing power.

(4) *Patrons*: Another source of countervailing power comes from patrons who ‘provide money and other resources to interest groups’ (Walker 1991). While patronage has been used to integrate the less powerful into political machines, over the last several decades more altruistic classes of patrons – often organizations with missions such as the Ford Foundation – have focused on creating and catalyzing political capacities among those who have fewer resources. Sometimes they can produce countervailing powers that go well beyond elite-driven charity (Warren 2001).

(5) *Information*: Information can serve as a source of countervailing power when it is asymmetrically distributed and less powerful actors have knowledge that elites need. Even when information is not asymmetrically distributed, it may be a powerful tool for disrupting the plans of more powerful actors. Investigative journalism provides one such example (Hamilton 2016) as both reporters and elites have the same information but diverging interests in its publicity.

(6) *Associations and social movements*: When individuals organize into political associations such as advocacy groups, the limited empowerments of each individual can be combined in order to effectively press shared demands. These demands gain credibility when associations are able to disrupt by staging demonstrations or boycotts, or to deliver blocks of votes to opposition candidates. When associations are able to organize into social movements, they gain power through their capacities to sustain pressure over an extended period of time (Tarrow 2011). Such capacities require the development of networks with guiding ideological frames and norms that solve collective action problems by keeping their members within the movement and focused on its goals (Tarrow 2011, 16). Much like issue networks, social movements respond to changes in threats and opportunities over time and respond accordingly by drawing on various repertoires of action. Social movements may lose their capacity as a countervailing power if they achieve the outcome they desire, if too many members moderate or are co-opted, or if they fail to modify institutions or culture in ways that facilitate continued contentious politics (Tarrow 2011, 216-220).

(7) *Deliberative capacity and deliberative influence*: Closely related, societies can develop capacities for deliberation, which can in turn be leveraged by social movements into countervailing powers (Dryzek 2009). While the civil rights movement in the US was the result of several favourable conditions – economic, organizational, and political – it was also the result of a tension between universal norms of inclusion that were part of American political culture and the facts of unjust and racist laws, practices, and social structures. Civil rights leaders effectively mobilized by demonstrating these gaps; the media publicized them; members of the American public were awakened, appalled, and discursively mobilized – a process that continues today. On a smaller scale, designed deliberative institutions such as deliberative minipublics can also generate countervailing powers. Deliberative outcomes can be politically compelling even where powerful actors are technically free to ignore their recommendations, in much the same way that consultative referendums can still politically bind governments to a particular course of action (He and Warren 2011; Papadopolous and Warin 2007, 457; Gibson and Woolcock 2008).

### **Consequences of Countervailing Power: Deadlock and Uncertainty**

These several kinds of countervailing power have distinct origins but can function in similar ways. Power is a relational resource that depends upon the cooperation of many actors. Countervailing power amounts to capacities to withhold resources or to mobilize resources outside of elite control, which will tend to diminish or neutralize elite power in ways that are favourable for democracy. When we theorize situations from the standpoint of elites, we can identify two broad kinds of incentives for elites to pursue participatory governance in ways that increase its democratic dimensions.

First, and most obviously, countervailing powers can *deadlock* the use of power by elites (Galbraith 1954, 145). Deadlocks can reduce many varieties of elite power: the powers of coercion, the capacities to extract taxes or other kinds of economic surpluses, or the abilities to produce profit-making, goods and services. More mundanely, agents charged with collective projects, such as building a new road or subway line, policing and security, healthcare, and many other basic features of governance may find that policies, projects, or improvements face gridlock from neighbourhoods, developers, healthcare service providers, and others with resources they can leverage into countervailing powers. In all such cases, powers to accomplish things will depend upon bringing those who hold countervailing powers into some kind of participatory governing process.

Second, and less obviously, countervailing powers can motivate through *uncertainty* even when there are no active deadlocks. Uncertainty is not necessarily a consequence of disagreement and contestation. Rather, uncertainty has its origins in a lack of information about when and where countervailing powers might be organized and deployed. Uncertainty undermines power because potential power resources are less useful when it is not clear how to use them (Cohen and Rogers 2003; Papdopolous and Warin 2007, 457). Uncertainty might simply arise from a lack of information about potential counter-mobilizations, but it might also involve deficits in the kinds of knowledge necessary to solve problems, as is the case, for example, with policing that does not actively engage communities (Fung 2003). In these kinds of situations, information about how to resolve a problem is a source of countervailing power and empowers actors who lack traditional sources of countervailing power. In these circumstances, uncertainty can encourage elites to include less powerful actors who might have relevant information.

Generally speaking, then, uncertainty and deadlock can both limit the autonomy of powerful actors and lead them to explore new ways for resolving conflicts, although the particular type of countervailing power likely affects the resulting methods or institutions (Hendriks et al. 2007; Tilly 2007).

### **Collaborative and Adversarial Countervailing Power**

What is the relationship between the seven sources of countervailing power and the consequences of deadlock or uncertainty? Countervailing power can be adversarial, in which case it is mobilized to apply pressure to centralized decision-making points. When these powers are strong enough they can produce deadlocks that can convince more powerful actors to acquiesce to participatory governance. Yet, countervailing power may also be more passive and produce uncertainties for elites – particularly if weak actors have capacities needed or valued by powerful elites, or which have latent potentials to be mobilized into adversarial power. When weaker actors are brought into participatory governance due to uncertainty, countervailing powers can function collaboratively, in ways less focused on obstruction and more on collective problem-solving by the sharing of local knowledge (Fung and Wright 2003, 260).

Adversarial and collaborative forms of countervailing power are both capable of encouraging powerful actors to turn to legitimately democratic devices of participatory governance, albeit in distinct ways (Fung and Wright 2003). Countervailing power that produces deadlock is strategic and adversarial in a way that often appears at odds with the deliberative nature of participatory governance. The mobilization of adversarial power often depends upon cognitive frames that identify adversaries as enemies, which makes subsequent cooperation difficult.

In some cases, adversarial and countervailing power can work together to expand and democratize inclusions. Consider the example of the Congress of Racial Equality (CORE) and the National Association for the Advancement of Colored People (NAACP) during the era of the civil rights movement in the United States. The more radical, militant CORE used adversarial countervailing power, threatening action if progress is not made. The less radical NAACP was better able to collaborate with other powerful actors precisely because ‘the existence of radical groups makes the

more conservative organizations more acceptable to the general population' (Yancey 1970, 30). This functional division of labour between adversarial and collaborative countervailing powers does not require coordination between the adversarial and collaborative parties, nor does it require shared interests, even though these were both characteristics of the relationship between CORE and the NAACP at various times. Under situations of deadlock, conflicts between powerful actors can generate pathways to inclusion of other actors who have the capacity to participate in processes of governance, even if they do not have the capacities to demand these inclusions or raise issues about co-optation themselves.

In contrast, countervailing powers that produce uncertainty may be more likely to generate collaborative outcomes. Uncertainty may even make it difficult for powerful actors to know what outcome they desire. The inability to take action under uncertainty originates not with a clear conflict of interests, but with an ignorance of interests that makes otherwise powerful actors dependent on the participation of traditionally less powerful actors who may have needed information. This kind of situation is more conducive to collaborative processes of problem solving and deliberation, with parties agreeing to participate because they perceive mutual benefit. For these reasons, collaborative countervailing power is likely to facilitate deliberative engagement, all other things being equal. When actors charged with making decisions find themselves lacking relevant information, then they may create institutions to include participants who have local knowledge or other such insights that might be otherwise neglected. Under conditions of uncertainty it might not even be clear who has relevant information that should be included.

The use of a deliberative forum on biobanking in British Columbia serves as an example of a policy debate where participants 'may have little or no previous knowledge of scientific, regulatory, indigenous, racial, disability and religious perspectives related to biobanking' (Burgess et al 2008, 285). As a complex scientific issue that touches on a number of various ethical concerns, this situation induced policy-makers to pro-actively engage potentially affected publics (in this case, through designed minipublics) just so the process would not become adversarial (Walmsley 2009, 5-7). Collaborative countervailing power may encounter problems if deliberation, by making room for new information, clarifies and structures disagreement between the parties. The BC Biobank Deliberation saw participants mobilize deliberation itself as a source of countervailing power to question the framing of the event, but ultimately the process improved clarity and trust, rather than turning the process into an adversarial one (Walmsely 2009). Yet if actors gather enough information so that their uncertainty dissolves, it is possible for collaborative processes to devolve into adversarial conflict that reflects pre-deliberative commitments. Where this happens, countervailing power may disappear, institutions may cease to be collaborative sites of deliberation, and outcomes may begin to reflect power relations, although good institutional design can mitigate these risks (Fung and Wright 2003, 280-2).

Such circumstances remind us that inclusion is not sufficient for such a process to have democratic legitimacy. Inclusions must be empowered, and this is why adversarial countervailing power is more likely to democratize participatory governance. This said, even where less powerful participants suspect that they may be being taken advantage of, they retain the capacity to exit, taking with them any legitimacy that elites might have hoped to generate through participatory governance (Warren 2011). Exit is particularly powerful when participants control resources that are needed by elites. And in cases of uncertainty where no conflict of interests arises or where consensus emerges, there can be democratization without adversarial countervailing power. As a general rule, however, we think adversarial conflict that produces deadlock is more likely to encourage democratization than uncertainty, as it produces greater incentives for both empowered inclusion and deliberative engagement. We thus agree with the general thrust of the democratization literature: powerful actors are likely to empower inclusions where there is persistent deadlock, with no party capable of achieving their desired outcome and no compromise in sight.

## **Normative Implications of Countervailing Power**

With the distinction between collaborative and adversarial countervailing power in mind, we return to the two kinds of obstacles to the democratic legitimacy of participatory governance. We have been suggesting that strategic conflict may actually produce institutions for participatory governance that are designed to minimize problems of co-optation and inequalities that reinforce exclusion (Papadopolous 2001, 177; Papadopolous and Warin 2007, 460). Yet, generally speaking, such conflicts need to be paired with adversarial countervailing powers, actual or potential, in order for the emerging institutions of participatory governance to be democratic. On the one hand, where adversarial countervailing powers are weak or absent, participatory window dressing remains a viable option for the more powerful actor to attempt to manipulate the process to achieve a desired outcome (Fung and Wright 2003). On the other hand, the existence of strong adversarial countervailing powers makes it possible for political opponents to effectively monitor and contest attempts by elites to unilaterally design institutions of participatory governance (Mackenzie and Warren 2012, 105).

The differences between collaborative and adversarial countervailing powers may appear to suggest an inherent trade-off between deliberative engagement and inclusion. However, it is worth reiterating that it is not merely the breadth of inclusions that matters, but also who is included or excluded, and for what reasons. High levels of adversarial countervailing power may motivate a wide variety of institutional design features to address these problems of co-optation and inequality. While most institutional designs will include directly interested parties or their representatives, some – particularly those such as minipublics comprised of representative samples of a relevant public – will prioritize impartiality, usually by excluding directly interested parties, permitting their inclusion only as advocates who state their cases before a deliberative body composed of less interested participants, much like a courtroom jury (Warren and Gastil 2015). Similarly, some kinds of processes might even exclude powerful actors as participants if their presence threatens to oppress or sustain the oppression of others (Dovi 2009).

Addressing the problem of inequalities that reinforce exclusion does not require that these inequalities are permanently remedied, but rather that they are effectively insulated within institutions of participatory governance (Tilly 2007). Some participants are unlikely to be able to participate unless material resources can be provided, such as a stipend, child-care, or transportation costs (e.g. Neblo et al. 2007; Warren and Pearse 2008, 9-10). Within institutions of participatory governance themselves, there is some evidence that facilitation is capable of bracketing power in this way by maintaining rules of respect and encouraging participants who might not otherwise participate. (Hamlett and Cobb 2006; Landwehr 2014; Ryfe and Stalsburg 2012). Additionally, avoiding internal exclusions might also require oversampling from marginalized groups – that is, ensuring more than proportional representation of these communities – so that their participation is more than mere tokenism (Beauvais and Bächtiger 2016; Karpowitz and Mendelberg 2014; Karpowitz and Raphael 2016; Warren and Pearse 2008, 10).

We have followed much of the literature in paying close attention to the motivations to be found among actors who hold power or countervailing power prior to the establishment of institutions of participatory governance. Motives are almost always mixed. Power holders are rarely motivated by democratic ideals. But they will seek to avoid deadlock or uncertainty, which can back them into democratic processes. They may choose participatory governance simply because it seems like a good way to present their plans to an audience, without intending to empower that audience (Fuji Johnson 2011; Hendriks 2006, 2011). In addition, we are seeing a competitive market emerge in participatory governance, with large numbers of consultants seeking to sell their public engagement processes to decision-makers, often without close attention to the demands of the context (Lee et al. 2015, 15-17).

But motives rarely exhaust normatively significant outcomes, nor should we see self-interested, strategic action as democratically undesirable (Mansbridge et al. 2010). Participatory governance is developing today less because of normative commitments to the ideals of democracy (although such

commitments often exist), but more often owing to concerns about governability in the presence of countervailing powers. Attempts at co-optation or other manipulation of institutions of participatory governance can backfire and stimulate larger demands for democratization. For these reasons, when we study and assess participatory governance, we should be closely attentive to configurations of power and the consequences of these configurations. This general point is reinforced by the recent systemic turn in democratic theory (Warren 2017). For instance, although conflict driven by countervailing power rarely looks deliberative or democratic on its own, it might ‘look beneficial in a systemic perspective’ (Mansbridge et al. 2012, 3). Our focus here has been on those configurations of countervailing powers that will tend to push strategic political conflict toward democratic participatory governance. The participatory governance that emerges under conditions of deadlock or uncertainty often represents compromises among actors to settle issues that cannot be determined through the usual political processes of bargaining or voting. Nonetheless, as Fung (2007, 452) points out, changes in the design of institutions, even if they are instrumentally motivated, can lead to revisions in values as well, suggesting that powerful actors might even come to internalize the norms that underwrite democratic forms of participatory governance, thus motivating further democratization.

## Conclusion

Without countervailing power in any form, *democratic* participatory governance is unlikely to emerge. Both deadlock and uncertainty channel countervailing power in ways that can create opportunities for democratization. Countervailing powers democratize participatory governance by creating conditions under which actors, not necessarily those who control countervailing powers, can have their powers institutionalized in a way that resembles Acemoglu and Robinson’s (2009) account of the transformation of *de facto* to *de jure* power. Institutionalization of democratic powers – voting, organizing, speaking, and advocating – helps to lower the costs of countervailing powers. Where countervailing powers are weak or absent, inequalities of power and other resources are likely to be imported into participatory governance processes. In contrast, strong countervailing powers can push participatory governance toward democratic inclusions, more deliberative processes as parties seek outcomes that will work for everyone, and more legitimate political and policy decisions.

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