Can public deliberation democratise state action? Municipal health councils and local democracy in Brazil

Günther Schönleitner

Within the debate about decentralisation, democratisation, and the role of civil society in bringing about effective democratic government, participation has been widely advocated as a way of making governments more accountable and public services more responsive to user needs and preferences. Moreover, in recent years public deliberation has been proposed as an instrument of strengthening democracy. Calls for such arrangements are largely based on normative arguments or assumptions. Local governments would be willing, or can be compelled, to share a part of their power with civil society actors; these are assumed to be separate and autonomous from the state, yet engaged in public affairs and willing and capable of exerting 'social control' over state action. Deliberative arrangements are supposed to allow for decision-making by force of the better argument rather than power politics, providing appropriate channels for deepening or consolidating democracy from the bottom up. However, there is limited empirical evidence on the determinants and outcomes of deliberative participation. Therefore I turn these assumptions into questions.

First, why would governments give up power and what if they do not? Under what political conditions can we expect deliberative participation to enable civil society to influence public decision-making and effectively control state action? Second, does deliberative participation require civic virtues or a 'Tocquevillean' civil society, and what if these are weakly developed? Third, what institutional formats are required for effective deliberation, how are these likely to come about, and under what conditions can they contribute to consolidating democracy? I examine these questions in the context of Brazil, a highly decentralised country but not yet fully consolidated democracy, that has enshrined participation in the 1988 Constitution and incorporated participatory arrangements into the formal structure of the state. Although Participatory Budgeting (PB) has attracted most international attention, it is deliberative sector councils that have proliferated all over the country since 1990. These councils are functional bodies of joint decision-making of local government and civil society in a range of policy areas. In 1999 there were 27,000 municipal councils, that is on average almost five per municipality;[1] over 4000 of them were municipal health councils (Avritzer 2000:71).

The chapter is based on a comparative study of four cases that were selected by crossing two variables: the political commitment of local governments to participation, and the 'civicness'[2] of the local community. I chose two middle-sized towns in Northeast Brazil (Camaragibe, Camaçari), and two in the southern state of Rio Grande do Sul. The latter are Italian (Caxias) and German (Santa Cruz) immigrant communities with high levels of associational activity, while both north-eastern cases show relatively low levels of civic organising.[3] In both regions I selected one municipality run by the leftist Workers' Party (PT) and another governed by centre-right parties. Popular participation has long been a hallmark of PT that has used it as a tool to disrupt entrenched patron-client schemes, while clientelism has been a longstanding political practice among traditional rightist parties.[4] I focused on the health sector because this is where decentralisation

coupled with civil society participation was first implemented. Thus the outcomes are already more clearly visible.

The chapter is divided into six sections. The first part discusses the theoretical argument that ‘deliberative public spaces’ provide a missing institutional link for bottom-up democratisation. It questions the assumption that civil society is an inherently pro-democratic force and points to the highly demanding conditions needed for deliberative decision-making. Section two examines the extent to which institutional designs helped redress the inequalities that hamper effective deliberation. It shows that local formats varied according to the distribution of bargaining power; hence local designs could not offset inequalities that derived from these very patterns. The third section develops a framework for analysing the participatory performance of the councils on a continuum between ‘hegemony’ and ‘deliberation’. It identifies government commitment and the patterns of political inclusion as the key determinants; in the fourth part this framework is applied to and confirmed by our four cases. The fifth section examines the local ‘public spheres’ and their interaction with the polity. It challenges the neo-Tocquevillean view arguing that political agency, state action, and ideologies were important for whether or not the ‘public sphere’ became an effective democratic force. The final part outlines how the interaction between informal clientelism and formal representative and deliberative institutions may affect the prospects of democratic consolidation. It argues that deliberative democracy presupposes the functioning of representative democracy; it is therefore an outcome rather than a catalyst of democratic consolidation.

Deliberative public spaces: the missing link for democratic consolidation?

Recently attempts have been made to ground deliberative participation into democratisation theory. Avritzer (2002) conceives of such arrangements as ‘deliberative public spaces’ that link ‘the public’ (civil society) and political society; they constitute bridges between a societal sphere of cultural innovation and a polity populated by traditional political actors with ambiguous stances toward democracy and continued undemocratic practices. Public spaces are supposed to transfer new democratic practices from the societal level to political society, thus consolidating democracy. Avritzer builds his essentially normative approach on a critique of both democratic elitism and transition theory that fail, he argues, to explain the functioning and breakdown of democracy in Latin America. The elite-masses dichotomy of the former leaves rational decision-making to elites while limiting the role of the masses to choosing between competing elites. Transition theory does allow for the possibility of undemocratic elites and pro-democratic mobilisation and collective action, but limits the role of mobilised masses to negotiating with elites whose practices are still seen as the key to democratisation. Moreover, Avritzer argues, transition theory neglects the obstacles to democratisation posed by Latin America’s hierarchical and particularistic political culture. The ‘hybridisation’ between emulated modern institutions and traditional informal institutions (e.g. clientelism) makes it impossible to dissociate politics from particularism. The tension between autonomy and dependency, universality and

exceptionalism, equality and privilege has strong anti-democratic consequences that cannot be dealt with by electoral competition and representation alone.

Building on Habermas' concept of the 'public sphere' as an 'intermediary structure between the political system … and the private sectors of the lifeworld and functional systems' (1996:373) Avritzer seeks a third path between democratic elitism and participatory democracy. Yet Habermas does not provide a framework for public deliberation outside liberal democratic institutions. Avritzer criticises this failure 'to connect reason and will formation' and attempts to link both by advocating *institutionalised* forums of face-to-face deliberation where contentious issues can be politically addressed and alternative practices brought from the societal to the political level. These forums and the administration need to be linked through mechanisms of *accountability*, preserving the space for administrative complexity, but challenging the exclusive access of experts to decision-making (2002:49-50). The underlying assumption is that there is a fundamental difference in political attitudes and practices between civil society and political society, the former being seen as the source of democratic renewal and the latter as the source of authoritarianism and clientelistic domination. Avritzer underestimates the likelihood of congruent values and practices in society and polity.

As Putnam argues, 'elite and mass attitudes are in fact two sides of a single coin, bound together in a mutually reinforcing equilibrium. … It would be surprising if elite and mass attitudes were not congruent. A situation of authoritarian elites and assertive masses cannot be a stable equilibrium' (1993:104). Avritzer agrees with Putnam that incongruent attitudes are a source of instability and tension that 'may endanger democracy itself' (2002:6). Therefore he advocates deliberative spaces to transform elite practices. Putnam's assumption of congruent attitudes leads to the determinism of path-dependent vicious or virtuous equilibria, and the inability to explain how these came into being (Boix and Posner 1998:687). Avritzer's assumption of incongruent attitudes requires the postulate that elite and mass attitudes remain unaffected by existing channels of interaction, preventing their eventual convergence into a stable equilibrium. Both positions are problematic.

Avritzer actually maintains the elite-masses dichotomy but inverts their roles in the democratisation process. Not elites competing for the masses' votes promote democracy but civil society bringing innovative democratic practices to an ambiguous political society. This requires 'deliberative public spaces' as transmission belts between society and the polity beyond electoral competition. However, as Dryzek points out, in using the idea of the public sphere as a normative concept, one has to be careful to apply critical standards rather than simply assuming that it is praiseworthy (2000:23). Avritzer recognises that elites *and* masses have an instrumental relation to democracy, but he is probably too optimistic about the societal end of political culture. Bottom-up democratisation via deliberative public spaces may not materialise due to congruent attitudes and practices. It is also conceivable that pressures for democratic renewal flow in the opposite direction. Political society (e.g. committed governments) rather than the public sphere may act as the driving force in attempts at changing the prevailing political practices. Avritzer advocates *institutionalised* public spaces without explaining how such institutions would come about. Who are the 'democratic engineers' and why and how do they shape deliberative institutions? Finally, even if there are incongruent

attitudes in the sense of a democratic public sphere and authoritarian elites, the mechanism of public deliberation may not deliver the hoped-for transformations.

Deliberation is a discursive process in which free and equal participants arrive at collective choices through public reasoning, argumentation, and persuasion. For liberal democrats democracy is about aggregating given, unchangeable preferences prior to the political process, while deliberative democrats believe in the transformation of preferences through political interaction. Arrow's (1963) impossibility theorem has shown the arbitrariness and instability of voting mechanisms. Thus liberal democrats call for 'minimal democracy' limited to the selection of rulers rather than policies, while deliberative democrats advocate non-voting mechanisms of democratic will-formation aimed at consensus. Yet deliberation too is subject to the social choice critique. Processes of argumentation and reflection are prone to strategic calculations, deception and manipulation; and deliberative arrangements rely also on voting if consensus is unattainable. Dryzek (2000:49) replaces consensus with the more realistic aim of 'reasoned agreement', but this too opens the door to bargaining, strategy, and manipulation.

Partly these problems may be overcome by appropriate institutional design. The dilemma is that 'one must postulate either a benign *deus ex machina* to design the institution in question, or have the process of choice about structure subject to all the instability and arbitrariness that social choice theory has identified'. Moreover, 'it is not clear what normative criteria institutional design should be trying to achieve' (Dryzek 2000:44). Restrictions of preferences and options may provide another shield against Arrowian problems. Some theorists argue that deliberation itself 'eliminates preference orderings which cannot be [publicly] defended' (Dryzek 2000:43). As actors need to argue in terms of public interest, they become subject to the 'civilising force of hypocrisy' (Elster 1998:12) or genuinely acquire 'public spirit' (Dryzek 2000:47). Other authors advocate exogenous restrictions. According to Gutmann and Thompson (1996) participants must subscribe in advance to the principles of reciprocity, publicity and accountability, as well as to values and norms such as mutual respect, co-operation, 'civic integrity', and 'civic magnanimity' (acknowledging the moral status of opposed positions). An established need for exogenous restrictions implies that the viability of public deliberation depends on the presence of these values and norms in the respective polity or, at least, among the deliberative public. Even if deliberation does create these virtues where they do not exist *ex-ante*, some sort of political agency would have to establish deliberative institutions and to persuade actors to participate in the first place.

The biggest threat to effective deliberation is inequality. Wright and Fung argue that deliberative arrangements may in various ways be subverted into domination from inside: (1) Participants may generally represent better-off citizens or dominant groups. (2) Even with balanced representation, the better off may use superior resources, information, rhetoric etc. to advance collective decisions that unreasonably favour them. (3) Powerful participants may seek to exclude issues that threaten their interests. (4) If deliberative arrangements seriously challenge the power and privileges of dominant elites, they may be dismantled (1999:18f) or otherwise disempowered. Thus deliberative arrangements need to meet standards of *procedural* equality, like equal access to agenda setting and decision-making, equal treatment in a fair 'contest of reason' etc., and *substantive* inequality. The latter implies 'equal opportunity of political influence', which entails a passive aspect, namely free and uncoerced participation in

decision-making, and an active dimension of ‘equal opportunity to influence others’ (Knight and Johnson 1997:292ff). Bohman (1997) suggests ‘the social capacity to initiate public deliberation’ about one’s concerns as the ‘floor’ of deliberative equality, and the ability of powerful actors to abandon, or remove issues from, deliberation as its ‘ceiling’.

Brazil’s policy councils combine elements of deliberation *and* representation. This adds another dimension to the problem of inequality. The councils are a version of what Cohen (1997) calls ‘associative democracy’, a form of governance in which secondary associations assume a joint regulatory role for solving functionally specific problems. This demands the representation of all stakeholder interests and the integration of marginalised groups into policy-making. As the poorest are likely to be less well-organised or unorganised they may remain excluded from deliberation among collectively organised interests. In such cases Cohen calls for ‘public powers’ to encourage the ‘organised representation of presently excluded interests’ (1997:426). Yet this presupposes the political commitment of those who command ‘public power’ to integrating those excluded. Moreover, Gutmann and Thompson warn against ‘balk-anising’ citizens into many distinct groups, and the parochialism that may result (1996:154).

Deliberation requires representatives to justify their actions not only to their constituency but also to the rest of the deliberative assembly and the general public. This tension is difficult to solve. Gutmann and Thompson stress that ‘in a deliberative forum each is accountable to all. Citizens and officials try to justify their decisions to all those who are bound by them and some of those who are affected by them’ (1996:128). Deliberation widens the scope of accountability to a broader ‘moral constituency’ (Gutman and Thompson 1996:144), transcending geographical boundaries, classes and interest groups. If representatives are accountable only to their own group they leave others (perhaps the majority) without representation, limit their legitimacy as collective decision-makers, and may undermine deliberation itself. If they are accountable to the wider public, constituencies may resent the ‘inattention’ of their representatives to their specific needs and interests.

Finally, the extent to which the inclusion of disadvantaged groups into deliberative arenas has a democratising impact on the public sphere or the polity remains unclear. Arguably, it can have adverse effects. Deliberation may absorb the time and resources of civil society leaders away from other activities such as mobilisation, protesting, campaigning etc. It also may neutralise the comparative political advantage of the poor (their numbers) while exposing them to deliberative inequality. Gutmann and Thompson believe that ‘to the extent that the political struggle takes place on the basis of deliberation rather than of power, it is more evenly matched. … Moral appeals are the weapons of the weak – not the only weapon, to be sure, but one that by its nature gives them an advantage over the powerful’ (1996:133). They seem to assume that deliberation and moral appeals can neutralise adverse power dynamics.

In sum, public deliberation is likely to be caught in several dilemmas that are difficult to solve. How can the need for consensus be relaxed without opening the door for strategy and manipulation? How can the need for deliberative equality be reconciled with economic and political inequality in society, or how can the latter’s effects be neutralised without making the deliberative forum politically irrelevant? How can group

representation become compatible with deliberative accountability? How can we bring about 'associative democracy' without risking 'balkanisation'? Is the inclusion of civil society through state-sponsored public deliberation at all conducive to democracy? And how can democratising institutional designs arise in semi-democratic or authoritarian polities?

Deliberative inequality and institutional design

Deliberative democracy requires institutional designs that redress deliberative inequalities. To what extent has the institutional framework of the CMS delivered such corrections? Brazil's health councils are an essential component of the Unified Health System (SUS) that has decentralised and unified public health care. The councils were designed by federal legislation as permanent and deliberative collegiate organs with representations of the respective government, service providers, health professionals, and users. Their competency is to 'act in the formulation of strategies and the control of the implementation of health policies at the corresponding instance, including in economic and financial aspects' (Brazil 2000:42). The users were granted 'parity' in relation to all other sectors, i.e. at least 50 percent of the seats. Federal resource transfers became contingent upon the council's existence (among other requirements), which largely accounts for the dramatic proliferation of the councils after 1990.

The federal legislation has delegated the councils' organisation and norms of functioning to statutes to be approved by the councils themselves. Carvalho celebrates this as an 'advance in the autonomy of the councils' (1995:62). Yet, this delegation is extremely problematic, for the same reason why *electoral* institutions are normally designed at the constitutional rather than local level. It is hardly desirable to have the rules of democratic will formation subjected to 'institutional competition' across jurisdictions, according to local power dynamics. If the CMS are to be instances of democratic control it is problematic that the primary targets of their control function, local governments, can exert considerable influence in shaping the rules that govern the very mechanisms supposed to control them. These rules include the composition, selection procedures, chair, specific competencies, internal procedures, *etc.* Thus institutional design is both an independent and a dependent variable for participatory performance. It is independent (from a *local* perspective) because the *federal* legislation has established certain principles that cannot be changed by local factors, and created incentives and sanctions to which local actors need to adapt. *Local* designs are both independent and dependent variables. They are independent because they determine key aspects of deliberative equality such as access and agenda setting etc. that shape the outcomes of deliberation. However, local designs are also dependent variables because their corrective capacity is shaped by the interactions of local actors that are subject to the same inequalities that affect deliberation and which institutional design is supposed to redress.

The case selection has given us four distinct patterns of bargaining over institutional design and significant variations in the resulting rules. In *Camaçari* (low civicness, low political commitment) local governments dominated the institutionalisation of the CMS. Although crucial steps of rule setting occurred under leftist or centre-left governments, there are no records of strong and sustained pressure from civil society aimed at shaping the rules. Both these governments sought not only to mobilise but also to control and co-opt civil society; the subsequent rightist administrations continued this tradition. On

the CMS, government dominance and weak bottom-up pressure produced the least equalising design of the selection. The Statute allowed the health secretary to chair the CMS, to appoint its executive secretary, and to control agenda setting. The councillors were nominated by organisations whose representation was rigidly defined in the Statute, which maintained an essentially arbitrary composition that favoured a government majority. The 'user bench' included a representative of the legislature and two business associations allied to the government. Moreover, the government's unrestrained use of leverage over other actors (based on bureaucratic authority, jobs, contracts, provision and withdrawal of favours etc.) harmed deliberative equality.

In *Camaragibe* (low civicness, high political commitment) leftist governments have promoted political transformation from above. The now incumbent mayor (PT) built on a small 'cell' of more civic-minded civil society leaders, initiated a process of civic education, and largely 'engineered' new participatory formats for state-society relations. The institutionalisation of the CMS was the first step in this political project, which was reflected in its relatively equalising design. Local legislation defined the composition in terms of segments among which the non-governmental councillors were to be elected in joint assemblies of all interested organisations. Each user organisation could have either a councillor or a deputy but not both, so as to maximise the number of represented organisations. Neither the delegates to electoral assemblies nor the councillors they elected were allowed to have 'bonds' (especially of employment) to the town hall or the legislature. The council's chair came to be elected in rotation between the four segments. The council appointed its executive secretary, and government control over agenda setting was reduced.

In *Caxias* (high civicness, high political commitment) significant mobilisation and pressure from the 'popular movement' influenced the institutionalisation and design of the CMS in 1992, but caused confrontation and stalemate within it until 1996. Political transformation from the 'bottom-up' brought a committed government to power in 1997, which allowed the CMS to shift from confrontation to participation. A host of new participatory institutions surrounded and consolidated a CMS with a relatively equalising design. The union and neighbourhood movements largely occupied the user bench. The unionists were elected by joint assemblies of their segment, and the neighbourhood representatives in assemblies of all associations in a health district. The same rules of selection applied to all the segments represented on the CMS that comprised more than one organisation. The chair was to be elected from among the users or the professionals. This institutional framework equalised the 'opportunities of political influence' between the 'popular movement' and previously dominant groups like doctors and private providers.

In *Santa Cruz* (high civicness, low political commitment) the institutionalisation of the CMS was associated with intense political bargaining between the union movement and reluctant local governments. The CUT[5] unionists put through the election of the non-governmental councillors and forced the executive to share power when a new inexperienced government came into office. They forged a cohesive user alliance with the support of the local university and established a majority through a mix of articulation, mobilisation and transgression of prevailing rules. The unionists seized control over the selection process and eliminated the business associations from representation on the user bench. In 1997 they achieved that the chair was to be elected by the councillors, which democratised control over the agenda. However, the unionists

also created inequalities within the user camp through their ability to threaten 'dissidents' with exclusion. This clearly violated 'freedom from coercion' – a core requirement of deliberative equality. Yet, it was exactly the formation of a cohesive 'bloc' that enabled the users to develop, pass, and implement their own occupational health programme, and thus to surpass Bohman's 'floor' of deliberative equality.

In all cases some 'exogenous restrictions' on preferences were introduced. In PT-run towns these filters favoured the participation of poorer user segments while excluding business associations, employer unions etc. As Knight and Johnson argue, in order to foster substantive equality it may be necessary to generate procedural inequalities such as the acceptance of unequal (preferential) treatment when disadvantaged groups are incorporated into deliberative arrangements (1997:304). The election of councillors ensured that this did not simply give preferential access to political allies of the government. In Camaragibe these filters also banned party politics from the CMS. In the cases with low government commitment institutional or *de facto* restrictions tended to focus on representatives' 'alignment' with the political project of those capable of imposing access filters. This may also have given preferential access to representative user organisations, as in Santa Cruz, but the objective was the construction or maintenance of majorities. This implied a loss in individual autonomy due to ideological attachment and the use of leverage in contradiction with 'passive' substantive equality.

The need for collective action is an indicator of deliberative inequality (Bohman 1997). It may be a necessary reaction to the use of power rather than reasoning within a deliberative forum. But collective action also causes inequality as long as it relies on building majorities in order to overcome political obstacles to deliberation posed by powerful participants. The relation between majority and minority is one of inequality. Individual preferences are constrained by group loyalties, compromise, and often hierarchies needed to defeat their opponents. Thus collective action is about aggregation rather than deliberation; it implies a search for majorities rather than the best argument, in which strategy and manipulation abound. Thus, if the most powerful actors on the CMS, local governments, are not committed to power sharing and deliberation, the council necessarily shifts to an aggregative, hegemonic logic. This was the case in Camaçari and Santa Cruz, but also in Caxias before 1997.

Deliberation requires that governments act like equals among equals. This is not easy even in cases with committed governments. Deliberative processes shift power to those with better argumentative skills, regardless of their representativity. Institutional formats have responded in various ways to the problem of unequal resources and capabilities, but none of them could actually establish reasonable equality in the capacity to propose. This kind of inequality cannot be simply solved by institutional design. Hence, in all four cases there have been strong calls for training schemes. Yet, there are clear limits to such efforts, not least because there is a relatively rapid turnover of councillors. Moreover, training schemes can hardly compensate for weak or lacking primary or secondary education of exactly those most representative of poorer user segments. The need for specialist training could 'self-select' to the council people who are more educated but less representative, which highlights the trade-off between equality of capabilities and representativity.

Does deliberative equality require the councils to become forums of people with comparable specialist knowledge, or can different forms of knowledge be brought together in a complementary, co-operative way? Pellizzoni concludes that 'the effects of differences among forms of knowledge cannot be overcome … by sitting experts and laymen around a table and instructing the former to justify their actions. Persuading non-experts is not the issue, nor is turning them into experts… Understanding depends on the construction of mutual recognition which, by means of joint management of problems, redefines the division of epistemic work, the connection among competencies – with respect to these problems and not in abstract' (2001:82). Shifting from the 'myth of the best argument' to a focus on 'mutual recognition' and social co-operation may avoid the 'elitist' path of expert committees. But such an approach reinforces the need for both political conditions and civic capabilities favourable to co-operation based on a plurality of reason.

Public space between hegemony and deliberation

The councils may operate as spaces for the argumentative definition of collective preferences; as arenas of struggle for the power to enforce aggregated preferences; or they may combine both to varying degrees. Therefore, in practice the councils move along a continuum between two paradigms:hegemony and deliberation. I have discussed deliberation above. But how can we conceive of hegemony? Gramsci most frequently uses the concept 'to denote a form of social and political 'control' which combines physical force or *coercion* with intellectual, moral and cultural persuasion or *consent*' (Ransome 1992:135). Hegemony has a dual character. It implies 'domination' in relation to antagonistic groups, and 'intellectual and moral leadership' exercised over a 'cohesive and purposeful alliance … of social groups and their aspirations'. A hegemonic 'bloc' needs to transcend 'the particular self-interests of its component parts' (Ransome 1992:136). Both coercion and persuasion can be used not only towards opposed groups but also to establish and maintain cohesion *within* hegemonic groups.

Power is the key factor determining a council's position on the continuum. If powerful actors do not renounce their power over others as a means for shaping collective decision-making, deliberation can hardly be sustained. Both the force of the better argument and the possibility of reasoned agreement succumb to the logic of power and imposition. 'Self-reproducing practices and strategies'[6] by the powerful are likely to trigger responses of resistance and collective action with the rest of the participatory forum threatened by exclusion from influence over decision-making. Antagonistic groups are likely to resort to aggregation and majority building rather than public reasoning, engaging in strategic rather than communicative action. The exercise of power is, of course, determined to a great extent by underlying social cleavages and inequalities. A move towards hegemony is likely to indicate that deliberative inequality within the council has surpassed Bohman's 'ceiling' and 'the process of communicative action must be substantially shaped by struggles between asymmetrically advantaged groups' (Stewart 2001:46). Thus, in the hegemonic paradigm, participation on the councils is characterised by instrumental action and strategies by groups that aim at maximising their own influence upon decision-making while minimising that of opponent groups.

Is deliberation only possible in a utopian power-free space? Let us clarify what we understand by power. Commonly the concept is used to describe situations in which social actors (power holders) are able to induce or force others to act, or prevent them from acting, in ways that advance the formers' interests. These are conceptions in terms of 'power over' or domination, with an essentially instrumental character. Hannah Arendt contrasts this with 'social power' or 'power to' that resides in 'the human ability not just to act but to act in concert' (in Lukes 1974:3). She conceives of power in terms of concerted and communicative action. For Habermas 'the communicatively produced power of common convictions originates in the fact that those involved are oriented towards reaching agreement and not primarily to their respective individual successes' (in Stewart 2001:39). Thus Stewart distinguishes power as domination, referring to 'reproduced asymmetric social relations', and power as concerted agency, understood as 'expressive of communicative interaction' (2001:50).

Applied to our continuum we expect *domination* to push the councils towards the hegemonic, and *concerted agency* towards the deliberative, paradigm. What distinguishes concerted agency from aggregative collective action and strategy is that the former is aimed at producing common convictions or agreements, while the latter seeks to accumulate 'power over' in order to establish hegemony or counter-hegemony. Concerted agency 'can only occur on the basis of some intersubjective framework which specifies the relevant experience(s) as typical of an entire group' (Stewart 2001:54). Thus, deliberation tends to occur *within* such groups that, in their external interactions, may engage in struggles for, or resistance of, the exercise of 'power over'. 'Hegemonic' councils are likely to be internally polarised and deliberation may occur within opposed subgroups. 'Deliberative' councils tend to be de-polarised and deliberation is more likely to take place at council level. Polarisation refers to the council's division into two or more antagonistic subgroups. This typically results from power struggles over competing interests, and the agents of polarisation are likely to be political actors.

'Hegemonic' and 'deliberative' councils tend to differ in the patterns of politicisation, that is, the ways in which actors define issues and interests in political terms, and how they try to mobilise political support to pursue them (see Törnquist 2002a). Politicisation has three dimensions: (1) the issues and interests brought to the political arena, (2) the actors putting them on the agenda, and (3) the ways in which these actors are politically included into the participatory forum. 'Single issues and/or specific interests' are likely to be linked to autonomous associations, networks, cause-oriented movements, or pressure groups (Törnquist 2002a:15). This pattern tends to predominate with 'deliberation'. On the other hand, 'ideologies and/or collective interests' tend to be pursued by 'parties based on societal conflict', 'large sector-based unionism', and/or state actors. This pattern is more likely to be associated with 'hegemony'. The key characteristic of the latter category of actors is that they command or compete for state power, or advance projects and agendas for the polity as a whole. I refer to them as 'political society'[7] to be contrasted with 'civil society'.

The third dimension of politicisation is the way in which actors are included into political participation, and how they relate to each other in political arenas like the CMS. Drawing on Mouzelis (1986) I distinguish 'integration' and 'elitist incorporation'. Integration means political inclusion based on relatively autonomous movements, networks, and associations capable of acting spontaneously and in collective or concerted ways. Elitist incorporation refers to political elites actively encouraging the

inclusion of less well-organised popular organisations and/or individuals into participatory forums. If we apply this dichotomy to our continuum, we get four cells with distinctive patterns of political inclusion and participation. With *hegemony cum integration* we probably see well-organised collective actors bound together by political ideologies and structures of organisation and integration under the leadership of parties or unions, i.e. political society. With *hegemony cum elitist incorporation* we expect state actors to dominate and control the inclusion of non-state actors by means of clientelism and other forms of 'power over'. Again, political society is in the driving seat. With *deliberation cum integration* we probably find deliberative forums populated by well-organised collective actors that act autonomously though capable of spontaneous concerted action. Party politics and ideologies are likely to recede into the background. With *deliberation cum elitist incorporation* we expect the state to actively encourage the inclusion of relatively weak popular organisations as part of a project of civic education and emancipation. Party politics and ideology tend to recede and the government grants relative autonomy to civil society actors.

The role of 'political society' can vary dramatically. While party allegiance and ideologies are vital for galvanising group identities in times of hegemonic struggles, they tend to become obstacles when councils shift from political to technical debate, and discuss health policy rather than the politics of health. Yet, 'deliberative' councils need not be apolitical. The criterion is to what extent they are geared towards discussing competing health care models (which *are* essentially political) in programmatic terms, or serve primarily as stages for party-political tactics and confrontation (often at the expense of public health concerns). Thus, in the deliberative paradigm, we expect political society to play a less salient role on the CMS, and its relationships to other participants will tend to move towards autonomy and emancipation. The four case studies fit surprisingly well into the cells described above. In towns with uncommitted governments the CMS tended to operate in the hegemonic paradigm: the uncivic/uncommitted case (Camaçari) under government hegemony cum elite incorporation, the civic/ uncommitted case (Santa Cruz) under a user-led hegemony cum integration. The PT-governed cases showed no clear hegemonic patterns and tended towards deliberation, but differed in terms of bottom-up integration (Caxias) vs. top-down emancipatory incorporation (Camaragibe). Table 1 shows the positions of the cases in the four cells.

Table 1: CMS by pattern of political inclusion and tendency on the hegemony-deliberation continuum

	Hegemony	Deliberation
Integration	**Santa Cruz** (civic/uncommitted government) User-led hegemony based on consent and threats	**Caxias** (civic/committed government) Relative autonomy, concerted agency
Elite incorporation	**Camaçari** (uncivic/uncommitted govt.) Government hegemony based on leverage and coercion	**Camaragibe** (uncivic/committed government) State-granted autonomy and emancipation

It is difficult to 'measure' the exact position of a council on the hegemony-deliberation continuum. But we see fundamentally different patterns if we look at the councillors' perceptions, in 2001-2, of the autonomy of the CMS vis-à-vis the local government, and the council's influence upon the formulation of health policy. Table 2 shows that both the councillors of the 'deliberative' case (Caxias, Camaragibe) and those in Santa Cruz (user-led hegemony) strongly *disagreed* with the view that the CMS had little autonomy, while a majority in Camaçari *agreed* with this statement. If we look at the user segment alone, nine of ten user representatives in Camaçari agreed that the CMS had little autonomy. In Caxias and Santa Cruz the perception of the users was almost identical with that of the whole council, while in Camaragibe a slightly smaller share of users (62.5 percent) disagreed with the statement that the CMS had little autonomy. Table 3 shows a similar pattern. The councillors indicated the strongest influence in Camaragibe, followed by Santa Cruz and Caxias, and the lowest in Camaçari. The users alone had a strongly more negative view in Camaçari, while their colleagues in the other towns hold similar or slightly more positive views than the councils as a whole.

Table 2: Councillors' perception of CMS autonomy

			The CMS has little autonomy, it mostly does what the executive wants.			
			don't know	agree	disagree	Total
municipality	Camacari	Count		10	9	19
		% within municipality		52.6%	47.4%	100.0%
	Caxias	Count	2	10	19	31
		% within municipality	6.5%	32.3%	61.3%	100.0%
	Santa Cruz	Count		4	18	22
		% within municipality		18.2%	81.8%	100.0%
	Camaragibe	Count	3	3	15	21
		% within municipality	14.3%	14.3%	71.4%	100.0%
Total		Count	5	27	61	93
		% within municipality	5.4%	29.0%	65.6%	100.0%

Table 3: Councillors' perception of CMS influence on municipal health policy

			To what extent has the CMS influenced the current municipal health policy?				
			entirely	significantly	a little	not at all	Total
municipality	Camacari	Count	1	8	8	2	19
		% within municipality	5.3%	42.1%	42.1%	10.5%	100.0%
	Caxias	Count	6	14	10	1	31
		% within municipality	19.4%	45.2%	32.3%	3.2%	100.0%
	Santa Cruz	Count	2	17	3	1	23
		% within municipality	8.7%	73.9%	13.0%	4.3%	100.0%
	Camaragibe	Count	10	11	1		22
		% within municipality	45.5%	50.0%	4.5%		100.0%
Total		Count	19	50	22	4	95
		% within municipality	20.0%	52.6%	23.2%	4.2%	100.0%

The politics of participatory governance

To what extent and how have political factors such as government commitment, the exercise of power and different forms of politicisation shaped the participatory process in the tension between hegemony and deliberation? In *Camaçari* a relatively authoritarian government was reluctant to engage in power sharing and deliberation. It

exploited existing inequalities and exercised power over other participants in order to maintain control over decision-making. Polarisation and power struggles between the government/provider group and a part of the user representatives led to the aggregation rather than transformation of preferences, majority imposition rather than persuasion, and strategic rather than communicative action. These strategies involved manipulating access and composition, bypassing the council, exerting leverage, strategic use of information, imposing rules etc. Political society (state actors) rather than civil society dominated the council, aimed at minimising the influence of opponent groups whose ability to initiate deliberation on issues of their concern was limited indeed. The 'opposition' felt relatively powerless. It was unable to forge a cohesive counter-hegemonic bloc because of horizontal distrust caused by several users' vertical bonds to government and politicians, and the local CUT's failure to exert the required leadership.

In *Santa Cruz* participation on the CMS was historically characterised by the hegemony of local governments seeking to exclude politically opposed user organisations such as the unions of CUT. These unions embarked on constructing a counter-hegemonic alliance, which eventually established its own hegemony based on both 'consent' and 'coercion' among and over the rest of the unionist camp and other user associations. Political society was the driving force: first the government, then the unionists with strong links to PT. Aggregation rather than deliberation was the dominant game; and polarisation between the user bloc and the government/ provider group led to intra-group deliberation within the hegemonic bloc rather than the whole council. The relationship between the antagonistic groups was based on strategic rather than communicative action. Yet, despite the users' majority, it was power sharing and negotiation rather than imposition that characterised their interaction with the government, which by its very nature was too powerful to be dominated by the user-led CMS.

In *Camaragibe* the government was committed to popular participation as the key to its strategy of political transformation from above that sought to include the poor and their organisations into the political process in ways that broke with clientelism. This 'emancipatory populism' mobilised 'the people' directly in order to bypass/disrupt the longstanding collusion between community leaders and clientelistic politicians. It incorporated citizens and leaders into participatory forums without co-opting them. The government sought to make participation credible through transparency, sharing responsibility, and negotiating rather than imposing. The council's move towards the deliberative paradigm was associated with depolarisation, the retreat of party politics, the salience of civil society rather than political society, but also a predominance of fragmented and parochial interests. In general, participation was based on communicative rather than strategic interaction, although neighbourhood representatives occasionally resorted to community mobilisation to push special interests. Decision-making tended to rely on negotiated agreements rather than consensus.

In *Caxias* the council's tendency shifted from hegemony to deliberation after PT came to power in 1997, committed to power sharing and deliberation. However, the establishment of autonomous concerted agency was difficult, due to a 'parent-child' relation between the government and the council, deriving from the previous counter-hegemonic alliance that bound together users, professionals and leftist activists now in government. The government did not attempt to dominate the council, and there was little or no polarisation, alliance building, or intra-group deliberation. Communicative rather than strategic interaction characterised the process of participation. Nevertheless,

many councillors felt that their participation was formal and they did not effectively share in the joint formulation of policies. However, this 'paradox' had less to do with government reluctance than with a certain relaxation of user participation due to political loyalties to their allies in the government and relative satisfaction with the performance of health provision.

Camaçari and Santa Cruz show that the government's exercise of power as domination or concerted agency and the patterns of political inclusion were important factors for explaining government hegemony or user-led hegemony, respectively. Santa Cruz also showed that forced power sharing is not enough for a shift to deliberation. This requires real commitment to 'concerted agency'. Camaragibe and Caxias were both ruled by PT for which deliberative participation was a crucial part of its political strategy, but the civic context varied. In Camaragibe the political inclusion of civil society actors relied on incorporation through 'emancipatory populism', while in Caxias it was based on integration and bottom-up political transformation. Yet, neither of them fully reached the deliberative ideal due to 'balkanised' agendas or relaxed intensity of participation resulting from user satisfaction and/or political loyalty. Although decision-making was generally based on argumentative processes, disagreement was often solved either by negotiation or majority voting rather than consensus. In Camaragibe negotiated agreements did not prevent some civil society actors from resorting to grassroots mobilisation in pursuit of parochial interests.

The councils occupied a certain position on the continuum in their overall functioning, but to some degree they may move back and forth between hegemony and deliberation depending on the nature of the decisions, actors and interests. Even on an overall hegemonic council a move to deliberation is possible if an issue is politically little contentious, or the actors are less interested or less informed. On overall deliberative councils decision-making may shift to an aggregative, hegemonic logic if strongly contentious interests are at stake on which the actors have clear, relatively inflexible and articulated positions (although this may imply a high political price). Delegating issues to commissions may also narrow the scope of deliberation. These commissions can either become instruments of specialist authority in order to deal with complexity or forums of bargaining and negotiation to solve conflicts. As government commitment is crucial, the councils are clearly sensitive to political change. The overall tendency of the council changed only in Caxias. The CMS of Santa Cruz did not change its hegemonic tendency, but only the dominant alliance. The council of Camaragibe did not yet change its overall tendency, but if an uncommitted government should come to power it is likely to shift to government hegemony rather than civil society-led hegemony due to fragile horizontal ties and weak capability of alliance building.

The variations in the councillors' perception of the CMS's influence upon local health policy can largely be explained by the extent to which local governments were prepared, or could be forced, to share power. However, it was also shaped by the nature of actors' grievances and demands, the perceived gap between their needs and actual service provision, and the resulting intensity of participation. If user satisfaction is high, both demands and participation may weaken, and user influence may be lower than expected if we look at power sharing alone. In our cases the users perceived the council's influence to be strongest in Camaragibe, followed by Santa Cruz, and to a significantly lesser degree in Caxias. They indicated the weakest influence in Camaçari. This is in line with the patterns of power sharing, except in Caxias. Here the perception of relatively

low influence reflected also relaxed participation resulting from high satisfaction with health services, and partly also from the political proximity between the government and many users and professionals.

Table 4 shows the satisfaction of both the user segment and all CMS councillors with health provision under 'full local management'; Table 5 shows their perceptions of who benefited most from municipalised health care. Satisfaction was very high in Caxias, and a majority felt that the poor benefited most. The same is true for Santa Cruz, but there the users were engaged in a hegemonic struggle, which prevented them from relaxing their participation. In Camaragibe a majority was happy with access but most users were discontent with quality; a majority of users and councillors saw the local government as the big beneficiary. In Camaçari a slight majority of users perceived the results of 'full local management' to be negative or indifferent in terms of both access and quality, while most of them saw the local government, private providers, and individual politicians to benefit most from municipalisation.

Table 4: Councillors' satisfaction with health services under local management

	How do you evaluate the results of the 'full local management' of health care concerning the access to and the quality of services?							
	Camaçari		Camaragibe		Caxias		Santa Cruz	
	CMS	users	CMS	users	CMS	users	CMS	Users
Access								
Don't know	-	-	4 (19.0 %)	1 (12.5 %)	1 (3.3 %)	-	2 (8.7%)	2 (20.0 %)
Positive	**11 (61.1 %)**	**4 (44.4 %)**	**14 (66.7 %)**	**6 (75.0 %)**	**27 (90.0 %)**	**15 (100 %)**	**20 (87.0 %)**	**8 (80.0 %)**
Negative	3 (16.7 %)	3 (33.3 %)	-	-	-	-	1 (4.3%)	-
Indifferent	4 (22.2 %)	2 (22.2 %)	3 (14.3 %)	1 (12.5 %)	2 (6.7 %)	-	-	-
Quality								
Don't know	-	-	5 (23.8 %)	2 (25.0 %)	1 (3.7 %)	-	-	-
Positive	**10 (58.8 %)**	**4 (44.4 %)**	**12 (57.1 %)**	**3 (37.5 %)**	**23 (85.2 %)**	**11 (84.6 %)**	**19 (95.0)**	**7 (100 %)**
Negative	3 (17.6 %)	3 (33.3 %)	2 (9.5 %)	2 (25.0 %)	2 (7.4 %)	2 (15.4 %)	-	-
Indifferent	4 (23.5 %)	2 (22.2 %)	2 (9.5 %)	1 (12.5 %)	1 (3.7 %)	-	1 (5.0%)	-

Source: author's questionnaire

Table 5: Beneficiaries from the municipalisation of health according to councillors/users

	Who benefited most from municipalisation?							
	Camaçari		**Camaragibe**		**Caxias**		**Santa Cruz**	
	CMS	**users**	**CMS**	**users**	**CMS**	**users**	**CMS**	**users**
Municipal government	**14 (73.0%)**	**9 (90.0%)**	**16 (72.7%)**	**5 (55.6%)**	13 (41.9%)	4 (25.0%)	**13 (61.9%)**	**7 (77.8%)**
State government	3 (15.8%)	1 (10.0%)	2 (9.1%)	-	5 (16.1%)	3 (18.8%)	3 (14.3%)	-
Federal government	1 (5.3%)	-	6 (27.3%)	-	6 (19.4%)	4 (25.0%)	2 (9.5%)	-
Individual politicians	**6 (31.6%)**	**5 (50.0%)**	1 (4.5%)	1 (11.1%)	2 (6.5%)	-	-	-
Public providers	3 (15.8%)	1 (10.0%)	5 (22.7%)	2 (22.2%)	5 (16.1%)	5 (31.3%)	2 (9.5%)	-
Private providers	**9 (47.4%)**	**7 (70.0%)**	6 (27.3%)	4 (44.4%)	1 (3.2%)	1 (6.3%)	3 (14.3%)	1 (11.1%)
Health professionals	2 (10.5%)	1 (10.0%)	6 (27.3%)	3 (33.3%)	8 (25.8%)	5 (31.3%)	2 (9.5%)	-
Particular user groups	5 (26.3%)	1 (10.0%)	8 (36.4%)	4 (44.4%)	12 (38.7%)	4 (25.0%)	4 (19.0%)	1 (11.1%)
The poor	7 (36.8%)	1 (10.0%)	10 (45.5%)	4 (44.4%)	**17 (54.8%)**	**9 (56.3%)**	**16 (76.2%)**	**8 (88.9%)**

Source: author's questionnaire. Multiple responses were possible.

The case studies have also confirmed that participation on councils with both hegemonic and deliberative tendency was constrained by inequality in technical capabilities and expertise. The councils were primarily forums of information exchange, demand making, and denouncing, rather than policy formulation. Civil society actors' control function was constrained by limited access to information and specialist knowledge. Their 'deliberative' influence[8] upon policy formulation was greatly reduced as they lacked the technical skills for being aware of available policy options and drafting their own proposals. Thus it was frequently not the strength of their arguments that enhanced the councillors' influence, but the political clout they had, for instance, through a user-led hegemony in Santa Cruz or the government's political imperative of 'emancipatory populism' in Camaragibe.

The public sphere: source of democratic renewal?

Government commitment, patterns of political inclusion, and institutional design were important factors. But what accounts for them? How can we understand, for instance, the different ways in which user representatives in Camaçari and Santa Cruz responded to local government's reluctance to share power and engage in serious deliberation? Do the councils just reflect the prevailing dynamics of state-society relations? Let us look more closely at the characteristics of the 'public sphere' and its interaction with the polity. In examining local public spheres we have to answer three questions. What are the attitudes and practices of local civil societies with regard to the public domain? How do these attitudes and practices translate into patterns of civic engagement and participation once deliberative public spaces are available? And how does political society shape civil society's attitudes and practices?

Although Putnam and Avritzer disagree on the likelihood of incongruent values and practices between elites and the masses, they do share a bottom-up approach expecting more democratic potential in more civic settings. For Putnam citizens in a civic community, 'though not selfless agents, regard the public domain as more than a battleground for pursuing personal interest' (1993:88), and 'citizens …, like their leaders, have a pervasive distaste for hierarchical authority patterns' (Putnam 1993:104). Civic communities demand more effective public services and act collectively to get them (Putnam 1993:182). Avritzer expects democratic innovation to emerge more likely from the public sphere, although he recognises that some support is needed from sectors of political society. Such political actors are prepared to give up part of their power in favour of institutions that incorporate citizens and try to establish a new relationship between state and society (2002:170). However, both Putnam and Avritzer fail to capture the role of political society in shaping the prospects for the public sphere to become an effective pro-democratic force. They also neglect the possibility, and sometimes the necessity, of top-down transformation of a public sphere still caught in clientelism.

The standard neo-Tocquevillean account of civil society-centred transformation stresses the importance of civic associations as a school of democratic values, tolerance, co-operation and civic engagement. Participation in associations is perceived as a check on, and counterweight to, state power. Membership even in non-political associations creates the skills necessary to engage in political participation, and this participation in turn brings about effective democratic governance. However, our four case studies suggest a somewhat differentiated pattern. First, there is *no automatic translation of vibrant community into civic engagement with the polity*, as the case of Santa Cruz attests. The German settler community is one of the world's largest centres of tobacco production based on contract farming arrangements integrating small growers and multinational processing industries. Its vibrant associational life was historically aimed at maintaining German cultural identity and substituting for lacking state services rather than transforming the polity. Vibrant community life has co-existed with 'hierarchical authority patterns' on the part of political society; and political engagement and participation have not matched the vibrancy of associational activity.

Until 1996 politics was effectively an elite affair and (even since then) the patterns of civic engagement have hardly followed the neo-Tocquevillean script. The local (German) elite, politically organised in PPB (the heir of the military regime's ARENA),

ruled the town for 20 years before 1997. They embodied insulated elitist technocracy rather than participatory politics. Due to compulsory voting we are unable to use voter turnout for measuring political participation; but in terms of party membership Santa Cruz does not stand out. According to Schmidt (2002),[9] only 7.7 percent of the electorate are party members.[10] Most citizens 'distrust political agents, parties and institutions; have median interest in politics, prefer democracy to dictatorship, and exhibit relatively low levels of political information. They participate very little in activities of the municipal executive and legislature, and vote according to the personal qualities of candidates rather than those of their parties or ideologies' (Schmidt 2003:50). Santa Cruz has not been a stronghold of clientelism but a rather self-reliant society with a 'do-it-yourself' approach to the public domain. Due to relative economic prosperity fewer people than elsewhere depend upon government favours. But the exchange of favours for votes has existed nonetheless; and the programmatic profiles of most parties in Santa Cruz have not differed much from those in less civic areas. In sum, we largely find Brazilian 'normality' despite outstanding levels of civic activism. 'Civic energies' were diverted away from the polity. The user hegemony on the CMS does not reflect a general pattern of an assertive, politically engaged civil society. Rather, it reflects the determination of a small group of unionists who learned to trust each other, built a cohesive alliance, and skilfully used political opportunities and legal loopholes in order to advance their project.

The second contradiction to the neo-Tocquevillean account is that *the nature and roles of emerging public spheres in uncivic settings depended crucially on the government's attitudes and policies towards civil society*. Both Camaragibe and Camaçari are uncivic communities embedded in traditional vertical bonds and hierarchical social structures. During the early 1980s leftist militants and Catholic Church activists helped organise these poor communities in neighbourhood associations, self-help groups, mothers' clubs, etc. Leftist unionists also managed to 'conquer' the labour unions in Camaçari hitherto considered *'pelegos'* (elite co-opted). These religious and political value suppliers sought to instil horizontal co-operation and solidarity in a social fabric thoroughly pervaded by clientelism. Partly as a result of these efforts, both municipalities elected leftist mayors in 1985 and 1988, respectively, but state-society relations would evolve in very different trajectories.

Camaçari has been Bahia's industrial powerhouse ever since a large petrochemical complex was created by the military regime in the 1970s. In 2001 Ford implemented a large assembly plant on its territory. Camaçari has high rates of poverty, yet it is rich in municipal tax revenues that it earns from the local industries. This has caused fierce local political competition in which two episodes of leftist government ended in disaster (exacerbated by a hostile state government that withheld constitutional transfers in order to punish a local government opposed to it). In 1986 Caetano, a leftist militant, was elected after he had helped organise about 100 neighbourhood, women's, and youth associations. What Caetano had built from the bottom-up he destroyed from the top-down: an autonomous civil society. Once in power he 'aligned' and instrumentalised a civil society that could never establish its autonomy. Today he admits that the 'popular movement' was 'already born with the philosophy of a dependent movement'. The following rightist administrations (interrupted by another hapless centre-left term) under Tude, a follower of Bahia's 'strongman' Antonio Carlos Magalhães, continued the politics of tutelage and alignment, transforming civil society into a political battleground. He undermined associations perceived as 'opposition' by actively

encouraging 'aligned' rivals with easier access to public resources. Tude's government was a mixture of modern technocracy and patronage. Many associations were seen to 'belong' to certain city-councillors. Pervasive vertical bonds to clientelistic politicians fragmented civil society and hampered horizontal collective action. The choice between being friend of the powerful or facing the consequences left little room for autonomous participation. The performance of the CMS mirrored these patterns of state-society relations and state action, and the 'deliberative public spaces' could do little to transform them.

Camaragibe is a poor 'dormitory town' on the outskirts of Pernambuco's state capital Recife. It saw the rise of leftwing politicians resulting from a local power vacuum after the town's political independence from its neighbouring municipality in 1982. These politicians embarked on a gradual process of leadership-driven political transformation. After Mayor Santana (PT) came to power in 1996 he introduced several councils and a version of PB enabling citizens and communities to achieve improvements through collective action and mobilisation rather than particularistic ties to politicians. This undermined clientelistic city-councillors and traditional community leaders 'addicted' to favours and privileges. The executive encouraged new leaders by having the people elect delegates for PB. Clientelism came under considerable pressure, but the process suffered several setbacks due to weak and fragmented horizontal ties. The administration had to change the rules repeatedly to avoid the subversion of deliberative forums by particularistic interests. PB contributed to the demise of the neighbourhood federation and failed to bring about a 'reinvention' of civil society. Many new leaders were prone to the same old practices; clientelistic allegiances continued, and many citizens tended to focus on particularistic and parochial concerns. People still look up and down social hierarchies rather than to their fellow citizens for solving problems. The difference is that they now see a government that encourages collective rather than particularistic solutions, and creates institutional channels for it. Continued committed leadership is crucial for a long-term process of civic education. The CMS has not yet suffered a serious backlash due to councillors who are strongly committed to participation and citizenship. But with the possible election of an uncommitted government the normative consensus on deliberation could break down.

Thirdly, the case of Caxias shows that *bottom-up political transformation through democratic public spheres is possible. But this is likely to require a vibrant civil society intermeshed with and politicised by progressive parts of political society. The transmission belt between society and the polity is then the electoral mechanism rather than deliberative public spaces,* which can only function reasonably well once a committed government has come to power. The functioning of electoral competition as a means of democratic transformation has to precede the full operationalisation of deliberative spaces, which makes them an unlikely tool of democratisation. What distinguishes Santa Cruz and Caxias is that in the latter case leftist activists managed to penetrate grassroots associations connecting them to party politics. The unifying appeal of their ideology helped create an effective electoral alliance between the working and lower middle classes, and the balance of power began to shift. This did not happen in Santa Cruz probably because it is a municipality whose 'backbone' is still the rural economy. A different class structure meant that the conservatism of rural communities weighed more strongly in local politics. Leftist activism in Santa Cruz started only in the 1980s. But even there some electoral-political transformation had to take place (the defeat of the power elite around PPB and the election of a 'populist' mayor in 1996)

before the union coalition could strengthen its grip on the CMS forcing the government to share power.

Caxias is a prosperous centre of Italian immigration. It started as a settler society based on small farming, but quickly evolved into a regional industrial centre. The (Italian) elite has had vested local interests and was long divided between UDC (a rightist coalition) and PMDB (the 'official' opposition to the military's ARENA). Civil society was historically organised around the church, also with the purpose of maintaining cultural identity, and promoting co-operation and sociability. Yet, the drive to political engagement and interest representation emerged earlier and more strongly than in Santa Cruz. Communist activists started to organise the neighbourhood associations in the 1960s. During and after the dictatorship the local Church inserted itself strongly into civil society training community leaders. Around 1990 PT and the communist PC do B took over the unions; yet these lost force due to liberalisation and industrial restructuring. PT militants also politicised the neighbourhood associations whose federation UAB aggregated some 55,000 people. Although UAB and the unions were part of the 'Popular Front' that came to power in 1997, they maintained relative autonomy. The government raised the number of sector-policy councils to 24 and carefully designed a PB scheme so as not to harm the neighbourhood associations by eliminating their intermediary role in favour of citizens' direct participation; in effect PB strengthened the associations. Both PB and the councils curbed the particularistic tendencies of city councillors and clientelism largely disappeared. Yet, the participatory experience of the CMS and other 'deliberative public spaces' is an expression of these wider processes of societal and political transformation (in tandem) rather than having caused them in any significant way.

Incongruent attitudes between civil society and political society may not be as frequent as Avritzer suggests. The only clear case of elite-society dissociation was Camaragibe where democratic transformation has been a difficult top-down process. Only in Santa Cruz could we see a clear deviation of the participatory patterns on the CMS from the macro dynamics of state-society relations. Thus the CMS had a transformative character both in Camaragibe and Santa Cruz but hardly so in Camaçari and Caxias (which were cases of congruence and conformity). In Santa Cruz the CMS was an arena for bottom-up transformation against the odds of an otherwise little assertive or politically engaged civil society. In Camaragibe it was one of several instruments of a government-induced transformation of attitudes and practices at societal level. Thus the arrow of democratic renewal did not always point in the direction expected by Avritzer.

Putnam's notion of congruence and determinism has not been confirmed either. As Wood argues, the democratic promise of social capital 'often remains on the horizon until connected to explicitly democratic political organising' (2001:262-3). All cases point to the crucial role of two big absentees in the Putnamian version of the neo-Tocquevillean account: the ideational content of social ties and networks, and political agency both by governments and parties or unions. When it comes to civic engagement, community ties play different roles depending on whether they embody ideas and values aimed at political transformation rather than sociability or the capture of patronage. Political agency was crucial for shaping the ways in which civil society related to the public domain. There have been pre-dispositions for 'integration' or 'incorporation' deriving from historical endowments of 'civicness', structural conditions, and different levels of deprivation. But it was state agency that accounted,

for instance, for the variations in the form of incorporation between 'clientelistic authoritarianism' (Camaçari) and 'emancipatory populism' (Camaragibe).

The importance of political agency is good news insofar as it breaks with the deterministic notion of entrenched path-dependent equilibria. It is bad news in the sense that it is difficult to envisage structural explanations for pro-democratic political leadership in uncivic, clientelistic settings. How does it emerge and how can it be replicated on a more general basis? Avritzer is too dismissive of the democratising potential of reforming representative democratic institutions. He neglects the point that the prevailing constitutional rules are a source of continued clientelism. Brazil's political and electoral institutions systematically encourage the fragmentation of the party system, undermine politicians' loyalty to parties, and personalise election campaigns. A reform could do much to discourage clientelistic politics, improve the functioning of deliberative arrangements, and reduce the burden on them of having to transform political society against the working of a powerful adverse incentive structure.

Institutional interaction and transformation

The democratic potential of deliberative public spaces depends not only on attitudes and practices at the levels of society and polity but also on the interaction of these institutional innovations with the overall institutional template. As Dryzek points out, 'introducing additional stability-promoting institutional rules is not cumulative; the interaction of different rules that induce stability in isolation may together induce greater instability'. It is therefore difficult to 'predict the effects of any combination of institutional innovations' (2000:44). The introduction of new, or redesign of prevailing, institutions is bound to destabilise existing settlements (Knight 1992). Indeed, deliberative arrangements are intended to do exactly that. They are therefore likely to be contested. This contestation takes place in the context of institutional hybridism in which vertical particularistic ties conflict with horizontal bonds of class-based representation, co-operation, and collective action. Trading privileges rather than general problem solving is at the heart of clientelistic politics. Although clientelism may involve 'elements of collective organisation and identity' (Gay 1998:14), co-operation becomes difficult to sustain as various clienteles compete with each other for patronage. This has strong fragmenting effects. Patrons command, or intermediate access to, resources the clients want to share in. Clients are supplicants and patrons are donors, which leaves little room for demand making based on rights and citizenship.

Clientelism interacts with formal institutions of democratic representation. This is the starting point of Avritzer's argument and a major rationale for deliberative arrangements. Clientelism corresponds with Brazil's constitutional order of strong executive and weak legislature, dysfunctional electoral institutions, and a weak, fragmented party system. This leads to personalised, non-programmatic electoral competition rather than the aggregation of broad class-based interests. There are thus strong institutional incentives for using clientelism as a political strategy. Local legislatures regularly function as centrepieces of clientelistic systems. Yet, clientelism also disempowers the legislature. In order to sustain client networks city councillors often rely on government-controlled powers and resources, which they can access only by becoming clients themselves of the executive. This is why so many mayors in Brazil have comfortable majorities in the legislature despite highly fragmented party systems.

The legislators compete as clients for patronage, and as patrons for clients; they need to gain influence over neighbourhood associations and other CSOs by co-opting community leaders. Although clientelistic allegiances divide and weaken the associations, they are important for increasing the reach of client networks, helping patrons to maximise electoral returns.

Deliberative arrangements interact with representative institutions by reducing the legislature's power over budgeting. City-councillors find it hard to reject a budget worked out with the participation of thousands of citizens. Both in Caxias and Camaragibe the chambers tried to block budgets in order to enforce their right to introduce amendments (which are core tools of particularism) but they had to back down under public pressure. As citizens' demands are publicly processed under transparent rules, PB disrupts the legislators' role as inter-mediators of particularistic demands. Therefore, PB has far more potential of transforming clientelistic politics than sector-policy councils. Nevertheless, there are also tensions between the legislature and the councils. Uncommitted governments often use the legislature for bypassing or pre-empting the councils, especially when they have a majority in the legislature but face difficulties to get council approval. What are the implications of the weakening of the legislature? A focus on deliberative arrangements risks marginalising legislative representation rather than reforming it. This empowers the executive and increases further the dependency of deliberative arrangements on government commitment. Moreover, clientelistic city councillors may resort to 'compensation strategies' trying to subvert deliberative forums.

Clientelism may subvert deliberative arrangements by providing an institutional alternative to the 'contest of reason'. For instance, in Camaragibe several PB delegates in the first year selected priorities according to their own particularistic interests rather than those of their communities. Hence, the government gave the population the right to vote on the delegate list and any citizen could suggest additional projects. Yet, some delegates subverted the system by mobilising the community strategically and selectively in order get their projects elected. Thus, the local government took over the task of mobilisation. Even so, delegates and city councillors mobilised voters from outside, which is not allowed but difficult to control. Some elections were contested on the 'ethics commission', but the actors involved conspired to maintain them.

Deliberation may undermine deliberation. There is an unresolved tension between the councils that deal with sector policies and PB that is concerned with public investments in any sector within a specific geographic area. This may result in contradictory decisions. In Caxias and Camaragibe such conflicts led to government-backed renegotiations between CMS and the respective community, but this tension potentially does harm the credibility of deliberation. Another problem is policy co-ordination between deliberative councils. There is again the danger of sectorally fragmented and contradictory decision-making. This has been felt most strongly in Caxias with its 24 sector councils, prompting the government to take steps towards integration and harmonisation through a 'forum of municipal councils'. The challenge is how sector-specific and geographic deliberation can be made compatible with integrated, long-term, and municipality-wide planning.

Conclusions

The case studies challenge simple notions of bottom-up transformation and suggest a complex interaction of a 'causal triangle' between political commitment, civicness, and institutions that shapes the participatory performance and democratising potential of deliberative spaces like CMS. Only a positive interaction of all three dimensions is likely to make deliberation work. Government commitment is the key factor that determines a council's tendency on a continuum between hegemony and deliberation. The former is associated with polarisation, strategic interaction, and the aggregation of preferences; the latter with de-polarisation, communicative interaction, and the transformation of preferences.

Yet, it is government commitment combined with patterns of civic organising that shapes the outcomes of participatory interaction on the CMS. With weak horizontal ties, the political inclusion of societal actors tends to be based on 'incorporation', either through clientelism/ authoritarianism or 'populist' emancipation, depending on the exercise of power. With strong and politically activated horizontal ties (i.e. with ideational contents based on 'political' values) the form of inclusion is likely to be integration. Again, this can lead to hegemonic struggle or concerted agency, depending on the government's political project. The outcomes of hegemonic struggles depend on the nature and strength of civicness, the local power distribution, institutional factors, and political opportunities. They can lead to government hegemony, civil society counter-hegemony, or stalemate.

Supportive institutional design needs to redress deliberative inequality, insure against volatile political commitment, and encourage civicness. To the extent that these institutions are defined locally, their 'corrective' capacity depends upon local political commitment and/or the strength of bottom-up networks. Local designs are therefore dependent variables subject to the same inequalities they would have to offset. With weak political commitment and weak civicness institutional formats that protect public deliberation and safeguard reasonable deliberative equality can only originate from benevolent central governments. Outside agencies may also have to enforce deliberative rules and decisions.

Deliberative participation is embedded in rather than autonomous from local power dynamics, which it is meant to transform. Deliberation depends upon a peculiar power constellation that remains fragile, especially if not bolstered by strong horizontal forms of civic and political organising. Effective deliberation presupposes conditions most likely to be found in already more democratic polities. This suggests a 'hierarchy' between representative and deliberative democracy. Conventional means of 'aggregative' politics and electoral transformation are logically prior and superior. Only with power-political obstacles removed can public deliberation contribute to deepening democracy. Democratic consolidation can hardly be achieved by prescribing deliberative 'add-ons' to the prevailing institutional matrix. Any serious attempt to overcome 'institutional hybridism' must address the malfunctions of the country's core political institutions of representative democracy.

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[1] IBGE, www1.ibge.gov.br/ibge/presidencia/notícias/ 1704munic.shtm (17/04/2001)

[2] By 'civicness' I mean the characteristics of civic organising and the attitudes and practices of civil society actors towards the polity. I took membership in associations as a proxy for civicness. Putnam's

(1993) other three measures are hardly applicable to the Brazilian case. Newspaper readership would be distorted by varying literacy rates. Electoral turnout is inappropriate because voting is compulsory. 'Preference voting' is a specific Italian institution. In Brazil voting is generally highly personalised.

[3] Two data sets by Brazil's statistics agency (IBGE/PNAD 1988 and IBGE/PME 1996) demonstrate variations in associational life, one across six states, and the other across metropolitan regions. They confirm that the South is most and the Northeast least 'civic': in Rio Grande do Sul we find an average membership rate of 15.27, more than three times the rate of Bahia and Pernambuco, the states of our north-eastern cases (PNAD 1988, quoted in Arretche, 2000:287). A study on 'regional development, political culture and social capital' in Rio Grande do Sul (UFRGS/IFCH 2001) shows that Santa Cruz and Caxias belong to this state's micro regions with the highest rates of membership in associations.

[4] The case selection aimed at theoretical insight rather than being representative of Brazil's over 5,500 municipalities. While seeking variations in government commitment and civicness, I sought to keep other variables as constant as possible: comparable size; a government that was re-elected in 2000; and the highest degree of decentralisation of health care ('full local management') etc. The latter resulted in the selection of relatively good performers in the health sector. I suspect, however, that the combination of weak civicness and uncommitted government is the pattern most frequently found in Brazil.
[5] CUT is a leftist union federation with political links to PT and the communist PC do B.

[6] Benton (1981), quoted in Stewart (2001:44)

[7] I use the term 'political society' in a broader sense than Gramsci, who equates political society with state actors (Ransome, 1992:138).

[8] Influence was 'measured' by their subjective perception and the government's concessions to them.

[9] These figures are based on the state electoral authority (TRE).

[10] This is much less than the regional average of the Rio Pardo valley (12.3) and only slightly more than the national average (around 5 percent).