Street Level Democracy:
A Theory of Popular Pragmatic Deliberation and Its Practice in
Chicago School Reform and Community Policing, 1988-1997

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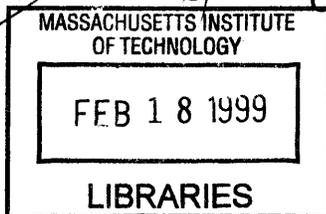Department of Political Science
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ABSTRACT

This dissertation develops a species of radical, direct democracy—that I call Street Level Democracy (SLD)—that advances the core democratic values of the effectiveness of public action, its fairness, individual autonomy, deliberation, and solidarity and takes into account the modern conditions of social complexity, inequality, and cultural pluralism. SLD is explored both in democratic theory and in empirical practice. The theoretical architecture of SLD is elaborated at three levels. First, it develops a notion of citizenship which depicts individuals as self-interested problem-solvers at once more ethically constrained than rational choice actors and more socially interdependent than liberal citizens. SLD depicts these individuals as solving problems in the group context of a local unit—responsible for example for governing a school or maintaining safety in a neighborhood—that acts through practically oriented deliberative procedures. Finally, the architecture posits an administrative center—say a police headquarters or the office of a superintendent of schools—that supports the problem-solving efforts of these local units and holds them accountable to the norms of deliberation but does not direct or determine their activities in detail.

The empirical portion of the project examines reforms to the Chicago Public Schools (CPS) and the Chicago Police Department (CPD). In 1988 and 1994 respectively, both of major municipal agencies were independently reformed along lines that implement fundamental elements from each of SLD's three levels. Both city-wide and case level empirical data are used to probe SLD's empirical and normative claims and to show that the proposal is feasible. City-wide participation patterns in these new institutions of neighborhood governance show that residents of poor neighborhoods participate at rates equal to or greater than those from wealthy ones. Participation rates across neighborhoods are generally high enough to sustain deliberative problem-solving activity. Contrary to feminist criticisms of deliberative schemes, women participate more than men. In addition to these city-wide patterns, the project uses six neighborhood-level case studies to examine the detailed operation of SLD's deliberative problem-solving across two dimensions of initial conditions: wealth and interest diversity. We find that SLD can operate as the theory specifies despite challenges posed by extreme poverty and interest conflict. In these more demanding contexts, however, successful deliberation depends more heavily on the supportive actions of SLD's administrative center.

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Part III: Deliberation in the 'Hood

Acknowledgements

Abbreviations

CANS	Chicago Alliance for Neighborhood Safety
CAP	Corrective Action Plan
CAPS	Chicago Alternative Policing Strategy
CPD	Chicago Police Department
CPS	Chicago Public Schools
CSC	Citizens Schools Committee
CTU	Chicago Teachers' Union
CU	Chicago United
DFC	Designs for Change
IGAP	Illinois Goals Assessment Program
IPR	Institute for Poverty Research
ITBS	Iowa Test of Basic Skills
JCPT	Joint Community-Police Training Program
LSC	Local School Council
NEA	National Education Association
PCER	People's Coalition for Educational Reform
PURE	Parents United to Reform Education
RESPECT	Reconstruct Education with Students, Educators and Community Together
SIP	School Improvement Plan
TRUE	Taxpayers for Responsible Education
UNITE	United Neighborhoods Intertwined for Total Equality

Chapter 1:

Introduction

1.1. What's the Matter With Democracy?

Characterized by seemingly contradictory sentiments of self-satisfaction, disappointment, and exhaustion, the end of the twentieth century is a peculiar moment in the history of American democratic government. On one hand, we in United States rightly celebrate the evident worldwide victory of our political model—representative government combined with basic human rights—over various kinds of dictatorships (Fukuyama 1989). While this victory has so far been moral rather than practical—many rulers do not enjoy the electorally expressed consent of their governed—it is nevertheless decisive. There are no broadly credible political forms that fall outside these liberal democratic boundaries.

In the United States and other mature liberal democracies, disappointment rather than elation fills this moment of triumph. Unlike newcomers to constitutional democracy, we do not look upon the machinery of electoral government and the administrative state with the naïve eyes of those at the beginning of a long adventure, but rather with the weary hindsight of an experienced traveler. Our experience with this kind of government has generated at least three disappointments. First, the people lack the enthusiasm necessary to utilize their hard won rights to political representation. All democracies exhibit low levels of electoral participation, especially in lower-level elections, and the trend in recent decades has been downward (Lijphart

1997; Sartori 1987:103). In the United States, the turnout for presidential elections has declined

from 60-65% in the 1950s and 1960s to 50-55% in the 1980s and 1990s. In off-year elections,

turnout in local elections has ranged around 25% (Teixeira 1992). The second disappointment is

that these low rates of participation do not seem to indicate satisfaction or even apathy about the

state's performance, but instead have been accompanied by a precipitous decline in popular

confidence toward government. Public opinion polls, for example, reveal that the percentage of

survey participants responding that they "trust the government in Washington to do what is right

"all of the time" or "most of the time" has declined from a peak of 70% in 1966 to less than 25%

in 1992 (Putnam 1994).

More practically and urgently, our system of government—elected politicians that control

administrative bureaucracies—have disappointed us with their apparent failure to deliver the

public goods that are most important to us (Osborne and Gaebler 1992: 1-25). Their mission

failures are most evident in America's large urban areas, especially our hard core inner cities.

There, the very built environment of the streets, electric lights, and sewers disintegrates like so

much melting snow. The schools are some of the worst in the developed world (Chicago Tribune

Staff 1988), and urban American homicide rates soar at an order of magnitude above that of the

rest of the nation and of other industrialized nations (see chapter 5).

These substantial disappointments of our conventional democratic institutions have

drawn few constructive proposals from democratic theorists. While practitioners at the local,

state, and federal level have embarked on a rather bewildering variety of experiments,[1] theorists

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[1] We shall explore two in detail in this volume.

and critics of democracy have failed to follow their lead by offering constructive proposals to amend the basic structure of representative government and bureaucratic administration. With precious few exceptions,[2] even those theorists once committed to radical and participatory transformations seem strangely exhausted and resigned to accept the forms and defects of more conventional institutions (Habermas 1992, 1996; for comment on this trend, see Phillips 1993 and Galston 1993).

It may be that these scribblers have fallen silent because they have discovered a deep truth that we have indeed approached the end of history. Perhaps no amount of creative institutional tinkering can carry us beyond these basic disappointments of representative government and its ironic inability to advance those values most closely associated with the idea of democracy. While this pessimistic thesis may turn out to be true, no one has yet proved it. Given the gravity of democracy's disappointments, then, prudence dictates that we proceed as if it were not true by continuing to search for undiscovered institutions that better vindicate our deep, professed democratic commitments.

1.2. Elements of a Radical Alternative

The challenge is simple: find institutions that better realize our core democratic values—in particular the fairness, effectiveness, and popular determination of public action—than the currently dominant arrangements of electoral representation and technical bureaucracy. Though there must be many rejoinders, this volume offers one sustained response

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[2] See Unger (1987a); Dorf and Sabel (1997); Cohen and Rogers (1992).

by developing a proposal for radical democratic governance called *Street Level Democracy* (SLD). Any such response must inevitably take into account numerous contentious speculations concerning, for instance, the abilities of ordinary citizens and the tractability of complex urban problems. Since these tendentious empirical matters are unavoidable, we do not begin theoretically, as many democratic theorists might,[3] but instead develop SLD by examining and extrapolating from very concrete urban initiatives.

To a much greater extent than in any other American city, two Chicago programs set into place structures for direct democratic governance of educational and public safety institutions in its neighborhoods. In 1988, a state reform law devolved control over basic issues to elected governance councils—composed of parents, teachers, and principals—located each school. In 1994, city-wide policing reform established a parallel structure in community policing. In each of the city's 280 beats, residents meet frequently with police to jointly establish public safety priorities for the neighborhood as a whole and to direct police power toward the resolution of those priorities. Throughout the chapters that follow, we use the empirical developments in school and police governance to develop abstract radical democratic intuitions into workable institutions and to explore speculations about what citizens and their institutions can do. We use the theoretical lens of SLD as an abstract structure, in turn, to advance the interpretation of these agency reorganizations beyond mere description into a template for democratic reform. By using each as a step for the other in this way, we hope to move the project of building a workable democratic proposal beyond what the theorist or the empiricist working alone could accomplish.

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[3] See, for example, Barber (1984). For a purely theoretical argument about why no institutional form can overcome the disappointments of electoral-bureaucratic government, see Zolo (1992).

The nub of the proposal is that radical democracy has a lot to offer modern complex society. Contrary to the view that the sheer scale and complexity of tasks set to the modern nation state prohibits direct forms of democracy, I argue (counter-intuitively) that precisely these modern features of complexity and scale have frustrated the received institutions of elite-mediated mass democracy and hierarchical administration, and that increasingly complex and diverse contexts of public action open spaces for bureaucratic reconstruction along more decentralized, participatory lines.

From the realm of past ideas, SLD borrows freely from two intellectual streams—participatory democracy and pragmatism—to construct a decentralized, participatory, experimental, and deliberative institutional alternative to our received form of democratic state action (electoral representation-cum-bureaucracy). Following the central claim of participatory democrats, SLD contends that those most concerned with a particular site of public action should be given the power, resources, and responsibility to carry out that action. In the case of education, for instance, it recommends decentralization of authority to the school level (site-based management) and governance structures that include parents, school administration, faculty, and (where appropriate) students. Whereas participatory democracy principally seeks the devolution of democratic power and authority from the center to the periphery, pragmatism sees decentralization as just the first piece—necessary but far from sufficient—of a much larger puzzle. Always attentive to results, pragmatism forces participatory democrats to focus more closely on what their institutions will look like and what they will do, "after the devolution."

To answer this question, SLD builds upon the decentralizing instinct of participatory democrats by giving contemporary institutional form to John Dewey's (1927, 1935) notion that

the core of democratic activity is social exploration that engages both ordinary people and

experts.[4] The proposal treats decentralized governance groups, such as residents and police in a

neighborhood beat or a school's governance council, as democratic communities of inquiry that

find and implement fair and effective means to carry out functions such as the education of

children or maintenance of public safety. The image of inquiry is properly evocative on several

dimensions. First, participants in SLD realize that the solutions to their problems are not

obvious—that answers must be sought out because the routines prescribed by experts have for

the most part failed them. Second, deliberation—the practice of decision-making through

reasoned discussion rather than interest—settles disagreements about proper courses of group

action. Third, as in inquiry, all such decisions are tentative and subject to revision based on

further evidence, assessment of previous experiences, or in light of others' comparable

experiences.

But decentralized democracy and deliberative pragmatism are not completely compatible.

Most justifications for decentralization—for instance that it maximizes opportunities for political

participation or that allows public action to be tailored to *local* preferences—do indeed

unambiguously favor tiny polities. But does localism optimize the capacity for effective

problem-solving inquiry? Pragmatists should favor small units for at least two reasons. First,

front-line operators (patrol officers, teachers, production workers) know more about their

specific local conditions, and so are likely to know what will work and what will not in light of

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[4] Dewey himself gave institutional expression to his notions of social pragmatism only in the case of school organization, and only weakly there. Some of his contemporaries, however, did worry about the problems of institutionalization (Follett 1930) and others even built nascent forms of these experiments (Phillips 1919; Devine 1919; Monney-Melvin 1981).

that knowledge. Second, those who are close to the point of action are better positioned to assess the results of past efforts and bring that new knowledge to bear on future public choices. If individuals in a particular community of inquiry treat each other reasonably, are capable of formulating good guesses about the best course of action, can deliberately decide on a collective course, command the resources necessary to follow it, and improve upon past decisions through assessment, then self-regulating communities of inquiry may indeed generate fair and increasingly effective solutions to their respective public problems.

As this cursory yet demanding list of requisites already suggests, pragmatists may rightly voice reservations about prematurely eviscerating organizational centers. Centralized power, if not authority, might support efforts of inquiring communities in several critical ways. First, some units will be less capable than others, and that this difference in capability will correspond somewhat with background inequalities of wealth and power. The center can provide capacity building support—training in the individual skills of analysis and social skill of deliberation—to disadvantaged communities. Second, a central organization can enforce fairness in case the self regulating mechanism of deliberation fails—when there are momentary violent disputes or when one faction of a community entrenches itself and is not subject to reasonable appeals. Third, inquiring efforts of communities will benefit from access to the experiences of other communities. If we think of each community as conducting independent experiments in public policy, then random variation dictates that some will invent effective solutions more quickly than others. Connections between communities can diffuse these best-practices. These revelations about the character of centralized power and that connections between inquiring communities can be more or less conducive to communities' problem-solving capacities lead quickly to the

conclusion that the overarching institutional structure encompassing these communities is itself an object of experimentation. A fourth function of the center, then, is to continually modify itself in ways that enhance the capacities of its component communities of inquiry. A fifth function of the center is not distinctive to pragmatist goals; decentralized units engaged toward similar ends will often encounter situations in which they each will benefit from common actions such as the creation of a common pool resource or joint action on a problem that overlaps jurisdictions.

The constitutional architecture of Street Level Democracy, then, defies the simple-minded dichotomy between power that is either centralized or dispersed. For a given public purpose—education and public safety are the ones that I will discuss—SLD recommends that the bulk of decision making authority and control over public resources be devolved to small, geographically based, operational units composed of both line level public servants and consumers of public services. In the case of education, the natural unit is the school and participants include teachers, parents, and the community. The appropriate unit in public safety is the neighborhood, and participants are police officers and residents. These units are charged with overcoming the obstacles that stand between the condition in which they find themselves and more desirable states—effective schools or safe neighborhoods. The central office or network that connects these operational units is muscular, but its goals are far different from the task definition and supervision roles of bureaucratic head-offices. Instead, it seeks to support component communities of inquiry by ensuring the integrity of their deliberative experimental processes, spreading the lessons generated by them, holding them accountable to their own plans and promises, and progressively redistributing capacity to those less advantaged.

These elements of Street Level Democracy—decentralization, direct citizen participation, deliberative problem solving, and a muscular center that simultaneously supports local units and holds them accountable—constitute an institutional set that can supplement and to a limited extent replace our received institutions with a directly democratic form that just might be able to overcome our disappointments with electoral/bureaucratic government.

1.3. Outline of the Argument

In the next chapter, we expand on this general discussion about the relationship between the institutions of governance and democratic values. In particular, we lay out five core democratic values—effectiveness, fairness, autonomy, deliberation, and solidarity. We say that one form of governance is more democratic than another just in case it more ably advances each of these values. Taking democracy seriously, then, entails searching for forms of governance that are more and more able to realize these core democratic values. With this theoretical democratic ruler in hand, the argument proceeds in three parts that make up the bulk of this volume. The parts explain the "how," "what," and "whether it works" of Street Level Democracy. The first part shows how SLD institutions can be built at all, given the resilience of hierarchical agencies, by describing how reformers constructed them in Chicago during the 1980s and early 1990s. Part II explains exactly what SLD is by providing a theoretical blueprint that lays out the roles of citizens, the local units in which they participate, and the "supportive center" that links these units together. The third part explores whether or not SLD works by empirically examining its operational characteristics in the streets of Chicago.

The first part, chapters 3 through 5, reviews the transition from centralized bureaucracy to decentralized pragmatic organization that has taken place in the Chicago Police Department (CPD) and the Chicago Public Schools (CPS). Until less than ten years ago, the CPS and CPD resembled the large urban bureaucracies that can be found in many American cities and were exceptional only in the tragedy of their failures. Changes in these two bureaucracies, then, may point out a trajectory of reform applicable to other cities and bureaucracies and shed understanding on how such revolutionary reform occurs.

I argue in that such a shift has indeed taken place and that it was a conscious response to "performance gaps" between public expectations of these urban agencies and what they actually were able to accomplish (Downs 1967). Whether or not large bureaucracies were ever the most efficient organizational form to keep the domestic peace or educate the nation's children, they certainly perform these functions less well than they once did and much less well than we would like them to do. In the poorest of inner-city neighborhoods, agency failures approach complete breakdown. Diverse reformers with quite different ideologies and motives banded together and used this undeniable breakdown to set in place two central planks of Street Level Democracy: decentralization and popular participation.

Whereas the Progressive watchwords of centralization and hierarchy gave birth to the great urban bureaucracies, the contemporary ideas about effectiveness recommend decentralization. Professional reformers, then, advocated administrative decentralization—site based school control in education and neighborhood patrolling in the police—as a core component of reform. In both education and policing in Chicago, remnants of the American New Left had formed minor social movement advocacy groups that emphasized the importance of

community participation. Professional reformers in the late 1980s, perhaps because they saw it as one manifestation of "customer-orientation," were not hostile to these social movements and incorporated local voice and control into their reform packages. Thus, quite happily for advocates of neighborhood government and participatory democracy, decentralization and participation became two central reform principals in both the CPS and CPD.

In the years immediately following these dramatic reforms, those charged with educating children and preserving safety have discovered major deficiencies in these new organizations. While some used the new latitude of local control to make their schools more effective and neighborhoods safer, others were less successful. In some schools and neighborhoods, few participated. Others simply failed to take advantage of the new freedom and continued to execute the tried and ineffective routines in which they were practiced. Some seemed to lack the skills of analysis, deliberation, planning, and assessment necessary for self-directed action. The more and less successful alike wondered whether other similarly situated groups in the city had developed effective solutions to the same problems. In response to these implementation difficulties, the central offices of the police department and the school system, together with a host of interested organizations, developed additional institutional responses that resembled the recommendations of Street Level Democracy that come from its pragmatist moment: supportive mechanisms such as training, dispute facilitation, assessment devices, channels for information sharing and best-practices diffusion, and common pool resources.

The project's second part builds a constitutional architecture of Street Level Democracy that draw upon these CPS and CPS restructurings and upon the method of constructive political

theory. How exactly do these pieces of Chicago reform fit together into a coherent alternative and why is the alternative promising? The ideal institutional account of SLD describes the political conception of a community of inquiry at three levels. Chapter 6 lays out the role of a citizen of a community of inquiry. That citizen must embrace the public ends for which the community is convened (a safer community or more effective schools) as her own ends, possess the capacities necessary to participate on an equal footing with others, and abide by the requirements of reasonable deliberation. Chapter 7 describes the local unit of SLD—a neighborhood beat group or school governance council. At this level, SLD is a deliberative problem-solving procedure that requires participants to identify and prioritize problems, strategize about how best to solve those problems, implement solutions, and constantly evaluate their efforts in order to improve their effectiveness. Finally, chapter 8 describes the requirements of an administrative "Supportive Center" that links and assists these communities of inquiry by pooling information, assuring accountability, and providing technical assistance.

By way of justification, I contend that SLD as an institutional alternative is more *fair* and *effective* than the bureaucratic form that it replaces. In Chapter 9, I argue that SLD is more effective than centralized bureaucracy in the complex and unstable problem environments posed by modern citizes because it yields several mechanisms that are unavailable to hierarchical administrations. Whereas bureaucracy discourages *civic engagement*, SLD depends upon it and can thus draw upon the information and energy of ordinary citizens. While the separation that professionalism imposes between public servants and citizens sows distrust, partnership partially constitutes SLD and so is likely to generate a capillary-level of *trust* between civil society and the state that in turn makes cooperation possible. One genetic defect of bureaucracies is that they

persistently strive toward the impossible goal of eliminating the discretion of their low-level operatives. SLD, on the other hand, *increases discretion* at the operational level but attempts to harness it and make it accountable by inviting public direction. In the impulse to rationalize, bureaucracies seek clear divisions of labor between different functions—e.g. policing, sanitation, housing inspection, education, parks and recreation—that make difficult the coordinated, strategic deployment of these energies. Since SLD focuses on particular problems, it can more easily *orchestrate and recombine* such specialties to resolve problems such as drug houses, truancy, and school-to-work. Another constituent characteristic of professional bureaucracy is that they seek autonomy—isolation from politics, civil society, and other professions—which cuts them off from potentially constructive and transformative *feedback about the effectiveness of their strategies*. SLD, on the other hand, incorporates continuous assessment as a central feedback mechanism of its deliberative procedure.

Chapter 10 argues that SLD will also generate public action outcomes that are more fair than insulated hierarchical agencies. One objection is that SLD depends too much on the frail method of deliberation. Outcomes are fair to individuals within a community of inquiry when deliberation regulates that community's decision processes. One function of the center is to detect and correct persistent failures of deliberation within these units. Another objection to decentralizing schemes like SLD is that better off communities will leave disadvantaged ones behind, and the response is twofold. First, unfairness between localities is inevitable whenever background social inequalities are geographically correlated, and SLD is no more vulnerable to this criticism than bureaucracy. Another function of the center is to redistribute capacity, if not resources outright, to more needy units.

One persistent criticism of bureaucracy that has been made in many ways is that the

consequences of a good idea at the top frequently get messy and generates unintended

consequences at the bottom. With only the historical discussion of SLD as forward-looking

citywide reform (in a city of some three million residents) and a conceptual constitutional

defense that is necessarily abstract, SLD is similarly left wide open to the objection that it sounds

good to practitioners (Part I) and theorists (Part II) but, hard reality being what it is, cannot work.

Some common variations on this theme are: people won't participate (Olsen 1965; Riker and

Ordeshook 1968); only rich people will participate (Nagel 1987; Verba and Nie 1987); only

educated people are capable of participating effectively (Verba et. al. 1995); people will not

subordinate their self-interest to the constraints of reasonable deliberation (Austen-Smith 1992);

ordinary citizens are not knowledgeable enough to interact with experts; and a community of

inquiry requires a homogenous community.

Part III of the project uses both city-wide data and a series of six neighborhood-level case

studies to explore the extent to which these and other objections weigh against SLD as an

institutional alternative to hierarchical bureaucracy. The Chicago reforms in public education and

the police department provide a ideal large-N laboratory in which to explore of how and whether

flesh-and-blood citizens in all of their situated complexity can deliberate and solve problems as

SLD asks them to do.

Chapter 11 uses a variety of quantitative city-wide data on participation in school reform

and community policing institutions to explore whether SLD "works" in the sense that various

kinds of citizens participate in the deliberative opportunities that it constructs. Some of this

chapter's findings may surprise skeptical critics. Over the period for which data was available, participation levels are not stunningly high, but are sufficient to sustain SLD's deliberative problem solving in both community policing and local school governance. Unlike nearly every other channel of political participation, residents from poor neighborhoods participate at rates equal to or greater than those from wealthy ones. In community policing, participation rates of poor neighborhoods are *greater* than those of wealthy ones. Weighing against the concerns of feminist theorists that deliberation favors male over female participants, it turns out that many more females than males participate in both community policing and school governance. Contrary to theorists (Putnam 1993) who argue that high levels of social capital—civic associations and civic norms—are critical components in "making democracy work," empirical researchers have found that neighborhoods poor in social capital are as effective as those who possess it richly in both school and police governance in Chicago.

While these city-wide statistics usefully sweep away substantial peremptory challenges against SLD and participatory democracy generally (e.g. "no one will participate" or "only the rich will participate"), they nevertheless treat neighborhood processes as black boxes of participatory democracy and thus cannot be used to examine more fine grained claims concerning SLD's deliberative mechanisms of problem solving. To answer these questions, chapters 12 through 16 explore the operations of SLD in six neighborhood-level cases: three school governance and three community policing groups. I observed the deliberations of each of these groups over a period of approximately ten months between 1996 and 1997. The cases are distributed across two dimensions of "initial conditions:" wealth and interest dispersion.

Roughly, we expect that richer, more unified communities will exhibit more successful deliberation and problem solving.

In each case, we examine whether or not parties conducted their discussions according to the deliberative process described in chapter 7, and whether their joint action yielded fair and effective solutions. Chapter 13 examines community policing in a neighborhood separated by lines of race and class; chapter 14 explores SLD in two quite poor but unified communities; chapter 15 examines two groups that are both poor and internally conflicted; and the case of Chapter 16 is a wealthy school where the participants have a long history of solidarity and cooperation.

Not surprisingly, these case studies bear out expectations about the effects of initial conditions: wealthy groups find it easier to deliberate and solve problems than poor ones, and fair deliberation is more frequent in the absence of entrenched conflict. Three more surprising finding of these six cases relates to the relative performance of SLD compared to prior institutional arrangements—bureaucratic command-and-control in shorthand—in each of these neighborhoods. First, SLD arguably generated outcomes that were superior to those of the command-and-control mode in each case, across all examined variation in initial conditions. Like Mae West, even when the quality of deliberative problem solving was bad, it was still better than hierarchical bureaucracy. Second, the gains in problem-solving capacity in switching from command-and-control to SLD institutions seems greater for poor communities than for wealthy ones. In the wealthy areas that we examined, residents had for decades employed rich networks of political influence, voice, and self-help to circumvent the problem-solving deficiencies of school and police bureaucracies. For them, SLD reforms simply added additional channels and

methods to an already satisfactory system. In the poor areas that we examined, by contrast, SLD reforms introduced channels of political participation, voice over city services, and problem solving methods for residents who lacked these capacities in any meaningful degree. Finally, SLD's success under inhospitable conditions depended much more on the actions of the "Supportive Center" described in Part II. When teams and individuals dispatched from the CPS and CPD central offices performed their facilitative and technical assistance functions well, groups in poor and divided communities deliberated more effectively.

Now the purpose of a study like this is not to establish definitive conclusions, but rather to open new avenues for debate and further exploration. The successive aims are threefold. Rhetorically, the project implicitly argues that more democratic theorizing should concern itself with the design of real institutions that advance core democratic values. Second, I hope to show by example that such efforts are fruitful by offering a feasible and intriguing proposal called Street Level Democracy for radical, deliberative democratic governance that can solve pressing urban problems and advance other democratic values such as fairness and deliberation. Third, the empirical exploration of real world reforms that approximate the design of Street Level Democracy show these institutions operate roughly according to the specified design. Therefore, they offer some basis for optimism about democracy's unrealized possibilities and hold open the way for further exploration. Hopefully, fulfilling these three tasks will advance practical and theoretical discussions about overcoming democracy's disappointments one small step.

Chapter 2:

Taking Democracy Seriously

2.1. The General Problem

Street Level Democracy is a specific answer to a general question. The general question

is: what can we do to make our political institutions more democratic? Even if the reader finds

my specific answer unpalatable or unfeasible, I am confident that she will still be interested in

the more general question. The idea of democracy resonates in both popular and academic circles

and there is in both a sense that our institutions can be improved. Despite the deep resonance of

democratic ideals and the obvious separation between actual political practice and those ideals, a

contemporary malaise seems to prevent us from seriously asking how we might bring the latter

in line with the former. Anne Phillips, for example, observes that

> the debates over democracy range far less widely than they did in the past. These are
> indeed rather odd times for democracy: for just as democracy becomes a more central and
> widespread preoccupation, so we have retreated from much of democracy's grander
> 'promise'... We are no longer addressing what might be more fundamental
> contradictions, inequities, or just plain failures of imagination; we are no longer exploring
> the gap between the promises and the realities of democracy; we seem to be talking about
> how to spread the best practices more widely around... compared to the 'promises'
> implicit in democracy, these are oddly limited ambitions. (1993: 127-8)

In this chapter, then, I want to invite readers to participate in the larger, more ambitious, project

of finding institutions that can deliver democracy's promises by offering the outlines of a

method—one that requires the talents of both theoretical and empirical scholars of democracy.

The method is analogous to the technique in mathematics of (i) finding a maximum of an equation (ii) under given constraints (iii) using the method of successive approximation. Democracy is self-government that realizes certain core values—producing desirable outcomes, autonomy of citizens, equal consideration, individual development, and deliberation; we support democracy because we hold these values dear. The general problem of improving democracy, then, is the problem of finding institutions that maximize the attainment of these values. Since the problem of maximization is highly intricate, involving many interdependencies and causal uncertainties, step-wise approximation might be an appropriate method with which to proceed. We seek institutions that better realize the core democratic values than the ones that we currently have, mark that stepwise move as movement toward the maximum, then try find institutions that do even better, and so on.

In this search for more perfect democratic institutions, our initial guess about how to maximize democratic values is just the basic arrangements that we presently enjoy: a set of basic rights that includes security of person, freedom of conscience, freedom of association and expression; political parties that compete for the power to govern; universal suffrage; and judicial review that protects these and other Constitutional elements. The same method could be used to describe the history of transformation of democratic institutions by, for instance, taking the set of institutions established at the Founding of the American Republic as a starting point, and then reviewing successive institutional "guesses" that hoped to advance democratic values: the abolition of slavery, extension of formal suffrage to blacks and then to women, the New Deal, extension of substantive voting rights to blacks during the civil rights movement, and perhaps the movement for "maximum feasible participation" in the War on Poverty of the

1960s.[1] Since my aims are primarily prospective, we begin instead with the institutions that we have now as a baseline level from which we would like to increase the realization of democratic values. Despite all the criticisms of our present politics, I take it to be uncontroversial that these arrangements do realize our core democratic values to a substantial degree.

But it is doubtful that this initial guess—the institutions that we have now—achieves the *maximum* feasible realization of democratic values. It is easy, for example, to imagine incremental changes—such as campaign finance reform or alternative voting schemes[2]—that would advance core democratic values beyond their present levels of attainment. Though more difficult to imagine, it also seems probable that more radical reforms that could yield far greater gains to democracy (Unger 1987a). Indeed, the point of sketching the problem of democracy as one of successive approximation is to say that more of us should be in the business of casting about for institutional arrangements that would better vindicate our commitments to democratic ideals.

What constitutes a good next guess as to institutions that might advance democracy beyond the present arrangements? First, we focus on the substantive values of democracy and forget as best we can any particular procedures—parties, one-person-one-vote, pressure groups, discussion—that we might associate with democracy. We do well to avoid fetishizing any particular procedure as "democratic" since the aim of identifying more effective institutional alternatives requires us to free ourselves from the conceptual grip, the "false necessity" (Unger

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[1] For such an account of progressive, democratic transformation, see Ackerman (1991).
[2] See John Stuart Mill's (1991; Chapter 7) defense of proportional representation and Lani Guinier (1992).

1987), of familiar institutions that we have inherited. In this method, procedures are democratic to the extent that they maximize the values of democracy. This is the opening structure of Rousseau's argument in the *Social Contract* when he writes that the problem of democracy is to

> "Find a form of association that defends and protects the persons and possessions of each associate with all the common strength, and by means of each person, joining forces with all, nevertheless obeys only himself and remains as free as before." This is the fundamental problem for which the social contract provides a solution. [*The Social Contract*, Book I, Chap. 6, Para. 4]

Whereas Rousseau, and Kant after him, supplied individual autonomy as the single explicit democratic value to be maximized, we add four additional values, each of which may lie in tension with the others: the production of desirable outcomes, equal consideration and fairness, autonomy, deliberation, and solidarity. This list of values are those most commonly offered in support of democratic government, and I take these to be the core values that people actually hold when they say they favor democracy. This may not be the best list of values, and other theorists might improve it by expanding it or modifying its elements.

The search for democracy then proceeds by mining theoretical, historical, contemporary empirical, and imaginary materials in search of promising institutional configurations. The theorist then assembles an institutional proposal out of these materials. This proposal supported by arguments about why exactly it will advance each of the core democratic values beyond current levels of attainment, is the next "guess" in the exercise of successive approximation in democratic theory.

The third step in this iterated search begins to evaluate the institutional proposal by examining whether it can cope with the most challenging constraints that have obstructed other attempts at democratic reform. In this chapter, we consider four such constraints. Capable

modern democratic institutions must: (i) effectively produce the outcomes that the people desire; (ii) do so under conditions of high social complexity; (iii) address the problem of scale; and (iv) operate under background conditions of substantial material inequality. So, we want to find institutions that maximize the realization of core democratic values under constraints given by contemporary society (performance, complexity, scale, and inequality).

The rest of this chapter lays the groundwork for such an approach to practical democratic theorizing. The next section describes the five values that I take to constitute the substantive core of democracy, around which there is something of a social consensus in contemporary society. These are the values that I take people to espouse when they say they favor democracy. They are the metrics by which we rate institutions when we try to measure how democratic they are. The third section lays out four parameters that constrain institutional proposals to advance democracy. These are the four practical constraints listed above and derived from the tenor and context of modern society, that deserve special attention in the search for more democratic institutions. In this section, we discuss briefly how these constraints have forced other theorists—such as Madison, Michels, Weber, Dahl, Habermas, and Piven and Cloward—to retreat from institutional designs that would more fully realize our democratic values. The final section describes outlines Street Level Democracy (SLD) as an institutional "guess" for how one might advance our core democratic values. The succeeding chapters describe SLD in much more detail, but we preview it here in terms of our core values and constraints to illustrate one way to proceed in this general proposal that we ought to search for institutions that better advance the democratic values that many of us regularly espouse.

2.2. Back to Democratic Basics: Five Core Values

When people say that they support democracy, what do they mean? Why favor a system of government in which the people who obey that government (as its subjects) also have a voice in determining its policies (as citizens)? The question is so fundamental, and agreement on democracy generally so deep and widespread, that answering it may seem pointless. Nevertheless, a quick review of the basic justifications for democracy backgrounds our later discussion, clarifies what we mean—and what we take others to mean—by democracy. It provides crude normative scales on which we can measure the degree to which this or that set of institutional arrangements counts as more or less democratic.

Many justifications of democracy begin on the *instrumental* grounds that democracies generate better decisions than other methods of governance, and we take this value of producing desirable outcomes as our first core democratic value. When the people who suffer the consequences and reap the benefits of government action themselves set the content of state policy, it is less likely that a sinister few (or one) will aggrandize himself at the expense of the rest, more likely that policy will take into account important information possessed by its subjects, and aligns the thrust of state with the preferences, or will, of its people. Perhaps the most dramatic version of this claim is Amartya Sen's (Sen 1990, 1993; Dreze and Sen 1989) empirical finding that famines do not occur in democratic countries. Suppose, as Sen does, that famines are preventable through public action and not brutal acts of nature. One reasonable explanation for the absence of famines in democracies is that popularly elected officials who allowed such disasters to transpire would be quickly deposed. Another complementary

explanation is that the infrastructure of communication that typically accompanies democracy but are frequently absent in authoritarian governments—a free press—spread portents of the disaster early enough that state and social action can prevent it.

While democracy may achieve the absence of famine—an outcome desired by the almost everyone—the more general case for democratic governance producing other desirable outputs is of course more tenuous. The most obvious objection is that while people know what they want, they may not know how to get it, and democracy's advocacy of equal voice in decisions is incompatible with specialization and expertise. Similarly, cumbersome procedures always accompany democracy, and so considerations of speed, an obvious desiderata of decision-making, weigh against democracy and in favor of hierarchical decision and action structures. Large administrative bureaucracies were justified and constructed on the basis of their abilities to efficiently achieve policy outcomes that other organizational forms—in particular democratic forms—could not attain. We shall return to the case of these administrative bureaucracies in the cases of urban policing and public education in great detail in later chapters. Even these rough considerations, however, lead quickly to the conclusion that the association of democratic governance with desirable outcomes is much too glib; democratic forms are not always, and certainly not obviously, the best organizational means to desired ends.

A second major justification, one that overshadows all the rest for most students of American politics these days, is the value of *equal consideration*, or fairness.[3] This view begins

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[3] For various formulations and defenses of this idea, see Dworkin (1987): 1-30; Beitz (1989); Rawls (1971: Chapter 4); Pennock (1979); Dahl (1989: 83).

with a basic assumption about the equal intrinsic worth of individuals: no one is worth more than

anyone else. In the words of Jeremy Bentham, "Everyone to count for one and none for more

than one." A franchise that includes all adult citizens institutionalizes this principal through the

rule of "one person, one vote" that aggregates the preferences of all voters into a single social

choice.

The notion that people should receive equal consideration is not much contested these

days, perhaps because it would be difficult to defend policies of unequal consideration. People

do, however, rather hotly contest the question of how best to institutionalize the abstract value of

equal consideration. As with any other general ethical value, there is no one-to-one mapping of a

value onto an institution that best realizes that value. So, one very general objection to the

principle of one person, one vote, is that it does not take into account the different intensities of

interest that people may have over any given topic. If the topic on the ballot is clean water next

to my house, for example, does giving you a vote equal to mine grant us "equal consideration?"

A more common objection to the principle that one-person, one vote realizes the abstract

principle of equal consideration lies in the distinction that people make between *formal* and

substantive equality. So, while citizens are formally equal in the sense that they have equal

political rights to vote, other inequalities such as wealth, social status, education, and

incorporation into organizations importantly determine their influence on government, and

therefore the consideration that the state accords them.

Individual autonomy is the third major basic justification for democratic governance. We

each yearn for freedom but find our many dimensions of well being dependent upon the whims

of our numerous fellows. How can freedom and dependence be reconciled? The reasoning from autonomy follows these rough lines. Without specifying whether its origins lie in the nature of individuality or in our collective culture, we say that the desire for freedom—the latitude to act as we choose or to live by the rules that we make for ourselves—runs deep in us as individuals. At the same time, we recognize that the necessity of common authority that is backed by force. Common authority, to which we submit on the condition that others submit also, protects us from those who would prey upon us and can secure for us good which we desire but are too weak to get for ourselves. Under democratically constituted government, however, the citizens themselves form the authority that in turn rules them, and so it can be said to reconcile the need for authority and the desire for freedom.

Deliberation, the fourth core value, is expressed in the aphorism that democracy is government by discussion. As a process and a version of democracy, deliberation is intimately related to the three other values discussed above. So, proponents argue that deliberative processes generate better outcomes because they take into account more information and reflection; deliberative governance is said respect individual autonomy even more than voting, because outcomes are governed by rules of reason that each of us can in the end accept, and the only force, as they say, is the peculiar force of a better argument; individuals who participate in a proper deliberative process are given equal consideration in the sense that the proposals, justifications, and criticisms of each are respected and considered by all the rest; and deliberative government functions as its own school to the extent that its participants are likely to acquire and improve the skills necessary for effective deliberation. Whether or not institutions that

incorporate deliberation advance these other important values, deliberation stands on its own as the value we place (if we place any value at all) on the reasoned collective management of our common affairs. Whereas autonomy is a conception of individual freedom, deliberation is an analogous conception of self-direction and rule for groups. Hanna Pitkin (1981) puts it this way:

> What distinguishes politics, as Arendt and Aristotle said, is ... the possibility of a shared, collective, deliberate, active intervention in our fate, in what would otherwise be the by-product of private decisions. Only in public life can we jointly, as a community, exercise the human capacity to "think what we are doing," and take charge of the history in which we are all constantly engaged by drift and inadvertence.... The distinctive promise of political freedom remains the possibility of genuine collective action, an entire community consciously and jointly shaping its policy, its way of life... A family or other private association can inculcate principles of justice shared in a community, but only in public citizenship can we jointly take charge of and responsibility for those principles.

Solidarity is the fifth and final core democratic value discussed here (Rawls 1993: 146-7). The democratic value of solidarity involves each citizen's public recognition that he is part of a larger, interdependent society and subsequent acknowledgement of the implicit partnership that links him with other citizens. Though democracy respects individual autonomy, it's third core value, the health of the social body is itself a material and psychological condition for distinctively individual pursuits. When political institutions provide a structure in which citizens act for each others' good and public officials to act in good faith for the general good of citizens, they build the practical foundations of a genuine political solidarity. The value of solidarity advances to the degree that citizens acknowledge and appreciate each other and their public servants for their roles in this mutually beneficial action. Conversely, solidarity recedes when citizens are alienated from each other and from their government because they fail to discern the

system of democratic mutual aid that each of them depends upon, or when that system breaks down.

Without claiming that this list of values is definitive or exhaustive, it does suffice as a rough and ready catalog of the reasons that philosophers offer in support of democracy, and perhaps even the main reasons that ordinary citizens favor more democratic systems over less democratic ones. We advance democracy, then, when we develop real world institutions that more and more effectively advance some, or most optimistically all, of these values.

2.3. Muddling Through Four Constraints on Democratic Reform[4]

Though this short list of core values is nothing more than a crude attempt to state what diverse people find attractive about democracy and that the values on this list co-exist in tension at best, I nevertheless refrain from providing foundational arguments about why we should support each of these values, and even from clarifying their compatibility and fit with one another. Many arguments in democratic theory proceed that way—by specifying an ideal conceptual end point for democratic reform in terms of these values or others, perhaps (more rarely) then proceeding to construct institutional recommendations that would realize those values, and using careful argument throughout to gain a consensus of readers that the author's end point and path are indeed the correct ones.

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[4] Charles Lindblom (1959) coined the term "muddling through" to describe incremental, trial-and-error methods of problem-solving in contrast to analytic solutions.

My strategy of argument in this chapter is less ambitious. Given the theoretical

(heterogeneous values, multiple constraints) not to mention empirical complexities of democratic

institutional reform, I have suggested that the problem of improving democratic institutions

should be solved through trial-and-error search than an analytical proof. Therefore, I wish merely

to delineate a space within which many institutional proposals would be welcome. That space is

the one defined by institutions that arguably advance any or all of the core democratic values.

Since it is generally difficult to accurately forecast the degree to which particular institutions will

advance values on the ground, it seems wise to invite more constructive proposals rather than to

pre-maturely narrow the space by attempting to specify some controversial ordering on these

values. However, I do wish to narrow the space somewhat by stating some constraints on

allowable proposals. Proposals attentive to these constraints will be more feasible and attractive

and less Utopian.

2.3.1. The Priority of Outcomes: Efficiency against Democracy

Thucydides reports Pericles to have said that "We do not say that a man who takes no

interest in politics is a man who minds his own business; we say that he has no business at all

here" (Barber 1993: 238). This sentiment perhaps marks the most substantial difference between

Athenian democracy and our own, and the most substantial challenge to the contemporary

advance of democracy's core values. If ever the desire for political participation and deliberation

about common affairs stood on a par with loved ones and life itself, it is safe to say that these are

minority sentiments today. In offering democratic voice as an alternative to practical a-

democratic solutions like marketable pollution permits or a stricter agency-enforced

environmental regulations, one must be able to answer the question, "what has democracy done

for me lately?" Most audiences will likely meet the reformer who cannot answer this question

with objections of irrelevance and insensitivity to more urgent needs.

Whether the commonplace priority placed on efficiency and desirable outcomes over

democracy's other four values in our times is lamentable or inevitable, I presume that it runs

wide and deep enough to merit treatment as a constraint on reform. In the contemporary period,

institutional proposals to advance the other four core democratic values—individual autonomy,

equal consideration, deliberation and solidarity—will not gain much support or sympathy if they

demand the sacrifice of tangible elements of well being. It is well to recall, however, that most

democratic reform movements—from the Civil Rights Movement to fights for more city services

through neighborhood organizing—have sought improved outcomes in addition to more

distinctively democratic values such as equal consideration or individual autonomy. Proponents

praise James Madison's innovations in the federal Constitution, after all, for their ability to

secure positive outcomes from national government—regulating the waterways, interstate

commerce, diplomacy, national defense, etc.—at the same time that they secured other important

democratic values such as Republican deliberation.[5]

On the other hand, some of the most prominent modern social theorists have thought that

the imperative to produce outputs, especially material outputs, is sufficient to extinguish

democracy's other values. Social theoretic versions of the conflict between, even mutual

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[5] For the positive outcomes of federal government, see Hamilton et. al (1982), *The Federalist Papers* 41-6,
for a discussion of the Constitution's Republican virtues, see *Federalist Papers,* Nos. 10 and 39.

exclusiveness of, democracy and efficiency come from Max Weber (1991), Robert Michels (1962), and the Frankfurt School theorists Horkheimer and Adorno (1972). A simple two-step argument illustrates this tension between efficiency and democracy. The first is that centralized bureaucracy most effectively organizes purposive action involving any substantial number of individuals. The second step—not much of a stretch—is that centralized bureaucracy limits other important democratic values. Its structure of hierarchy offends equal consideration, rules and requirements for obedience are incompatible with individual autonomy, and the command-and-control determination of conjoint action is the opposite of deliberative governance.

Famously, Robert Michels posited an "Iron Law of Oligarchy" in modern societies that made the unavoidable drive for purposive outcomes incompatible with the realization of democratic values, and therefore supposed that democracy itself was for the most part impossible to realize. His *Political Parties* makes this empirical case by showing how the German Social Democratic Party (SDP) of the early 1900s, a party dedicated to democracy, remade itself along oligarchic lines in order to survive and win elections (Michels 1962: 342-57). A bewildering array of factors, many of them common to most forms of organized collective action, conspired to transform the SDP into an authoritarian organization. First, a division of labor develops in order to better coordinate and execute the various functions—the treasury, communications, etc.—that arise from extended organization. Directorship is one function that arises out of this necessary division of labor, and consequently "every party or professional union becomes divided into a minority of directors and a majority of directed" (Michaels 1962: 70). Beyond this, producing effective outputs often requires organizations to respond quickly to outside stimuli, whether its environment is the battlefield, the marketplace, or the electoral arena. If Michels is

correct that "Democracy is utterly incompatible with strategic promptness, and the forces of

democracy do not lend themselves to the rapid opening of a campaign," (1962: 79) then

successful response must be purchased at the cost of popular rule.

Polyarchy is the democrat's most obvious response to the problem of oligarchy. Robert

Dahl, among others, argues that a world of difference separates a single oligarch from and the

polyarchal environment in which many distinct oligarchies vie for power and the loyalty of the

rank and file against one another. There is much more freedom in the latter situation, in

particular freedom of choice between oligarchs, and even the possibility of advancing a few of

our core democratic values. Dahl (1989: 276) responds to the argument for an "Iron Law of

Oligarchy" that

> Michels committed an elementary mistake in generalizing from political parties to the
> government of a polyarchal system... even if we grant that political parties are
> oligarchical, *it does not follow that competing political parties necessarily produce an*
> *oligarchical political system...* It was competition that *prevented* monopoly. [emphasis in
> original]

Dahl correctly points out this fallacy of composition. Fracturing power into different oligarchical

organizations is a venerable strategy for preserving liberty when the alternative is a single,

monopoly power. One finds this strategy at the Constitutional level with the separation of

powers, Milton Friedman (1962: 16-20) makes a similar argument for the liberating effects of

free markets in his *Capitalism and Freedom*, and party competition with peaceful transfer of

nation-state power in the institutions of electoral democracy is of course a monumental

accomplishment in human governance.

While the absence of monopoly power is certainly desirable and necessary for democracy, the extent to which polyarchy advances the distinctive democratic values (other than output performance) is less clear. We usually imagine achieving democratic values in the context of a single (democratic) organization, like Athens, a town meeting, or a board of directors, and considering democratic values a context of competing oligarchs requires some translation. For example, we might consider polyarchy to advance the value of individual autonomy (i) in areas of life left to individual choice, that no oligarchies control, such as religious belief, expression, and other areas of the "private" sphere in American life, and (ii) when some oligarchy shares my world views, and I can throw in my lot with them as a leader or follower, as in party competition. This is of course a weak realization of individual autonomy compared to Rousseauean democracy or a Republican government such as that Montesquieu recommends.

The translation of equal consideration is less strained, but still quite diluted compared to stronger versions of democracy. Under the system of political party competition combined with the rule of law as a polyarchy, citizens receive equal consideration as voters and as legislative subjects. As voters, their preferences are considered equally under the principle of one person one vote. As the subjects of policy, they receive equal consideration in its enforcement when "everyone is equal in the eyes of the law." This modern version of equal consideration is of course weaker than a classical Republican conception because it posits a class of political elites who devise, sell, and execute public policies and a substratum of citizens who pick between elites and their policies (Schumpeter 1975: 269-83). This version of equal consideration flies in the face of the more radical definitions of democracy such as that of Pitkin and Schumer, who

write that "the basic idea is simple: people can and should govern themselves. They do not need

specially bred or anointed rulers, nor a special caste or class to run their affairs" (Pitkin and

Shumer (1982: 43). Under this scheme, there is no analogous arena to Rousseau's sovereign

assembly, in which "the person of the humblest citizen is as sacred and inviolable as that of the

first magistrate" (Rousseau 1987: Bk III, Chap 14).

Choice among polyarchies in the economic, social, and political areas can be said to have

strong benefits for individual development from requirements of informed choice. When an

individual can make choices about where to work, how to live, and who to vote for, he is likely

to increase his understanding and widen his perspectives in course of exploring his options and

choosing. John Stuart Mill argued that

> Among the foremost benefits of free government is that of education of the intelligence
> and sentiments which is carried down to the lowest ranks of the people when they are
> called to take a part in acts which directly affect the great interests of their country... It is
> by political discussion that the manual laborer, whose employment is a routine, and
> whose way of life brings him in contact with no variety of impressions, circumstances, or
> ideas, is taught that remote causes, and event which take place far off, have a most
> sensible effect even on his personal interests; and it is from political discussion and
> collective political action that one whose daily occupations concentrate his interests in a
> small circle around himself, learns to feel for and with his fellow citizens, and becomes
> consciously a member of a great community. *But political discussions fly over the heads*
> *of those who have no votes, and are not endeavoring to acquire them. Their position, in*
> *comparison with the electors, is that of the audience in a court of justice compared with*
> *the twelve men in the jury box.* (emphasis mine, Mill 1991:170-2)

As lofty and noble as it is, the extent of individual development under representative government

pales in comparison to the directly democratic vision, in which every citizen, as a legislator, not

only considers the menu of choices before him, but also must consider how best to execute those

decisions, and must judge and suffer from their consequences after implementation. In modern

elections, as I suspect it was in Mill's time, the position of the enfranchised mass is still that of

the audience in a court of justice compared to the political elites in legislatures and

administrations who stand as judge and jury.

Finally, the system of polyarchy, understood either as hierarchies competing in markets,

politics, or social life, offers a limited realization of the values of deliberation as reasoned,

thoughtful collective action. From Mill's famous defense of freedom of expression forward,[6]

democratic theorists speak in nearly one voice in support of the essential rights necessary for

deliberation: the freedom to form and join organizations, freedom of expression, and access to

alternative sources of information. At its best, polyarchy guarantees public space in which

citizens can argue about what ought to be done and how best to do it. But full democratic

deliberation consists of two main parts—a process of discussion that culminates in a social

judgment, and the translation of that judgment into collective action. Polyarchy depends on

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[6] John Stuart Mill (1989), *On Liberty*, Chapter 2. See also Dahl's (1971: 3) statement of freedom of expression as a condition for polyarchy. Habermas offers a more nuanced, institutionally specific account of the role of public expression in controlling state power in *Structural Transformation of the Public Sphere*, where he writes:

> The bourgeois public sphere may be conceived above all as the sphere of private people come together as a
>
> public; they soon claimed the public sphere regulated from above against the public authorities themselves,
>
> to engage them in a debate over the general rules... *The medium of this political confrontation was peculiar*
>
> *and without historical precedent: people's use of public reason.* (27, emphasis mine)

indirect mechanisms—elections, directions to public agencies, and pressure groups—to translate

the results of public deliberation into public action.

A second broad class of responses to the Michelsian dilemma argues that democratic

values are best realized through participation in arenas such as secondary associations and social

movements that lie outside of bureaucratic oligarchies in the state and economic spheres. One

version of this view holds that democratic "politics" should be kept within the bounds of the

public—non-state, non-economic—*because* further extension of democracy would lower the

efficiency of those systems:

> From that time on [1981], I have considered state apparatus and economy to be
> systematically integrated action fields that can no longer be transformed democratically
> from within, that is, be switched over to a political mode of integration, without damage
> to their proper systemic logic and therewith their ability to function... Instead, radical
> democratization now aims for a shifting of forces within a "separation of powers" that
> itself is to be maintained in principle... The goal is no longer to supercede an economic
> system having a capitalist life of its own and a system of domination having a
> bureaucratic life of its own but to erect a democratic dam against the colonizing
> *encroachment* of system imperatives on areas of the lifeworld.[7]

A nearly symmetric justification for maintaining substantial distance between formal state

institutions and democratic movements in society comes from Piven and Cloward's (1977) work

on popular movements. Roughly, they argue that uprisings of the lower strata of society—such

as the unemployed during the great depression, industrial workers in the decades leading to the

New Deal, black Americans in the civil rights movement, and welfare recipients in the 1960s and

1970s—made their greatest gains when they engage in mobilized defiant protest of status quo

arrangements. When these movements become organized, their leaderships become co-opted and their rank-and-file soon integrated into the rhythm of normal, acquiescent politics. Transformed into the oligarchic mode, these organizations become instruments for regulating the lower strata rather than tools for their advancement. Piven and Cloward argue that each of these movements would have gained more for their respective constituents had they been able to sustain pure protest and delay formal organization, the development of professional leadership, and institutionalization. These views are of course only two members of the large and diverse family of theories of social movements and civil society each of whom arrived at the common point of favoring a separation between state and civil society through divergent paths. What, then, are the implications for our five core democratic values of strategies that maintain an arm's length relationship between formal institutions and a public filled with individuals who practice democracy in their associations and movements?

Regarding the first core democratic value of producing desirable outcomes, the democrat faces a heavy burden of proof in showing how more democratic institutions in the state or economy can meet or exceed the performance of more oligarchic forms. The motors of efficient management in public and private hierarchies are relatively well understood and demonstrated. In order to gain support for democratizing these institutions, the theorist or reformer must at least show how more participatory, less hierarchical, methods of decision and action can supplant these existing procedures without sacrificing effectiveness. Unfortunately, most work in

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[7] Jurgen Habermas (1992). For an important variant on this idea of "self-limiting radical democracy," see Arato and Cohen (1988).

democratic theory has to date focused on the moral justifications for democratizing firms and the

state, and have for the most part failed to attend to the practical performance consequences that

such reforms might entail (Dahl 1985).[8] Absent an account of how democracy can be efficient,

our performance constraint recommends that we accept Habermas's recommendation to limit

direct democratic activity and the realization of its values to the "life-world" of family and

association.

Much of the rest of this book, however, attempts to provide just such an account by

turning the Michelsian law on its head (the detailed discussion must wait until Chapter 9) . A

growing body of literature has begun to criticize highly "rationalized" hierarchical modes of

organization on the grounds that they can no produce the performance outputs that originally

justified and motivated the construction of those forms. In the realm of production, the academic

literature (Piore and Sabel 1984; Sabel 1994; Saxenian 1994) on industrial restructuring and

popular management commentary (Senge 1994) argues that horizontally articulated and flexible

forms are more suited to the changing needs of production. In the public sphere, this debate has

been dubbed "reinventing government," or simply "rego," and its participants agree on little save

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[8] For an exceptional work which is attentive to details of institutional design and performance, see Unger's (1987a) *False Necessity*. There are of course a large number of works that study actually existing instances of worker control and participation. On plywood cooperatives in the Pacific Northwest of the United States, see Edward S. Greenberg (1986). On worker participation in Yugoslavia, see Pateman (1970). On a large experiment in Spain, see Whyte and Whyte (1988). SLD attempts to build upon these accounts by (i) investigating participatory democracy in the production of state/public goods, and (ii) providing a more nuanced account of how a "motor" driven by democracy can outperform more hierarchical forms of organization and decision.

perhaps the failure of large scale bureaucracy and the need for more effective alternatives.[9]

While dissatisfaction with the performance of existing modes of organization does not by itself

imply that more democratic forms can do better or even as well, it does at least open the space to

this suggestion, and in particular to reinterrogating the view of Habermas and others that directly

democratizing state and economic systems will reduce their performance capacities. Filling that

space requires theoretical and empirical materials to show how democratic forms can do

better—it requires reinvigorating the search for democracy.

A moment's reflection reveals the enormous contribution of social change movements to

the core democratic values of autonomy, equal consideration, and individual development.

America's large protest movements—abolition, the Labor movement from the Great Depression

to the New Deal, the Civil Rights efforts during the 1950s and 60s, and the movement for gender

equality—have undoubtedly increased equality of treatment, status, material condition, and

respect through collective action and mobilization. In addition to partially leveling the terms of

participation in state and economy, these social movements increased the integrity of the space

for democratic associative action in non-state, non-economic arenas; in Habermas's terms, they

rolled-back system imperatives from encroaching on the life-world. As an associative activity in

itself, participation in such social movements also enhances individual development and

autonomy. Piven and Cloward, for example, observe that participation in a social movement,

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[9] See, for example, Osborne and Gaebler (1992). This debate has been especially lively and creative in the area of environmental regulation; see, for example, Beadsley, Davies, and Hersh (1997).

> entails a transformation of both consciousness and behavior. The change of
> consciousness has at least three distinct aspects. First, "the system"... looses legitimacy...
> Second, people who are ordinarily fatalistic, who believe that existing arrangements are
> inevitable, begin to assert "rights" that imply demands for chance. Third, ... people who
> ordinarily consider themselves helpless come to believe that they have some capacity to
> alter their lot.
>
> The change in behavior is equally striking... First, masses of people become
> defiant; they violate the traditions and laws to which they ordinarily acquiesce... And
> second, their defiance is acted out collectively, as members of a group, and not as isolated
> individuals. (1977: 3-4)

Pure voice and refusal to be complacent, however, is only the seedling of autonomy. A fuller

autonomy entails the capacity, in individual thought and in social institutions, for citizens to

directly specify the laws which one will in turn obey. This requires institutions for organizing

discussion and enforcing its results in the state sphere. An arm's length relationship between

movements in civil society and the formal institutions would seem to prohibit fuller development

of these links.

On the fourth democratic value of deliberation, the strategy of separation between state

and society encourages deliberation within associations and movements,[10] but largely limits

interaction across spheres to non-deliberative pressure or regulation. Consider one close observer

of the social movement against hazardous wastes:

> The movement proudly rejects anything that smacks of cooperation or normalized
> participation. Hearings that were intended to provide the opportunity for formal public
> participation are turned into occasions for building oppositional solidarity... According to
> New Jersey Siting Commissioner, hearings 'have turned into political rallies... It was how
> many people can you get into an auditorium to boo the speakers you don't like and cheer
> for the ones you support.' The movement does indeed shun normalized participation. It

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[10] For an example of the small but growing number of empirical studies of political deliberation, see
Schlosberg (1995).

embraces, instead, the grass-roots, oppositional politics of direct action. Its tactical vocabulary is a familiar one: demonstrations, militant confrontation, escalating occasionally even to threats of violence. (Szasz 1992: 523; see also Szasz 1994)

That social movements typically do not advance—and often shun—deliberation is neither surprising nor a criticism of social movements as such. As its advocates would be quick to point out, the historical conditions that call social movements into being are simply incompatible with broad deliberation. Social movements respond to conflicts of interest between massively unequal groups characterized by material, institutional, and psychological domination. Under such circumstances of entrenched differences and power inequality, real deliberation is impossible *ex hypothesi* and attempts at deliberation likely to become additional tools for domination. Those who seek a fuller realization of deliberation, one which includes public officials and bridges across the spheres of civil society and the state, must identify contexts and institutions in which deliberation is genuine and its trappings not simply a mask for domination. Beyond this, deliberations among citizens themselves or between citizens and public officials must be sufficiently informed that they overcome our second constraint on the design of democratic institutions: complexity.

2.3.2. The Problem of Complexity

Quite apart from the alleged inefficiencies of democratic decision-making, increasingly daunting technical complexity in nearly every area of life prohibits any straightforward translation of the democratic dictum that people ought to have a say over common decisions that affect them. Complexity means that, even when ordinary people know what they want in particular—like better education for their children—they don't necessarily know which public

policies will best get it—whether the best course involves charter schools, total privatization,

Progressive education, national standards, and/or higher teacher salaries. Options become more

confusing, and preferences much less well formed, for the non-expert, with issues such as clean

air and water, national security, social welfare, and economic policy that are remote from

everyday experience. Ignorance about what one should want in these complex matters and even

greater ignorance about how to achieve those ends creates strong temptations to cede decision

making authority to those articulate experts who claim to know better. "Technocracy" or

"guardianship" are arrangements in which experts rather than ordinary people steer the important

political decisions. Prominent democratic theorist Robert Dahl sees complexity and its resultant

power differences as perhaps the most serious menace to democratic government:

> In democratic countries, public policy intellectuals are to be found in public
> bureaucracies, executive offices, legislatures, political parties, universities, research
> institutions, the media ... and many other places. Typically the leading specialists in a
> particular area—arms control, say, or health care, or environmental regulation—know or
> are known to one another even in a large country like the United States and even more so
> in smaller countries.
>   Their role in public policy decisions would hardly be a matter of profound
> concern to citizens in an advanced democratic country if it were not for the increasing
> complexity of public policies. For complexity threatens to cut the policy elites loose from
> effective control by the demos. The result could be—and to some extent already is—a
> kind of quasi guardianship of the policy elites. Like Plato's philosophers, this is not a role
> that... policy elites necessarily seek. Yet even if they may be unwilling and unwitting
> guardians, the complexity of modern policies... often thrusts that role upon them. (Dahl
> 1989: 234-5)

and

> I am inclined to think that the long-run prospects for democracy are more seriously
> endangered by inequalities in resources, strategic positions, and bargaining strength that
> are derived not from economic position but from special knowledge. (Dahl 1989: 333)

Consider how complexity impedes the pursuit of our five core democratic values. In some cases, the obstacles posed by complexity may be so great that they rule out particularly complex public decisions as inappropriate to democratic governance. Whether some form of guardianship should be chosen over democratic processes, however, depends in some measure on the cleverness of institutional design; some democratic forms can better grapple with complexity than others.

On the first value of producing desirable outcomes, complexity often severs the general link between an individual's participation in a particular decision and the likelihood that that decision will benefit him. To say that some issue is complex is simply to point out the difficulty of understanding the intricate considerations that should figure in such decisions and the difficulty of forecasting whether particular means will achieve desired ends (Zolo 1992). Complexity commonly justifies retrenching democratic decision-making in favor of experts who know-better and can be counted on to pursue the public interest—whatever that is—by virtue of their professional ethics or second-order democratic accountability.

Complexity also inevitably limits the degree to which we can achieve our second core democratic value of individual autonomy. Self-evidently, individuals in modern society cannot participate substantially in all, or even most of the decisions that affect their lives; there are simply too many dimensions of action, decision, and interdependence. Most individuals find it difficult to monitor closely, not to mention participate in, just a few of the complex and important public decisions their lives; just to stay on top of local school board activities, follow the health care debate, understand the actions and asserted effects of the Federal Reserve requires enormous energy on the part of individuals who have both work and private responsibilities. It is

patently impossible to imagine—even given the most favorable conditions— that any sizable

portion of a modern citizenry could become omni-competent over the entire array of relevant

issues. Citizens in modern democratic society are, therefore, inevitably buffeted about by

institutions not of their own making or understanding, and often not to their liking. But there is a

vast distance between total autonomy and complete lack of control, and it easy to imagine

citizens who are more publicly competent and institutions that are more under their rational

control than at present. One trick of contemporary democratic theory and institutional design,

therefore, is to discover the circumstances in which citizens can master more complex areas of

public life, for such mastery is surely a condition of extending the core democratic value of

autonomy.

Technical complexity also makes it difficult to construct institutions that advance the core

democratic values of equal consideration and deliberation. The canonical situation is one in

which ordinary citizens face experts on some important public issue—a hearing over an

Environmental Impact Statement (EIS) for some facility, the "notice-and-comment" period that

precedes the propagation of administrative rules, or a school board policy decision. Since

ordinary citizens encounter such issues occasionally—as interest, time, and concern permit—and

professionals earn their livelihoods by mastering them, the former will face the latter on unequal

footings of experience, understanding, and hence authority in these arenas of public decision.

This imbalance will translate, unfortunately but appropriately, the unequal consideration of the

opinions that eventually lead to collective decision. Since experts often possess superior

understandings of the relevant materials, and often a more precise and opaque language in which

to analyze various courses of action, deliberation will likely similarly be distorted in favor of experts.

Serious theorists and practitioners of democracy have grappled with the difficulties that complexity poses for democracy, but none of their answers have proven to be very satisfactory. Many, including prominent advocates Robert Dahl (1989: 338-9) and Benjamin Barber (1984:273-81), have sought some salvation from complexity in information technologies. Electronic communication, they hope, can dramatically increase access to relevant information and decrease the costs of communication between citizens and officials, and among citizens themselves. Such measures might indeed be possible to better inform the citizenry, but it is difficult to imagine that increased information access alone, be it cable access, CSPAN, electronic town meetings, or the Internet, would bring ordinary citizens sufficiently close to the level of experts that they would be able to produce good decisions through popular participation.

For it is not *just* the difficulty of accessing and assimilating information about complex matters that frustrates the advancement of these democratic values. It is not just the high cost of mastering information that prevents citizens from becoming lay experts, but also the fact that such mastery yields exceedingly low returns. The expert oligarchies in the state and private sector who have evolved to process complex decisions have also largely insulated themselves against the influence or ordinary, ignorant citizens. Citizens will continue to have few incentives to become knowledgeable about public affairs as long as these real centers of decision remain insulated, and no amount of information technology can change this situation. Perhaps that is why CSPAN and public access television have not quite met the expectations of their early advocates.

As it stands, democratic theory lacks imaginative institutional solutions that advance its values under the constraint of complexity. What kinds of institutional arrangements can make at least the important parts of large institutions understandable and manipulable by average citizens despite the daunting complexity of the public problems they must solve? In the absence of such institutions, citizens will either be cowed into ceding the major decisions of public life to those who claim to know (and probably do know, given present arrangements) better or they will imprudently take matters into their own hands.

2.3.3. The Problem of Scale

Scale—large geographic territory and population—is our third constraint on the design of modern democratic institutions. Classical democratic theorists such as Montesquieu and Rousseau thought that democratic ideals could only be achieved for small states, and indeed many of the positive values that we associate with democracy come from this historical association with the governance of, and by, small numbers of citizens. Too many citizens, these theorists thought, would make true self-governance impossible in two ways. First, a larger number of citizens diminishes the share that each has in common decisions, and this smaller share translates to a potential loss in autonomy. So, Rousseau writes,

> Suppose the state is composed of ten thousand citizens. The sovereign can only be considered collectively as a body. But each private individual in his position as a subject is regarded as an individual... each member of the state has as his share only one ten-thousandth of the sovereign authority, even though he is he is totally in subjection to it. If the populace is made up of a hundred thousand men, the condition of the subjects does not change, and each bears equally the entire dominion of the laws, while his vote, reduced to one hundred thousandth, has ten times less influence on the drafting of them...

Whence it follows that the larger the state becomes, the less liberty there is. (Rousseau 1987: Book III, Chap. I. para. 11).

This inverse relationship between the size of a polity and the amount of liberty is not a strict mathematical relationship, as it also depends on the level of a polity's diversity. In a homogenous polity, where every agrees with everyone else on most issues, there is no diminishment of freedom with size. But of course diversity usually increases with the size of a population, and Montesquieu (1989: Part I, Chap 7) saw this itself as a serious impediment to democracy, when he wrote that, "These sorts of institutions [popular government] can have a place only in a small state, where one can educate the general populace and raise it a whole people like a family."

If democracy requires a small state, as Rousseau and Montesquieu thought, then its core values are unlikely to be well realized given the rise of the large, modern nation state. This was the argument of the anti-Federalists of 1787 against the proposed new Constitution of the United States. Against the Federalists, who contended that issues such as foreign relations and the need for a national economy, required a national government over the thirteen states, the anti-Federalists responded that democratic values could not be sustained in such an extended Republic (Rakove 1997: 181-4). They contended that a national form, which might efficiently produce desirable outcomes such as smooth interstate commerce, national defense, and sound diplomatic policy, would require the sacrifice of, to them, more important democratic values of autonomy and equal consideration.

James Madison has been credited with solving this problem of size versus democracy

famously in his tenth Federalist Paper. Directly countering the common wisdom propagated by

Montesquieu and espoused by the Anti-Federalists, Madison contended that a large, "extended"

republic governed through the popular election of representatives, would actually advance the

democratic values of wise government (production of desirable outcomes) and liberty (individual

autonomy). On the first count, Madison thought that competition through election procedures

would select the most qualified people to serve as public officials and that the body of

representatives themselves, separated from the passions and demands of the populous masses,

would reach wise decisions through deliberation:

> the effect [of representation]... is... to refine and enlarge the public views, by passing
> them through a medium of a chosen body of citizens, whose wisdom may best discern the
> true interest of their country, and whose patriotism and love of justice, will be lease likely
> to sacrifice it to temporary or partial considerations. Under such a regulation, it may well
> happen that the public voice pronounced by the representatives of the people, will be
> more consonant to the public good, than if pronounced by the people themselves...
> (Hamilton et. al. 1982: 46-7)

On the third goal of protecting liberty (individual autonomy), Madison thought that a large

republic, encompassing many competing and contrary interests, would protect liberty by

diminishing the danger that a single factional interest could seize the reigns of government to

implement its own favored policies against the national interest. In a small polity, a single

interest will more likely constitute the majority of the population and thereby control government

at the expense of the minority. But,

> Extend the sphere, and you take in a greater variety of parties and interests; you make it
> less probable that a majority of the whole will have a common motive to invade the rights
> of other citizens; or, if such a common motive exists, it will be more difficult for all who

feel it to discover their own strength, and to act in unison with each other. (Hamilton et.
al. 1982: 48)

Thus the greater size of a state, combined with the device of representative government,

advances the democratic value of individual autonomy by reducing the likelihood a faction in the

population will usurp the powers of government and invade an individual's freedom.

How well does Madison's institutional solution to the constraint of scale—representation

in a large republic—advance our core democratic values? The advantages of this scheme to the

production of desirable outcomes cannot be assessed without reference to specific conditions and

policy areas and surely varies across them. Representatives who deliberate with one another in

hallowed legislative chambers may indeed produce wise decisions when the objects of legislation

are stable and uniform and the effects of legislation easy to assess. This form of government

might not be the best, however, when local conditions require diverse measures, where local

knowledge offers decisive advantages, or in dynamic situations that require constant re-

evaluation and adjustment of public policy measures. Many policy arenas—we discuss public

safety and education below—seem to exhibit just this kind of frustrating variation.

The Madisonian justification and scheme seeks to advance individual autonomy by

preventing improper state action perpetrated by a factional interest. While there is no doubt that a

great part of the interest in autonomy includes freedom from suffocating authoritarian

government, the value of individual autonomy also includes a positive,[11] integrated relationship

between citizen and state. In a large or small republic, the citizen realizes that cooperation with

others is necessary and mutually beneficial, and that such interaction is largely structured

through laws. He is more autonomous (free) to the extent that he participates in the formulation

of those laws, and not just to the extent that improper laws are not imposed upon him. Madison's

scheme of representation fails to advance this more demanding dimension of individual

autonomy as a democratic value, and so achieves only limited success in the search for

democracy under the constraint of scale.

The three remaining core values of equal consideration, deliberation, and solidarity fare

even less well than the production of desirable outcomes and individual autonomy under

Madison's proposal. Regarding equal consideration of citizens' interests and opinions,

Madison's scheme was designed to remove the business of government from the influence of the

people. An insular group of legislators, Madison thought, would be protected from the influence

of factional popular sentiments, in particular the majority sentiment favoring the redistribution

of property. He thought that lawmakers, by virtue of this insulation, would be able to make wise

decisions. The actual sentiments and expressions of ordinary citizens, would, by design, have

only an attenuated influence on representatives' decisions. This institutional design leaves the

question of equal consideration to the discretion of legislators themselves, and equality in their

minds would be presumably only one factor of many.

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[11] For an argument against the positive conception of political liberty, see Berlin (1989).

The case that Madison's scheme poorly serves the values deliberation and solidarity has been made above in the treatment of polyarchy. To repeat, the problem is that full advancement of each value requires the exercise of (state) power, and in the representative scheme ordinary citizens do not exercise power in any direct way. So, democracy is said to enlarge individual capacities and sentiment by forcing citizens to contemplate alternative courses of action, consider general interests, and encounter different perspectives. Under representative government, however, a citizen's meditations along these lines are most often idle speculations, costing too much time and energy, for they have no real consequences. The consequences that they do have are highly attenuated, as one's ballot is like a drop in the sea. Similarly, deliberation is bifurcated into consequential and irrelevant realms. The deliberations of elected representatives result in laws backed by the full force of the state and often does shape collective fate through human will. On the other hand, deliberations of ordinary citizens, in all but extraordinary times, have little power to bind action and no effects save to change the minds of individual citizens.

Now it may be that Madison's proposal is the best that democracy can do under the constraint of scale. Perhaps his institutional recommendation, though it largely fails to realize autonomy, equal consideration, individual development, and deliberation, does maximize the achievement of our five core values under the constraint of scale. In the absence of an impossibility theorem stating that case, however, we should continue to search out institutional forms that do better, because his proposal does so poorly.

2.3.4. Inequality and Deprivation

The fourth major constraint on the design of modern democratic institutions is inequality of status and material wealth between citizens, and all the other inequalities that brings. On this dimension, our question is: "which institutions, given the levels of vast inequality in American society, can nevertheless advance our core democratic values?" Now some readers may find it peculiar to treat inequality as a *constraint* on the design of democratic institutions because most theorists have often given rough equality as a *necessary condition* of healthy democracy. Rousseau, for instance, writes that democracy requires a population and laws such that "no citizen should be so rich as to be capable of buying another citizen, and none so poor that he is forced to sell himself" (Rousseau 1987: Book II, Chap. 11, para. 2). Most Western democracies do not, and will not in the foreseeable future, meet this condition of equality. Because we are interested in designing democratic institutions immediately, we treat the high level of social and material inequality that we see as a constraint on democratic design. It forces us think harder about how to advance democratic values, because, like complexity and scale, inequality defeats the obvious institutional answers. By treating it as a constraint rather than a necessary condition, we can nevertheless push democratic values by constructing feasible institutions here and now; the theory does not require us to wait wistfully for the state to swing its redistributive axe. We do not give equality practical priority over democracy.

Lest any of this be taken as an apology for the high levels of inequality that pervade both democratic and non-democratic society, five observations—presented without argument—are in

order. First, increases in status and material equality are good for democracy; all other things being equal, an increase in material equality will almost automatically enhance realization of the democratic values described above. It may be that the best way to advance democratic values is to pursue full-throated measures that enhance distributional equality, but the present project focuses on the parallel challenge of finding more democratic institutions. Second, there would still be plenty of work for the constructive institutional democratic theorist even if full equality could somehow be imposed; the discussion above of oligarchy, complexity and scale argued that our received institutions democracy largely fail to realize our core democratic values, and these constraints have little to do with material inequality. Third, at any given level of inequality, the degree to which the five core democratic values are realized can vary enormously. Fourth, the configuration of democratic institutions figures principally in the degree to which the core democratic values are realized at any particular level of inequality. So, campaign finance reform measures that diminish the influence of money on politics do not touch levels of background inequality in the society, but do advance values of equal consideration in electoral politics. Providing equal educational opportunities through public schooling might not affect the distribution of incomes across families, but might advance values of individual autonomy, individual development, and deliberation. Finally, institutions that aim principally to advance one or more of the core democratic values can have salutary effects on equality as well.

The brute fact of inequality, then, presents a constraint on attainment of each of our five democratic values, but also leaves room for institutional measures that advance each of them as well. Consider the values of producing desirable outcomes and autonomy. Compared to those

better situated, materially deprived citizens will have a harder time using any particular set of democratic provisions for participation to secure outcomes they desire or to exercise their autonomy because they lack time, access to information, and skills necessary to process that information.[12] On the other hand, participatory reform in institutions might enhance the autonomy and the quality of outcomes even for the very deprived. Such individuals, often called dependent persons, are frequently most dominated by faceless bureaucracies in social welfare, criminal justice, education, public housing, and mental health. It is no stretch to think that even highly deprived individuals might exercise more control, obtain better results, and develop themselves as democratic citizens under reforms that opened such institutions to their participation (Handler 1996).

Inequality of status and wealth increases the possibility of domination in democratic settings, and this in turn threatens the core values of equal consideration and deliberation. Unequal wealth or power threatens equal consideration in democratic governance when one citizen threatens or purchases the influence of another, or more commonly through translation of material resources into unequal political influence through advertising or contribution to political campaigns. But institutional measures can obviously reinforce or mitigate possibilities of such domination. John Stuart Mill, for example, thought that those who had demonstrated the possession of higher capacities—employers, professionals, and university graduates to name a few—ought to be accorded more votes than those who could not, through occupation or

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[12] See the discussion of resource constraints in Joshua Cohen and Joel Rogers (1983) at 60-7.

examination, demonstrate such quality of mind (Mill 1991: Chap. 8). Since such demonstrations

of acuity often correlate with other advantages in wealth and status, Mills proposal would, at any

given level of inequality, realize the value of equal consideration less than, say, a scheme of one

vote per citizen. Some common proposals that might advance equal consideration at a given

level of material inequality, on the other hand, include public financing of political campaigns,

limits political contributions to candidates and to parties, and media subsidies.

Similarly, varieties of inequality can threaten deliberation in several ways. Recall our

definition of deliberative governance as the practice of selecting among competing proposals for

action through reason and argumentation with the ultimate goal of finding proposals that each

party ultimately himself finds reasonable. More wealthy individuals can translate their material

advantage into greater access to information and superior skills of argument, which can then be

used to dominate poor discussants and thus distort the deliberative process (Sanders 1997).

Those who enjoy higher status in any particular discussion—the experts, say—can use their

authority to obfuscate and manipulate rather than to enlighten, correct, and guide. Most

insidiously, some have argued that the discourse of rationality itself supports an exercise of

power against those who do not conform to "normal" modes of action and thought (Foucault

1980, 1995). On this view, deliberation may simply be another occasion to use the weapon of

rational talk against outsiders and to increase the hegemonic power of that weapon through its

use.

While the search for more democratic institutions must no doubt be cognizant of each of

these objections to deliberation in the context of inequality, each also rests on two questions that

can only be settled by examining actual deliberation. First, what institutional measures can be

taken to preserve the integrity of deliberation despite material and status inequality, and how

effective are such measures? Second, does the provision of deliberative opportunities for

participation improve the condition of weaker parties can chip away at domination, despite

inequality, or does it worsen their condition and reinforce domination? Consider an example that

we shall examine in much more detail later: deliberative institutions that connect residents of

poor neighborhoods to the police that supposedly serve them. Inequality of status, expertise, and

wealth separates the two groups. It is easy to imagine outcomes that reinforce and expand

inequality in such encounters; residents who begin the process suspicious of police racism,

brutality, lack of protective service, and corruption, are persuaded through clever propaganda

that the police really are doing the best job they can and accept them as legitimate authority.

On the other hand, it is also easy to imagine an outcome more favorable to the low-

income residents; residents, through these encounters, are able to hold police accountable by

bringing out their brutality, lack of service, and ignorance of community problems into the light

of open discussion and thereby beneficially change police practices. Whether we should favor

the construction of deliberative institutions in conditions of inequality on whether those

institutions can generally secure the latter outcome rather than former one. This is not a question

that can be answered prior to investigation of actual deliberative encounters. The success of such

deliberation will very likely also depend upon the details of institutional design (and not just on

the underlying balance of power or inequality): are police rewarded for constructive

participation, are they required to participate at all, are training and monetary resources available

to residents so that they may be able to deliberate on a par with public officials, do residents and

police have the authority to implement the results of deliberation? The meaning and outcome of

deliberation cannot be understood without examining actual institutions that constitute these

encounters.

2.4. Street Level Democracy as an Incremental Improvement

Street Level Democracy (SLD) is a proposal for institutional reform of urban institutions

that advances each of the five core democratic values while remaining within the bounds of the

four constraints laid out above. The proposal draws from the tradition of radical or participatory

and from contemporary developments in reform of urban administration. Very briefly (see

Chapters 6-8 for the full institutional details), SLD is a scheme in which parts of urban

government—policing and schools are the ones we examine below—are broken down along

dimensions of both territory and function. The "atom" of democratic decision and action, then is

the smallest operational unit and the citizens served by that unit—say the police that patrol a

single "beat" or a single elementary school and the residents served by these public agents. SLD

devolves operational authority to these micro-units of the state: so decisions over a school's

personnel, budget, curricula, facilities, and other programs would made by school personnel and

parents. Deliberative democratic processes govern the internal operations of these units;

discussion, argumentation, presentation of evidence, and consideration of past decisions

produces decisions in terms which can be justified to all parties to the process. As this is a

scheme to advance democracy, the parties include both the low-level professional agents of

public action (beat cops, teachers, school administrators) and the residents, parents, and perhaps

students who use their services.

These units are not autonomous, however, in that they must answer to the larger agency

(the police department or the school system) and city of which they part. This for now vague

"administrative center" helps to assure that these microscopic operational units perform their

function well, in part by assuring that each of them is indeed governed by deliberative processes

internally, and in part by spreading the successful techniques—the revealed best practices—of

similarly situated units in other parts of its large jurisdiction. As the discussions of complexity

and scale above should make clear, the fate of our functional micro-democracies will depend in

large measure on larger institutional forces (e.g. school funding arrangements, the structure of

system-wide service vendors, arrangements with teachers' unions), this "administrative center"

can also shape those forces in ways that favor rather than inhibit the success of its member units.

So, as even this briefest of descriptions should highlight, SLD borrows heavily from the tradition

of autonomous, participatory, small-unit democracy, but departs from those views in that it also

includes a muscular central authority.

At the point of state action between ordinary citizens and public bureaucracies, I argue

that SLD provides additional opportunities for political participation and influence that advances

each of the core democratic values beyond the level achieved by, say, institutions that allow

citizens to vote for political officials who then direct standard insular, hierarchical agencies.

While each of these contentions requires a much fuller description of SLD's institutional details, conceptual argument, and empirical evidence, consider briefly some bases for favoring SLD as an institutional guess that can advance core democratic values.

The *efficient production of outcomes* is our first democratic value and the first constraint on allowable institutions. People favor democratic institutions because they produce desirable outcomes. Beyond this, I have contended that contemporary sentiments give priority to this value above the others—no democratic proposals can gain wide support unless they satisfy this efficiency constraint. SLD incorporates deliberative planning, experimentation, and local control as an alternative to our familiar oligarchic urban bureaucracies as a mechanism for the production of desirable outcomes. Many of our urban bureaucracies—in policing, schools, environmental control, and the provision of other city services—have largely failed to produce desirable outcomes, especially in poor neighborhoods. My contention is that SLD, by leveraging local knowledge, energy, and enthusiasm from both residents and low-level public officials and by discarding ineffective bureaucratic routines, can produce superior outcomes in these very low income neighborhoods. Whether or not this contention about performance is correct will of course depend on a thousand details of design, implementation, and context. Therefore, we cannot know whether the contention is correct without substantial empirical investigation into concrete institutional efforts. The poor performance of existing urban bureaucracies, actual developments in administrative reform, and obvious unused potentials in human knowledge and energy provide a basis for optimism and reason for further investigation.

SLD advances the second core value of *equal consideration*, or fairness, by enhancing

the ability of ordinary citizens to shape the shape and direct the institutions that directly affect

their well-being and lived environment. Rather than constantly smashing up against an

impersonal and incorrigible police or school bureaucracy, for example, SLD reform puts the

reigns of these agencies largely in the hands of their direct clients in impoverished urban

neighborhoods. If citizens participate in SLD institutions, and there is good reason to think that

they will, public agencies will incorporate their views and interests directly into daily operating

priorities and routines. This would mark a substantial gain over the present situation in which a

long transmission belt of election and bureaucracy mediates and attenuates the consideration of

these citizens' interests.

SLD also promises substantially increased opportunities for and achievement of

individual autonomy compared against representative institutions of government. In the Millian

or Habermasian public sphere separated from state action through the mechanism of

representation, citizens exercise and develop their political intelligence and judgment in the best

case as an interested spectator of the sport of politics. Because their opinions exercise only

attenuated and indirect effects, ordinary citizens have few incentives (other than patriotism or a

hobbyist's interest) to expend the energy needed to develop these capacities or to form

considered opinions. By tying citizen opinions directly to state action at the most tangible scale,

citizens reap the consequences of their own judgments under SLD and so have strong incentives

to develop these practical political capacities because the reform offers opportunities to exercise

them.

Since deliberation between ordinary citizens and operational-level bureaucrats is SLD's engine of fairness and effectiveness, the case that it advances our fourth core democratic value of *deliberation* is more clear. SLD is principally designed to construct arenas in which such people can, through discussion, collectively direct important areas of their lives that they hold in common. It marks advances over deliberation in representative government first by providing arenas for focused popular deliberation. Second, SLD completes deliberation by tying its results directly to the exercise of state power.

Like representative democracy, SLD offers distinctive institutional responses to the constraints of performance, complexity, scale, and inequality. We have already discussed the non-oligarchic alternative mechanism of experimentation and deliberation which promises to produce desirable outcomes in SLD. SLD reduces the obstacle posed by complexity through decentralization (down to neighborhoods) and functional division (police, schools, etc.). Though problems are still quite complex for a single school in a single neighborhood, the questions posed at this scale and scope will be much more manageable for, and important to, the average citizen. The institutional maneuver cannot, however, overcome the inevitable limitations that complexity places on autonomy, however. In the simpler public policy environment of a republican city-state, a citizen might exercise voice and control over every public decision. Under SLD, each citizen must choose functional areas in which to exercise control, because no one could possibly master the issues necessary to participate in every area. SLD advances autonomy by providing an

array of opportunities for direct participation and control in those areas of public action that citizens care about most.

SLD meets the challenge of scale without eviscerating opportunities for participation by preserving central power in a role that supports decentralized operational units. While most decisions about productive public action are left to these component groups, the larger powerful "center" that encompasses them spreads successful lessons, coordinates their activities, provides services that can demonstrably benefit from economies of scale, provides resources, adjudicates internal conflicts, and act to favorably alter the larger institutional environment. These and other functions of the administrative center are discussed in Chapter 8. The general strategy of design respects the demands of scale, but builds up the center from below, as it were, out of the articulated needs and revealed incompetencies of component groups.[13] This design strategy contrasts with building up the center from above, as was Madison's approach in designing the Constitution, by presuming the incompetencies of component groups and beginning with a center powerful enough to over-rule and compensate.

Though greater background equality in the distribution of status and wealth would certainly aid the advancement of core democratic values under SLD, it does not require greater equality than presently exists. I argue that institutional reforms along the lines recommended by SLD would advance each of core democratic values beyond their present levels without any

redistributive measures. Beyond some extremely high level of inequality, SLD institutions may

be irrelevant or even anti-democratically increase domination. The poorest of ordinary citizens

might be so overworked as to lack the time to participate in its institutions or made too stupid to

understand the proceeding that go on there. Deliberation under conditions of such massive

inequality might actually reinforce the domination, and so the additional participatory

opportunities provided by SLD would force the retreat of democratic values.

The quick critic might add a host of other objections to this one that SLD cannot advance

democracy without first securing more equality. He might object that these micro-operational

units will not secure desirable outcomes as well as bureaucratic oligarchies; that the value of

autonomy will not be advanced because apathetic individuals will not participate or because

SLD's small communities will be an occasion to impose the majority's suffocating values; that

state institutions under SLD will not give citizens more equal considerations due to the pettiness

of low level officials or the inequalities between citizens themselves; or that citizens will not

develop their democratic capacities in SLD because the frequency or intensity of participation is

not great enough and because those capacities are difficult to develop.

Two areas of uncertainly, however, should give the more thoughtful critic pause. First,

these objections, and admittedly my contentions in favor of SLD, depend upon a great many

empirical propositions about what citizens are capable of, about the threshold effects of

inequality, and about the operations of only vaguely specified institutional mechanisms. Given

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[13] This recognition of the need for central power and the limits of local autonomy, and the strategy of
building up central power from below, seems to be more or less that of the Anarchist Michael Bakunin in

the paucity of empirical work on human behavior in democratic contexts beyond voting, great confidence in any such empirical propositions would seem brash. Many of these arguments between the critic and proponent of SLD must therefore be settled by going out into the world and observing how people behave in the proposed democratic contexts. Beyond this, I have not yet said enough about the institutional details and context of SLD to defend against these criticisms. By the same token, however, the critic cannot be sure that *every* institutional design that fits my rough outline of SLD will suffer from these alleged defects. I hope that core values of democracy are important enough, and these brief bases for thinking that SLD might advance them attractive enough, to have persuaded the reader that the details of institutional design are worth further exploration, for that is what the rest of this book does.

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his version of federated communes. See his (1980) "Revolutionary Catechism."

Part I

The Emergence of Street Level Democracy

The facts of complexity seem to present deliberative democracy with a Weberian dilemma: either decisionmaking institutions gain effectiveness at the cost of democratic deliberation or they retain democracy at the cost of effective decisionmaking. In either case, citizenship, deliberation, and decisionmaking fail to be linked, so that the public sphere becomes powerless...

— James Bohman (1994)

Chapter 3:

From Machines to Bureaucracy to Democracy?

An Ideal History

3.1. An Ideal History of the Municipal Administrative State

We begin our explanation of the institutions of Street Level Democracy by looking at their development in historical perspective. Why did these new, more decentralized and democratic, arrangements of municipal governance replace hierarchical command-and-control bureaucracies in Chicago when they did? This chapter offers a structural, somewhat abstract, account of that evolution by tracing an ideal history of the rise and decline of large-scale, politically insulated, techno-bureaucratic agencies in terms of two historically increasing demands placed on modern administration: size and complexity. Encapsulated, the ideal history traces the growth of large municipal bureaucracies as a solution to the problems of governance as the population of cities increased throughout the nineteenth and early twentieth centuries, and the citizens of those cities more and more demanded the efficient provision of municipal services. Progressive reformers laid out blueprints for the organizational form of that service provision as hierarchical, autonomous, command-and-control bureaucracies in the early part of the century, but their plans were not fully realized in the Chicago Public Schools (CPS) and Chicago Police Departments (CPD) until the post-World War II period.

Even as these municipal agencies developed into fully autonomous bureaucracies, the problem environments in which they operated became increasingly complex. Some neighborhoods saw poverty concentrate in them, others suffered racial strife, while expectations for state performance seemed to increase everywhere. I will argue that the inability of many agencies to cope with this rising complexity has wrought widespread disenchantment with bureaucratic modes of state action and calls for reforms to the Progressive design. At the end of the twentieth century, these calls for municipal reform have brought numerous reform proposals and measures such as privatization and marketization of public services (Moe and Chubb 1990), streamlining bureaucracy to make it more "customer oriented" while retaining is command and control form (Osborne and Gaebler 1992), and enhanced judicial review of administrative rulemaking (Rose-Ackerman 1992; Lowi 1979). While this reformist tinkering has yet to coalesce into an institutional model of public sector organization that enjoys the wide support that the command-and-control model enjoyed for much of this century, and while none of them has proven itself beyond a doubt as superior to the traditional hierarchical form, widespread disappointment about the performance of public bureaucracies has opened opportunities for ranging institutional experimentation. In Chicago, to a greater extent than in any other American city, experimental reforms to old school bureaucracies have assumed a radically democratic semblance.

This ideal history focuses on two moments of institutional selection: the establishment of large, politically insulated bureaucracies and the transformation of those agencies into a more democratically permeable organizations. An examination of the former exposes the character of the institutional trade-off of the democratic "Weberian Dilemma" (Bohman 1994) that has

perplexed many democratic theorists. The dilemma is that autonomous, hierarchical

bureaucracies may be the only organization form capable of solving public problems under

social conditions of moderate complexity and scale. But these organizations require nearly

complete liberation from the democratic polities that they serve. Popular sovereignty entails both

effective state action and democratic control, but the received mode of organizing public

action—the hierarchical bureaucracy—forces us to choose between either effectiveness or

democratic direction.

The second moment of the ideal history points out the social fact that technocrats and lay

citizens alike have recently become disenchanted about the claims of the hierarchical

bureaucratic to deliver on its promise of effective public action. Having sacrificed democratic

control for the sake of system effectiveness in a Faustian adoption of hierarchical bureaucracies,

we now find that those pyramidal agencies fail to satisfy the tasks we set to them—educating our

children, keeping our streets safe, etc.—as their problem environments become more complex.

Now this claim that there is a widespread perception that autonomous bureaucracies have failed

to deliver their promises of performance is of course controversial and not yet settled; no one can

say with certainty whether the hierarchical mode of organizing the public sector will give way to

some other form—either more neoliberal or more positively democratic—or whether the

stuttering reform efforts of recent years are simply institutional fads. This uncertainty has made

the terrain of contemporary democratic theory strange indeed. Once staunch and erudite

theoretical proponents of thoroughgoing democratization—say Robert Dahl (1989) on one side

of the North Atlantic and Jurgen Habermas (1996) on the other—seem now to take the necessity

of the hierarchical bureaucracy more or less for granted. They seem to have retreated from their

earlier, more radical, beach heads (Dahl 1967; Habermas 1975) and devoted their energies

toward democratization around the edges of that axiomatic institution by attempting to

strengthen the very tenuous links that span "a chasm between the expert and the people to be

bridged only by the frail plank of [popular] consent" (Follett 1930: 28). Meanwhile, many

individuals not noted for their radical democratic commitments, such as the faceless senior

bureaucrats in the Chicago Police Department and the Chicago Public Schools, have dismantled

their autonomous hierarchical agencies and built them back up in quite decentralized,

democratically accessible forms.

This extreme dissonance between theory and practice suggests that we ought to

reexamine our assumption that effective state action necessarily takes the form of autonomous

hierarchy. If this assumption turns out to be a "false necessity"—an invalid axiom—then perhaps

more democratic forms can supplant the hierarchical agency. A focus on the second historical

moment of our developmental narrative—the possible demise of the hierarchical

agency—clarifies this structural possibility. If the hierarchical agency form is indeed waning,

there is no particular reason to suppose that it will be followed by more democratic methods of

organization. The ideal history of this chapter points out the only *possibility* of more democratic

reconstruction. The successor form need not be Street Level Democracy, but could be market

mechanisms, streamlined bureaucracies, or a purely administrative decentralization that does not

increase participation or popular sovereignty. The political histories in the next two chapters

describe how Street Level Democracy in both the CPD and CPS were products of a contingent

alliance between elite and popular political actors. They utilized the structural opportunity

created by a legitimation crisis of bureaucratic non-performance to impose institutional reforms

that they believed would make these respective systems more democratic and effective.

Before examining the conjunctures of those political alliances and commitments,

consider the stages of our ideal history in a the simple schema below. The rest of this chapter and

two following it describe in detail the institutional forms named in this figure and the political

forces and ideal consideration that drove the organization of public action from one form to the

next.

Figure 3.1: Size and Complexity as Constraints on Democratic Values

	Large Democratic Units	Small Democratic Units
Moderately Complex Functions	**Hierarchical Bureaucracy I:** High system capacity/ Low individual effectiveness	**Local Democracy:** Low system capacity/ High individual effectiveness
Highly Complex Functions	**Hierarchical Bureaucracy II:** Low system Capacity/ Low individual effectiveness	**Street Level Democracy?** High system capacity/ High individual effectiveness

This history begins from a situation of high democratic voice and low system capacity,

represented in the upper right hand corner of the figure above. These institutions might be

imagined as the directly democratic town hall of New England or the Athenian forum. Under

these arrangements, individuals exercise high individual voice over public decisions, but the

overall system capacity is low because decision costs are high and because small size of the

polity exposes it to numerous externalities. The construction of hierarchical, autonomous

technocratic bureaucracies, depicted as the movement from the upper right to the upper left of

figure 3.1, increases system capacity by enlarging jurisdiction to internalize externalities,

lowering decision costs through hierarchical command structures, and by insulating public action from public voice through the devices of representation and professional discretion. This choice between high individual voice and high system capacity, another rendition of the "Weberian dilemma," is described in the context of democratic social theory in section 3.2 below. As problem environments increase in complexity from moderate to extreme complexity, depicted as an evolution of the system from the top row to the bottom, these hierarchical command systems internally differentiate themselves in an attempt to cope with complexity, but ultimately become dysfunctional. This increasing incapacity is depicted as movement from the upper left of Figure 3.1 to the lower left and is described in section 3.3. The lower left hand position represents a democratic crisis: the system is neither particularly effective nor responsive to popular input. Street Level Democracy is represented as one potential institutional solution to this crisis, one that offers both high individual voice and high system capacity, in the lower right hand corner of Figure 3.1.

3.2. Hierarchical Bureaucracy: Effectiveness Over Voice

As we shall see in Chapters 4 and 5 below, the real world movement toward autonomous bureaucracy in Chicago was settled over decades in the course of violent battles between local politicians of the decentralized ward machines and the Progressive, then professional, municipal reform movements (Hofstadter 1956). In this ideal history, however, we momentarily step away from those particular details to focus on the democratic values at stake in the development of large scale hierarchical public agencies. The trade off between the democratic values of individual voice and system capacity is straightforward and familiar. As an institutional design

solution, the large scale bureaucracy offers three distinct advantages that seem to advance system

capacity at the expense of individual voice: its greater geographic jurisdiction reduces

externalities, the logic of administrative hierarchy offers substantial problem solving capacities,

and the reduction of democratic voice from direct to representative forms filters the unwise and

uninformed opinion from public action. Consider these in turn.

The desire for greater individual opportunities for political participation favor smaller

units of government, while the desire for greater "system capacity" favors larger units. Suppose

you were part of a constitutional convention, and your job was to select the size of the polity.

You are stuck in a conundrum. If you pick small units, then your people will be subject to greater

harmful externalities (the army down the street, the polluting factory across the boarder). If you

pick larger units, however, each of your citizens will have less voice in the determination of

public policy, and in particular losing minorities will be numerically greater (smaller unit, better

fit of policies to preferences).[1] Robert Dahl (1973) puts it this way:

> the logic seems unassailable. Any unit you choose smaller than the globe itself—and that
> exception may be temporary—can be shown to be smaller than the boundaries of an
> urgent problem generated by people who are outside of the particular unit and hence
> beyond its authority. Rational control over such problems dictates ever larger units, and
> democratic control implies a larger electorate, a larger majority. Yet the larger the unit,
> the greater the costs of uniform rules, the larger the majorities who cannot prevail, and
> the more watered down the control of the individual citizen (Dahl 1967: 959).

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[1] See for example, Rousseau's *Social Contract*:
> Suppose the state is composed of ten thousand citizens. The sovereign can only be considered collectively
> and as a body. But each private individual in his position as a subject is regarded as an individual. Thus the
> sovereign is to the subject as ten thousand is to one. In other words, each member of the state has as his
> share only one ten-thousandth of the sovereign authority, even though he is totally in subjection to it. If the
> populace is made up of a hundred thousand men, the condition of the subjects does not change, and each

The second, more powerful, reason for the rise of bureaucracy is the power of its internal

problem solving logic, its "purely technical superiority over any other form of organization"

(Weber 1946: 214; Yates 1982: 20-32; Wilson 1887).[2] The hallmarks of bureaucratic

organization, "centralization of control and supervision, differentiation of function, and

qualification for office... objectivity, precision and consistency" (Friedrich 1950) all make up a

system that is on its face more capable of solving moderately complex problems than a group of

lay citizens at a town meeting, for example. A more extreme statement come from Ted Lowi's

(1979) comments on the rise of government agencies:

> The fact of the matter seems to be that the immense complexities of development and
> control in industrial society are too powerful for thoughtless institutions...
> The modern method of social control involves the application of rationality to all social
> relations. In production we call it technology. In exchange it is called commerce or
> markets. In social structure we have here called it differentiation. *Rationality applied to
> social control is administration.* Administration may indeed be the *sine qua non* of
> modernity. (21, emphasis in original)

Now whether or not other styles of organizing public action could have competed with the logic

of bureaucracy on the dimension of effectiveness, bureaucracy was the principal contender in the

United State before World War II, and, along with competitive markets, the only contender for

decades after it (Hofstadter 1956).

When large, expert bureaucracies are charged with administrating functional areas of

social life for relatively large populations, formal popular sovereignty assumes the representative

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bears equally the entire domination of the laws, while his vote, reduced to one hundred-thousandth, has ten
times less influence in the drafting of them. (Bk. III, Chap. 1. ¶11)
[2] See the discussion of the Priority of Effectiveness in Chapter 2 (2.3.1) for further discussion of the
argument for oligarchic forms of organization based upon their effectiveness.

form. In the Westminster ideal, voters elect professional politicians who compete with one

another for votes, and these politicians then direct bureaucracies to act in according to platforms

marketed by parties or individual politicians (Committee on Political Parties 1950). According,

famously, to Schumpeter (1942), this modern democratic system is not one in which the policy

opinions of millions of voters aggregate into a coherent social choices,[3] but rather a system for

selecting between various political elites who exercise power:

> Suppose we... make the deciding of issues by the electorate secondary to the election of
> men who are to do the deciding. To take it differently, we now take the view that the role
> of the people is to produce a government... the democratic method is that institutional
> arrangement for arriving at political decisions in which individuals acquire the power to
> decide by means of a competitive struggle for the people's vote. (269)

A doubly mediated democratic system in which the chiefs of hierarchical administrations are

themselves directed by political elites becomes more rational and effective by filtering out the

unworkable and untutored opinions of ordinary citizens. Schumpeter (1950) again argues starkly

in favor of this filter because

> The typical citizen drops down to a lower level of mental performance as soon as he
> enters the political field. He argues and analyzes in a way in which he would readily
> recognize as infantile within the sphere of his real interests. He becomes primitive again.
> His thinking becomes associative and affective. (262)

Even without such a low estimation of the average citizen, however, one might think that public

action might be more ably guided by political elites than by ordinary citizens because of the

advantages in training, time, incentive and disposition that the former enjoys.

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[3] Indeed, the theory of social choice informs us that such a system is not generally logically possible. See

These three abstract reasons—the advantages of greater size, the impressive problem-solving logic of command-and-control bureaucracies, and the competent governance of representative as opposed to direct democracy—all weigh in favor of sacrificing direct popular voice in favor of hierarchical administration, the move from the upper right hand corner of figure 3.1 above to the upper left hand corner. In the historical accounts detailed in the next two chapters, we shall see that the alleged efficiency of bureaucracies motivated their adoption in Chicago police and school systems. In the early part of the twentieth century, police and school systems were organized along decentralized, neighborhood lines and functioned as "adjuncts of the machine" (Fogelson 1977). Ward politicians effectively controlled district police stations and schools and dictated many of their hiring, contracting, and operating priorities. Unsurprisingly, politicians at the ward and mayoral level used these agencies to sustain their own political strength primarily by providing patronage but also by enforcing the social order desired by their constituents.

Good government Progressives and professionals in education and in public safety, on the other hand, thought that these organizations ought to maximize the effective delivery of education and police services. Without engaging in historical debates about the upper-class bias of progressive reformers or advantages of this decentralized administrative scheme for immigrant social mobility,[4] I take it to be non-controversial that the tension between the logic of patronage employment and effective service delivery formed a central axis of conflict between progressive reformers and machine politicians. It would take the reformers and their ideological

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Riker (1982).
[4] See, for example, Hays (1964) and Erie (1988).

descendants half a century to resolve this tension in their favor. They did so by expanding their anxiety about the disjunction between what agencies should be doing—providing the best possible service at the lowest public cost—and what they actually did—support parochial political machine politicians and provide employment to working class ethnics—into a kind of municipal legitimation crisis that would be resolved by remaking these agencies into hierarchical, professional bureaucracies that were largely insulated from political control.

By the late 1950s, even in late-blooming Chicago, bureaucratic reformers had largely won their organizational battles against the urban machines. They replaced each piece of this decentralized system of machine-dominated, municipal services with modern bureaucracies. In place of decentralized, neighborhood-level operations, they installed hierarchical, centralized city-wide authority structures. Whereas agencies had been controlled by (ostensibly) popularly elected politicians, reformers insulated many aspects of agency operation from popular control by replacing the rule of politicians with the rule of experts who would know how best to advance goals of their particular specialties.[5] Instead of employment and tenure based on political support, they created training and credentialing through civil service schemes. Finally, instead of the haphazard, often corrupt, sometimes brutal procedures of machine controlled agencies, they installed uniform, measurable agency procedures in accordance with state of the art professional knowledge.

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[5] So Woodrow Wilson (1887) writes that the trick of progressive agency reform is "to make public opinion efficient without suffering it to be meddlesome."

3.3. Administrative Dysfunction and Democratic Possibility

Accepting the rather large caveat that terms like "system capacity" and "administrative performance" are always relative to expectations, demands, alternative organizational forms, and past performance, we might nevertheless say that these hierarchical bureaucracies were in fact superior to either the ideal, unworkable form of classical direct democracy (Schumpeter 1950: 250-68; Pateman 1970) or the real world political machines that they supplanted in Chicago. The schools and police offices ran more smoothly, with less corruption, and more effectively on nearly every relevant measurable administrative dimension (Herrick 1971; Lindberg 1991).[6] Only decades after they had reached institutional maturity, however, professionals, academics, and critics in the general public would raise increasingly vocal criticisms that these bureaucracies were not adequately performing the tasks set to them. Urban police departments (Sparrow 1990), school systems (National Commission 1983), and government bureaucracies generally (Osborne and Gaebler 1992), suffered a crisis of public confidence that perhaps began in the turbulent 1960s and accumulated over the following decades.

While we delve into the details of some of these substantive criticisms of bureaucracy in the Chicago agencies in the next two chapters, suppose for now that these criticisms of unsatisfactory performance possess some merit. Given that the general form of these bureaucracies did not change, perhaps changes in their operating conditions and organizational goals have rendered them less able to solve the public's problems than they once were. Increasing social complexity is often offered (Zolo 1992; Bohman 1996) as a catch-all, black-

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[6] For accounts of the long term negative ramifications of these reforms on the working classes, see Hays (1964) and Bowles and Gintis (1976).

box description of these increasingly difficult operational conditions, and I retain that convention here. Stated simply but believably, these public hierarchies operate less satisfactorily because their problem solving environment has grown more complex. This shift to unsatisfactory performance is depicted in Figure 3.1 above as the movement from the upper-left to the lower-left hand section.

One source of this complexity is that the tasks that the public asks of them have grown. Whereas schools for much of this century were asked primarily to assimilate ethnically diverse immigrant students to mainstream American urban society or to adjust the attitudes and behaviors of those students in ways compatible with modern industrial society, we now demand that schools deliver the more demanding outputs of academic excellence and equal educational opportunity (Graham 1995). We have come to expect police not only to catch perpetrators of crime, but that they play a role in its prevention and we take high crime rates as a failure of policing (Sparrow 1990). A second kind of complexity comes from trends in urban life such as increasing poverty, cultural diversity, and spatial mobility. A third source of complexity stems from the increasing differentiation of public agencies combined with the need to coordinate them in order to solve public problems (Zolo 1992: 5). For instance, it may be necessary but difficult to coordinate the efforts of a parks service, housing court, juvenile services, bus scheduling authorities, a local school, and the police department in order to solve a problem as simple as persistent narcotics trafficking in an inner city park.

Under elite-mediated, representative democracy, the abstract notion of system capacity is realized by the institutions of the administrative state—the bureaucracy commanded by elected political elites. When the tasks set to bureaucracy are simple and clear, its objects uniform, its

problem environment stable, and its agents easily monitored, then we can indeed expect system

capacity to increase with territorial scale because such expansion reduces uncontrolled

externalities and captures economies of administrative scale. However, when the state is charged

with tasks that are more complex, in which the proper course of action is not easily given in

general terms because it varies over place and time, economies of administrative scale are far

less clear. Though this crude division between bureaucracies charged with simple versus

complex tasks abstracts from many important details, it nevertheless marks an important

distinction between the kinds of system/state functions in which capacity increases with greater

size and the functions in which size may vary inversely with capacity. In his discussion of

administrative decentralization, James Wilson makes a similar distinction between simplex and

complex bureaucratic tasks:

> In general authority should be placed at the lowest level at which all essential elements of
> information are available. Bureaucracies will differ greatly in what level that may be. At
> one extreme are agencies such as the Internal Revenue Service or maximum-security
> prisons, in which uniformity of treatment and precision of control are so important as to
> make it necessary for there to be exacting, centrally determined rules for most tasks. At
> the other extreme are public schools, police departments, and armies, organizations in
> which operational uncertainties are so great that discretion must be given to (or if not
> given will be taken by) lower level workers. (Wilson 1989: 372)

If hierarchical bureaucracies are less and less able to cope with these and other species of

increasing complexity, as Figure 3.1 above depicts, then the "Weberian dilemma" of choosing

between high system capacity and popular control turns out not to be a hard choice, but rather a

double loss in highly complex environments. In organizing public action through command-and-

control agencies, we sacrifice popular control to a set of insulated professionals and the

mediating mechanisms of elite representative democracy. This sacrifice of democratic control for system capacity, however, seems vain in light of the contemporary common criticisms of "big government" and proliferation of reform proposals mentioned above—such privatization, marketization, and administrative decentralization—that mark the ineptitude of our bureaucracies.

If the initially powerful reason—greater effectiveness—for adopting insulated, expert bureaucracies turns out to be less and less persuasive, then the supposed incompatibility between system capacity and popular control deserves reconsideration. Other institutional designs might be able to better reconcile, or even simultaneously advance, these two democratic values. This possibility, labeled as "Street Level Democracy" is drawn in the lower right hand corner of Figure 3.1 above. Since the argument thus far has not yet established SLD as a feasible the transition arrow in the lower row of the figure is shown in gray.

3.4. Three Objections

There are at least three objections to the contention of our ideal history that some set of institutions can simultaneously realize high system capacity and popular control under conditions of high social complexity. The first objection is theoretical. Contemporary democratic theorists have, with practically one voice, treated increasing social complexity (Dahl 1989: 332-41; Zolo 1992) as an obstacle to popular control rather than as an opportunity for democratic reform. We have already discussed the problems that complexity for the advance of democratic values in the previous chapter (2.3.2) and supplement that view only briefly here. The simple, somber view is that non-professional citizens linked together in even the best political institutions fundamentally

lack the collective capacity to solve complex problems. Habermas put the point somewhat

obliquely in this passage:

> These "cognitive" problems of functional coordination... overburden the problem-
> solving capacity of democratic procedures. Various symptoms of such a *cognitive*
> *overburdening* of deliberative politics lend support to the assumption, by now widely
> accepted, that discursive opinion- and will-formation governed by democratic procedures
> lacks the complexity to take in and digest the *operatively necessary* knowledge. The
> required steering knowledge no longer seems capable of penetrating the capillaries of a
> communication network whose structures are predominantly horizontal, osmotically
> permeable, and egalitarian... In a political system under the pressure of social
> complexity, these constraints manifest themselves in a growing cognitive dissonance
> validity suppositions of constitutional democracy and the way things actually happen in
> the political process.[emphasis in original] (1996: 320-1).

So, even if social complexity reduces the system capacity of administrative bureaucracies, there

are many reasons—offered by Habermas in the above passage and by many others—to suppose

that systems with more popular control will perform much worse still. Even those who work in

areas of democratic theory that would seem most favorable to the case for

participation—theorists of deliberation and civil society—have followed this lead. Indeed, the

necessity of maintaining a safe distance between the discussions and opinions of lay citizens and

the more consequential decisions of state actors seems to have become something of an

axiomatic starting point. Studies and theories of democratic deliberation lay out how ordinary

citizens in the public sphere might come together and form *critical opinions* that select elites

(Fishkin 1991) or to which they might respond (Bohman 1996; Cohen and Arato 1988).

If contemporary democratic theory were one's only source of knowledge, one might well

think that "cognitive burdens" and other considerations related to the problem of social

complexity prevent any imaginable institutional configuration from satisfying the double

desiderata of both substantial direct popular control high problem-solving capacity in conditions

of high social complexity that are represented in the lower right hand corner of Figure 3.1

above. Fortunately, many practical attempts to reform hierarchical bureaucracies defy this high

theoretical skepticism, and this volume explores two of them. From these concrete activities, we

develop a series of countervailing arguments that show how properly organized democratic

participation actually enhances the capacities of public institutions especially under complex

conditions. In Chapter 9 below, these considerations are elaborated and incorporated into the

design and justification of Street Level Democracy. Briefly, a deliberative system that can draw

such participation can arguably be more innovative than bureaucracy by shortening feedback

learning loops and allowing broad problem-solving experimentation, engage the efforts of

citizens and gain their trust in a ways that bureaucracy cannot, and even develop a level of cross-

functional coordination superior to that available to pure administrative interactions.

Abstract and speculative arguments about the potential of citizen democracy to excel

under high social complexity, however, cannot forcefully or decisively counter the large body of

theoretical work that argues against the simultaneous possibility of high system capacity and

popular control. A second, very practical objection is that bureaucracies, even admitting their

substantial dysfunction, are nevertheless resilient institutions that possess substantial and

demonstrated problem solving capacity, while the label "Street Level Democracy" in Figure 3.1

above marks a merely theoretical institutional possibility. You can't beat something with

nothing, and hierarchical bureaucracy is at least something. The straightforward response to this

well-taken objection is to supply a detailed theoretical specification of Street Level Democracy

and an empirical examination of its operations in the real world. We do this in part II and part III

respectively. By using institutional imagination and observation to construct an architecture of

Street Level Democracy and then examining its application in the concrete cases of educational

and police reform in Chicago, we show that at least two concrete sets of institutions occupy the

lower right hand corner of figure 3.1. Therefore, that space is no longer simply a hypothetical

possibility, but contains at least two actual and sizable municipal institutions.

A third objection—political in nature—accepts that reformed institutions could

simultaneously realize popular control and system capacity, but doubts that transitions from

dysfunctional bureaucracy to Street Level Democracy can be easily made.[7] After all, entrenched

agency elites will no doubt have strong interests in perpetuating their fiefdoms irrespective of

social system capacity, and political elites seldom show much interest in increasing popular

control. After all, the abstract possibility of Street Level Democracy existed in the 1960s as

much as in the 1990s. However, revolutionaries in the late 1960s and 1970s attacked these

bureaucracies sometimes as unresponsive to popular needs, sometimes as part of a larger

repressive state or capitalist apparatus. Police and school bureaucracies—in Chicago at

least—weathered these major disturbances fundamentally intact.

We respond to this political question of regime transition to Street Level Democracy in

the next two chapters by describing how the reforms were politically constructed in the cases of

the Chicago Public Schools and then for the Chicago Police Department. It is somewhat

surprising that a quiet and creeping legitimation crisis, dating perhaps from the 1980s and still

unresolved, opened the window for municipal agency reform when the more turbulent 1960s did

not. Unlike the Progressive municipal reform described in 3.2 above, this crisis did not arise

principally from concerns about corruption, disorganization, or undue political influence—though of course these are still serious concerns—but rather about the inability of these agencies to deliver the goods of effectively educating our children or maintaining safe neighborhoods.

In Chicago, parallel efforts to address that legitimation crisis in police and school agencies have taken a curious democratic route that reverses the central bureaucratic tenants of Progressive reform. Whereas the Progressives recommend professional autonomy and reduction of popular control, the Chicago reforms institute a kind of neighborhood democratic control. Whereas the Progressives sought to centralize authority into hierarchies of command and monitoring, current reforms decentralize municipal operations to extremely local units. And where Progressives placed their confidence in the elite generation of practical professional knowledge, this new scheme encourages the utilization of impacted local information and development of expertise at the lowest, most operational levels. This organizational package begins the larger reform ideal that I have labeled Street Level Democracy.

Two contingent structural factors—neither of which was available in at the onset of Progressive reform or in the upheavals of the 1960s—make local participatory democracy feasible (though certainly not necessary) as a response to anxiety over the poor performance of municipal agencies. First, the aims of local control advocates no longer conflict with the ultimate goals of professionals—effective and efficient service delivery. In the Progressive Era, machine politicians championed local control over municipal agencies as an institutional strategy to

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[7] Adam Przeworski and Michael Wallerstein illustrate this problem of transition from a less desirable to more desirable regime in the case of moving from capitalism to socialism in their excellent essay

secure patronage. New Left movements of the 1960s, favored local control to wrest pieces of the

state from an established professional class that was arrogant at its best, and violently repressive

at worst. Neither of these motives were compatible with professional conceptions of effective

service delivery. In the 1990s, however, many advocates of local control and popular

participation shared fundamental aims with professionals; community activists in public safety

and education wanted safer neighborhoods and better schools, and their conceptions about

meaning of these goals very much resembled those of professional reformers. There was tension

in style and lack of trust, to be sure, but this fundamental alignment of interests between political

and professional reformers at least made alliance a possibility.

Second, vastly changed ideas about efficient organization also enabled decentralizing

reform. For most of this century, Progressive notions dominated debates about efficient

organizational forms. Few doubted that the complex and demanding tasks set to the modern state

would be most effectively accomplished through hierarchical, bureaucratic organizations that

commanded and supervised from the top-down. To repeat, these notions were very much

confirmed by, indeed based upon, the form of the Fordist mass production enterprise. By the

1980s, this view of efficiency had come under fire, to say the least. By 1990, few reformers in

any areas would champion hierarchy as their chief recommendation; terms like partnership,

teams, decentralization, and trust had had replaced centralization and hierarchy as the catch

phrases of consultants and popular writers (Hess 1991: 101-4). No longer married through the

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"Material Interests, Class Compromise, and the State" (1985).

wisdom of their disciplines to the principle of hierarchy, professionals could entertain and even experiment with the kind of decentralization necessary for Street Level Democracy.

A third contingent political factor was necessary for Street Level Democratic reform in the Chicago instances; sophisticated agents who push the case for popular participation *were prepared and on the scene* when a legitimation crisis cracked open windows of reform opportunity. As we shall see below, New Left remnants stressed the importance of resident involvement during the planning stages of both CPS and CPD reform. For years before the actual moment of change, they had painstakingly documented the dimensions of crisis and assembled detailed participatory democratic solutions. Without such agents for grassroots democracy (though I don't want to say they were *of* the grassroots), these large bureaucracies may have decentralized, but they probably would not have incorporated extensive channels for popular participation.

Above, we constructed an ideal history of institutional transitions between three modes of organizing public action: decentralized machine politics, hierarchical bureaucracy, and Street Level Democracy. The critical part of this chapter laid out the trade-offs in selecting hierarchical bureaucracy as an organizational form and then pointed out the possibility of Street Level Democracy as a superior institutional choice. The next two chapters relate the actual histories of bureaucratic construction and then Street Level Democratic reform first for the Chicago Public Schools and then for the Chicago Police Department. These narratives illustrate three points in the explication of SLD. First, they show that the command-and-control structures that we take for granted as the natural form of state action have existed in mature form only in the post-World

War II period and were constructed out of a long and frequently bitter political struggle. Second,

Street Level Democracy was by no means an inevitable outcome of the breakdown of these large

municipal bureaucracies, but rather resulted from carefully constructed political alliances with

distinctive participatory democratic ideals. Finally, the histories show that the pieces of

SLD—first decentralization (Chapter 7) and then a supportive center[8] (Chapter 8)—were built

not as part of a grand design, but in stages as part of an institutional learning process that itself

was the product of, and in turn facilitated, deliberative learning at the street level.

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[8] In the institutional design of SLD, decentralization is discussed in chapter 7 and the "supportive center" in chapter 8.

Chapter 4:

Toward Street Level Democracy from the Chicago School Bureaucracy

Chicago's schools are the worst in the nation—you've got close to educational meltdown here.

—Education Secretary William Bennett, 1987

If there is a single public-school system in the United States where there is official and constitutional provision made for submitting questions of methods of discipline and teaching... to the discussion of those actually engaged in the work of teaching, that fact has escaped my notice.

—John Dewey

4.1. Progressive Modernization Against the Political Machine, 1900-1946

At the roughest level of detail, the story of Chicago's public schools over the first half of

this century follows that of the other big city public education systems. It was the gradual,

painful, convergence of various schooling models—sometimes locally controlled, sometimes

volunteer, most often dominated by local "machine" politicians—into what a rising class of

professional educators saw as the "one best system" (Tyack 1974; Katz 1987). This model

borrowed its major elements from what were widely regarded as the most efficient practices of

the modern corporation at the beginning of the century: centralized supervision and direction of

personnel, staff qualifications based on standards and common tests, functional hierarchical

differentiation within the organization, careful measurement of administrative inputs and outputs

with particular attention to costs, and insulation of the educational organization from political

control and public scrutiny (Katz 1987: 60-65; Callahan; Tyack 1974: 126-76). To be sure, the

diffusion and consolidation of this model took place over decades, perhaps beginning in Boston

and finishing in Chicago (Katz 1987: 58-100).

The most common historical interpretation of this diffusion, which we accept here, is that

two powerful opposing forces fought over whether to adopt this model. On one side stood city

politicians, for whom control over school lands (Herrick: 75-79; 104-6) and the teaching,

clerical, and maintenance work within the burgeoning school systems provided rich spoils whom

they could offer to their political supporters. On the other side stood a growing body of

Progressive reformers, led by a growing cadre of professional educators, who argued that these

school systems could operate effectively only if they ran according to an autonomous

professional logic and not as an adjunct to the operations of local politicians. By the mid-point of

the twentieth century, educational professionals had largely wrested control from city and ward

politicians and then used that control to establish the hierarchical bureaucracies that they viewed

as the most efficient form.[1]

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[1] While this rough sequence of events enjoys something of a consensus among educational historians as the correct

account, there is no such consensus regarding the ramifications of these events. Did the victory of the progressive

reformers constitute steps in "the development of American education as an unfolding series of triumphs,

symbolizing the victory of democracy and modernity over aristocracy and error?" (Ravitch: xi) Or, by contrast, was

Progressive school reform composed principally of white, male Protestants advancing their interests over those of

less advantaged, working-class immigrants (Hays 1964)? Other see Progressive school reform as driven by, and

principally serving the interests of, capitalists in creating a docile, trained workforce (Bowles and Gintis 1985).

Katznelson and Weir have responded to this view by providing a history that stresses working class victories in both

the content and structure of American public education systems. Settling these difficult questions of "who

At the close of the nineteenth century, however, city politicians accurately considered the rules and resources of Chicago school system as theirs to manipulate and allocate. According to an 1893 law, the Chicago schools were to be administered by a Board of Education consisting of twenty-one individuals appointed by the Mayor and confirmed by aldermen on the city council. One of the major duties of this Board was to select a Superintendent of Schools, charged with overseeing the day to day operations of the school. For decades after the 1893 provisions, however, the Superintendent's office was subordinated to a school Board that did not hesitate to terminate uncooperative school executives. These institutional arrangements created a system that served the needs of political officials but not necessarily that of education. One close observer of the Chicago schools noted at the time two deficiencies in this system. First, an appointed Board of lay citizens would inevitably serve partisan political and not educational interests:

> [The Board of Education's] members continued to be appointed by the mayor with the consent of the common council. That this practice has borne evil fruit the analysis in the subsequent pages will prove. It has bound the school system to the city hall and has subordinated the interests of education to the vagaries and vicissitudes of partisan politics. It has fostered the tradition that board members are creatures of the mayor and must either do his bidding or resign. (Counts 1928: 39)

In addition to a subservient lay board with no special educational expertise, these arrangements also created a school Superintendent, who was in most cases an educational professional, without power:

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benefited?" from these organizational changes lies outside of the scope of this chapter and this project. Here, we seek only to lay out the content of those organizational changes and describe the bases of their stability.

The appearance of a vigorous superintendent has always meant trouble. Since the opening of the century, the two outstanding personalities to stand at the head of the Chicago schools have been Mrs. [Ella Flagg] Young and Mr. [William] McAndrew. Both combined courage and energy with a high sense of professional obligation; both sooner or later were forced into a bitter struggle with the board in defense of their schools; both were ultimately ousted from the superintendency. Although they differed radically in their educational philosophies and school policies, their careers while in officer were equally unhappy, and they shared the same fate. (Counts 1928: 52)

These official positions on the Board of Education and in the Office of the Superintendent, the laws regulating the Chicago school system, and school policy itself were the spoils of battle to be won by the forces of partisan political machines seeking to stabilize their base of support on one side and the forces of Progressive municipal reform—educational professionals, good government groups such as the Chicago Women's Club, and the city's business interests in the Chicago Association of Commerce—on the other. To be sure, there were cross cutting issues and associations that spanned one side or another on particular issues; vocational education (Counts 1928: 166-8) and teachers' voice in educational policy (Herrick 1971: 115-20), but the principal enduring cleavage in these decades, especially in the public eye, concerned the professional autonomy and organization of the school system. These battles between the Progressive forces and the political machines manifested themselves most visibly in the scandals, critical blue-ribbon reports, and brief, violently terminated tenures of school Superintendents by machine controlled Boards over this period.

Responding to criticisms of school mismanagement and incompetence, then Chicago Mayor Carter H. Harrison appointed a commission of local notables to study the organization of public schools and to recommend improvement in 1898. The commission was chaired by the first President of the University of Chicago, William Rainey Harper, and its report became

known as the Harper Report (Harper 1898). Chief among its recommendations were measures,

which would quickly become common to the Progressive movement of municipal reform, to

insulate school system operations from what authors saw as nefarious political influences. The

commission recommended that the Board be reduced from twenty-one to eleven members, that

the terms of Board members be extended, and that they should represent the city at large rather

than specific sections of it. Furthermore, the Board should concern itself with policy matters and

delegate all administrative functions to the Superintendent of schools. The term of the

superintendent should be extended from one year to six, and he should only be removed from

office on the basis of specific, written charges, and then only with a two-thirds vote of the Board

(Herrick 1971: 83-7). The Board also recommended that teachers be hired and promoted on the

basis of objective standards and examinations and objected to existing politicized hiring practices

because:

> When teachers are appointed through personal or political influence, and when they are
> retained and even promoted for similar reasons, without any justification in their record
> as teachers, and indeed against the unanimous opinion of those best qualified to judge,
> there is sure to be a large number of incompetents within the force. (cited in Herrick
> 1971: 84-5).

Interestingly, many of the Harper Report's recommendations departed from the

command-and-control, bureaucratic measures from that would characterize more mature

Progressive thought. Like much of the rest of the Progressive movement at early moment, there

was no clear commitment to any one single organizational form. While one tendency leaned to a

more participatory democratic mode (Mattson 1998), the other tended to the hierarchical

bureaucratic mode that later dominated (Callahan 1962; Tyack 1974; Katz 1985). The Harper

Report moved ambiguously between these two poles. Toward the former, for example, it recommended the establishment of a system of teachers' councils throughout the city that would advise the Board of Education on matters of school organization, administration, and curriculum. Very few of the recommendations of the Harper Report would be implemented for decades after its release.

The Report did very little to protect the school Board or superintendent from partisan attacks. In 1898, the year of Harper Report's release, a Democratically appointed Board refused to renew the appointment of Superintendent Anthony Lane, whom they accused without evidence of having misused his influence. His successor, E. Benjamin Andrews, opposed the Board on several appointments and promotions and was for his troubles also fired several months before his term ended in 1900. His successor, Edwin J. Cooley, made himself known as a creature of the Board, and served until his voluntary resignation in 1909 (Herrick 1971: 80-1). During his tenure, however, the Mayor removed several board members for insubordination in 1907; they were later reinstated through Court action (Counts 1928: 12). Ella Flagg Young, a respected veteran of the Chicago schools and student of John Dewey, served as the system's superintendent from 1909 until 1915, when newly elected Mayor William Hale Thompson opposed her renewal due to her independence and support for organized teachers.

Under the two terms of the Thompson administration, from 1915 until 1923, the school board and superintendent suffered a number of crippling scandals. Between 1917 and 1919, the Mayor appointed an entirely new school board under governance legislation known as the Otis Law. Members of the previous board sued, and were reinstated by the State supreme court, but Thompson refused to recognize them. In these years, the schools were governed, or not

governed, by two competing Boards. In 1919, the Board rejected his tenure position and locked-out then Superintendent Chadsey. He sued, and several members of the Board and their attorney severed short jail terms and paid fines for this legal violation (Herrick 1971: 137-39). Chadsey resigned in the face of this Board opposition and was succeeded by Peter Mortenson. Under Mortenson's tenure, several Board members allegedly plundered school coffers through kickback-rentals of school lands, charging almost $9 million to "unitemized incidentals," and by asking principals to order furniture and other equipment at several times market prices (Herrick 1971: 142). In 1922, several Progressive civic groups called for a grand jury hearing on these matters, and several Board members consequently were imprisoned (Counts 1928: 224-5).

These scandals weakened the incumbent, and subsequently Democrat William Dever was elected to serve as Mayor in 1923. He appointed seven reform members to the school Board, who in turn chose William A. McAndrew to be school Superintendent. McAndrew had severed as teacher and principal in several Chicago schools, but then had moved on to posts around the nation and eventually to Deputy Superintendent of the New York City school system. In McAndrew, Chicago had its first fully formed advocate of the hierarchical, bureaucratic model of school system organization derived from the efficiency experts of industry. George Counts, writing just after the end of McAndrew's tenure, observes that:

> The ideal of business efficiency seems to have dominated the entire administration. Mr. McAndrew entered upon the duties of his office with the definite assumption that slackness, indolence, and general inefficiency characterized the conduct of the schools of Chicago... He adopted the slogan, "Every man on the job"; he reduced the number of holidays and dismissals; he introduced the time check for all employees... he emphasized the use of objective tests in the appraisal of the work of teachers and principals... he brought about a fundamental re-organization of the administrative system. (Counts 1928: 73)

McAndrew him self writes that, "A system directly touching a total of 545,929 pupils and paid

members must work clumsily on the old village conception. It must adopt the motto of other big

businesses: 'Organize, deputize, supervise.'" (Illinois Department of Education 1924: 10).

McAndrew set about implementing this model of educational reform immediately and rather

autocratically. He abolished the teacher's council system which had been recommended by the

Harper Report and initiated under Ella Flagg Young. He instituted a system of "close

supervision" of teachers under which they clocked-in on a monitoring sheet four times a day, and

he constantly berated the their indolence and sloth in public addresses (Herrick 1971: 154-5).

"Supervision became one of the watchwords of Mr. McAndrew's administration. This again was

part of the program of efficiency, for it recognized the virtues of special professional training and

subordinated the inexperienced and the unskilled to the direction of the expert," writes Counts

(1928: 78). Furthermore, he recommended and began to institute the "Platoon Plan" of school

operation, pioneered in Gary, Indiana, that aimed to increase the efficiency with which the

school building would be. Under this system, the building would be used for a greater percentage

of the day and accommodate more students through the use of rotating classes and extending the

school day into shifts (Callahan 1962: 126-47). Finally, in accordance with the Progressive

program of reform, McAndrew sought to insulate the operations of the school system from

political influence:

> Perhaps to be classed with his policy of business efficiency… was Mr. McAndrew's
> steadfast opposition to all political influence in schools. One of the cardinal principles of
> his theory of administration was that professional decisions should not be subservient to
> politics. Strict adherence to this principle in any large city is extremely difficult; strict

adherence to it in Chicago is all but impossible. Yet that Mr. McAndrew sought vigorously and with temporary success to enforce this principle, few informed persons would deny. (Counts 1928: 82).

McAndrew lasted until 1927, when the former Mayor Thomspon ran again to defeat the reform incumbent Devers. A school Board appointed by Thompson pressed charges against McAndew in the Board's own chambers, and voted to dismiss him in 1928. A Circuit Court later ruled that McAndrew had been unjustly dismissed, but the process had left him without desire to serve again. While some of his reforms to the administrative organization took root, patronage needs of the machines continued to dominate school operations. Teachers enjoyed some effective tenure, but some 3,000 jobs in clerical, maintenance, and janitorial duties were available and used for patronage functions. When the depression years brought a fiscal crisis for the Chicago school system, and Thompson's Board responded by cutting instructional services but most leaving most of the non-teaching patronage jobs intact (Herrick 1971: 187-90; 209-225).

From 1933 until 1947, Chicago politics was dominated by the Kelly-Nash machine, named for its principals Mayor Edward J. Kelly and Democratic Country Chairman Pat Kelly. This organization was one of the "country's most powerful and longest lasting machines" (Erie 1988: 109). Over this period, Democratic bosses continued to utilize the schools system to feed their political base. In order to divert city funds to more pliable areas of public expenditure, the Board gutted the school system in 1933 by passing a long measure that reduced Kindergarden classes by 50 percent, dismissed 10% of the teaching force, mandating that each principal supervise two schools, halted textbook purchases, and discontinued athletic, music, special education, printing, and physical education programs. In 1936, investigators revealed a scheme

to rig principals tests to secure jobs for machine supporters. A University of Chicago study

revealed in the same year that the ratio of business administration spending—the main pool of

patronage employment—to instructional spending was approximately four to one in the Chicago

school system but only one to two in the New York schools and one to three in the Philadelphia

system (Herrick 1971).

Though the Kelly-Nash machine exerted enormous influence, it was by no means all

powerful. The forces of Progressive reform, albeit as outside critics or disempowered educational

workers within the system, mounted sustained protests, criticisms, and investigations against

these abuses of the school system. Many of these efforts were led by an organization composed

of civic leaders and reform educators called the Citizens Schools Committee (CSC). Activists in

this group included several prominent individuals who had served on the reform-minded Board

of Education under Mayor Devers and Charles E. Merriam, then chairman of the Political

Science Department at the University of Chicago (Herrick 1971: 234-38; Peterson 1976: 21-24).

In response to the 1933 Board action reducing school services, the Committee presented a

petition signed by 350,000 Chicago residents asking the Board to rescind its action and

organized a mass protest attended by 30,000 residents (Herrick 1971: 210). The committees also

issued numerous publications that argued against Board measures, and raised several lawsuits on

the behalf of wronged principals, teachers, and parents.

These persistent reform efforts were finally rewarded in 1945. In that year, the CSC

organized a host of Progressive educators and their allies including the Chicago Teachers Unions

(CTU) and the Illinois State Teachers Association to investigate a decade of abuses by the

Chicago Board of Education and Superintendent William Johnson. The investigation was headed

by part of the National Education Association (NEA) called the Committee for the Defense of

Democracy through Education, and its material was culled mostly from the legal records and

journalistic reports generated contemporaneously over the prior decade by the Citizens Schools

Committee. The final report, issued in 1945, totaled 66 pages and summarized dozens of serious

misdeeds involving the personnel and finances of the school Board (Committee for the Defense

of Democracy 1945). The Citizens Schools Committee paid for wide distribution of the report

and utilized it as a tool to mobilize against the Kelly-Nash Board of Education. In a subsequent

unprecedented measure, the NEA voted to expel Chicago Superintendent Johnson for

unprofessional conduct. The city council held well attended public hearings, but the aldermen

ultimately voted to reject the report's findings (Herrick 1971: 272-5). Finally, the body charged

with accrediting Chicago high schools, the North Central Association of Schools and Colleges,

responded to the report by warning the Chicago Superintendent that further accreditation of

Chicago schools would be dependent on two measures: centralizing system control under the

office of the Superintendent and insulating the Board from undue political influence (Chicago

Tribune Staff 1946).

Seeking to avert political disaster, Mayor Kelly appointed yet another blue ribbon

educational advisory committee—this time composed of area university presidents—to develop

reform recommendations. This time, however, he pledged to implement the recommendations of

the panel no matter what they were. As a result of this panel, the Superintendent and half the

Board of Education were immediately dismissed and replaced by reform-minded individuals.

More importantly, however, several groups including the CTU and CSC joined to draft state

legislation to created an empowered and insulated General Superintendent of Schools. In 1947,

almost 50 years after the Harper Report recommended largely the same measures, the Governor

signed legislation that would shift control over personnel, budget, and contract decisions from

the Board of Education to a General Superintendent of Schools (Peterson 1926: 21).

4.2. Autonomous Bureaucratic Administration, 1947-1988

Herald Hunt, a Kansas City schools Superintendent, was appointed General

Superintendent of the Chicago schools in 1947 and thus became the first educational reform

leader to enjoy the autonomy of the new 1947 law. Like Orlando Wilson would do for the

Chicago Police Department a decade later (see Chapter 5), this outsider and those who followed

him used their new freedom from machine control to extend the Chicago Public Schools along

hierarchical, command-and-control bureaucratic lines that had embodied professional notions of

efficient organization since Superintendent McAndrew's tenure in 1923. Recall from Chapter 3

that this bureaucratic organizational form has three main components for our purposes (Katz

1987: 60-3; Weber 196-204). First, it insulates major operations of the bureaucracy from public

and political control and reserves them instead for trained and certified career professionals.

Second, authority over determination of tasks and organizational routines and supervision over

how to determine them are centralized and organized according to a hierarchical scheme

extending from this center. Finally, bureaucratic organizations become increasingly

differentiated according to specific areas of function in which additional areas of expertise are

created.

Progressive reformers finally won insulation of the school system from political control

with a 1947 law that again entrenched Superintendent tenure and granted him much of the Board

of Education's powers. Beyond this, additional laws and procedures were soon enacted to protect

Superintendent decisions and school system operations against Board control. In a reversal of the

pre-1947 pattern, these laws and routines seemed to shield school professionals from any

effective board oversight at all. For example, school board members were prohibited by law from

meeting outside of their regular bi-monthly meetings to discuss school policy. Annual budgets

and other matters were submitted to the Board, composed of lay citizens, in documents

numbering thousands of pages, and were often approved without substantial amendment due to

the incomprehensibility of the documents themselves (Peterson 1976: 120-3).

Hunt also established new departments within the central school office to centralize and

apply expert wisdom to areas of school program. He revamped the Department of Personnel to

professionalize hiring decisions. He created a new Department of Instruction and Guidance to

develop uniform curriculum for the Chicago Schools. Soon after, the central office assumed

power for school budgeting, purchasing, and personnel decisions.

By the mid-1960s, outside consultants and evaluators had begun to recognize the extreme

centralization and hierarchy of the Chicago school system and suggested rather timid changes. In

1963, Robert Havighurst of the University of Chicago was commissioned, at the request of the

watchdog Citizen Schools Committee, by the Board of Education to conduct a comprehensive

survey of the Chicago Schools. In the introduction to his study, Havighurst confirmed the

account of the school system presented above and foreshadowed changes that would crystallize

two decades later. His study (Havighurst 1964) explicitly recognized the Superintendents'

achievement of establishing an effective bureaucracy, but then went on to criticize the inability

of those measures to keep pace with the increasing complexity of the Chicago educational

environment:

> During the 1930s and the early 1940's the Chicago schools muddled through, with some
> flashes of creative work. However, there were difficulties of administration which
> aroused a great deal of local citizen protest as well as investigations... At the close of
> World War II the Superintendent resigned and several members of the Board of
> Education withdrew, clearing the way for a reorganization which restored public
> confidence and which increased the power of the Superintendent so as to give him
> authority over both business and educational matters in the system...
>
> Harold C. Hunt became the General Superintendent in 1947... and Benjamin C. Willis
> succeeded him. Under these two men the school system has grown tremendously...
>
> About 1960 there around public concern over the school program. Changes in the
> socioeconomic composition of the city, as well as new development in the methods of
> teaching and de facto segregation, contributed to this often controversial discussion... At
> the same time there were searching questions about the school program for all pupils. (2)

In particular, the study found that "Curriculum planning is done for the entire school system

through the Central Office" (94) but that the diverse needs of schools and districts might be

better served by decentralizing curriculum design functions. Textbook selection was also

determined in lengthy cycles by Central Office staff, and this practice impeded the efforts of

school principals support their teaching staffs (111). In additional complaint that teachers had

voiced for decades, the survey revealed that existing routines and Central Office requirements

maximized actual teacher classroom time and thereby did not budget sufficient allowances for

course planning, grading, and school staff discussions (176-8).

A confidential study conducted in 1967 by the consulting firm of Booz, Allen, and

Hamilton for the Board of Education found largely these same dysfunctional centralization in

administrative and managerial issues that the Havighurst survey had detailed in instructional

matters (Booz, Allen 1967). Once again, the introduction to this report echoed the account of

machine followed by bureaucratic domination given above:

> The Board has, at times, been deeply involved in the administrative and educational matters of the system, holding a tight rein on the general superintendent. During the 1950's and early 1960's, on the other hand, the general superintendent clearly was the dominant figure...
>
> [This] relationship between the board and the general superintendent... has had significant organizational impact on the Chicago school system. Out of it has emerged an organizational structure where responsibility and authority are concentrated in a relatively small number of people who administer the programs of the school system on a highly centralized basis. (1-2)

And:

> THE OPERATION OF THE SCHOOL SYSTEM IS ALMOST COMPLETELY CONTROLLED BY THE CENTRAL OFFICE
>
> From an organizational viewpoint, the Chicago school system is highly centralized. Central office personnel have responsibility for the development of educational and administrative programs, and direct the implementation of these programs in the schools. Relatively few decisions of substance are made in the field. Generally, only routine action is taken without central office approval. (11)

Added to these professional criticism were a host of popular protests against the racial

segregation of the schools system and the unresponsiveness of the bureaucracy to local desires

and demands (Peterson 1976). Officials and activist organizations in other cities had responded

to similar challenges by decentralizing their schools systems. The state legislature of New York

decentralized its schools into a governance system of some thirty districts (Ravitch 1974; Gittell

1994) in 1969 and Detroit divided its system into eight regions in 1970 (Hess 1991: 87-8; Mirel

1990). The Chicago system, however, resisted these pressures for change and remained largely

intact as a single, highly centralized, and increasingly unwieldy bureaucracy throughout this period and well into the 1980s.

4.3. Legitimation Crisis to Street Level Democracy, 1980-1988[2]

While these back-and-fourth complaints against the school system and various educational improvement groups continued from the 1960s through the 1980s, an entrenched administration successfully resisted overtures for reform. Just as the machine dominated Board of Education had resisted Progressives in the beginning of the century, so the new school administration fought outsiders' demands for change. Just as the forces of Reform won their long battle at mid-century, many of the hierarchical institutions that they installed would in turn be again transformed near the century's end. In 1988, the Illinois legislature enacted school reform legislation for Chicago that broke apart this centralized CPS into a decentralized system that manifests many of the design elements of Street Level Democracy introduced in Chapter 2 and described in much more detail in Chapters 6-10 below. The law devolved control of most aspects of school operation to the schools themselves, it opened operations to popular participation, and problem-solving became the core task of these local school governments. Like the mid-century Progressive reforms, this sweeping institutional change resulted from the accumulation, over decades, of popular complaints against the non-performance of the Chicago Public Schools.

The case that by the mid 1980s the CPS had more or less completely failed in its educational mission hardly needs to be made. By that time, some 43% percent of students who

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[2] The account draws heavily on O'Connell 1991 and Hess 1991.

entered high school dropped out before graduation; in some inner city schools, that rate reached

67%. Of those that remained in school, slightly less than one-third could read at the fifth grade

level by the time they graduated; 11% of graduates could read at or above the national average.

Standing behind these statistics was a swelling administrative apparatus. Though total school had

dropped from 458,497 students in 1981 to 430,000 in 1988, the number of CPS staff working in

central and district offices (not schools) grew from 2,884 to 3,708 over the same period (Hess

1991: 24-7). Beyond this, some $42 million in State and Federal monies earmarked for

disadvantaged students was being used to support the central school administration over the

same period. Though they no doubt had other motivations as well, many in the downstate Illinois

legislature had good reason to see the "city's schools as a 'black hole' absorbing everything that

came near it and putting out nothing in return" (O'Connell 1991: 19). In 1987, Education

Secretary William Bennett called Chicago schools "the worst in the nation," and in May 1988 the

Chicago Tribune published a seven-part, 70,000 word (!) investigative series to document that

claim (Chicago Tribune Staff 1988).

Against this background of failure and fiscal crisis, several very different policy groups

offered their respective diagnoses and eventually converged upon a common prescription.

Chicago United—a business group concerned with public education and formed by influential

executives from corporations such as Inland Steel, Commonwealth Edison, International

Harvester, and First National Bank of Chicago—began its reform effort by hiring management

consultants to conduct a sweeping study of the CPS in 1979. The final report, released in March

1981, recommended 253 specific changes that covered nearly all aspects of school operations

(Special Task Force on Education 1981). The document, titled the *Chicago School System*, found

that central administration was bloated while instructional capacity in the field was often sorely

lacking; that daily administration nevertheless did not function smoothly; that the Board attended

too much to administrative details and consequently could not formulate policy; and that CPS

had no capacity to relate system design choices to measurable goals. Though most of these

findings couched the problem in terms of inefficiencies in central administration, one of the

group's main recommendations, echoing the recommendations of the Havighurst Survey and the

Booz, Allen report of the 1960s, was to

> *Decentralize authority at the central office in favor of adding talent at the school and
> district level.* To improve the system's responsiveness to the individual needs of students
> and parents, decisions should be made as close to the classroom as possible... The current
> lack of funds as well as lack of management training experience of the teachers and
> principals inhibits recommending decentralization to the school level at this time.... the
> focus of operations and the accountability for results should be moved from the central
> office to the districts. (Special Task Force 1981)

Soon after the report's release, an Office of Systemwide Reorganization was established

at CPS headquarters to implement these recommendations with technical assistance from

Chicago United. The corporate executives commissioned another study, this one released in July

1987, to evaluate the extent to which CPS had incorporated their recommendations into its

operation. Though the study found that some 52% of their recommendations had been adopted

and that 10% were not longer valid, the executives were not happy because, they wrote:

> the most important recommendations [decentralization] of the 1981 Report were not
> implemented or were buried in classic obfuscation presented as "more study",
> "reorganization", "long term plan", and "too costly".

and that the report's "essential elements of management... have not been addressed at all by the

Chicago Public Schools" (Chicago United 1987: 7-8). In 1981, the executives approached CPS

bureaucrats as allies in the common pursuit of educational improvement. Scuttled reform soured

this perception and by 1987 many in the business community came to understand entrenched

administration as the obstacle rather than a tool.[3]

During the same period, two city-wide education policy advocacy groups documented the

extent of systemwide failure and issued their prescriptions for reform. The Chicago Panel on

Public School Policy and Finance, directed by Fred Hess, was a coalition of community and

civic organizations formed as a watchdog group to monitor the CPS. The Panel published a

series of reports on CPS budgeting and drop-out rates. Designs for Change (DFC), led by Don

Moore and Joan Slay, combined policy analysis with organizing of low-income and minority

parents to address issues such as reading achievement, special education, drop-out rates, and

system-wide problems. DFC's radical recommendations for educational improvement,

formulated as early as 1985, would become the core of 1988 school reform legislation:

> The school system should carry out a structured School Improvement Program, in which
> substantial authority over funding, curriculum, and staffing is *delegated to local School
> Improvement Councils*, composed of parents, teachers, the school principal, and others
> who have a stake in the school's success. (my emphasis; Designs for Change 1985: 87)

By 1986, DFC had built a network stretching over some 40 schools through its training and

organizing activities. Beginning in 1986, DFC organized the Chicagoans United to Reform

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[3] Warren Bacon, then executive director of Chicago United, said that "we thought of it as a cooperative
relationship: the Board of Education was the client and we were there to assist them." see O'Connell
(1991), p. 5.

Education (CURE) to explicitly push for state legislation to reform CPS. In April 1987, CURE

organized a citywide conference at Loyola University at which it presented a position paper

calling for complete reorganization of the CPS into a site-based scheme with each school

governed by a powerful elected council representing parents, community members, and teachers.

In addition to these two sustained reform efforts, the educational reform "movement"

hosted an alphabet soup of smaller, less well funded groups such as the Concerned Parents

Network, 46th Ward Fair Share Education Committee: Reconstruct Education with Students,

Educators and Community Together (RESPECT), People's Coalition for Educational Reform

(PCER), Parents United for Responsible Education (PURE), 31st Ward Fair Share Organization,

Taxpayers for Responsible Education (TRUE), United Neighborhoods Intertwined for Total

Equality (UNITE), and Voices for Illinois Children.

This low-level community-oriented advocacy might have persisted indefinitely without

visible effect; after all, a group of the most powerful business interests in the city had been

unable to move the CPS. A bitter teachers' strike that closed all Chicago Public Schools at the

beginning of the 1987-88 school year, however, brought simmering popular discontent to a boil

and opened reform opportunities. For the ninth time in nineteen years, the Board could not close

contract negotiations with the Chicago Teacher's Union (CTU), teachers struck, and schools

failed to open at summer's end. Whereas the board demanded a 1.7% reduction in salaries, the

CTU demanded a 15% increase over two years. Bitter negotiations between CTU President

Jacqueline Vaughn and Board of Education Superintendent Manford Byrd failed to close

negotiations for nineteen days, making the teacher's strike the longest in Chicago's history. A

reporter suggested that one way to end the strike might be to "lock Vaughn and Byrd in a room,

deny them food and use of a washroom and tell them to knock when a settlement had been

reached" (Banas and Norris 1987).

Outside the walls of the Coliseum where these two Goliaths battled, the strike disgusted

many onlookers and confirmed their suspicions that the main concerns of CPS had little to do

with improving the education of their children. Its outcome, whoever won, would have little

impact on the desperate condition of the city's schools. Education policy organizers were able to

channel this anger and frustration into a groundswell of support for their decentralizing reform

proposals. Observing presciently,

> Clark Burrus, a member of the Chicago school board, said before the strike began... that
> such a confrontation could backfire, and that he feared the result could be a legislative
> restructuring of the system.
> "If we have a prolonged strike, I am fearful of what the legislature would do in a
> crisis situation," Burrus said. "There is talk of decentralization, elected school boards,
> turning power over to the parents.
> "We don't want anything like that," he said, shuddering. "That's one place where we
> and the unions are in agreement-we don't want any restructuring." (Griffin and Hardy
> 1987)

As crystal balls go, his turned out to be quite accurate. The strike invigorated an array of

parent, community, and local political groups, and they continued to demand school system

reforms even after the CTU and the Board stuck its contract deal. Some favored re-organization

of CPS into some 20 smaller districts along the lines of New York's much touted 1967

decentralization program,[4] others favored centralized accountability mechanisms such as school-

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[4] It should be noted that the New York program broke the system into some 33 "community" districts,
each averaging 20,000 students. The sense in which these districts offer local control is unclear, as each of
New York's small districts is still larger than 98% of the school districts in the United States. See Moore

wide inspectorates, groups like RESPECT stressed funding equity issues, and some just wanted

to slash the budget of the administrative center. In an extraordinary legislative moment, powerful

Illinois House Speaker Michael Madigan invited interested parties—not only Board of Education

and CTU advocates, but also representatives of groups like Designs for Change and Chicago

United—to use his office as a space to draft a major piece of school reform legislation that would

enjoy the support of all interested parties. Outside of Madigan's office, hundreds of parents and

community members bussed from Chicago to Springfield—the state capital—to demonstrate

support for reform, and Chicago United brought business leaders down in their corporate jets to

press the flesh with legislators (O'Connell 1991: 21).

Over the next 16 weeks, parties deliberated, cajoled, and bargained over re-shaping the

CPS in a moment—albeit writ very small—that resembled Bruce Ackerman's (1991) description

of higher lawmaking through wide-open public debate at the Founding, Reconstruction, and New

Deal of the American Republic. Don Moore and the proposals first conceptualized by Designs

for Change unmistakably carried the day in this debate. Due in large part to business community

alliances that DFC had forged through years of careful research and persuasion, and in no small

part to the energy of DFC staff during these meetings in Springfield, Madigan's draft legislation

enacted the major elements and logic of the DFC proposals for participatory site based

governance. It called for the creation of one Local School Council of each of Chicago's 560

elementary (K-8) and high (9-12) schools. Eleven elected members—six parents, two teachers,

two community members, and the principal—composed each elementary school LSC, while high

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(1991) for a comparative political history of the New York and Chicago school reform movements, see
Gittell (1994).

school LSCs would add a student member. The legislation empowered each LSC to hire and fire

the principal, approve school budgets, and develop comprehensive three-year School

Improvement Plans. Departing from the DFC proposals based on local control, the business

community demanded a centralized accountability mechanism, and so the legislation also

included provisions for an oversight body to monitor system-wide implementation of the

decentralizing reform.

    After some log-rolling, partisan conflict over less central provisions, and interest group

bickering, the bill passed the Illinois house and senate in special session with a majority vote

supplied by Democratic support. At the last minute, Reverend Jesse Jackson and Operation

PUSH—calling the legislation "education deform"—fired off telegrams urging legislators to vote

against it, members of the Board of Education railed against the bill, and the Principal's

Association attacked the bill for removing principal "property rights" in tenure. By November

1988, however, negotiations over minor provisions gained the support of the Black Caucus, the

CTU, and all major reform groups. Both houses passed the bill by very wide margins in

December 1988—56 to 1 in the Senate and 98 to 8 in the House. The first LSC elections were

held in 1989. 17,256 candidates stood for election, including 9,733 parent candidates, 4,944

community resident candidates and 2,579 teacher candidates. Approximately 5,400 of them were

elected to govern some 540 Chicago schools (Designs for Change 1989).

4.4. Hierarchical Retrenchment or a New Center?

    Implementation following the passage of this historic reform legislation would show that

decentralization, while promising, would be an incomplete step toward reform. Though initial

fears of the graft and corruption that plagued the New York schools after they decentralized

turned out to be unwarranted, many LSCs failed to translate their local power into school

improvement while others schools have excelled within the new reform structure. Inside

reformers and outside critics began to realize that the legislation alone, far from completing the

task of education reform, was only an auspicious beginning for further institutional development.

After a few short years, some claimed that the experiment in democratic localism had failed, or

had not gone far enough, and began to push for additional reforms.

These efforts culminated in a 1995 law,[5] backed both by Democratic Mayor Daley and

Republican State Legislatures, that granted the Mayor substantial new powers over the Chicago

schools such as the ability to appoint a new, consolidated school board and relaxation of state-

based oversight over the financial system. In June 1995, Daley appointed two of his most

aggressive senior staff members to head the CPS: his budget director Paul Vallas became the

Chief Executive Officer (the post was formerly called General Superintendent) of the system and

his Chief of Staff Gery Chico became chair of the new School Reform Board. Many local and

national observers interpreted this law and subsequent personnel appointments as a retrenchment

of centralized authority and therefore a reversal of the 1988 decentralizing reforms (Pearson and

Cass 1995). One observer saw the Chicago shift as emblematic of a national trend toward

recentralization in big city school systems:

> If there is a moment when the re-centralization movement was energized, it occurred in
> the spring of 1995, when the Republican-controlled Illinois legislature decided to hand
> Chicago's Democratic mayor four years of unprecedented emergency authority to run the

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[5] Illinois Public Act 89-15.

city's schools. At the time, speculation centered around the motive for the bill: Did Daley really want responsibility for a failing school system, or were Republican legislators simply trying to saddle him with an insurmountable task? (Mahtesian 1996).

A closer examination of the law's actual provisions and implementation, however, reveals that the 1995 rules and CPS staff implementation of them do not fall neatly into the familiar dichotomy of power as either decentralized or centralized. Instead of strengthening the powers of the Central Office at the expense of individual school staff, as the Progressive reforms described above (4.2) did, these measures seem to empower the center to support individual schools and hold them accountable. The functions of this new, "supportive center," in both the ideal view of Street Level Democracy and the particular case of CPS, are described in some detail in Chapter 8 below.

Even without delving into substantial detail, however, consider the specific measures contained in the 1995 law that supposedly recentralized authority (Pick 1996). As mentioned above, the law loosened control and oversight over school finances; moneys previously dedicated to specific purposes such as playgrounds would now feed into a general operations fund. Second, it took substantial power from the Chicago Teachers' Union (CTU) by removing items such as class size and the academic calendar from collective bargaining, reduced time required to remove teachers deemed incompetent, and prohibited strikes for a period of 18 months after the legislation's passage. Third, the law shifted control over building engineers and janitors from the Central Office to the principals of individual schools. Fourth, the law mandated additional training for those serving on Local School Councils and funded such training out of CPS coffers. Fifth, and quite controversially, the law included "accountability" measures that put failing schools on "remediation" or "probation" status. Schools in which less than 15% of the

students exceeded national standardized testing norms would be subject to intensive scrutiny via placement on academic remediation and probation lists. This list totaled 109 schools in 1996. Each school on these lists was visited by an "intervention team" that monitored and advised school staff and LSC members on governance, instructional, and administrative issues.[6]

Initially, reform activists feared that the reconstitution and probation status would be used by the Central Office to usurp school control from LSCs. Several case studies of schools under probationary supervision, however, reveal that intervention teams have acted more like coaches than dictators in their interactions with teachers, principals, and LSC members in schools on probation (Martinez 1996; Druffin 1998). As an extreme measure, those schools who fail to develop or implement effective improvement plans as a result of academic probation are "reconstituted:" all teachers at those schools must reapply for their jobs and principals may be removed by the CPS CEO. In June 1997, the Reform Board reconstituted seven of Chicago's worst performing schools.

While these measures do not fit the institutional prescription of community empowerment and decentralized authority that motivated much of the 1988 school reform legislation, neither do they resemble measures that a proponent of muscular command-and-control bureaucracy would recommend. This new institutional configuration—of a center that supports and facilitates the activities of local units and holds them accountable to performance standards rather than directing them—matches the architecture described as Street Level Democracy in Part II. Governance participants in individual schools are empowered, indeed

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[6] Chapter 15 provides a case study of a school on probation status.

commanded, to set their own administrative and instructional courses toward effective schooling. Though those at the Central Office know that they have neither the wisdom nor the power to determine optimal courses for the 540 schools in the Chicago system, they nevertheless do not abdicate power. Instead, they provide an array of supportive services to individual school efforts such as training and financing; they monitor the progress of individual schools through testing and other performance monitoring methods; and they provide more direction, sometimes strictly, to those schools who fail at their responsibilities of planning, governance, and educational performance. Before we describe SLD's institutional scheme in more detail in Part II and consider its real world operation in Part III, we review the parallel transformation of the Chicago Police Department toward Street Level Democracy in the next chapter.

Chapter 5:

Repeating History, Second Time as Police Reform

5.1. Progressive Reformers and Machine Policing

At the beginning of the twentieth century, Progressive reformers' notion of good policing matched that of their contemporaries and the modern public. According to one prominent historian of policing, most assumed and expected that police

> enforced the law kept the peace, and served the public; they suppressed vice and eradicated crime, preserved order at the polls and in the street, and aided citizens in distress. Underlying this notion were two assumptions. One was that most policemen did their job. The patrolmen, who were assigned to precincts, walked the beat looking for a complaint or a call for help... The detectives... investigated serious crimes and watched well known criminals. And the special detailed maintained order at the courts, theaters, docks, railway stations, and other public places. The other assumption was that most policemen used little or no discretion... they should be guided only by the language of the law and the constraints of a policed society. (Fogelson 1972: 31)

Progressive efforts over the next fifty years sought to bring actual street-level policing behavior in harmony with the first expectation through management techniques built upon the second assumption.

This disjunction between expectations placed upon police departments and their real-world performance motivated the reform efforts of good-government activists. They waged their campaigns in no small part by publicizing the dimensions and extent of poor policing. A survey of Chicago policemen in 1904 revealed, for example, that "they spent most of their time in saloons, restaurants, barbershops, bowling alleys, pool halls, and bootblack stands. They were everywhere except the beat" (Fogelson 1972). It did not require sophisticated social science

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methods to show that patrolmen did not enforce vice laws uniformly, but instead that they often

used their public powers for personal gain or to supported machine politicians (Royko 1972:

102-11). From the turn of the century throughout the 1920s, Progressive reformers generated

reports, staffed commissions, published newspaper articles, conducted official inquiries, and

sponsored legislation that exposed corruption forces, drew the links between machines and

police, and argued for professional, de-politicized police forces.

One particularly critical and prominent investigation began in 1911 in response to the

complaints of angry onlookers who reported seeing police take protection bribes from bookies

outside of Comiskey Park during a wrestling match. Subject to increasing public pressure from

this and similar violations, then Chicago Mayor Carter H. Harrison appointed three Civil Service

commissioners to investigate reports of collusion between the police and organized perpetrators

of vices such as gambling and prostitution (Lindberg 1991: 106-7). The commissioners

conducted a sweeping three month probe into the activities and organization of the police

department and published their results in a highly critical report that found:

(a) That there is and for years has been a connection between the Police Department and the various criminal classes in the City of Chicago.
(b) That a bi-partisan political combination or ring exists, by and through which the connection between the Police Department and the criminal classes above referred to is fostered and maintained.
(c) That to such connection may be charged a great part of the inefficiency—disorganization and lack of discipline existing in the Department.
(d) That aside from such connection, inefficiency also arises through faults of organization and administration.
(e) That the Police Department, as now numerically constituted, can enforce any reasonable regulation... if honestly and efficiently administered...
(f) That with the Department as now organized, efficient administration cannot be expected nor secured. (Chicago Civil Service Commission 1912: 52).

Specific findings brought rather severe personnel discipline: "One captain resigned under charges, and three inspectors, three captains, one sergeant, and six plain clothes men have been discharged" (Chicago Civil Service Commission 1912: 8). More generally, the report's constructive recommendations followed the standard good government formula for professional, hierarchical administration: completely reorganize the department along "logical and scientific lines," remove "the service as far as possible from the influence of politics," "simplify and modernize" the records, consolidate the executive officers into a central facility, and establish standards and professional training capacities (52-3). Predictably, those at the apex of political and administrative police power ignored these blue ribbon recommendations.

Between 1890 and 1930, Progressive reformers outside of police departments launched many similar attacks against the machine. Their efforts met with gradual, cumulative success in large cities across the nation. In 1894, Chicago reformers raised standards for police personnel by putting the department under civil service regulation and otherwise stiffened entrance requirements. They raised officers' salaries an average of 50% between 1919 and 1929 in Chicago to attract more qualified candidates (Fogelson 1977:82). By the 1930s, most big city departments had founded professional training academies. Over this period, Progressives had managed to implement important parts of their program, but left many of the basic, dysfunctional operations of the departments untouched—city-wide chiefs exercised little real-authority over precinct-level commanders or rank-and-file officers, and the daily operations of the police were still very much under the local control of ward machines.

A second round of reform between 1930 and 1960 transformed big city police departments around the country into the large bureaucracies with which we are familiar today. In

contrast to the earlier Progressive movement, forces from within the police community led these

wave. Perhaps Progressivism's most effective action lay not in their political skirmishes with

machines, but in sowing two ideological seeds that grew within in professional communities: that

the purpose of municipal agencies was to provide the most effective public service and the

lowest possible cost and that the organizational form that best achieved this end was rationalized

bureaucracy (Fogelson 1977: 90, 144; Sparrow 1990: 34-41; Carte and Carte 1975). Chiefs who

led the second wave of reform imbibed and then developed these ideas in the community of

police discourse formed by new institutes and professional associations such as the International

Association of Police Chiefs, American Association for the Advancement of Criminology, state

police associations, the University of Louisville's Southern Police Institute, Florida State

University's Southern Institute for Law Enforcement, and seminars sponsored by Harvard

University or the Operations Research Center of the Massachusetts Institute of Technology

(Fogelson 1977: 144). Wherever a member of this new generation came to power, he sought to

remake his department in the shape prescribed by these professional discussions prescribed.

5.2. Building the Modern Police Bureaucracy in Chicago

In Chicago, the ax fell in 1960 when Orlando W. Wilson became police chief. His

appointment was the result of persistent low level corruption combined with a series of highly

publicized scandals that left no doubt in the minds of Chicago residents that some substantial

fraction of the police department was involved in serious criminal activity. These revelations

created a kind of legitimation crisis for Mayor Daley, and he responded with the appointment of

a nationally respected police reformer.

In the decade of the 1950's, writes one Chicago police observer,

> Inefficiency and corruption still undermined the detectives' bureau and the police squads... Any wise motorist who owned a car in the 1950s knew that the best way to beat a traffic ticket was to keep a $10 bill wrapped around the driver's license at all times. Typically, a patrol officer would pull an offender over to the curb and ask the driver to accompany him to the front seat of the squad car, where the money would be passed (Lindberg 1991: 287).

At least a few police officers, local politicians, and traffic court judges colluded to fix more serious traffic violations. Another investigation in the late 1950s resulted in the indictments of thirty five court officers involved in ticket-fixing for money and favors (Peterson 1959). Several months after this already serious revelation, a far greater criminal conspiracy surfaced. In the "Summerdale Scandal" of 1958, a burglar confessed that some eight police officers were his associates in crime; for over two years, they had been helping him carry his loot away in their squad cars while on duty. Stolen property was recovered in the homes of the officers, and quickly there was talk that many of hundreds of officers could be involved (Lindberg 1991: 295-304). Royko (122) writes that, "the public was genuinely shocked. It's one thing to take a few bucks to overlook an illegal U-turn; but even Chicagoans could become indignant at the thought of policemen jimmying the locks of appliance stores and loading up their trunks, on city time yet."

Daley, who had previously accepted police corruption and local ward-control of the police department, surprisingly adopted an extreme reform program to regain public confidence. He began by searching for a new chief, one with impeccable, nationally recognized credentials. He found Orlando W. Wilson, whose qualifications included running police departments in Berkeley, Fullerton (California), and Wichita (Kansas), serving as professor of policing and dean

of the School of Criminology at Berkeley, and consulting for some dozen police departments across the country. Well aware of the obstacle that Chicago's political-police links would pose to reform, Wilson demanded carte-blanche inside the Department and political support from the Mayor outside, and Daley gave it to him. Over the next ten years, Wilson implemented a stunning series of changes that completed the Progressive institutional program within the CPD. He implemented state of the art techniques and technologies such as motorized patrol using one-man cars, efficient centralized radio dispatch, specialized functional squads such as vice, vastly improved record-keeping, and improved training, recruiting, and promotion practices. Lindberg (1991: 314) credits Wilson with forcing the CPD "to break from its historic nineteenth century roots. [Under him] the period of modernity had at last begun."

These modernizing reforms included three fundamental planks constitutive of professional bureaucracy: *professional autonomy*, *hierarchical command*, and the *development of expert sources of practical knowledge*. Each of these bureaucratic characteristics stood on its own as part of a larger scheme of efficient police service delivery, but each can also be understood as a contextual strategy for wresting control of police from the political machine. To foreshadow our constructive account, Street Level Democracy reverses each of these three features.

Mike Royko writes that Wilson's predecessor, Chief Timothy "O'Connor was never in any position to reform, or even control, the police force. The day to day management of the department was conducted by the seven aged and canny assistants in his office who took their orders from the politicians while O'Connor went through the motions of being in charge"

(Royko 1971: 113; see also Lindberg 1991: 274). Wilson's first task, then, was to increase the

professional and organizational autonomy of the police department at the expense of these local

politicians. With the support of Daley, Wilson shattered ward control by moving more operations

to the headquarters, reducing the number of police districts from thirty-eight to twenty-one,

breaking the alignment between police-district and political-ward boundaries, and instituting

stricter procedures for hiring and promotion that would make police employment less subject to

political manipulation (Royko 1971: 117; Fogelson 1977: 175-82, 226). He moved an Illinois

law that shifted discipline procedures from the Civil Service Commission to a five-member

police board. Any other police reform, Wilson correctly supposed, depended upon this first

reform of transferring control over the police from machine politicians to professionals inside the

law enforcement community.

Beyond organizational autonomy, Wilson favored the model of centralized command and

coordination that had proved its mettle not only in other municipal service agencies, but also in

the military and large private corporations. This strict hierarchical model of police organization

first of all implies the separation of task-conception and task-execution (Wilson 1950): the

details of organization and routine were to be determined at headquarters and then passed down

to the districts and then finally to the patrol officers who would execute them. A 1964 report on

the progress and direction of CPD reform advertises its management philosophy:

> A core of 62 officers now constitutes the top command of the Chicago Police. It is to
> these men that the task of successful implementation has fallen. Each has the job of
> interpreting plans and policies in frequent face-to-face contact with the men under his
> command. His subordinates must be kept fully informed, understand the reasons for
> change, and be properly motivated. (Chicago Police Department 1964: 7, 14)

Strict hierarchy and supervision made sense not only as an organizational embodiment of efficiency, but as a way to combat the widespread corruption that had brought Wilson to Chicago. He imposed stricter regulations on behavior of patrol officers both on duty and off and he established Bureau of Inspectional Services section to monitor these regulations (Chicago Police Department 1964: 8). In line with professional recommendations, he re-organized the department along functional rather than geographic lines by moving many of the patrolman's responsibilities to centralized special units such as intelligence and vice.

Finally, Wilson institutionalized the generation of expert knowledge within the department and cultivated sources outside of it. The police organization was to be guided not by politics, but by a body of practical knowledge called policing, or more expansively criminology. Like all other big city police departments, the CPD has its own research and development section that generates usable knowledge about the local departmental matters. Nationally, expert knowledge comes from groups like the National Institutes of Justice, the FBI, and numerous centers and departments in Universities. One enduring achievement of the reform period was the FBI's Uniform Crime Reports that collect, centralize, and then report incidents of crime and police response across the country. Note two aspects of this expert knowledge that will be reversed in our discussion of Street Level Democracy. First, those who generate theoretical knowledge and practical recommendations are for the most part divorced from the day to day operations of policing, and they have only quite tenuous connections to street level operators. Second, expert prescriptions propagate downward through the bureaucracy. Research and development departments transmit their results to chiefs who then order their subordinates to follow these recommendations.

Through this bureaucracy, the police department became quite good at implementing the three crime-fighting strategies that together form the foundation of modern policing: preventative patrol, rapid response, and retrospective investigation. Each of these strategies was based upon reasonable, but quite speculative, theories about crime abatement. Preventative patrol is the practice off maximizing police visibility—first by putting them in automobiles and then by monitoring to ensure that officers are indeed patrolling—in order to reduce opportunities for criminal behavior. An early 1970s experiment in Kansas City cast doubt on the efficacy of preventative patrol and shocked the law enforcement community. Patrol areas were divided into three sections. In one section, patrol manpower remained at its previous level, it was doubled in the second, and the third area received no patrol at all. Researchers found no discernible impact on crime rates (Kelling et. al. 1974; Fogelson 1977: 231-2; Sparrow et. al. 1990: 15-16).

The second basic anti-crime strategy is rapid response to citizen calls for police service. Everywhere in the United States, this has been instituted through the 911 emergency system and radio dispatch. The theory of rapid response holds that minimizing the time between the occurrence of a crime and the arrival of police will increase the probability of apprehending the perpetrator. Two findings about police operations cast doubt on this theory. First, it turns out that the vast majority of 911 calls and patrolman's time is spent on non-criminal matters such as traffic directions, domestic disputes, and the like (Fogelson 1977: 231). Second, even the shortest response times have been shown to be insufficient to allow police to catch criminals because "the chance of arresting a villain at the scene became infinitesimal if victims waited more than five minutes to call the police. Unfortunately, most waited far longer" (Friedman and Matteo 1988).

The third crime-fighting strategy is post-facto investigation and apprehension of criminals by detectives and patrolmen. Inside police departments, the ratio of apprehended suspects to reported crimes is known as a "clearance rate," and it is a figure of substantial managerial merit (Simon 1991). Assuming that criminals are rational actors, increasing the probability of arrest (an severity of punishment) will deter crime (Wilson 1983). Like most hypotheses about rational action, the evidence for this one is mixed. Without engaging too much in the debate, evidence does at least suggest that apprehension is insufficient as a crime controlling measure because in recent years crime rates have soared right along with incarceration rates (see Figure 5.2 below).

5.3. Legitimation Crisis in Policing

By the 1960s, Wilson and others across the country had largely completed this bureaucratic reform project. The CPD weathered disturbances of the late 1960s and 1970s; its basic institutional design and practical theory remained intact until another legitimation crisis which perhaps dates from the mid-1980s. Whereas the first crisis consisted of disjunction between widespread notions about the ideal form of policing and its actual corrupt, machine-serving practice, the latest crisis concerned the inability of police—irrespective of organizational form—to maintain safety and social order in urban neighborhoods. The precise dimensions of the crisis in law enforcement are difficult to establish, as are the levels of performance anxiety and outside pressure necessary to induce change in insular bureaucracies like police departments (Downs 1967). I offer two kinds of gross evidence—attitudinal and epidemiological—to support

the case that those inside the law enforcement community had good reason to feel some

performance anxiety and that outsiders demands some kind of change.

Consider first trends in national attitudes toward crime. Along with economic issues like

unemployment and the high cost of living, Americans have consistently and frequently name

crime as "the number one problem facing this country" in national surveys since the 1970s. If

survey results indicate at all the national sentiment, then Americans' anxiety about crime has

dramatically increased over the last decade. The Gallup polling organization frequently

administers a national survey that asks, "what do you think is the most important problem

facing this country today?" and then provides a menu of responses that includes "crime,"

"inflation and the high cost of living," "unemployment," and since the 1970s has included

"drugs." The figure below plots the percentage of Americans who responded that "crime" or

"drugs" was the nation's most important problem.[1]

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[1] Data from Gallup Poll, various years, as stored in Lexis-Nexis Polling Results electronic archive.

Figure 5.1. Crime As a National Priority
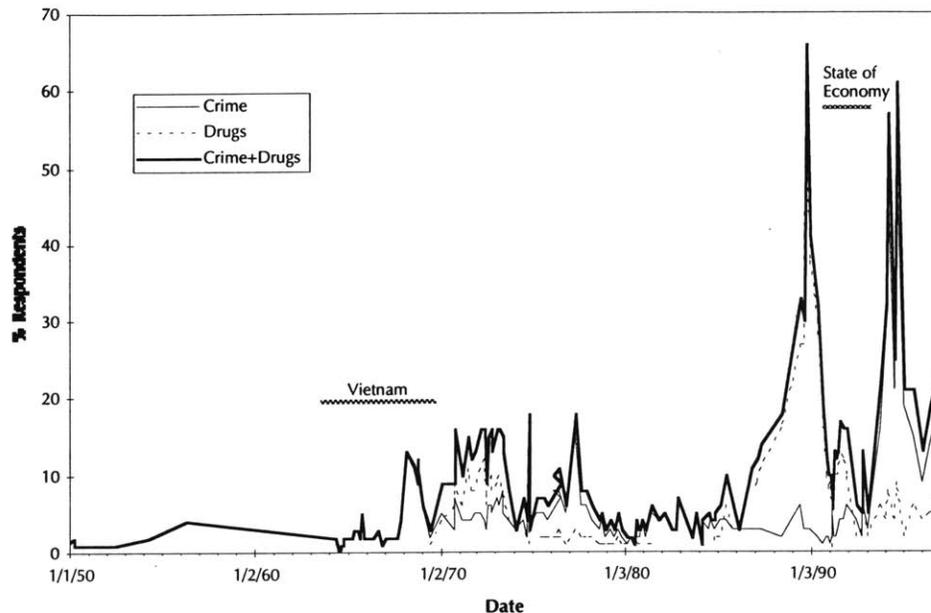
In the absence of recession, between five and fifteen percent of Americans have thought crime to

be the nation's most important problem since roughly 1970, outstripping all other concerns such

as education, health care, welfare, and the environment. Only economic issues such as

unemployment and inflation have competed with crime as *the* national priority over the last

quarter century. Since 1985, however, crime concerns sharply surpassed even the economy, with

between twenty and sixty percent of respondents naming it as the nation's most important

problem. It should be noted that I have considered "drugs" as a part of overall concern about

crime due to the close linkage between drug trafficking and crime in reality and in popular

perceptions. So, the steep rise in crime and drug concern between 1985 and 1992 can be largely

attributed to mass-media refracted images such as the "crack epidemic" and the "war on drugs" that are inextricably fused to notions about crime.

Furthermore, this rise in public concern about crime is not *merely* a perceptual shift; the rate of crime itself has also increased. The figure below depicts trends in the four major categories of violent crime as collected by FBI in its *Uniform Crime Reports* U.S. Department of Justice, various years), together with the rate of incarceration, our primary institutional response.

Figure 5.2: Rates of Violent Crime and Incarceration in the United States
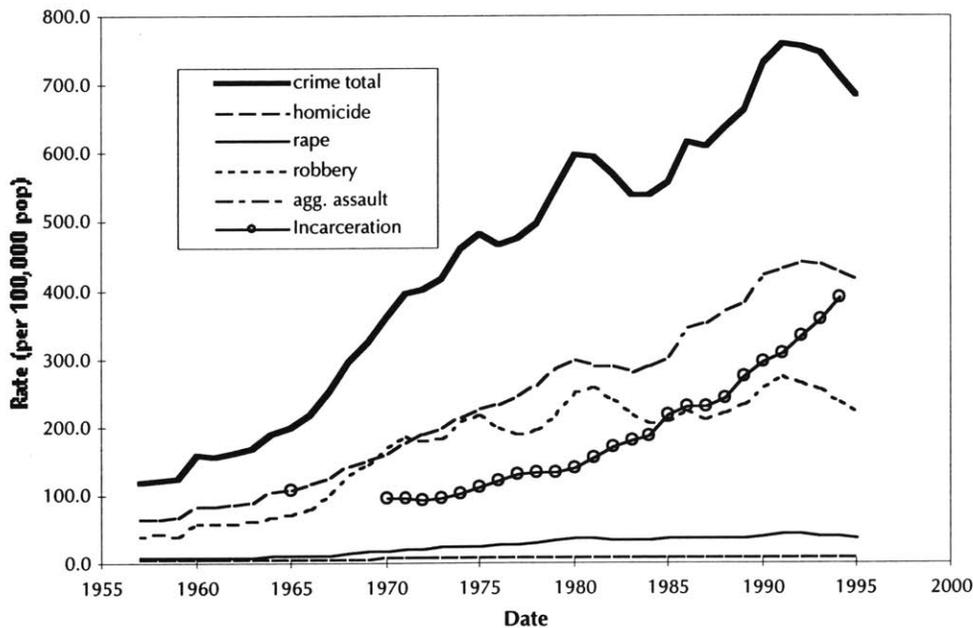
Like all crime figures, these data should be treated with caution. They are based upon crimes reported to police, and so the actual crime rate is higher—especially with rape—than FBI figures reflect. Part of the inflation in crime over time may, therefore, be attributable to increases in

propensities to report crime. The crime of homicide, however, is far less subject to reporting

bias, as the vast majority of dead bodies are eventually located. Homicide rates reflect the

increasing trends in crime shown above and demonstrate that the threat to individual well being

posed by violent crime reaches all time highs in recent decades. Setting these figures in the

epidemiological context, the CDC reports that homicide was the eleventh overall leading cause

of death nation-wide in 1995 (National Center for Health Statistics 1996). The problem is of

course much greater in urban areas, for blacks, and for men. In Chicago in 1990, homicide was

the third leading cause of death for black males, just behind heart disease and far outstripping

HIV infection (Epidemiology Program 1994: table 4). The following figure depicts homicide

rates in Chicago[2] and in the United States[3] through time:

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[2] These figures were very kindly provided to me by the Epidemiology Program at the Chicago
Department of Health. They are based upon the records of the Chicago Police Department.
[3] Source: U.S. Department of Health and Human Services, various years. Figures for the United States are
based upon coroners' reports that are collected nationally by the Centers for Disease Control.

Figure 3: Homicide Rates in Chicago and the United States.
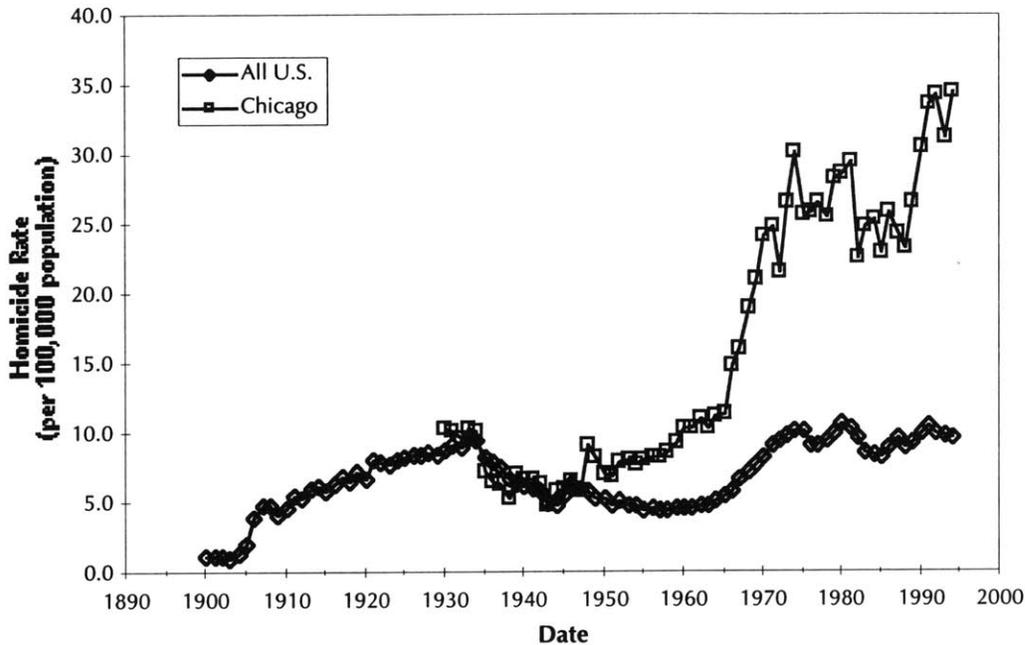
5.4. Toward Street Level Democracy in Chicago Policing

These trends of increasing crime and public concern sparked tremors of police reform in many cities across the United States in the 1980s that continue today. Reformers struck deeply by questioning the cardinal strategies of policing discussed above—preventative patrol, rapid response, and investigation—and suggested that alternative, admittedly vague strategies such as "pro-active problem-solving" and "community partnership" might do better (Goldstein 1992; Sparrow et. al. 1990; Chicago Police Department 1993). Those departments that chose these sorts of strategies as a way out of their legitimation crises would quickly find their accustomed centralized, hierarchical, paramilitary organizations incompatible with the effective implementation of these alternatives, and have since embarked on institutional explorations for

more compatible forms. Putting it unfashionably, the means of effective policing had become

incompatible with inherited relations of policing.

The Chicago Alliance for Neighborhood Safety (CANS) was among the earliest

proponents for this wave of police reform in Chicago. It began in 1980 as a public safety and

crime prevention technical assistance group that aided Chicago neighborhood organizations with

federal funding under the Urban Crime Prevention Program (UCPP). Adhering to an ideology of

community organizing common to both the New Left and Saul Alinsky, CANS stressed

indigenous neighborhood capacity, autonomy from state power (though ironically itself a

creature of the state), and frequent opposition to constituted power. By the late '80s, the

limitations of this micro-organizing strategy had become apparent, and CANS re-invented itself

into an advocacy group that pushed for institutional reforms to the police that would make it

more responsive to neighborhood residents. In the words of long-time CANS Executive Director

Warren Friedman:

> The organizations [we helped] were supposed to take these resources, organize residents,
> develop action plans and, *when necessary*, work with the police to make the
> neighborhood safer... There was no hint of policy participation or institutional change.
> With the lack of police cooperation, this strategy began losing credibility. CANS... began
> to evolve in response to the clear limits of its community safety strategy. (Friedman,
> forthcoming)

It's revamped organizing strategy, then, would be two-fold. First, it would agitate for reforms to

the CPD that would make police more responsive to community voice. Retaining its ideological

and organizational commitment to local participation, community involvement would always

figure prominently in its reform proposals. Second, it would organize community groups and

residents—it would capacitate them—to take advantage of the institutional permeability which it

demanded from the police.

CANS waged its campaign to change the police department in part with reports that

explained national best practices in community policing and criticized the CPD for failing to

adopt these practices (Friedman and Matteo 1988; Friedman 1996). Using a kind of carrot and

stick approach, it first discussed these reports with high-level police officials and then, pending

lack of cooperation, used them publicly as organizing tools. In 1991, CANS organized a city-

wide Community Policing Task Force of some 100 community-based organizations as a forum

to discuss and push for these ideas. It also conducted a Leadership Institute for Community

Policing that consisted of six seminars led by professors of criminology and policing. It

additionally sponsored field trips, attended by Leadership Institute participants as well as CPD

personnel, to New York and Seattle to see their community policing efforts first hand.

Foreshadowing the intensive provisions for community participation that would later distinguish

Chicago's program, Friedman writes that,

> Most evenings [during the field trips], ... we met to discuss what we had seen and heard
> that day. Over and over, the question was raised "where's the community?" In both
> cities, they saw that little thought had been devoted to or investment made in community
> participation, education, or training. (Friedman, forthcoming)

Inextricably but independently from this Movement campaign, the upper echelons of the

police department and City Hall also began making reform motions in the early 1990s. For a

sticker price of $475,000, the City commissioned a study of the CPD from the consulting firm of

Booz, Allen, & Hamilton that was completed in 1992 (Spielman 1992). In addition to an array of

management techniques to increase the number of patrol officers per city dollar, Booz-Allen

recommended that the city experiment with various community policing devices in the five of

the city's twenty-six police districts. Many of these devices would resemble the community

policing efforts of other cities, with the principal difference being Chicago's extensive provisions

for community involvement. While the substance of most of the policing reforms can be

attributed to an evolving professional (police) consensus about community policing, CANS can

probably be given credit for the reform's participatory emphasis. Because they were loud,

because there was no fundamental conflict of interest between the community organizers and the

police reformers, and because CANS' institutional suggestions might actually enhance the

effectiveness of policing in the eyes of police professionals, their suggestions were rather

smoothly integrated into the early rounds of police reform.

As the first step of a city-wide policing initiative dubbed "Chicago's Alternative Policing

Strategy" (CAPS), the five prototype districts went on-line in January 1993. They incorporated

devices that break with traditional policing tenants. Against the principal of hierarchy, the new

policing recommends that street-level police officers pro-actively identify and solve problems.

To make room for this activity, units in prototype areas were divided into "beat" and "response"

sections, with the former solving problems and the later responding to 911 calls for assistance.

Against the principal of centralization, prototypes built the capacity of operational "beat" units.

The geographic atom of policing in Chicago is the beat—the city itself is divided into 279 beats,

each of which delineates the patrol area for one squad car at any given time.[4] The prototypes

stressed "beat integrity" which means that individuals officers focus service on their patrol areas

more—they do not patrol areas outside the beat, individuals are assigned to particular beats for

sustained periods, police officers know the problems and residents of their beats, and residents

get to know them.

Prototype areas opened channels of participation at both the beat and district levels. At

monthly meetings in each beat, police met with residents to jointly identify, strategize, and

eventually solve the most urgent problems of crime and disorder in their neighborhoods. Beyond

this, each District created an advisory body of community leaders to represent larger concerns to

each District's commander. The prototype program was hailed as a success (Chicago

Community Policing Evaluation Consortium 1994) and expanded to cover the entire city

beginning in fall 1994 (James 1994). Approximately 80,000 people attended beat meetings

during 1995 and the first four months of 1996 (Chicago Community Policing Evaluation

Consortium 1994).

Old school local democracy would—and did through the persistent voice of

CANS—recommend the sorts of organizational innovations adopted in the prototypes and then

expanded to the entire city. Localism in the form of devolution of decision power to street-level

police officers, pragmatism as focus on specific chronic crime problems, and democracy through

the creation of neighborhood-level channels of participation are all consistent with prescriptions

that a certain kind of participatory democrat might make. Based, as they were, on a fusion of

indeterminate concepts like problem-solving, decentralization, participation, partnership, and

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[4] To be clear, the city as a whole is divided into 26 polices districts, each of which is divided into between
eight and twelve beats. There are 279 beats in the entire city. Each beat is numerically designated with

teamwork, it is unsurprising that practitioners in both the police department and interested

community organizations would continue to re-fashion these rough-cut reformed institutions in

light of revealed shortcomings. These responses to concrete experience would move institutional

innovation in directions uncharted by either decentralist or bureaucratic prescriptions. Most

versions of local democracy emphasize the autonomy of small polities, but the Chicago

experiments would soon discover that operational units would need support and tutelage in order

to function effectively. And though autocrats would be unsurprised by this quick reassertion of

the center, management of the new police work would consist not in defining the tasks of

subordinates and then checking their performance, but rather in monitoring and guiding their

officers' self-defined problem-solving activities. These changes follow the design for a

"Supportive Center" described in chapter 9 below.

In rather short order, it became clear that participating residents would need support and

training in order to solve local problems effectively. The Joint Community-Police Training

(J.C.P.T.) Program was developed to meet this need. Part community mobilization, part civic

instruction, the two-year program deployed teams of organizers and instructors throughout

Chicago neighborhoods—in all of the city's beats—first to mobilize residents around public

safety and then to train them in the techniques of problem-solving and interacting with police-

officers in their beats. These teams were composed of both police patrol officers who had shown

special interest in CAPS and "civilian" community organizers (Fung 1997e). CANS received a

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four digits, DDBB, where DD gives the district number and BB gives the beat number.

$2.8 million contract from the City to run the project, much of which was used to hire 20 trainers and 40 outreach organizers.

In each beat, the team of organizers and trainers were given three or four months to jump start community policing neighborhood groups. The team would conduct an orientation session to introduce residents to the fundamental idea of Chicago-style community policing: residents work with police to solve concrete, identifiable problems of crime, safety, and disorder in their neighborhood. CANS staff would then "train" citizens in problem-solving by getting them to pick an actual problem on their beat—say the crack house or gang hangout corner—and work with them to solve this problem through strategies that utilized the police, the court system, city services, and direct action. Ani Russell, CANS training director, estimates that CANS has touched some 12,000 distinct residents. According to an independent evaluation of the program from the Institute for Policy Research (IPR) at Northwestern University, total cumulative attendance at these neighborhood problem solving and leadership development sessions between May 1995 and July 1996 was over 18,000. The IPR study also found residents who participated in community policing training were able to solve, in part or completely, 41% of the problems they attacked.

In 1997, the City declined to renew CANS's funding to continue J.C.P.T. For reasons never publicly articulated, officials in City Hall decided to shift this training money away from CANS and split it between the CAPS section of the Mayor's Office and the Police Academy. At the point of contract termination, officials in both the Mayor's office and the police department still expressed a strong commitment to public support for the organization and training of residents around community policing issues, but through a funding decision have moved the

locus of that training away from an independent community organization and into the purview of

city agencies (Fung 1997e).

In addition to training, officials also saw the need for procedures to monitor street level

problem solving activities; more broadly, they needed to redefine the role of management in light

of devolution and shift to neighborhood problem-solving. Inevitably, the police and residents of

some beats solve problems better than those in others. So, whereas the role of management under

hierarchy is to command, some functions of management under this new scheme are to (i) find

out which beats are doing better others, (ii) discover the roots of this success, and (iii) improve

non-performers. A "General Order" on community policing issued to the Chicago Police

Department in April 1996 can be interpreted at a first attempt at this formalization and re-

definition (Chicago Police Department 1996). The General Order requires officers to document

and justify their selection of particular problems, choice of strategies, and the successes and

failures of efforts to implement those strategies. This documentation can then be used by the

officers themselves and by their supervisors to compare efforts against one another and to

understand the causes of success and failure.[5]

As of this writing, the institutions of Chicago community policing are very young and

still very much in development. This historical narrative sets a few important devices—beat

meetings, beat integrity, citizen training, and management-as-monitoring—in the context of their

pragmatic, muddling origins. Because the effort to shift policing to a participatory, problem-

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[5] See chapter 7 (section 7.2) and chapter 8 for the detailed discussion of these relationships between CPD
headquarters and the local beat units.

solving form is very much in play, any snapshot of these institutions will lack the coherence of

venerable organizational forms like "bureaucracy," "representative democracy," or even "direct

democracy." Any institutional alternative, however, demands a level of coherence that is not

easily available through historical narrative. In Part II, we move from the descriptive to the

theoretical and normative mode by weaving these somewhat haphazard real-world institutional

reforms into the detailed architecture, once again ideal and stylized, of Street Level Democracy.

Part II

The Constitution of Street Level Democracy

If the experts are to go round with cameras, and the administrative officials to sit at their desks and construct policies, and the people to assent, who is to do the living, who is to make up the "objective situation" to be reported on? Its "objectivity" seems rather shadowy. But the people do live, do carry on their activities from day to day, and all that advocates of democracy want is that this shall be recognized in its full significance. Democracy is a denial of dualism in every sense; it is an assertion that the people who do the doing are also thereby doing the thinking, that a divorce of these two is impossible. Our real problem is to connect the will of the people as it lives daily in the multitudinous activities of men with the political will.

Mary Parker Follett (1930)

Chapter 6:

Pragmatic Citizens

The first task in our architectural description of Street Level Democracy is to specify, as generally as possible, the character of the citizens who participate in it. Why would individuals spend their time in street level political processes like community policing and local school governance? What kinds of skills of individual capacities does it take for them, and by composition the group process, to be successful? Are these expectations about how people will behave and what they are capable of doing realistic given the conditions—lack of free time, poverty, poor education—that many citizens face, or does SLD place too many demands on ordinary people? Finally, how does SLD's image of political personality compare with that of three major schools of democratic social theory—rational choice, liberalism, and communitarianism? These are the main questions of this chapter.

6.1. A Pragmatic Public Psychology

We deduce the characteristics of SLD participants from the basic features of the local political process itself. Though the thorough elaboration of that process must wait until the next chapter, we briefly summarize some basic features of this process that are relevant to the specification of citizens. Citizens and line-level public servants form an ongoing group, a kind of open committee, to deliberate about how to improve some important aspect of local public life

such as the safety of their neighborhood or the quality of their school. These discussions often

focus on actual problems such as what to do about a drug house, selecting a curriculum, or how

to deal with overcrowded classrooms. In contrast to many kinds of popular deliberation that

result in recommendations or criticisms (Fishkin 1991; Habermas 1996; Arato and Cohen 1988;

Gunderson 1995; Bohman 1996), these groups typically enjoy the authority and power to

implement their recommendations. Thirdly, whereas most kinds of deliberative opinion

formation and policy decision are forward-looking and front-loaded, participants in SLD are

engaged in an ongoing process in which current decisions are largely based on the evaluation of

past outcomes.

We call the mindset of citizens who participate in these problem solving deliberations a

public pragmatic psychology. They are pragmatists because they join SLD processes (i) to

advance concrete aims such as improving school effectiveness or public safety, (ii) are open to a

wide variety of strategies that might plausibly advance that end, and (iii) to search relentlessly

for the most effective strategies. This simple pragmatic psychology[1] is driven by just three

central elements: a hard-driving disposition to finding strategies that work, using real world

results to determine whether strategies are working, and realizing that an effective search for

such strategies entails using this evidence to break away from, or at least cast doubt upon, deeply

ingrained habits, opinions, privileges, and dogmatic ideologies (James 1975: 31; Pierce 1877,

1878; Dewey 1896). For example, a black Muslim member of the Nation of Islam and white

ethnic police officer engaged in community policing problem solving may each come to find

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[1] A pragmatic political method is developed in the next chapter.

though close observation of other that many of his expectations turn out to be mistaken. Though they disagree with one another on nearly every "fundamental" political issue, and might never see eye to eye in a Habermassian public sphere, behavioral evidence in face-to-face interaction could nevertheless reveals that they can work, even trust, one another in the limited context of advancing neighborhood safety. Being pragmatists for the purposes of SLD, they accept this evidence, set aside their ideological preconceptions, and get to work.

This pragmatism is *public* in the sense that citizens need only hold this state of mind in their capacity as participants in Street Level Democracy. Outside of the context of SLD, we expect that they will hold a variety of world views and habits of thought that may be quite inconsistent with pragmatic methods and dispositions.[2] Suppose that the Black Muslim and the white police officer in the hypothetical example above hold exactly complementary extremist theories of racial difference and superiority which, in their minds, are not subject to tests of evidence and experiment. The public pragmatic psychology requires them only to modify these background views according to evidence and argument *within the direct processes of SLD problem-solving deliberation*. We call it a "public" psychology because it makes no claims or demands outside of the context of SLD. In private life and other political contexts, citizens can hold a variety of non-pragmatic "comprehensive doctrines" (Rawls 1993: 13).

We elaborate this basic notion of a public pragmatic psychology by describing its component motives and capacities. The answer to the first question of motivation is simple.

Individuals participate in SLD institutions because they believe that their participation will

contribute to outcomes that they desire.[3] They do not participate (primarily) because they enjoy

participation, because they feel a duty to participate, because they feel embarrassment if they do

not participate, or because they feel particular allegiance to the institutions of SLD. Although

each of these other motivations does not harm SLD, and may indeed explain empirically

observed rates of participation in SLD institutions, the normative conception relies only on

rational self-interest.

In our cases of education and public safety, individuals participate in SLD governance

institutions because (i) they have an interest in better schools or safer neighborhoods, and (ii)

because they believe that their participation will improve their particular school or make their

neighborhood safer. As soon as they loose these interests or come to believe that personal

involvement is not efficacious, they stop participating. They are, after all, pragmatists. It should

be noted that this requirement of rational efficacy upon political institutions is quite

demanding—electoral institutions, for example, quite arguably fail it from the perspective of

voters (Riker and Ordeshook 1968).

Second, what mental *capacities* do individuals need in order to be able to participate

effectively in SLD? Citizens must possess the abilities necessary to deliberate and solve

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[2] This distinction between a common pragmatic public mindset and diverse attitudes in private life is analogous to, though weaker than, the notion of many plural views that combine to an "overlapping consensus" on a constitutional structure in Rawls (1993) at 134-68.
[3] This conceptual presentation abstracts intentionally from an important motivational difference between professionals and citizen-participants in SLD. Professionals participate (e.g. beat meetings, school councils) in large part because it is part of their paid duties.

problems with one another in the institutions of SLD. If they lack these capacities, or if they

cannot or will not exercise them, then the deliberative process will fail to generate fair and

effective outcomes. SLD assumes that normally functioning individuals possess these capacities

to an equal extent, though the degree of development of the capacities will vary among different

individuals depending upon experience, socialization, training, background socioeconomic

advantages, and other such factors. Keeping these caveats in mind, we say citizens need five

capacities as part of their pragmatic public psychology in order to be effective in SLD. They

need the capacity of (i) limited practical reason, (ii) public justification, (iii) assessment and

evaluation, (iv) ironic revision, and (v) moral restraint.

Practical reason is just the commonplace capacity that everyone has to connect means

with ends—to make fairly good guesses about which strategies will get them what they want.

Everyone has this capacity and most activities in life involve exercising it, and so it requires no

great elaboration.[4] It should be noted, however, that the effectiveness of one's practical reason in

specific areas like education, environmental protection, policing, or health and public safety no

doubt benefits from training and experience. Furthermore, the practical reason of citizens in SLD

is *limited* because they guess only imperfectly about optimal strategies and courses of action,

and—since they are pragmatists—they know their guesses are imperfect. They participate in

SLD institutions partly to compensate for the limitations in their own practical reason by

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[4] Theories of rational choice decision-making incorporate this capacity of practical reason. One accomplishment of early work in that field was to describe and formalize the process of practical reason in the theory of expected utility. See von Neumann and Morgenstern (1944) and Tversky and Kahneman (1986).

supplementing it with the insights of others and with the accumulated experience of ongoing

problem-solving.

Subsequently, the capacity of *public justification* is the second critical competence of

pragmatic citizens. SLD is a deliberative process. As such, participants must discuss and argue

with one another about why the group should focus on particular problems, devote its resources

to some strategies rather than others, or weigh particular bits of evidence heavily and discard

others. Each of us conducts these thought processes internally, in our own minds, in the course of

exercising practical reason about our individual decisions. Public justification is simply the act of

articulating these private reasons in group discussion. The engagement of multiple parties in this

process of public justification pools practical wisdom and information and thereby potentially

yields group decisions that are both fair and effective. Though we all exercise this capacity

public justification constantly in our everyday lives in making family decisions or when we serve

on various kinds of civic and professional committees, I highlight it because the most common

everyday understandings of politics do not incorporate this public justification.[5] In voting, for

example, one simply casts a ballot and need not reveal his or her reasons for supporting a

particular candidate or issue to the rest of the electorate. Indeed, the Australian ballot does not

even require one to reveal one's ultimate choices.

To make this practice of pragmatic, street level public justification a bit more concrete,

consider a real world example. Suppose that a city has a "gang loitering" ordinance that allows

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[5] Many contemporary understandings of constitutional politics, by contrast, do incorporate public
justification. See Rawls's discussion of public reason in *Political Liberalism* (1992) at 212-54 or the
discussion of moments of constitutional decision in Ackerman (1991) and Bohman (1995: 229-32). SLD

police to disperse groups of suspicious looking people from street corners without substantial demonstration of probably cause.[6] Under the non-deliberative arrangements of command-and-control policing, the decision about whether or not to enforce the ordinance on a particular corner would be left up to either the patrol officer on the beat or his immediate supervisors. Public input into this decision would most likely come in the form of charges of police harassment or as efforts by civil libertarians to overturn the law on grounds of Constitutional impermissibility. Under Street Level Democracy, however, the decision about whether to enforce the law in particular cases must be supported with publicly offered reasons and evidence from both citizens and police. So, there might be a formidible public case for enforcing the law on a corner that has been the site of repeated drive-by shootings or armed robberies. On the other hand, those who actually hang out on a second, quiet corner might counter police (or resident) proposals to enforce the ordinance with public arguments that their presence does not contribute to any criminal activity. They might further point out that the real reasons for enforcing the loitering ordinance on this quiet corner have more to do with racist or anti-youth sentiments that would be rejected in open public discourse. Now many civil libertarians and social conservatives would no doubt be uncomfortable with leaving important decisions about police action to the imperfect deliberations of ordinary citizens and lowly officers—the former might prefer a blanket prohibit in the form of actionable right while the later might favor tough, unrestricted police discretion.

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differs from these views, however, in that public justification under SLD is an everyday practice conducted by ordinary citizens.

[6] Such a law was enacted in Chicago in 1993, enjoyed by Federal Courts in 1995, and will be heard by the Supreme Court in the Fall of 1998 (Martin 1998).

Since this example is intended to illustrate how public justification operates, we reserve considerations of objections to this scheme until Chapters 9 and 10 below.

In addition to limited practical reason and public justification, the third critical capacity of pragmatic citizens is their ability to *assess and evaluate* their own goals and strategies and those of others on the basis of observed evidence. Following the language of pragmatism, the strategies developed with the use of practical reason always contain within them, as tentative hypotheses, expectations about effects that these strategies will produce. Inevitably, strategies will miss the mark a bit, and sometimes they miss completely. Since SLD processes are continuous and iterative, professional and citizen participants practiced in the art of assessment and evaluation can use this information to develop better strategies. In the example of the gang loitering ordinance above, for example, it may turn out that clearing suspicious youth off of a corner where many shootings occur has little impact on the shootings. SLD only works if citizens possess and utilize their capacities of assessment and evaluation to recognize this lack of impact and formulate alternative strategies.

Again, this practice of assessment and evaluation is as obvious as it is frequent in everyday life, but the most common theories of political decision and individual choice do not explicitly incorporate this obvious mechanism of feedback through time. Instead, they treat decisions as once and for all, and thus depend on foresight, which of course is much less reliable than hindsight. For instance, the theory of maximizing expected utility looks forward into time, with agents assigning probability and utility weights to various outcomes, and then selecting the choice that maximizes the "expected utility," which is simply the product of the utility associated with a choice and the likelihood of its occurrence (von Neumann and Morgenstern 1944). As a

second example, most negotiation theories attempt to forge lasting agreements and solutions that fairly balance the interests of various parties, when the outcomes of implementing those agreements are never quite what the parties think that they will be.[7]

A fourth element of the pragmatic psychology, partially an extension of the first three, is the capacity of *ironic revision*. Implicit in pragmatic thought is the notion that as we take action to achieve our various ends, the public justification of those strategies and surprises that result from the implementation of those strategies lead us to revise our strategies, goals, even identities and interests. We may enter SLD deliberations fairly—but not overly—confident that we possess the correct strategy to improve the operation of our local school. We may find in the course of trying to persuade others at the school that our own strategy does not incorporate important information or that it imposes unreasonable burdens on other parties such as the teaching or janitorial staff. Alternatively, teachers, professional, and other parents may agree that our strategy is a good one, but implementation and assessment may later reveal it to be fruitless. In either case, the possession of the capacity of ironic revision means that we are not too tenacious or dogmatic to revise our initial perspectives based on new arguments or evidence.

Now this same capacity for ironic revision may lead us to transformations that reach deeper than superficial strategies and policy preferences. We may, in the course of pragmatic action, come to transform the basic ends that we seek and our political identities. Return to the hypothetical example of the Black Muslim and the ethnic white police officer thrown together in a common community policing discussion. The Black Muslim participates in the process because

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[7] Contrast, for example, the negotiation approach of Susskind and Cruikshank (1987) to agreements that set up lasting regimes of continuous evaluation and re-negotiation, such as the ecosystem adaptive

he wants to use community policing to contain police abuse of residents in his community. While he agrees that the community is ravaged by crime and illicit narcotics trafficking, his main objective in community policing is to stem harmful police actions such as arbitrary street stops, harassment, and senseless random arrests. For him, the police are just another of his community's many problems. In the course of community policing problem-solving, suppose that he comes to find that the particular officers in his neighborhood, though they do indeed carry out random, senseless harassment and arrests, do so because that is the their operative conception of law enforcement and order maintenance and not because they particularly enjoy it. When he suggests that random stops don't catch criminals but do arouse hostility in the community, they ask what else might work better. When he demonstrates with testimony and other evidence that some blocks are worse than others, the police willingly re-deploy their energies accordingly. When the police in turn ask for his help in organizing some residents to file complaints against residents in a particularly bad drug house, he is pleasantly surprised by their initiative and new found ability to discriminate between real and imagined problems and so happy to help. Insofar as identity is constituted by membership in some groups and opposition to others, the Black Muslim has altered his identity through ironic revision; rather than sticking to his initial notion that police were a blight on his community—an enemy to be feared and fended off—he now sees himself as a member of a tentative partnership with them.

On the other side of this hypothetical example, consider the white ethnic police officer who patrols the neighborhood in question. He enters the process because it is part of his job—the

management strategy of the San Francisco Bay Delta Project (CALFED Bay Delta Program 1998).

community policing program requires him to be there. As with other parts of his job, such as

stopping and questioning suspicious persons and dispersing the congregations of young black

men who gather on the corners in this neighborhood, he does it because it is his duty and because

he is paid to do it. He is not so naïve, however, to think that these measures or anything else in

his power will perceptibly improve the safety or livability of the cesspool that is his beat. In the

course of discussions with black residents in the neighborhood at these incessant meetings, he

finds that his patrol activities anger residents, and he complies with their requests for him to back

off certain areas which they claim are not really problems. They offered some evidence to

support this claim, and he has no interest in wasting his time and some interest in quieting them

down. Soon after, they ask him to focus patrol on particular sections where they claim most of

the criminal activity in the area occurs. Again he complies, and—to his surprise—he discovers

one or two drug houses operating there that he hadn't known about previously. With some

assistance from the residents, they manage to evict the dealers that live in those houses, and the

residents report in later meetings that things around that area have palpably improved. He begins

to take new interest in the neighborhood; he begins to think that some police action can make

some difference to the people who live there. In this hypothetical, he used the evidence generated

in the process to revise his own interests from just getting a paycheck and going through the

motions of ordinary policing to taking an active interest in seeing the neighborhood improve

through his actions. In the absence of a capacity for ironic revision, he would have ignored the

new information presented by residents that his actions did make a difference and clung instead

to the dimmer view that nothing changes.

Street Level Democracy also requires its pragmatic citizens to possess a fifth capacity of *moral restraint*. Unlike the first four capacities which require potential powers to act in various ways, this final capacity entails a willingness or power of self-restraint. It is an ability to abide by rules of fair play. The capacity of moral constraint as it relates to SLD deliberation has two components: (i) the capacity to constrain the pursuit of self interest according to norms of reasonableness and (ii) the capacity to abide with the results of SLD deliberation in SLD. On the first component, SLD demands that participants be *reasonable* in the sense that reciprocity and justifiability constrains the rational pursuit of self-interest. Individuals seek to use the powers of SLD only to advance ends which they justify as common for the group in the process of deliberation. If the group rejects those ends as inappropriate in a fair and open deliberative process, then the norms of reasonableness dictate that individuals no longer seek to advance them in SLD deliberations unless additional argument or evidence reveals them to be appropriate. The same principle applies to the selection of strategies to advance deliberatively chosen ends. Individuals agree to implement only those strategies which result from the deliberative process. Finally, the main decision force in SLD is the force of a better argument, not force of authority (as in hierarchy) or numerical superiority (as in voting). Individuals regulate their support for various proposals—especially their own—by honestly evaluating its publicly justified merits compared against other proposals. This is what it means for the norms of deliberation to constrain the pursuit of self-interest.

In a second component of moral restraint, SLD also demands that individuals *comply* with outcomes generated by its deliberative process. SLD is a process of group decision, and these decisions frequently call upon participants to take action. It requires individuals, therefore,

to generate the motivation requisite for follow-through action: to do what they commit to do

when they enter the deliberative problem-solving process. Sometimes, participants will retain

reservations about the group decision, but their commitment to the process requires them to take

action despite such hesitations.[8] One mitigating pragmatic provision is that goals and strategies

are always open to reevaluation and reconsideration in future rounds of SLD deliberation.

6.2. Is this Psychology Normative or Descriptive?

Having laid out the central motivations and capacities, the "public psychology," of

citizens when they participate in SLD processes, to what extent can we expect actual citizens to

exhibit these characteristics? Is the public psychology a standard, a set of norms, which describes

ideal citizens as we would like them to be, or does it describe individuals as they actually behave

in Street Level Democracy? The short answer that it is both normative and descriptive. From

casual observation in the world, we see that individuals possess the motivation of self-interest,

and that everyone has developed each of the five capacities to some degree.

One obvious objection to this pragmatic psychology is that, while there may be a

minimal grain of descriptive truth to each of the elements, individuals do not generally exhibit

these capacities to a sufficient degree that they will cooperate effectively in Street Level

Democracy. So, for example, rational self interest may overwhelm individuals' general capacity

for moral constraint. Furthermore, the practical reason of ordinary citizens and street level

bureaucrats may not be sufficient to generate effective strategies against the complex problems

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[8] SLD is a directly deliberative process that aims to advance autonomy. This compliance component of moral restraint is analogous to Rousseau's (1987) comment that the state can force citizens to be free in his

they face. A twofold response defends the psychology against this objection. First, this dispute

can only be settled empirically. Once real institutions that approximate SLD have been

constructed, careful observation can reveal whether individuals are sufficiently motivated to

participate in them and whether, once there, they possess sufficient pragmatic capacities generate

fair and effective outcomes. This empirical examination is carried out in some detail in the third

part of this volume, Chapters 11 through 16.

The second answer, more theoretical and speculative, is that mechanisms of SLD itself

contribute to the development of the psychology that it requires. As just mentioned, we presume

that individuals potentially possess each of these capacities to some degree, but that the

development of these capacities varies among individual depending factors such as training and

advantage. Unlike many other institutional conceptions, SLD treats the development of these

individual capacities as an internal matter; its institutional design must account for how even

disadvantaged individuals can develop these capacities sufficiently to participate as equals in the

community and process of inquiry. SLD would no doubt be aided enormously by a robust

background of associations, educational institutions, families, and workplaces that can function

as schools of democracy to develop these capacities, but SLD must provide its own democratic

instruction absent this institutional background (and it is often absent in the ghettos of Chicago).

Therefore, the institutional structure of SLD creates incentives for participants to develop the

five pragmatic capacities and part of its design is to supply resources, such as subject specific

training, for participants to develop their practical reason. Even if individuals possess the

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infamous passage in the *Social Contract*.

requisite psychology only minimally when they begin to participate in SLD, we expect that the institution's incentives and resources will allow them to develop each of the component capacities.

Consider the two capacities of limited practical reason and re-evaluation and assessment. In Street Level Democracy, this first problem solving capacity varies greatly across issues and with training and experience. Keen problem solving abilities in the area of neighborhood safety, for example, are not completely portable to school governance. So, since everyone has a lot to learn when they begin to participate in the process, the design of SLD, as discussed[9] in Chapters 3 and 4, provides for substantial training in problem-solving practical reason. A program within the community policing initiative trained police officers and residents in the same problem-solving course. A state school reform law requires those who serve on Local School Councils to take specific courses in issues such as principal selection, school budgeting, and improvement planning.

In addition to providing such explicit support for psychological development, SLD provides incentives for participants to themselves build these capacities. Recall that the main motive for participation in SLD is to improve some aspect of local life such as the quality of the school or safety in the neighborhood. The products—strategies and implementation—of SLD are only as good as its participants; a group of participants who each lack deliberative skills will find it difficult to solve problems effectively. Therefore, the same motive which brings them into SLD also motivates them to develop the relevant capacities. By becoming better able to propose

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[9] See also Chapter 8 below.

strategies (limited practical reason) and assess their outcomes, group action becomes more effective because deliberation includes a richer set of proposals. With better capacities of public justification, one is better able to detect poor proposals and argue for superior ones, and the group is thereby more likely to choose wisely. Those who do not possess or refuse to exercise their capacity of moral restraint by behaving and arguing reasonably will not be likely to find a receptive audience among the other participants.

Contrast this institutional incentive structure with more common forms of politics such as casting a ballot or developing critical political opinions in the public sphere (Habermas 1989). These two very different forms of political activity share one common feature; an individual's choices in both are very unlikely—except with extraordinary individuals or in extraordinary times—to result in any detectable consequences. Therefore, in a phenomenon sometimes called the problem of "rational ignorance," these institutions offer no straightforward incentives for individuals to expend the energy and resources necessary to acquire relevant information (Downs 1957: 147; Cohen and Rogers 1983) or develop relevant skills. Why bother to form a considered opinion, except out of civic duty or idiosyncratic interest, about whether the United States should provide military support to some far off country or whether increasing prison sentences will reduce crime? Whether the political institution is the ballot box or the local bar, the quality of an individual's opinion on these matters will in all likelihood not make an iota of difference. If one serves on a Local School Council, on the other hand, one need not have any special interest in educational theory to be motivated to form a sound opinion on curriculum matters, because one's opinion—for better or worse—will, almost certainly, make some difference.

To summarize, Street Level Democracy requires its participants to possess dispositions and capacities that we have called a pragmatic public psychology. Though all normally functioning individuals possess the critical elements of this psychology to some minimal degree, the capacities may be minimally developed. However, we expect that individuals who continue to participate in Street Level Democracy will continue to develop these capacities because SLD provides resources and incentives for them to do so. Since the institutional structure builds the psychology on which it depends with feedback, this democratic proposal provides its own minimal psychological pre-conditions.

6.3. How Rational?

We conclude this discussion of the nature of SLD's citizens by briefly contrasting its elements with those of three common perspectives on political personality: rational choice, liberalism, and communitarianism. Now each of these perspectives offers complex notions of the individual, and each is internally diverse. Our purpose, therefore, is not to treat the differences exhaustively, but rather to construct theoretical bridges between each of these views and the pragmatic notion of citizenship developed above. We highlight points of basic commonality in the views to examine possibility of building such bridges, and then illuminate the differences to examine the robustness of the connections. In the consideration of these three views, bear in mind the limited scope of the psychological claims above. The pragmatic political personality laid out above applies to SLD participants only when they engage in activities related to its deliberative problem solving processes. It is therefore only a partial theory of overall personality; unlike, for example, a comprehensive "economic approach to human behavior" (Becker 1976)

that views individuals as utility maximizers in all aspects of their lives, the pragmatic psychology

offered above applies only in one small dimension of life—political participation in Street Level

Democratic institutions.[10] Since the psychological view is silent about contexts outside of SLD,

it may well be that the individuals who behave pragmatically there exhibit these other

personalities in various spheres; some may be communitarian in their family or civic lives,

rational maximizers in economic (and family and civic) life, or liberals with respect to social

policy and Constitutional matters.

The pragmatic psychology described above shares the motive of self-interest in common

with all rational choice views. Pragmatic citizens in Street Level Democracy participate in

programs such as community policing and school reform out of the selfish interest that they have

in seeing their local school improve or their neighborhood become safer. In rational choice

jargon, these goods make up part of the utility function of participants who participate in SLD

institutions, and they allocate part of their budgets—time, money, psychic energy—toward

securing this good. Despite this common point of departure, however, two important differences

separate the psychology of pragmatic citizens from most variants of rational choice decision-

making.

First, problems involved with improving schools or making neighborhoods safer are

highly complex matters without straightforward answers, and so participants typically lack clear

and ordered preferences over group policy decisions. Complexity makes it difficult for

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[10] For a more comprehensively pragmatic view, see Dorf and Sabel (1998).

participants to calculate optimal strategies prior to discussion or to enter the these democratic

governance processes with fixed preferences about the outcomes that they desire. In other words,

the multi-faceted and difficult nature of the problems that they would like to solve imposes

severe "bounds" on their ability to determine courses of action (Simon 1955; March 1978). Other

than deciding to participate, participants often have few fixed preferences about courses of action

that the larger group ought to take. As a typical example, someone interested in community

policing to improve neighborhood safety, upon entering the process, will be open to various

approaches such as eliminating the most severe drug houses, regulating commercial

establishments around which criminal activity might be concentrated, or reducing prostitution

which draws potentially violent persons from other parts of the city. Similarly, someone

interested in school improvement might be open to a variety of approaches to begin that path,

such as improving the physical condition of the building, changing curriculum, or installing new

technology.

Whereas rational choice models and approaches imagine that political actors have

relatively stable preferences over various policies (Becker 1976; Downs 1957; Riker 1982), the

context of street level democracy problematizes the connection between policies and outcomes.

Unlike many political decisions—such as the politics of abortion rights or gun control—there is

no straightforward translation of particular policy choices into desired outcomes such as school

improvement or neighborhood safety. The citizens who participate do so in order to enter a

problem solving discussion and action process that clarifies their own beliefs about what

works—this is just the process of improving their practical reason as discussed above (6.1, 6.2).

In discussion with others about which proposals to adopt, they consider the merits of various

options and use this new information to re-order their own policy preferences. In the course of implementing proposals and assessing outcomes, they experimentally improve the street level social theories that they use to relate strategies to goal. One difference between the psychology of the citizens of Street Level Democracy as opposed to citizens as imagined in most rational choice theories is that the former enter SLD political processes in order to clarify their thoughts on complex political matters in a continuous process of discussion and tentative implementation, while the later enter political arenas in order to assert their prior fixed preferences over various policies. This difference does not in any way imply that pragmatic citizens are *not* maximizing their utility with respect to school improvement or neighborhood safety; the introduction of complexity does not mean that citizens are a-rational or irrational. It simply implies that understanding citizens as utility maximizers is not descriptively or predictively helpful since optimal courses of action must be discovered rather than asserted.

A second component of the pragmatic mindset in SLD, however, does conflict with more fundamental tenants of the rational choice view. The fifth capacity of moral restraint specifies that individuals should and will constrain the pursuit of their narrow self interest according to the norms of reasonable deliberation; the norm establishes an upper-bound on self-interest maximization. On this view, individuals will not maximize their own self interest when deliberation reveals that doing so is unreasonable. Consider a hypothetical example to clarify this point.[11] Jones, who lives in a wealthy area of the neighborhood, got involved in community policing to stop teenagers from drinking in the park next to his house. Though nothing criminal,

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[11] The case study presented in chapter 13 offers a real world example that is very similar to this one.

tragic, or violent has happened as yet, he does consider the practice a nuisance, and potentially

dangerous since the kids drive home. Smith lives on the other side of the neighborhood in a poor

area that lies on the other side of the highway from Jones. He joined the same community

policing program because the shooting around the open air drug market next to his house were

beginning to frighten him. When it comes time to allocate the resources of the group toward

various problems, Jones suggest that the group ought to focus on drinking in the park, while

Smith argues for trying to eliminate the open air drug market. The norm of moral restraint

requires that Jones recognize that Smith's problem is more severe, and that it should receive

priority in terms of scheduling limited problem solving resources. As a descriptive and normative

view, rational choice maximization allows Jones to push for his priority by lobbying others,

arguing more vocally, and stacking the meetings. Such measures are decidedly anti-deliberative,

and the pragmatic psychology demands that Jones recognize the superior merits of Smith's

concerns.

Absent some too-clever explanation that might involve recognition of interdependence or

the development of norms through iterated interactions (Taylor 1987), the pragmatic psychology

departs from rational choice theory concerning the degree to which citizens will restrain

themselves according to the deliberative norm of reasonableness. This normative and predictive

departure—whether individuals will limit the pursuit of their self-interest according to fair-play

norms in the political context of Street Level Democracy—must be settled primarily as an

empirical matter, and we attempt to do this in the case studies of Chapters 13 through 16 below.

6.4. Liberal Rights and Pragmatic Realization

Consider secondly points of commonality and difference between elements of the liberal

and pragmatic political personalities. Liberalism is of course a vast set of doctrines, but perhaps

its most foundational commitment is a respect for the dignity of individual human beings.

Liberalism aims to build a social system that respects, even fosters, the diverse and distinctive

creeds and aims of every individual at the same time that it recognizes our interdependence on

one another and therefore the need for social cooperation (Mill 1989). Liberals generally

recommend at least two sorts of political arrangements to advance this fundamental

philosophical commitment to individual dignity. First, institutions of popular sovereignty help

assure that state actions respect the wishes of citizens. Second, liberals favor a common set of

basic rights should that protect individuals from a tyrannical state or from the unjust or arbitrary

decisions of political majorities.

On the former, liberalism, not distinctively of course, favors democratic rule; it supports

the notion that the actions of the state require the consent and direction of its citizens. While

liberals don't assert that active political engagement is the highest form of life, they do contend

that a system in which all citizens have political liberties such as freedom of expression and

association, a universal franchise, and accessible political offices is essential to producing laws

that treat people as equals. Rawls puts it this way:

> We should be clear about why the equal political liberties are treated in a special way... It
> is not because political life and the participation by everyone in democratic government
> is regarded as the preeminent good for fully autonomous citizens. To the contrary,
> assigning a central place to political life is but one conception of the good among
> others... The guarantee of the fair values of political liberties... is essential in order to

establish just legislation and also to make sure that the fair political process specified by the constitution is open to everyone on a basis of rough equality. (1993: 330)

In a point of commonality with the liberal citizen, Street Level Democracy extends the liberalism's commitment to popular sovereignty by adding a directly democratic component to its already rich tapestry of political institutions—Courts, legislatures, traditional agencies, interest groups, and the rest. It squares with liberal intentions, perhaps substantially extending the realization of its values, by extending the quality and quantity of political channels that insure that the actions of the state conform to the wishes of the people. Furthermore, as explained in the next chapter, the opportunities for political participation in Street Level Democratic institutions are regulated according to the same values of open access, publicity, and fairness with which we regulate those more familiar political institutions. In this way, SLD offers liberals one more way for citizens to participate in the affairs of government and affect its outcomes.

Beyond this general commitment to popular sovereignty, liberals also share a commitment that individuals should be able to count on a stable set of basic rights that cannot be easily over-ridden by popular government (Dworkin 1977). These rights protect them from interference from other persons and especially from unjust state action. Rawls calls these rights "basic liberties" and includes among them:

> Liberty of conscience and freedom of thought; freedom of person along with the right to hold (personal) property; and freedom from arbitrary arrest and seizure as defined by the concept and the rule of law. (1971: 61)

The particular list of liberties and their justification varies among liberal theorists, but one common reason to support a set of such rights is that they create a kind of sphere of freedom on which one can comfortably depend in planning one's life whatever the shifting winds of

democratic opinion. Hayek, in defending even more stringent limitations on state power, argues

that

> The essence of free society is that the private individual is not one of the resources which
> government administers, and that a free person can count on using a known domain of
> such resources on the basis of his knowledge for his purposes. Government under the law
> meant to the theorists of representative government that, in directing the administrative
> machinery, government could not use it to coerce private persons except to make them
> observe universal rules of just conduct. (Hayek 1967)

Following upon this attractive idea that government ought to ensure that individuals can

count on certain basic liberties in making life plans, a liberal might endorse Street Level

Democracy if it can effectively secure these rights where traditional administrative and

legislative bodies have failed. Any scheme of liberal basic liberties, for example, includes the

right to physical bodily integrity and personal property. Those who lacks these guarantees, those

for whom physical harm and theft present inescapably oppressive concerns, find it extremely

difficult to formulate and carry out the kinds of diverse plans that make a life dignified and

worthwhile in the liberal view.[12] As we know, many citizens live in dangerous neighborhoods

where they do not enjoy even the basic right of personal and material security. If Street Level

Democracy effectively secures the basic liberty, then liberals should favor it because they

recognize this right as critical.

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[12] "Security," Mill writes, is

> to everyone's feelings the most vital of interests. All other earthly benefits are needed by one
> person, not needed by another... but security no human being can possibly do without; on it we
> depend for all our immunity from evil and for the whole value of each and every good, beyond
> the passing moment, since nothing but the gratification of the instant could be of any worth to us
> if we could be deprived of everything the next instant by whoever was momentarily stronger
> than ourselves. *Utilitarianism* (1979), Chap 5, para. 25.

Similarly, liberals might favor Street Level Democratic governance to realize their commitment to equality of educational opportunity (Gutmann 1987; *San Antonio* 1972; Rawls 1993: 184). Though not all liberals favor public measures to insure equal educational, many do on the grounds that effective education provides children with the resources they need to make considered life plans for themselves and that it enables them to utilize other basic rights such as guarantees of political participation. As with the problem of safety, however, we find that our educational system falls far short of this ideal. If SLD reforms to school systems end up improve our worst-off schools better than other available measures, then liberals should support it on the basis of its beneficial consequences for the reality of equal educational opportunity.

On the other hand, liberals might suspect that SLD's expansion and devolution of democratic power will erode the structure of basic rights which they hold dear. The trouble is straightforward; our constitutional system entrenches and vindicates basic rights through the mechanism of judicial review. Courts may overrule decisions of legislatures and administrative agencies when they see that those decisions violate fundamental rights (Dahl 1957; Dworkin 1981). SLD reforms such as community policing and school reform multiply popular power a thousand-fold by creating hundreds of tiny deliberative bodies endowed with public, quasi-legislative powers that penetrate the interstices of neighborhood life. This empowerment of democracy would threaten an already frail system of protecting rights through judicial checks if pragmatic citizens regularly trampled basic rights in the course of zealous problem-solving endeavors. Many measures that "work" tread on thin Constitutional ice. Relatedly, the pragmatic psychology's "can-do" disposition might fail to engender sufficient respect for basic liberal rights.

The short, litigious experience with Street Level Democratic institutions in school

governance and community policing seems to confirm this suspicion that institutionalizing

popular problem solving will invade established rights. For example, almost as soon as the

school reform legislation (discussed in Chapter 4) passed, the Chicago Principals Association

challenged the legislation on two counts (Hess 1991: 187). First, they argued that the 1988

reform legislation denied them property without due process of law. Whereas principals had

previously enjoyed tenured job security, the 1988 law stipulated that LSCs choose whether or not

to renew principal contacts every three years based on performance assessments. School

principals argued that their previous tenure was a kind of property, and that the 1988 law was

therefore an impermissible taking of this property. Second, they argued that the scheme of

electing LSC members according to sector (representation—parents electing parents, teachers

electing teachers) violated constitutional provisions for equal political

representation—understood as one equally weighted vote per person. After two lower courts

ruled against the Principals Association on both counts, the Illinois State Supreme Court ruled in

their favor on the second issue and recommended that the legislature reformulate the law.

Eventually, the legislature passed constitutionally sound amendments in which identical voting

procedures would determine advisory LSC memberships that would be subsequently formally

appointed by the Mayor. This arrangement has thus far passed Constitutional muster.

       Similarly, community policing has also altered the configuration of practical liberties

enjoyed by Chicago citizens. Consider several ways in which these SLD reforms have eroded the

real property rights of landlords to do what they wish with their buildings. Many absentee

property owners in Chicago, as in all American cities, are less than vigilant in maintaining their

properties and in selecting tenants who will be good neighbors. Since these sorts of residences

sometimes become "hotspots" of criminal activity such as narcotics trafficking, prostitution, and

firearms violations in low income neighborhoods, community policing groups often target them

as "problem properties." More often than not, strategies to eliminate these problems have

targeted these absentee landlords through direct protest, petitions, and law suits brought in

housing court for code violations. Landlords variously respond—sometimes under court

supervision—with building improvements, persuading tenants to become better neighbors,

evicting tenants, or negotiating memoranda of understanding with angry residents that include

these and other measures. Whereas housing code violations often escaped notice prior to

community policing activists' attentions, Chicago housing courts more frequently impose fines

and jail sentences on landlords who fail to respond to these charges. Consequently, even as the

legally enforceable rights of landlords as written in the formal building codes have not changed,

these landlords' sphere of action over their property has constricted due to community policing

campaigns.

The Chicago "nuisance abatement" ordinance of 1996 and its "fast track" building

demolition ordinance of 1994, both created in part to empower community policing groups, have

further eroded the formal as well as substantive rights of Chicago property owners. The nuisance

abatement law,[13] whose details are discussed in Chapter 8, imposes a new duty upon landlords to

monitor the conduct of their tenants. If landlords "permit" illegal activity to occur in or around

their properties, they are subject to daily fines as long as the activity continues. As with the

housing court violations, enforcement of the nuisance abatement ordinance is often triggered by community policing groups' complaints.

In a tragi-comical escalation of the "broken windows" theory that a few ill-kept buildings often mark the decline of a neighborhood (Wilson and Kelling 1989; Kelling 1996), it is a well established fact that abandoned building in Chicago often attract criminal and otherwise illicit activity that blights neighborhoods. The City of Chicago began its "fast track" demolition program in 1994 to address this problem. Under the program, vacant and open buildings that presented a special threat were put, often by community policing groups, on a list for expedited demolition. The owner of the property was notified and given several short weeks to secure the building by sealing access points such as windows and doors. If the owner failed to comply, a city agency would demolish the building, rendering it much less threatening to the neighborhood. Between 1994 and 1997, some 1200 buildings were destroyed under this program.[14] In early 1997, a property owner who had not been properly notified that his building had been listed on the fast track brought suit against the city for denying his property without due process of law. Judge Raymond Castillo of the Seventh U.S. District Court enjoined the program in May 1997 out of such procedural concerns and because, *obiter dictum*, the public has an interest in preserving valuable housing stock. Two months later, the Seventh Circuit Court of Appeals reversed the injunction against the fast track program, arguing that the program was established

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[13] "Amendments of Titles 8 and 13 of Municipal Code of Chicago Concerning Liability of Property Owners and Management for Unlawful Activities on Property." *Chicago City Council Journal* (July 31, 1996): 27730-27735.
[14] According to Cathlene Walsh, Chicago Department of Buildings. Personal interview with author.

to advance the reasonable end of protecting public safety while its administrative provisions did

not violate due process considerations (*Keith Mckenzie, et al.* v. *City Of Chicago, et al* 1997).

These four examples from the institutional experience of Street Level Democracy show

how the structure and efforts of effective problem-solving alter the pre-existing configuration of

formal and substantive rights. Each example was presented as the erosion of rights, but each

might also have been offered as an illustration of the clash of rights, and in particular how

pragmatic efforts to secure, in practice, rights of personal security and equal educational

opportunity were constrained by other rights of job security, a particular notion of political

equality, and expansive property rights. It seems difficult to deny that these uniform

rights—perhaps sensible when considered one at a time or from the lofty distance of a legislative

assembly or judicial chamber—lie in substantial tension at the street level. The real question is

whether Street Level Democracy's pragmatic problem-solving works to expand or contract the

overall scheme of rights. There are two reasons, neither of them completely persuasive, to think

that SLD will strengthen rather than shrink the overall protection of rights.

The first follows from two facts about the world and one feature of pragmatic

deliberation. The facts are first that even the most basic liberal rights—such as personal

security—are daily violated in many areas and second that many obvious ways to extend the

realization of this right would violate other basic rights. In the case of extending personal safety

in low income areas, for example, stronger policing measures might expand the basic liberty of

individual security for many by violating components of that basic liberty—by illegal search and

seizure, requirements of probably cause, restriction of movement, and criminal due process—for

some smaller number of citizens. Other measures to expand the protection of personal safety

might violate or constrict property rights of landlords in their rental properties, as described above. When rights clash in this way, pragmatic citizens can balance them—in the sense of selecting which rights to advance through problem solving and which methods should not be utilized because they would violate critical rights—in the process of Street Level Democratic deliberation.

Ideal deliberation is driven by the process of justification in which citizens offer reasons to support proposals, as we mentioned above and as we shall elaborate in the next chapter. All of the basic liberal rights would count as extremely good reasons when offered in this deliberative process, just as they do in the deliberations of the United States Supreme Court (Dworkin 1981). These ground level deliberative procedures might then offer a mechanism to expand the effective scheme of rights by deploying resources to advance realization of the most important rights. Since respecting rights often requires refraining from certain actions, deliberation may of course also result in the rejection of problem-solving actions on the basis that those actions will violate basic rights. In addition to making rights more secure by providing a mechanism for the local resolution of rights conflicts, including the imperfect realization of basic rights, pragmatic deliberation about how and when to respect certain rights and not others offer the sociological benefit of entrenching a respect for rights into the minds of citizens by forcing them to directly consider and weigh individual rights in the context of their own lives and immediate problems. Rather than simply existing as abstract legal notions, Street Level Democratic deliberation offers pragmatic citizens an opportunity to take rights very seriously by considering how imperfectly they are realized in local practice and how their own actions might extend the scope of these protections or jeopardize them.

The obvious danger for basic rights, however, is that the deliberations of well meaning pragmatic citizens will fail to adequately consider the importance of basic rights that protect disempowered minorities when they obstruct the pursuit of widely shared goals. Compared to the elite deliberations of judges, ordinary citizens may weigh narrowly utilitarian benefits too heavily against rights. They lack professional indoctrination in the importance of legal rights. By virtue of their superior local knowledge, that may also lack the critical distance necessary for the kind of dispassionate consideration that protects rights. Even so, many scholars have contended that the judiciary in practice offers no greater protection of rights than more popular bodies (Dahl 1957; Rosenberg 1991). Absent further empirical research on these two varieties of deliberation—elite and abstract versus popular and situated—we must withhold judgement on whether or not the political empowerment of pragmatic citizens will protect and extend a scheme of liberal basic rights or whether such populist bodies will erode those protections.

Fortunately, the real world institutions of pragmatic deliberation do not force this institutional choice between exclusively elite or popular deliberation. As we have already seen, American Street Level Democracy always begins as experiments in governance that are firmly embedded in the more traditional institutions of legislatures and courts and the checks and balances that they provide. Therefore the decisions and actions of pragmatic citizens and the powers granted them by SLD institutions can always be challenged through these more traditional channels. As we saw above and in Chapter 4, the structure of SLD governance in the Chicago Schools has been continually reshaped by state legislation and judicial challenges to various alleged property right and representational infringements. Potentially rights-jeopardizing tools utilized by community groups—such as Chicago's "gang loitering" ordinance and fast-

track demolition program—have been challenged and subjected to the rights-protecting scrutiny of judicial review. Through this layered approach that begins with multi-point popular deliberation in the institutions of Street Level Democracy and checks that with the standard mechanisms of legislative reconsideration and judicial review, SLD hopes to answer well-founded liberal concerns about threats to basic rights that can come from overzealous democratic action. Arguably, pragmatic respect for rights advances beyond the traditional liberal institutional recommendations for rights protection by focusing on the degree to which these rights are realized in social practice and by developing strategies to extend the actual enjoyment of those rights.

6.5. Traditional vs. Pragmatic Community

This triangulation between pragmatic citizenship other conceptions of political personality closes by briefly juxtaposing SLD's view with central elements of communitarianism. Though the school is vast, like rational choice and liberalism, communitarians share several diagnostic and political commitments relevant to pragmatic citizenship. First, they view liberal philosophy and practice as too individualistic. Philosophically, liberalism fails to recognize the dependence of individual identity and conceptions of the good on their society and its traditions (Sandel 1982; Kymlica 1990). In practice, liberalism focuses too much on individual rights and not enough on responsibility, morality, and tradition (Glendon 1991; Etzioni 1993; Bellah et. al. 1996). According to communitarian political analysts, this legal and cultural emphasis on individual liberty at the expense of social orientation has supported many aspects of social decline, including an over-

emphasis on free market ideologies (Bellah 1996: xxv-xxviii), the decline of family stability

(Glendon 1987), and even particular social problems such as rising crime. In a book that might

be read as a communitarian diagnosis and prescription for problems of crime in the

contemporary United States, George Kelling and Catherine Coles (1996: 42) write that:

> A revolution in social thinking was afoot in the United States during the 1960s... that
> ultimately shifted the balance among individual rights and freedoms, personal
> responsibility and accountability, and community interests... [to] the primacy of the
> "self" and the right to be "different"...
>
> The increase in urban disorder that has occurred in the past thirty years... is rooted in
> these very changes: the emphasis on individual rights tied to the culture of individualism
> helped spur an increase in deviant behavior on city streets, while changes in legal
> doctrine, especially in constitutional and criminal law, not only permitted such behavior
> to continue but safeguarded the rights of those behaving in deviant fashion.

communitarians offer at least three prescriptions to heal this diagnosed affliction of the

social body. First, communitarians urge citizens to reflect and adopt shared values, such as moral

responsibility, rooted in common social traditions or in the generation of shared meanings and

social commitments (Bellah et. al. 1991). They argue that such a broad public value re-

orientation would strengthen civil society and bring individual attitudes in line with the

requirements of living under densely interdependent modern conditions. Second, most

communitarians are less squeamish than liberals about using state power to advance such

common values. As exemplified by measures such as the Constitutional prohibition against state

establishment of religion, liberals typically favor a "neutral state" that does not take sides on

controversial moral issues such as religion (Dworkin 1978; Kymlica 1990: 206-7). Many

communitarians, on the other hand, favor public policies that advances social virtues such as

(Etzioni 1993; Bellah et. al. 1991: 124-38): general responsibility to others; protection against

minorities that can endanger the larger social body such as people with HIV, smokers, and drunk

drivers (Etzioni 1993: 164-91); preservation of the family structure (Glendon 1987); and

maintenance of social order (Kelling et. al. 1996). Finally, communitarians favor, much more

uniformly than liberals,[15] the devolution of social and political action to the smallest, most local,

appropriate level (Bellah et. al. 1991: 145-6, 282-3; Etzioni 1993: 134-160). Multiplying the sites

of local, face to face engagement in churches, associations, and even units of local government

will help rebuild the fabric of community by making citizens' commonality more manifest and

by strengthening the values of self-help, civic responsibility, and trust.

Street Level Democracy shares two institutional features in common with

communitarianism that contrast with many variants of liberalism: more robust affirmative state

action and the reinvigoration and empowerment of local institutions. This resemblance is,

however, coincidental. Whereas communitarianism favors these political forms for their ability

to instill or deepen civic values, SLD favors them for their problem solving capacities. Unlike

communitarian thesis against atomistic individualism, SLD offers no precise diagnosis about the

causes of social ills such as rampant crime and decaying schools. Indeed, one central tenant of

pragmatic citizenship[16] is that solutions and causes of these complex problems are difficult to

determine prospectively and not easily reducible to uniform explanations or susceptible to silver-

bullet solutions. Therefore, SLD recommends that rights-based constraints on state action be

loosened and that operational power be devolved to local units because these measures constitute

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[15] For a liberal view that opposes politically decentralized structures on moral grounds, see George
Kateb's (1991) article on the "Moral Distinctiveness of Representative Democracy."

a system more capable of identifying and implementing solutions, not because they express a

common good or restore civic values.

Consider an examples that illustrate this difference between SLD and communitarian

collective action. In Chapter 14, we will encounter a school that used its increased authority

under he 1988 Chicago School Reform law to transform itself into an Afro-Centric institution.

This transformation included renaming the school after a region of ancient Africa known for its

scholarship, changing the icons of student culture—the colors, the mascot, and athletic team

names—to convey African-American identity, and shifting the curriculum of the school to focus

on Afro-centric themes. A communitarian might favor such a shift for its public recognition of

the shared heritage and commitments of the students, staff, and parents at the school. This new

school, furthermore, might be more capable than the value-neutral factory school that preceded it

in instruct its students about the values of community and responsibility, and these lessons might

be easily portable from an African-American to the more diverse American public context. SLD,

however, favors this shift as a tentative attempt to improve the school's effectiveness—as

measured by the standard metrics of graduation, attendance, grades, and test scores—by

addressing its particular problems of low student and staff morale, absence of a coherent school

vision, and lack of parental engagement. In this example, pragmatic citizens might treat even the

communitarian thesis of value decay as hypothesis to be tested: "If we create a school that instills

and expresses our notion of the common good and its values, will the school be more effective?"

If the answer turns out, upon examination of post-transformation school outcomes, to be yes,

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[16] See the discussion of limited practical reason in 6.1 above.

then there is a happy, temporary convergence of the communitarian and pragmatic prescriptions. If the answer turns out to be no, on the other hand, then pragmatic citizens are committed to rejecting the communitarian social hypothesis and using local authority to search out other models and strategies that work better.

Despite this deep difference between SLD and communitarianism—that the former treats positive state action and local power as part of general problem-solving strategy rather than as methods to advance a fixed conceptions of the common good or diffuse civic values—the two views can nevertheless be partially reconciled. A communitarian might favor adding SLD to the standard array of liberal institutions as a measure to provide additional opportunities to exercise and spread general civic values such as trust and individual contributions to social health. As an SLD participant, however, the rules of reasonable deliberation prohibit communitarians from using the institution as just another occasion to advance shared meanings and values, or to presume that generating shared values and meanings will solve particular problems without considering contrary proposals and evidence as required by deliberation.

In summary, this chapter specified the public psychology of pragmatic citizens in five straightforward elements: (i) their participatory contributions are motivated *by self-regarding concern*, for example an interest in a more effective schools or a safer neighborhood; (ii) they have capabilities of *limited practical reason* with respect to developing solutions to the problems that motivate their participation; (iii) they can *publicly justify* their internal processes of practical reason; (iv) they exercise backward looking capabilities of assessment and evaluation; (v) they possess the capacity to *ironically revise* their own identities and interests in light of the results of

join problem solving; and (vi) they exercise *moral restraint* over the pursuit of their own self interest both according to the rules of reasonable deliberation and in their ability to comply with the results of deliberation. Though all normally functioning individuals possess these capacities to some degree, the we expect that these capacities will be developed substantially in the process of participating in Street Level Democracy. In order to show how this conception of politically personality is distinctive yet partially compatible with more common views of political personality, we sketched the areas of overlap and difference with rational choice, liberal, and communitarian conceptions of public personhood. In the next chapter, we describe the political process of the local unit in which pragmatic citizens participate. These local units are communities not in the thick sense of individuals who share a full history and rich public values, but in the thinner, more practical sense, of individuals who face common, urgent concerns and engage with one another in continuous, inventive, and demanding political processes to address those concerns. [17]

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[17] This notion and phrase of "the community is a process" comes from Mary Parker Follett's (1919) essay of the same name.

Chapter 7:

Deliberative Experimentalist Communities of Inquiry

The parts of a machine work with a maximum of cooperativeness for a common result, but they do not form a community. If, however, they were all cognizant of the common end and all interested in it so that they regulated their specific activity in view of it, then they would form a community. But this would involve communication. Each would have to know that the other was about and would have to have some way of keeping the other informed as to his own purpose and progress.

— John Dewey, *Democracy and Education* (1916)

In this chapter, we lay out the structure of the local units in which the pragmatic citizens described above join their cognitive and political powers to develop solutions to public problems. This local unit is the second of SLD's three institutional levels; it is the theory's atom of social action. All organizations are composed of basic units governed by rules of action and decision—a squad or platoon in an army, a firm or production team in manufacturing, the "nuclear" family, the New England town assembly, or the local chapter of a national civic association or interest group. In SLD generally, local units are small and coherent groups of lay citizens and professionals dedicated to improving some aspect of public life. For the concrete cases of school reform and community policing discussed below, the local units are Local School Councils and neighborhood beat groups respectively. Pragmatic citizens form local units (by joining them from below and legislatively mandating their construction from above) in order to address some persistent common need—such as the need to educate their children or to maintain

safe streets—without knowing precisely how to best satisfy that need.[1] In these local units, they deliberate experimentally to identify and implement solutions to the common problems that they face. Using John Dewey's (1935) metaphor for democracy, we call these units "communities of inquiry" because they govern themselves through a deliberative problem solving process that is a political form of the ordinary scientific method of inquiry. Section 7.1 specifies this constitutive practical deliberation as a five-step formal procedure, while the second and third sections show how the real world reforms in Chicago community policing and local school governance have implemented local action units that can be accurately described as problem solving communities of inquiry.

By way of orientation, briefly contrast the basic powers and structure of SLD's communities of inquiry with three other kinds of local units: secondary associations, participatory democratic councils such as idealized town meetings, and the basic unit of public or private bureaucracies. Unlike secondary associations in civil society, SLD's local units exercise substantial power over the use of public resources in say, schools or policing. Furthermore, SLD's local units must exercise more technical competence than most secondary associations because they are charged with, and held accountable for, using their powers responsibly and effectively.

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[1] This is of course a common form of argument for the analytic origin of the state out of various states of nature. The most prominent examples come from Locke (1960) in his *Second Treatise on Government* and Rousseau (1987) from the *Social Contract*. More contemporary versions come from Robert Nozick (1974: 10-53) and John Dewey (1927: 29-36).

SLD's local units differ from participatory democratic councils in three major respects. First, participatory democratic bodies (Mansbridge 1980; Fishkin 1991) are often presumed to be omni-competent whereas SLD's local units are functionally differentiated into, say, some local units for education and others for public safety. SLD recognizes, indeed springs from, the complex nature of modern social action and its division according to specialization renders the burdens of effective participation more tractable. Second, participatory democratic bodies are most often considered autonomous because their decisions enjoy the legitimation that comes from unmediated citizen voice. Local units in SLD, however, are held accountable according to external performance criteria. Unlike participatory democracy, it is not enough that the people speak; they have to know what they are talking about. Under SLD, those units that fail to generate satisfactory outcomes are subject to external remedial intervention (see Chapter 8). Finally, in perhaps what is less of a difference than a further specification of participatory democracy, the decision processes of SLD's local units are deliberative and pragmatic, whereas participatory democrats may favor a variety of decision making that range from consensus generating discussion to straight voting; once again, the decisions in SLD are good because they work, not because they more accurately reflect the interests and opinions of the people.

We have already discussed many of the differences between SLD's local units and those of hierarchical bureaucracy implicitly, but restate two major differences here. First, SLD includes lay citizens such as parents and neighborhood residents in its decision making, whereas professional bureaucracies seek insulation from such popular influence. Second, SLD imposes an alternative logic of decision. Whereas command and control systems attempt to determine optimal routines from their central offices and their research and development sections, SLD

devolves authority downward to local units themselves, but demands in turn that local units

exercise that authority in a disciplined, deliberative, measurable, and public fashion.

7.1. A Five Step Deliberative, Experimentalist, Practical Procedure

Such a community is formed, then, by citizens brought together by their common need,

say for safer neighborhoods or more effective schools. The purpose of the community is initially

limited to the satisfaction of that need. Since these citizens are unsure about what they ought to

do but know that they must do something, much of the community's activities can be accurately

characterized as *inquiry* about appropriate actions: specification and prioritization of problems

facing the group, analysis about the causes of those problems, and formulation strategies to solve

the problem that take account of the groups limited capabilities. These communities analyze,

however, only in order to guide the collective actions that will satisfy their common need. Since

both their analyses and actions will inevitably be imperfect, collective action is also

experimentalist—implementation reveals flaws in analysis that then feed back into the mill of

inquiry.[2]

Finally, the group makes decisions through *deliberation*. Each participant aims to identify

the most promising strategy to satisfy the need which he shares with the rest. If there were an

authoritative expert who could optimal strategies, command rather than deliberation would be

the appropriate method of decision. If the participants had opposing interests, and the goal of the

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[2] So, John Dewey suggests that "policies and proposals for social action be treated as working hypotheses, not as programs to be rigidly adhered to and executed. They will be experimental in the sense that they will be entertained subject to the constant and well-equipped observation of the consequences they entail

group was to advance the greatest happiness of the greatest number, then the aggregation of

interests through voting might be an appropriate decision method. But since the goal is to find

solutions to common problems rather than to aggregate opposing and since we stipulate that

there is no dispositive expert, then deliberation—full and open discussion of available

options—seems appropriate not only to decide the best course, but also to gain the allegiance

necessary to implement it. If, after ample deliberation, participants still hold conflicting opinions

regarding the optimal course of action, voting could be an appropriate mechanism to tentatively

settle the divergence and arrive at the single opinion that collective action requires.[3]

SLD institutionalizes these organizational principles of deliberation, experimentation, and

inquiry through an ideal problem-solving procedure. At this most abstract level, a community of

inquiry in SLD is just a group of pragmatic citizens who are trying to satisfy a collective need

through the following five-step (D1-D5),[4] iterated procedure.

D1. *Identify and Prioritize*. Parties are taken to share a common but vague concern, for instance

the perception that their neighborhood is unsafe or that their school could do better. Participants

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when acted upon, and subject to ready and flexible revision in light of observed consequences"(1927: 203).

[3] On this *epistemic* conception of voting, see J.J. Rousseau in *The Social Contract*:

> When a law is proposed in the people's assembly, what is asked of them is not precisely whether they approve or reject, but whether or not it conforms to the general will that is theirs. Each man, in giving his vote, states his opinion on the matter, and the declaration of the general will is drawn from the counting of votes. (*SC*, IV.2.viii)

See also Cohen (1986); Fung (1995), Joshua Cohen, "An Epistemic Conception of Democracy," *Ethics 97*, no. 1 (Oct. 1986): 26-38. For an experimentalist conception of epistemic democracy, see Fung (1995).

[4] This procedures is a pragmatic version of the more general deliberative procedure offered by Joshua Cohen (1989).

begin by dividing this general, daunting concern into component problems such as a crack house on the corner or the dilapidated school building. Prioritizing these component problems builds a consensus on what exactly the problem is and yields a schedule that will assist in the allocation of collective resources.

D2. In the second step of our ideal procedure, parties *propose, justify, and select a provisional strategy* to address the concrete concern developed at D1. The rational capacities—the instrumental reason—of parties is called into play here. At this stage, the deliberative process should forge a number of robust proposals, or strategies, to address the common concern. Each of these proposals constitutes a hypothesis about how best to address the concrete problem. This stage also requires parties to be reasonable. Some may attempt to disguise their private interest as the general interest by making proposals geared to advance their private interests, at the expense of other parties, at the same time that it solves the general problem. Since parties are called on to justify their proposals, and proposals which cannot be justified in terms of the common good are excluded, we hope that deliberation between rational and reasonable parties will generate a menu of strategies, each of which seems (prospectively) effective and fair by the lights of everyone.

A complete proposal will have at least these elements: a set of tasks to be done, a division of labor which assigns tasks to parties, a set of expectations about what each of the tasks will accomplish vis-a-vis the concrete issue before the group, and provisional methods with which to assess whether or not parties completed assigned tasks and whether successfully accomplished tasks yielded expected effects.

With a set of seemingly effective proposals before them, the parties deliberate again to select one that seems more promising than the rest. Deliberation again is geared toward choosing an effective and fair proposal, and geared toward achieving consensus. Since a menu of proposals, all of which seems both fair and effective, is before the group, there is no reason to suppose that consensus can be achieved. Each proposal is, after all, a guess about what the world is like and how it will respond to human action; these are complex matters about which reasonable and bright people often differ. One unobjectionable way to proceed, therefore, is to vote on the proposals and adopt the majority or plurality winner as the provisional hypothesis for the group. In giving his vote, each party gives her guess about which of these solutions is most effective, and all realize that the social choice which results is their best guess and nothing more.

D3. *Implementation* is the third step of the procedure. Parties attempt to carry out the tasks assigned to them by the proposal selected in D2. Each may fail to carry out her task for a variety of reasons, for instance she may shirk or the task itself may be more demanding than anticipated.

D4. *Monitoring and Evaluation.* Following implementation, the parties deliberate about how things went. It is hoped that the resources for intersubjective agreement on assessment will have been progressively constructed at D1 and D2.

Working backwards, they first assess the degree to which component tasks of the solution were successfully implemented. So, the group assesses whether or not particular parties failed to deliver on their commitments and whether the tasks assigned were too demanding. This level of assessment yields information about the reliability and capacities of various parties.

The group then evaluates whether or not the accomplished tasks yielded expected

benefits. Each task in the solution adopted at D2 itself represents a hypothesis about the intended

effects of various course of action. The action at D3 can be viewed as executing experiments

formulated at D2, and one of the points of evaluation is to attempt to ascertain the validity of

those rough hypotheses. Finally, the agenda (D1) is only a provisional guess about the

components which make up their common concern and may itself require revision in light of

evidence. With a full evaluation in hand, parties can assess their entire solution in parts: what

worked, what did not, whether new strategies need to be formulated, and whether the agenda

needs to be revised.

D5. *Reiteration*. The experience of D1-D3 made public through deliberation at D4 equips the

group to attempt another round at the solution of its common problem. Since we expect the

solution to be neither a complete failure nor a complete success, the parties will be motivated to

continue some process of cooperative action to the extent that they still have a problem in

common. So the ideal procedure is iterative.

We can expect the quality of later iterations of the proposal formulation and selection

(D2) and evaluation (D4) stages to increase for three general reasons. First, previous rounds

generate *more public information* about each of the parties and about the common problem. So,

initial expectations about the skills, reliability, and trustworthiness of each is subject to revision

through the addition of information. Also, experience and public reflection upon attempts to

address the problem yields information about its contours. Second, we can expect the limited

practical *rationality* (described in Chapter 6 as instrumental reason about social problems) and

reasonable (described in Chapter 6 as the power of moral restraint to subject oneself to the bonds of a better argument) capacities of all parties to improve because of the principle of learning by doing. Since these three features—the amount and quality of information, the rational capacities of parties, and their reasonableness—largely determine the character of deliberation, we can expect future rounds of proposal generation and evaluation to improve.

Implementation (D3) will improve for two rough reasons. First, the parties themselves, again through the principle of learning by doing, will gain the knowledge and skills required for various implementation tasks. Second, public knowledge of the skill level and reliability of each increases with future iterations, and so the tasks assigned to parties will become more suited to individual interests and skills.

With this abstract procedure in hand, we now consider its appearance in decentralizing reforms to policing and public schools in Chicago. The following two sections show how those organizations have implemented deliberative problem-solving in their local units of public action. We can think of community policing reform as creating 279 communities of inquiry—one in each beat, and educational reform as creating some 560 school-based communities of inquiry. These examples show not only how the abstract procedure can be operationalized to solve complex public problems, but also demonstrates that agencies which until quite recently appeared to be among the most retrograde and hierarchical have indeed embarked upon this reform trajectory.

7.2. Communities of Inquiry in Chicago Policing

Policing reformers have operationalized the ideal deliberative problem solving twice in the course of developing community policing institutions. The first was the Joint Community Police Training (J.C.P.T.) and organizing program for neighborhood residents that took place from 1995 to 1996, discussed briefly in Chapter 5 above. The deliberative fora of monthly neighborhood beat meetings between residents and patrol officers and the actions that those discussions produce constitutes the second implementation of deliberative inquiry in community policing.

Though a training initiative in name, J.C.P.T. actually involved substantial community organizing and problem-solving activity. To repeat briefly, the city funded approximately 100 field staff—some police but mostly "civilian" personnel—to mobilize residents around issues of community policing throughout the city. In each beat, designated organizers were charged with generating resident participation by working with existing neighborhood based organizations (NBOs) or by direct door-to-door canvassing of neighborhood residents. Trainers would then lead residents through a five meeting problem-solving curriculum over four months' time. At the end of this period (determined by funding constraints), program-designers hoped that residents would be able to sustain problem-solving involvement without professional staffing or support.

J.C.P.T. embraced learning-by-doing as its pedagogical method, and the "doing" followed exactly the steps of our deliberative problem solving procedure. In the first session, trainers facilitated discussion among residents to select a the most important crime and disorder problem in their neighborhood and to analyze the causes of that problem (D1). Program

designers stipulated that situation had to possess three features in order to qualify as a problem: (i) it had to occur in a definable location, (ii) there had to be identifiable offenders, and (iii) victims also had to be identifiable by at least categories (e.g. motorists). These three aspects of problematic situations then form a "crime-triangle."

In the second session, residents and patrol officers developed strategies to attack each of the three sides of the triangle (D2). Strategies often involved police and resident capabilities such as increasing patrol visibility, deployment of un-marked units, petitions, negotiations, and demonstrations. Often, however, they often called upon participants to *leverage* resources not readily available to the group—various city services, an alderman's office, civic organizations. Strategies also included dividing the labor of implementation among group participants.

Between the second and third sessions, participants attempted to implement these strategies (D3), and in the third session participants discussed the successes of their efforts (D4), and devised new strategies if those chosen in the second session seemed not to be working (D5). The fourth meeting consisted of a wrap-up session to celebrate any victories, solidify resident commitment to this problem-solving process by reviewing often surprising accomplishments, and set in place resident leadership who would take responsibility for continuing the process absent staff support.

The figure below is a worksheet from J.C.P.T. training materials on which participants could record each of steps of public action. To illustrate just how closely the ideal deliberative problem solving process was implemented in J.C.P.T., I have the marked spaces in the form as they correspond to the steps (D1-D5) laid out above (7.1):

Figure 7.1. J.C.P.T. Problem-Solving Worksheets.

In addition to this short-lived organizing and training program, deliberative problem-solving has also being formally implemented at the core of Chicago police operations. A General Order to the patrol division—the rank-and-file of the Police Department—issued in April 1996 institutionalizes the procedure through three complimentary devices: beat meetings, beat teams, and a set of supervised instructions on problem-solving (Chicago Police Department 1996; Fung 1997c). Once again, beat meetings are public sessions typically held monthly in each of the city's 279 police beats. Similar to J.C.P.T., police and residents are to use these sessions to identify crime and disorder problems in the neighborhood, develop and implement strategies, evaluate results, and re-iterate these problem solving steps. At this stage, however, beat-meeting

problem-solving is typically less effective than J.C.P.T. due to lack of trained facilitation.

Whereas J.C.P.T. staff had themselves received substantial training in the goals and procedures

of problem solving, the police and residents who attend beat meetings usually have not benefited

from such orientation.

The 1996 General Order directs police to form "beat teams" that consist of officers

directly responsible for serving each beat—typically five patrol officers and their sergeant. These

officers meet regularly in "beat team meetings" to choose priority problems, develop strategies,

and discuss effectiveness of various strategies. Though orders instruct them to "give... special

attention to the problems identified during beat community meetings" in the selection of

priorities, police may over-ride these resident recommendations because "beat community

meetings may not be representative of the entire beat, and the problems they identify may not be

representative of the problems on the beat." Community side participants can respond

(deliberatively) to objectionable police decisions, however, at successive beat meetings.

The General Order requires line-level police to document their problem solving activities

to enable monitoring and improvement of future effort through post-facto analysis. By capturing

action on the written page, these forms show how decision authority has been extensively

devolved to operational units and that those units follow deliberative problem-solving at laid out

in 7.1 above. Consider the "beat plan form" which might more appropriately be labeled a

"problem-plan form" since a single beat typically has three or four such forms open at any given

time—one for each open problem. As with J.C.P.T., the form leaves complete operational

discretion to patrol officers, yet imposes the generative structure of cognition and action which I

have described as deliberative problem solving:

Figure 7.2. Beat Plan Form, Side 1

BEAT PLAN FORM CHICAGO POLICE DEPARTMENT	1. BEAT	2. PROBLEM REF. NO. ___ ___ . ___ . ___ ___
	3. BEAT TEAM MEETING DATE	4. CROSS REF. NO. ___ ___ . ___ . ___ ___

5. PROBLEM TITLE AND LOCATION

6. BRIEF DESCRIPTION OF THE PROBLEM	7. WHAT BROUGHT THIS PROBLEM TO YOUR ATTENTION? (USE AS CRITERIA FOR MEASURING IMPACT OF PROBLEM SOLVING) CHECK ALL THAT APPLY: ☐ OFFICER OBSERVATION ☐ SUPERVISORS ☐ OTHER CITY AGENCY ☐ CALLS FOR SERVICE ☐ BEAT COMMUNITY MEETING ☐ ELECTED OFFICIAL ☐ CRIME ANALYSIS (ICAM) ☐ OTHER COMMUNITY CONTACT ☐ OTHER:_____ ☐ OTHER UNITS
8. PROBLEM OCCURS DURING: ☐ 1ST WATCH ☐ 2ND WATCH ☐ 3RD WATCH	

9. ANALYSIS OF PROBLEM : USE THE CRIME TRIANGLE TO HELP ANSWER WHO, WHAT, WHEN, WHERE, HOW AND WHY? (USE ADDITIONAL PAPER IF NECESSARY)

10. DEVELOPMENT OF TARGETS (GOALS): WHAT CAN BE REALISTICALLY ACCOMPLISHED TO ADDRESS THIS PROBLEM? (INCLUDE A TIME FRAME UP TO ONE YEAR)

11. WHAT STRATEGIES WILL BE USED TO ADDRESS THE PROBLEM? (USE ADDITIONAL PAPER IF NECESSARY)

STRATEGY :	STRATEGY :
RESPONSIBILITY ASSIGNED TO :	RESPONSIBILITY ASSIGNED TO :
STRATEGY :	STRATEGY :
RESPONSIBILITY ASSIGNED TO :	RESPONSIBILITY ASSIGNED TO :

CPD-21.216 (1/96)   COMPLETE FORM AT BEAT TEAM MEETING

Figure 7.3. Beat Plan Form, Side 2

STRATEGY :		STRATEGY :		
RESPONSIBILITY ASSIGNED TO :		RESPONSIBILITY ASSIGNED TO :		
12. PLAN APPROVED BY:				

SECTOR MANAGEMENT TEAM LEADER SIGNATURE   STAR NO.   DATE

13. ASSESSMENT OF PROGRESS TOWARD ADDRESSING THE PROBLEM (MUST BE INITIALED BY BEAT TEAM LEADER)

PROBLEM STATUS	ASSESSMENT OF PROGRESS	BEAT TEAM MEETING DATE	BEAT TEAM LEADER INITIALS
	D3/D4		

14. FINAL EVALUATION (TO BE USED ONLY WHEN PROBLEM IS OFFICIALLY CLOSED)

A. WHAT IMPACT HAVE THE STRATEGIES HAD ON THE PROBLEM AND HOW DO YOU KNOW?   PROBLEM HAS BEEN   ☐ REDUCED   ☐ ELIMINATED
(USE MEASURES SUCH AS OFFICER OBSERVATION, CALLS FOR SERVICE, CRIME ANALYSIS AND BEAT COMMUNITY MEETINGS.)

D4

B. WHICH STRATEGIES PROVED TO BE MOST EFFECTIVE AND WHY?

CLOSURE APPROVED BY:

BEAT TEAM LEADER SIGNATURE   STAR NO.   DATE   SECTOR MANAGEMENT TEAM LEADER SIGNATURE   STAR NO.   DATE

In the space that I have marked "D1," officers record the specific origins of this problem as a priority issue. In most cases, problems become priorities when they are raised at community beat meetings. In the spaces marked "D2," police in the beat team develop a series of strategies to address these problems through analysis of the problem, a guess about the time required to address it, and particular action items (strategies) together with the assignment and definition of tasks necessary to implement those strategies. Moving to the second side of this form, officers continuously monitor each other's implementation efforts and the effectiveness of those efforts

in the space marked "D3/D4." Finally, in the space marked "D4," officers record the results of

summary self-assessment after the problem has been "solved."

7.3. Deliberative Problem-Solving in Chicago Local School Councils

Recall (from chapter 4) that the a 1988 Illinois Public Law radically decentralized the

governance structure of the Chicago Public Schools. For each of the 560 elementary schools, the

legislation created an elected Local School Council composed of the principal, two teachers, six

parents, and two community members. Each LSC was empowered to hire and fire the principal,

allocate the school's discretionary monies, and help determine the allocation of staff resources.

The law also requires each LSC to develop a School Improvement Plan (SIP) that guides the

exercise of these powers.[5]

According to the general language of the enacting legislation, each school's SIP is three

year plan "to improve educational quality."[6] In practice, it is a working document, updated

yearly, that states a school's vision of itself as an excellent educational institution, lists the most

urgent steps necessary to move the institution to that point, and assigns those tasks to particular

individuals in the LSC or staff. The principal of a school typically develops the plan in

consultation with school staff, the LSC, and other members of the community, and the LSC must

approve the document each year. SIPs are modified annually according to changing

circumstances and results of implementation efforts, and so compose part of a "continuous

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[5] *Illinois Compiled Code of Statutes,* Chapter 105, Article 34 (1996).
[6] *Illinois Compiled Code of Statutes,* Chapter 105, Article 34, para. 2.4, "School Improvement Plan" (1996).

planning" process.[7] The changing activities of staff, LSC members, and others who work with

the school can be broadly viewed as the actualization of this ever-changing plan.

In order to ease the task of composing SIPs, an office of the CPS recommended a format

that nearly every school has chosen to follow; though some school have much better SIPs than

others, they all look similar. This paperwork reflects, and thus allows us to infer, the character of

Local School Council deliberative problem solving. The form has four sections. In the first

section, a school states it vision for itself and the final section records budgeting decisions.

Sections two and three document a school's problem solving activities and thus are most salient

here.

In the second section of an SIP, titled "Analysis of Current Conditions," each school lists

its priority activity areas, and then reflects upon the strengths and weaknesses of that area. This

section corresponds to the prioritization (D1) and evaluation of previous strategies (D4) of the

ideal deliberative experimentalist procedure. The following figure reflects one elementary

school's analysis of it own language arts program:

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[7] John Dewey, "The Economic Basis of the New Society," in *The Political Writings*, Debra Morris and Ian Shapiro eds. (Cambridge: Hackett Publishing Co., 1993). p. 171.

Figure 7.4. School Improvement Plan Excerpt A

SECTION 2	ANALYSIS OF CURRENT CONDITIONS	

SUPPORT AREA: Quality Instructional Program

FOCUS OF ANALYSIS	WHAT IS WORKING	WHAT NEEDS WORK
Language Arts	Model of Preferred Reading Instructional Practices established Procedures adopted to assure greater Time on Task New Reading Series purchased K-5 Computer generated Accelerated Reader on line Four hundred new Accelerated Reader books grades 4-9 purchased for library SQUIRT ALERT (Super Quiet Uninterrupted Reading Time) implemented in all classrooms Policy of early intervention, acceleration or remediation in place. Entire staff trained in Great Books Inquiry Method Successful library instructional program established Ninth grade Advanced Literature Course in place Full time Kindergarten implemented with reading readiness and basal reading instr. Daily Oral Language exercises in all grades Poem of the Month memorization in all grades "Write on Illinois" a guide for all classes with established writing goals & rubics PTA sponsored Book Fairs semi-annually Chgo. Public Library cards required of all students Extensive emphasis in upper grades on sentence structure, parts of speech and diagraming sentences All students participate in Illinois Young Authors Project Berlitz International Foreign Language Instruction K-8 is a model program	Classroom libraries need to be updated Networked system not reliable therefore Accelerated Reader tests are not available Determine Language Arts resource and text needs for grades 6, 7 and 8. Consider using common basal in upper grades for continuity of language arts Remediate present decline in recreational reading by intermediate & upper pupils Large class sizes in upper grades limit quality of instruction Need additional staff & volunteers to meet all student needs Students aren't proof reading and taking pride in writing assignments Primary classes need computer programs to assist in Young Authors instruction Need to expand number of Accelerated Reader books and availability of tests. Must establish criteria to remain in advanced classes Need more consisent practice in using goals and rubrics through the school Novels on tape for students with disabilities Need to improve Special Ed. delivery program. Need to improve remediation of at risk students Raise standards for Writing-emphasis on quality not quantity More instructional time needed on teaching English grammar,

The third section of the SIP form, labeled "Establishing Goals, Plans, and Monitoring Progress," lists strategies, tasks necessary to implement them, assignment of those tasks, and monitoring provisions; it documents each LSC problem solving plans at stages D2-D4. Here is part of the same school's SIP that addresses the aspects of the reading program identified as weak earlier in its SIP:

Figure 7.5. School Improvement Plan Excerpt B

SECTION 3   ESTABLISHING GOALS, PLANS, AND MONITORING PROGRESS

PRIORITY GOAL #: Improve reading comprehension by revisiting "Readers are Leaders" theme through the Accelerated Reader Program and SQUIRT reading. D1

WORK PLANS/PERSON(S) RESPONSIBLE FOR 1996-1997	ACTIVITIES FOR MONITORING PROGRESS	MONITORING TARGET DATES
Place a strong emphasis on reading aloud to students/ all classroom teachers grades K-8	-lesson plans -principal's observations -teacher reports	Middle and end of marking period
Place a strong emphasis on having students SQUIRT read daily since studies have proven students who read show tremendous growth in reading and improved math scores/all classroom teachers grades K-8	-lesson plans -principal's observations -teacher reports	Middle and end of marking period
Students in grades 3-8 participate in the Accelerated Reader Program/Classroom teachers and computer coordinator	-students grades 3-5 required to pass a minimum of one test per quarter; students grades 6-8 required to pass a minimum of 2 tests per quarter - certificates of completion for students -Use the point system in clever, unique ways to motivate all students to participate (i.e. Principal will stand on head for the first class to reach 1,000 points) -monthly prizes -teacher reports that can be accessed through computer (Teacher Program)	Middle and end of each marking period
If Accelerated Reader Program is truly being utilized, more books and test disks will be ordered to include grades 1 and 2 /Computer Coordinator and Librarian		at semester break. 1996-97 school year.
D2	D4	D4

So, lack of reading comprehension is one priority problem (D1) and the school has selected Accelerated Reading and SQUIRT (Super Quiet Uninterrupted Reading Time) programs as its strategies to address that problem (D2). To implement this strategy (D2), classroom teachers will emphasize students' reading aloud, more time will be devoted to silent reading, and use of the existing computerized "Accelerated Reader Program" will be increased. If this computerized instruction seems fruitful, the school will expand its facilities. The second column lists multiple

monitoring activities, again devised by school personnel, that involves student testing, teacher

self-assessment, and principal supervision (D4). Finally, the third column lists target dates for

monitoring and implementation (D4).

Updated annually, SIPs serve as a base-line plan to guide staff and LSC activities

throughout the school year. LSCs monitor progress on the document at their monthly meetings,

use SIP's goals to allocate monies and a tool for principal evaluation, and implement many of its

objectives in on-going committees. It is thus a product, record, and motor of deliberative

problem solving activities in each Chicago public school. As with the two illustrations from

policing, the SIP's wide-open structure decisively illustrates that its purpose is not to assure

compliance with particular instructions, but to inspire ground level actors to articulate their views

about what most needs to be done and how best to do those things.

Having described the characteristics of the citizen in the previous chapter and the

structure of the local unit in which she participates above, we turn now to the third and final

element in the architecture of Street Level Democracy. In the next chapter, we describe the

nature of central authority which both supports problem solving deliberations of SLD's

communities of inquiry and holds them accountable to high standards of moral and practical

performance. Unlike most radical democratic proposals, SLD does not advocate simple

decentralization, but rather proposes a kind of mutually supporting federation. The next chapter

describes the functions and structure of the hub of SLD's federations—its "supportive center."

Chapter 8:

The Supportive Center

No community is an island, and the communities of inquiry described in the previous chapter are no exception. As units of public action, their vitality depends upon continued funding and many other kinds of support. As the discussion thus far shows, their very existence and activities result from a bureaucratic center in the process of effacing itself. Whereas this administrative center set policy and tried to assure that ground-level units executed that policy under the command-and-control bureaucratic scheme, it exists principally to support the problem-solving activities of its component communities of inquiry in Street Level Democracy. It is a "supportive center" that makes local units more effective by linking them to one another and by holding them accountable to the discipline of pragmatic deliberation. Caught in a seemingly endless debate between centralized and decentralized political power, the notion of a center that is supportive rather than directive is unfamiliar to democratic theory. However, the idea is quite common in other areas. For instance, SLD's supportive center employs the Catholic organizational principle of "subsidiarity" which prescribes that "social organizations should be ordered in interdependent and cooperative forms, with attention to the natural subsidiarity in which larger and more powerful political and economic institutions sustain smaller communities instead of dominating them" (Bellah et. al. 1991: 282). In the area of school reorganization,

Anthony Bryk and his associates (1998: 275-309) have recommended a "new system center" of

school authority that resembles the supportive center described below. Paul Hill has proposed a

school system in which a central authority contracts for educational services in a manner similar

to SLD's prescription (Hill et. al. 1997).

In this chapter, we develop the notion of a supportive center in the ideal and examine its

partial construction in Chicago school reform and community policing. We specify its roles by

deducing what assistance local units may require in their deliberative problem solving activities.

Four main functions stand out: (i) assuring the practical and moral integrity deliberative problem

solving within the communities of inquiry; (ii) adjusting background conditions to enhance

communities' activities; (iii) connecting them with one another to share successful strategies; and

(iv) focusing assistance to least capable. We find that the centers of public education and

policing in have implemented, to various degrees, programs that implement these measures. For

example, one study of post-1988 changes in the CPS central office administrative departments

found that:

> Most department heads cited changing relationships between the schools and the central
> office as the major impact of reform. Of the 21 departments questioned, 14 had
> developed new mission statements and had reorganized the structure and content of their
> school services in response to new needs under reform. Most described the changing
> relationship with schools as a shift in power, a reversal of the "old top-down system,"
> where the central office is supportive rather than directive. Although there was general
> acknowledgement of the changed governance structure, evaluators also reported central
> office confusion and uncertainty about the level of initiative or leadership to take in
> relationships with schools. (Stewert and Hixson 1994)

8.1. Deliberative Integrity and Breakdown

The integrity of pragmatic citizens and their deliberations produces SLD's democratic virtues. For our purposes, the integrity of citizens is just the intensity of their motivations to contribute to the public goods that they depend upon, knowledge of participatory opportunities, their deliberative abilities and skills of purposive association, and their moral willingness to constrain the pursuit of self-interest according to the demands of reasonableness (see chapter 6). When citizens or their discussions lack this integrity, SLD breaks down; it degenerates from a fair and effective system for deliberative problem solving into adversarial or unitary interest articulation (Mansbridge 1980). Unlike some institutional conceptions of democracy, SLD does not accept the deep features of persons as it finds them but seeks to mold them through state actions. Furthermore, it recognizes that deliberative processes can be fragile and flawed, and so endorses checking mechanisms to help insure that deliberation stays on track. For reasons of both scale and incentive, some of these measures can more effectively be executed by a central body than by disparate local units.

First, a central body can provide information that reduces the search costs to would-be participants. Citizens can't join communities of inquiry unless they know about avenues for participation—about the program itself, times and dates of various meetings, etc. In disadvantaged communities with restricted channels of communication, such information costs can pose a substantial barrier to participation. Propensities to participate will also depend upon perceptions of institutional efficacy. Suppose that communities of inquiry have made schools

better or neighborhoods safer; citizens will be more likely to participate when these "success stories" are well publicized and well known.

The Chicago Police Department and CAPS section of the Mayor's Office have spent considerable energy on exactly this kind of propagandizing through both mass media and community organization channels. Primarily as a result of these efforts, a Northwestern University study found that by 1996, "over half of all city residents were aware of CAPS (53 percent)... To put it in perspective, national surveys conducted during the 1980s found that only one third of Americans knew the name of their U.S. congressional representative, and about one-quarter could name both their U.S. senators." (Chicago Community Policing Evaluation Consortium 1996). In its 1997 budget, the city included $2.2 million for CAPS outreach efforts (Heard and Kass 1996). This money was used to fund a cable television program called "CrimeWatch," post frequent radio and television advertising spots, and to retain the services of MK Communications, a public relations firm.

Second, a central body can provide services to enhance the deliberative capacities and policy expertise of citizens. In Chapter 6, we argued that the capacity—the potential—to deliberate about practical matters inheres in every fully functioning person. However, factors such as education, family, work experiences, and associational life in large part determine the development of these capacities, and so we generally observe that some people deliberate better than others.[1] Individuals' knowledge of particular policy issues—about crime or education for

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[1] This point about peoples' real ability to deliberate (and the need for enhancement) is curiously absent, beyond gestures to the importance of public education, from most contemporary treatments of

example—no doubt varies more directly with relevant training. Since the absence or development of both these general and particular kinds of skills have public consequences in SLD, it is appropriate that a public action be taken to enhance them. Central bodies can, for example, provide training for SLD participants.

Chicago school reformers have always been aware that many LSC members would require substantial training to perform proficiently. The original 1988 school reform law, for example, required LSC members to receive training in areas of school budgeting, educational theory, and personnel selection. Many LSCs have also received training in deliberative skills such as group dynamics and parliamentary procedure.[2] In addition to this official effort, several community organizations have also provided LSC training to clusters of schools.

Chicago community policing reform has also emphasized the importance of training:

> From the start, the Chicago Police Department identified critical areas for change... Other cities showed that community policing could not succeed without adequate training for officers... An immense training effort, mounted using non-traditional teaching techniques, employed both civilians and trainers. (Chicago Community Evaluation Consortium 1994: 11)

That program consisted of twenty four hour sessions held over four weeks in 1993. Overall, 1,779 patrol officers, sergeants and lieutenants received training in the problem-solving orientation of CAPS, leadership development, and "the decision making and interpersonal skills believed essential to CAPS' success... communications, problem solving, alliances, goal setting and ethics" (Chicago Community Evaluation Consortium 1995: 22). Training expanded to

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deliberative democracy. Perhaps this is a result of the hyper-idealization of speech and its conditions. See Gutmann and Thompson (1996: 65-6).

encompass "civilian" participants in the form of J.C.P.T. in 1994. Both of these training programs have ended, and may have been a product of the initial enthusiasm for community policing (Fung 1997e). At this writing, it is not clear what the shape of community policing training will look like for either patrol officers or residents. The Mayor's Office has committed itself to provide such training and technical assistance through its own staff, and the independent group Chicago Alliance for Neighborhood Safety (CANS, see chapter 5) is still working with a number of groups throughout the city.

Third, a central, neutral body can arbitrate disputes in cases of deliberative break down. In the ideal scheme described in 7.1, reasonableness at the individual level and deliberation at the social level regulate the problem solving process to generate outcomes that all support. It would be neither realistic nor prudent, however, to place too much confidence in the self-regulation of these deliberative mechanisms. Sweet reason will sometimes give way to raw interest assertion that results in domination of one faction over another, paralysis from gridlock, or political exclusion.[3] In community policing groups, one faction of residents may dominate another or police officers may refuse to heed resident concerns. In LSCs, principals sometimes dominate deliberations and policy issues can set members against one another. A central authority can check this potential pathology by (i) detecting such break-downs and (ii) authoritatively

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[2] *Illinois Compiled Code of Statutes*, Chapter 105, Article 34, para. 2.3, "Local School Councils-Powers and Duties" (1996).

[3] One 1993 study of elementary school LSC created four categories of LSC politics: "Principal Dominated" (39% to 46% of sample), "Adversarial politics" (4% to 9%), Maintenance/Complacent Politics (14% to 24%), and "Strong Democracy" (23% to 32%). While their categories do not map directly onto our deliberative scheme, "Adversarial Politics" and "Principal Dominated" definitely do not count as

facilitating community discussions back to the deliberative mode. Both community policing and education reformers have implemented mechanisms that partially perform this checking function, but neither has fully articulated the need or developed a full-blown solution.

A central body can actively attempt to detect deliberative failures by searching for procedural violations or sub-standard performance among its component communities as indicators of break-down. For example, inspectors may require documentation such as meeting minutes and the problem-solving forms reproduced above (§7.2-§7.3), and outside review of such reports may reveal poor deliberation. Both the CPS and CPD require their operational units to file these forms at central locations, but the forms are not then extensively audited or analyzed. Since misrepresentation on these forms is a simple matter, it is furthermore uncertain that such auditing effectively detect deliberative failures.

Sub-standard performance may also indicate faction, or domination, and so a central body may focus its monitoring efforts on identifying those communities that do not perform well. The CPS has implemented exactly this mechanism through its probation and remediation programs. Schools whose average student standardized test scores fall in the bottom 15% of all schools are place on the "probation" list (Martinez 1996; Druffin 1998; see also 4.4 above). A department of CPS called the "Office of Accountability" then audits each school through site visits and personnel interviews to develop improvement strategies. Frequently, deliberative failures in the LSC are one cause for the poor performance of the school, and in such cases the CPS center has intervened with facilitation-type services.

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deliberative politics. So, according to this study, at least 43% of schools exhibited deliberative breakdown in 1993. (Consortium on Chicago School Research 1993).

In addition to active monitoring, a central body might detect deliberative failures through a passive, "fire-alarm," mechanism in which dominated parties call for outside assistance.[4] Such a system would impose a kind of tort against unreasonableness that triggers action from a central body. No such developed formal mechanisms exist in the Chicago reforms. Informal practices, however, do reveal the need for such mechanisms. In both LSCs and community policing groups, wronged parties frequently appeal to the Solomic authority of charismatic officials such as a District Police Commander or some figure at "Pershing Road."[5]

Presuming that one or more of these methods can effectively detect failures of deliberation, the nature of optimal corrective intervention is not obvious. The basic problem is that too forceful intervention from a central body simply reduces the relationship between operational unit and center relationship to command-and-control and thus sacrifices SLD's benefits over standard bureaucracy. For incorrigible cases, there may be no better alternative. If possible, however, the object of intervention should be to restore the integrity deliberative mechanisms that regulate a community of inquiry.[6]

To see how this might work, consider the real case of a non-performing LSC whose members had clustered into stable factions that opposed one another on almost every substantive issue.[7] The CPS Office of Accountability dispatched a team to review school operations and a

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[4] The "fire-alarm" metaphor comes from McCubbins and Schwartz (1984).
[5] The labyrinthine headquarters of the Chicago Public Schools is located at 1819 West Pershing Road. Individuals who work in the public education simply refer to the site as "Pershing Road." Like "Washington," the vague appellation connotes a mysterious and far-away bureaucratic center whose radiating power fades with distance, but becomes more arbitrary thereby and is never completely escapable.
[6] To the extent that deliberation is autonomous, the center must, if it can, force communities to be free by restoring deliberative regulation. See J.J. Rousseau, *Social Contract*, Book I, Chap. 7, para. 8.
[7] This case is examined in detail in Chapter 15.

facilitator to work with LSC members. Patricia Harvey, director of the Office of Accountability,

explained that the object of these intervention efforts was to not to issue commands, but to re-

focus LSC members on the ultimate goal of school improvement and to create space in which

they would be able to re-consider their conflicting positions in light of their deeper commitment

to this common goal. When many in the LSC voiced their concern that the report of the review

team supported this or that position, Harvey responded that,

> The one page is about a group of professionals coming in for a day with their point of view.
> It [the report] is a snapshot, not a command. The command is that you sit down... and use it to come up with a concrete action plan....
> The content of the assessment [report] provides an x-ray reflection of the school's activities. What they [the reviewers] do is to write down what they see from an objective perspective...
> It is only when we step back that we see the whole picture. Only when you step back from your immediate, daily activities and re-focus your attention can you see the other dimensions of the problem. We have all taken that test for looking at the picture of the old lady, and then you look again and it is a picture of a young woman.
> What makes us professional is that people who second-guess us actually help us out. None of us would go into surgery—a radical procedure—without a second guess.
> Unfortunately in education we have not done this enough. Teachers go into a classroom at twenty, close the door, and continue the same methods [whether they are working or not] for the next few decades.
> We are saying: let's plan for our kids [and] let's be confident enough to take another look at our plans and defend them—this brings the discussion to the next level.[8]

Dr. Frank Gardner, a former School Board President and former district superintendent,

is the probation manager that CPS headquarters sent to Harper High School in Chicago. There,

he has facilitated meetings between various elements of the school staff in order to restore

deliberative capacity. Principal Richard Parker comments that, "When Dr. Gardner came in, he

helped us clarify and define what we were going to do, but he also warned us that what we said

we were going to do, *we would do*" (Williams 1997: 20).

The degree to which masterful facilitation and ironic visioning techniques such as these

can restore failures of deliberation is of course a matter of great speculation, probably more art

than science. These examples merely illustrate promising interventions aimed at restoring

deliberative integrity where it has failed.

8.2. Enhancing Institutional Background Conditions for Problem Solving

All problem solving efforts, those of individuals as well as of our communities of inquiry,

depend for their success upon a background of receptive institutions. SLD in any particular area

of public action—such education or policing—is one institution whose fate depends upon the

actions of many other parties: city agencies, elected officials, markets, laws, courts, civic

organizations, and labor unions to name just a few. A central body which derives its power and

legitimacy from the public virtues of its component communities of inquiry can improve the

disposition of institutions upon which those communities depend, but which they themselves

cannot affect. This is one sense in which SLD provides institutional mechanisms and content to

Dewey's pragmatist political notion that the experimental social institutions will continuously

generate discoveries that lead to the reconfiguration of the generative institutions themselves.[9]

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[8] Patricia Harvey's statement was recorded by the author at a Local School Council meeting on 18 February 1997.

[9] See generally Dewey's *The Public and Its Problems* (1927), esp. 28-36, 194-202.

Secure funding is the least imaginative, but perhaps most important, service that the center can provide to it member communities. While extravagant funding does not automatically yield safe streets or effective schools, poor funding makes education and policing difficult indeed. For realism's sake, we have not imagined SLD to be self-financing, and so it depends upon external actors for its revenue. In the case of public functions like education and policing, financing comes from taxes, which are themselves decided in the electoral and interest group arenas. In this area, a centralized representative of SLD's communities, in either policing or education, acts as one lobby among others to push for stabilization and expansion of its funding base.

Beyond such obviously desirable conditions as greater funding, many goals for environmental change arise out of the experimental discoveries of communities themselves. Early experiments in school reform schemes of site-based management revealed, for example, that problem solving requires time. Typical of municipal contracts, the collective bargain between the Chicago Teacher's Union (CTU) and the Chicago Board of Education (CBE) specified strict work rules whose object was to minimize local discretion and maximize the amount of teacher classroom time. The contracts simply did not leave time for planning or problem solving, and no single school could modify this collective bargaining agreement which covered some 560 schools. The CTU and CTE negotiated a waiver system in which a voting majority of a school's teachers could exempt themselves from the time-structuring provisions of the collective bargain (Thomas and Griffin 1988). A great majority of school faculties and LSCs have utilized this waiver to implement a "time banking" scheme which extends the length of the

class day by ten or fifteen minutes for four days every week to create an extra hour of "banked"

time each for faculty planning and problem solving activities.

Another instance in which central authority salubriously modified institutional

background conditions comes from Chicago drug houses. Many Chicago neighborhoods have

properties used for narcotic trafficking and consumption. Due to the density of urban life, these

criminal activities harm nearby residents through associated crimes like shooting, robbery,

burglary, and battery; in the city, no fences can be high enough to make good neighbors out of

crack dealers. It is unsurprising, therefore, that many local community policing efforts have

targeted their problem-solving energies upon drug houses. Often, these drug houses are owned

by absentee landlords who collect rent but care little for the property's maintenance or the

negative externalities of tenants' behavior.

Dozens of groups have independently converged upon the following strategy for dealing

with these situations. Residents try to persuade the landlord to clean up his property through, for

example, eviction of problem tenants, reporting criminal activity on the property to police, and

screening out potentially problematic would-be tenants, and maintaining or upgrading the

property's condition. If a landlord responds to these entreaties, resident groups may assist his

efforts in various ways, and their partnership is often sufficient to eliminate the problem. If the

landlord refuses to cooperate, then residents begin to build a legal case that can be used in

housing court to seize the property and thereby down the drug house. According to the Illinois

nuisance abatement law, a court may act against a drug house by "restraining all persons... from

using the building for a period of one year" if it establishes that "nuisance was maintained with

the intentional, knowing, reckless or negligent permission of the owner."[10] The nuisance in such

cases is the trafficking of a controlled substance, and establishing negligence under this law

requires three narcotics arrests on the property in question. To use this law, then, groups

residents worked with police to concentrate patrol, surveillance, and undercover action that

would result in three arrests. Then, residents would press the case in housing court by testifying

that narcotics activities did in fact severely burden neighborhood life. This strategy to persuade

first, then prosecute has shut down many of the city's drug houses.

Two very recent changes in the institutional background make it easier for organized

communities to pursue strategies of this kind. First, a 1996 city ordinance whittled away \real

estate property rights by enacting a stricter version of the Illinois nuisance abatement law.[11] This

ordinance imposes the burden of monitoring against illegal activities on the property owner and

creates a fine for allowing a nuisance to occur. It subjects "any person who owns, manages or

controls any premises and who encourages or permits illegal activity... shall be subject to a fine"

for each day of the offense. Furthermore, whereas the Illinois law requires the illegal activity to

occur inside the premises,[12] the new law only requires a geographic nexus between the problem

property and nuisance. This provision is important because, as one officer told me, "your classic

drug houses don't really exist any more because the dealers know that you can take the house

away. Most of the action happens on the street in front of the house."

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[10] 720 *Illinois Compiled Statutes*, Sec. 37-4 (1996).
[11] The ordinance described in this paragraph went into effect on November 11, 1996. See "Amendments of Titles 8 and 13 of Municipal Code of Chicago Concerning Liability of Property Owners and Management for Unlawful Activities on Property." *Chicago City Council Journal* (July 31, 1996): 27730-27735.
[12] The state statute was originally targetted against prostitution.

Second, the City's Law Department, called Corporation Council, has created a Drug and

Gang House Enforcement Section that helps community policing groups utilize this law. They

send staff lawyers to community beat meetings to provide legal expertise in the formulation and

implementation of problem-solving strategies.[13] If residents identify and prioritize a drug house,

the lawyer will independently deploy the Law Department's resources to eliminate that drug

house. According to Dawn Bode, the Section's Supervising Attorney, the office uses the same

strategy of persuade first and prosecute second, but with all of the power of city behind it.[14]

When corporation council targets a property, they first send city inspectors to document all code

violations in addition to the nuisance. It then invites the landlord to a meeting to discuss the

situation. The goal of this discussion is voluntary compliance and awareness as documented with

a resolution letter signed by the property owner. If the landlord doesn't respond to initial letter,

rejects voluntary compliance, or doesn't show up to the meeting, corporation council pursues

measures in administrative court. It asks for fine, and then for criminal contempt charges that can

result in 180 days imprisonment. These two background measures, then, put the jackboot of the

state at the disposal of problem-solving communities in their efforts to eliminate drug houses by

generalizing and strengthening a strategy that those communities themselves invented.

8.3. Networking Inquiry

As this anecdote about drug house strategies suggests, communities of inquiry dedicated

to the same public function (policing or education, say) may face similar problems. In such

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[13] This program, called the "Corporation Council Program," is presently being tested in five "prototype" police districts. It began on November 1, 1996.

cases, some communities may develop effective strategies while others fumble. A third function

of a central body, then, is to network the inquiries of similar communities together so they can

share techniques and learn from one another by pooling information and experience. Continuing

our metaphor of experimentation, each community of inquiry executes public action in the form

sequential experiments: the strategy is a hypothesis, implementation is experiment, and

evaluation analyzes its results. Networking communities together, then, vastly expands the

quantity of trials—from one to 279 in the case of policing and to 560 with school governance.

Teachers' desires to communicate their experiences with one another surfaced in the

course of grant development effort of the Traxton Area Planning Association's (TAPA).[15] TAPA

is a Chicago civic organization that has for many years supported various educational initiatives

in its community. One of its post-reform projects was to develop a "teacher resource center" that

would be a networking and professional development hub for teachers at the community's high

school and its seven feeder elementary schools. The resource center would provide common

facilities for curriculum development and seminars on education. When asked how the idea to

create a networking hub originated, one participant explained that "We conducted focus groups

of teachers of broken up by subject matter, and the idea kept popping up [in various focus

groups]. It really came out that teachers need to talk to one another."

Beyond generic information pooling through seminars and other such venues, formal

arrangements for connecting communities might also utilize performance-based

"benchmarking." So, just as the CPS "probation" list selects the bottom 15% of schools for

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[14] Telephone interview (27 February 1997).

special action, standardized tests and other measures might identify high performing

communities so that other community can consider reproducing their strategies and techniques.

The CPS "Exemplary Schools Program," first piloted in the 1995-6 school year,

implemented just this strategy. Every school was invited to demonstrate itself to be an

"exemplary school." To qualify for consideration, elementary schools had to demonstrate

improvement in student standardized test scores and that "student achievement on

[standardized]... tests substantially exceeds *schools serving similar students*" (emphasis in

original, Children First 1995). Beyond these minimal screens, schools were asked to explain their

success in terms of instructional program, capacity to implement change in the school, LSC

governance, collective faculty action, strategic planning, parental involvement, school discipline,

and other measures. Selected schools (up to 25) then received several thousand dollars each to

create "learning sites" at their school to propagate these best practices to the staff and LSCs of

other schools.

Two features of this program should not escape notice. First, designers did not pre-judge

a specific educational theory as best. So, the CPS did recommend a set of best educational

practices, but the application specifically stated that "Schools will not be judged based upon the

specific best practices in the *Self-Analysis Guide*, but on the overall coherence of their activities

in these areas, in support of Quality Instruction and student achievement." Second, the ability to

articulate the sources of one's success is itself a component of excellence: "Schools must be able

to explain how their *Quality Instructional Program*, as well as their [other] practices... have

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[15] The name of the actual Chicago community has been changed to preserve anonymity. This case is discussed in Chapter 16 below.

made it possible for them to achieve exemplary results" (emphasis in original). These points illustrate once again SLD's fundamental assertions that the center no long claims to know what is best. It does, however, have a role in identifying and percolating best practices outward as they are revealed through street-level experiments.

So far as I know, the Chicago Police Department has not yet implemented programs to compare the performance of beats against one another or to elicit explanations and lessons from those who excel at deliberative problem-solving. To be sure, there are police officers and community activists who have hit upon best practices and spread them from beat-to-beat on an informal basis. The Mayor's Office and the police department sponsor periodic community policing conference with workshops and seminars, but they have yet to incorporate the discipline of horizontal comparison and communication into daily routines. Nevertheless, police officer and resident activists feel the need for such machinery that networks inquiry. One police sergeant expressed it this way:

Author: What do you find most frustrating for you in community policing?

Sergeant: The frustrating part is that I know what the model is, but the model isn't... being done right now. I don't really know they're doing [other] districts...

There are other districts that are doing things completely differently than we are doing them here. I think it would be nice to have a forum, perhaps every six months.

In [CAPS] training, they would take 25 sergeants, one from each district. So, now your in there with someone from each of the other districts, so you can talk about what's going on in the other districts. I think that maybe once a year they should do this.

Actually, it's been over a year since I've been to that training, and I really believe that now would be a great time to get us back down there, and get us back together, and kick it around a little bit.

And so [the greatest frustration is] the isolation of being here and doing my thing here. I feel a great sense of accomplishment. I feel like I am doing the best I can do at this point with what I have to work with. I pretty much get by and I pretty much feel like I am doing a good job, but I think that there are more creative ways I could find to do things or

other things that I could do that I haven't thought of that it would be nice to get input from other people. Just to kick some of this stuff around with other people who are in the same boat.

8.4. Redistribution to the Least Capable

Left to their independent devices, some would surely flounder while others excelled at problem-solving due to their superior wealth, deliberative capacity, or brute luck. Since problem-solving capacity generates outcomes in SLD, unequal capacities mean that some will receive better services than others (Weir 1994). If we suppose that there is a broad-based commitment to equity in the provision of services like education and policing, then the center should address such inequalities among its communities. Much of the variance in problem-solving outcomes can no doubt be attributed to background conditions of social and economic inequality, but since an administrative center is relatively powerless to affect this background, SLD treats such inequalities as parameters rather than objects of institutional design. Much of the remaining variance in outcomes can be attributed to the differential problem-solving capacities between communities of inquiry. The supportive center can, then, focus its resources on developing the capacities of those who are least able.

To implement this equity strategy, a central body would allocate some portion of resources toward remediation. It would then rank order the performance of its component communities of inquiry according to the best metrics available in order to identify "needy" communities. In the public schools, comparison of student standardized test scores across time and with other schools, attendance rates, graduation rates, active auditing of schools, parent and community surveys, and more subtle measures might compose such a metric. In neighborhood

police beats, participation rates, quality of problems prioritized and solved, survey instruments,

and comparative supervisor reports could all be employed to generate such rankings.

A redistributive center would then use its remediation resources to assist "needy"

communities sometimes through the direct injection of resources, but probably more often

through the kinds of supportive measures described above. So, low participation in SLD

communities and lack of deliberative capacities are two sources of failure that may be caused by

background social and economic inequalities.[16] To offset these biases, a redistributive center

might channel publicity and outreach resources to boost participation and focus training efforts

in deliberation (8.1) to these least able communities. According to William Julius Wilson's

social isolation hypothesis, the most disadvantaged underclass communities lack connections

with powerful institutional actors in the political arena, the private economy, and other city

agencies (Wilson 1987: 58-62). As we discussed (8.2), access to these resources determines in no

small part the success of urban problem-solving efforts and a central body can improve

connections with such outside actors. It is therefore appropriate that a central body channel these

efforts to connect communities of inquiry with useful outside actors toward those disadvantaged

communities that most lack such linkages. Networking inquiry employs the discoveries of the

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[16] So, one of the most robust findings of empirical political science is that lower SES individuals
participate less frequently in all democratic channels. Verba and Nie write that:

> Citizens of higher social and economic status participate more in politics. This generalization has been
> confirmed many times in many nations. And it generally holds true whether one uses level of education,
> income, or occupation as the measure of social status.

See Verba and Nie (1987), especially Chapter 6 and Chapter 8.

These SES sources of differential participation will also hobble SLD, though preliminary evidence suggests
that SLD institutions will be somewhat less vulnerable to these effects. Participation data from Chicago community
policing shows that individuals from *lower* income beats turn out to community beat meetings at a higher rate than
their counterparts in wealthy neighborhoods. The most obvious explanation for this pattern is that low-income
people have more intense crime and disorder problems to solve. (see chapter 11)

successful to teach the rest (8.3). A redistributive center might use subsidize these kinds of peer

learning initiatives to link the best communities with the worst to channel experimental expertise

where it is desperately needed.

Unlike the first three supportive functions of maintaining deliberative integrity, creating

favorable institutional background conditions for deliberative problem solving, and networking

inquiry, the CPS and CPD have thus far failed to develop programs that explicitly perform this

redistributive function of channeling resources to the most needy communities. Some of their

programs do, however, perform this function inadvertently. The probation and remediation lists

of the CPS, for example, provide resources of training, managerial consultation, and occasionally

additional funds to the worst performing, and therefore most needy, schools. Within the unified

Chicago school district, per-pupil funding levels are distributed to schools according to a formula

that allocates more money to schools with higher proportions of students from low-income

families; Chicago schools with more poor students, therefore, enjoy higher per-pupil funding

levels than those with more wealthy ones. In community policing, the distribution of officers

takes into account crime rates in the determination of beat boundaries; high crime beats tend to

be geographically smaller than low crime ones. Since Chicago school and police agencies

perform redistributive functions minimally and somewhat accidentally through these measures,

this CPS and CPD fall substantially short of SLD's prescription for an administrative center that

transfers problem solving resources to the worst-off local units.

Even a more comprehensive redistribution, however, would almost certainly be

insufficient to equalize problem solving outcomes between communities vastly unequal

communities. Though the ultimate aims of SLD—achieving fair and effective outcomes in public

action—would undoubtedly benefit from substantial redistributive measures, the justification of the scheme does not depend upon them. Why? The main competitor to our proposal—bureaucracy—certainly has not achieved even roughly equal outcomes in areas such as education or public safety. SLD's strategy of justification is essentially comparative; what we must establish, then, is that SLD will achieve more equitable outcomes than competing schemes for state reconstruction, *given the background of existing social and economic inequality.*[17] In the next two chapters, we turn to the reasons why the abstract architecture of SLD's citizens, local units, and supportive center can be expected to generate outcomes that are more fair and effective than the command and control bureaucracies that they seek to replace.

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[17] More equitable outcomes in areas like education and public safety may in turn reduce social and economic inequality, but that speculation is beyond the scope of this analysis.

Chapter 9:

SLD's Effectiveness

The essential features of SLD's architecture for experimental public action laid out in the previous three chapters already suggests several of its democratic merits. Because it is a deliberative process, its outcomes are likely to be fair and thus enjoy legitimacy and support from participants. As an iterated procedure of practical action, participants themselves are likely to hone both general skills of deliberation and develop expertise in the general issue (e.g. public safety or education) addressed by the community. In this sense, communities of inquiry function as a schools of deliberative democracy. Most importantly, SLD is a strategy for effectively addressing common needs through participatory public action. Internal considerations of this nature, however, cannot justify choosing SLD as an organizational alternative to other modes of organizing public action. This question of institutional choice is essentially comparative; it is not enough to explain why SLD is good, we must explain why it is better than other organizational possibilities. Such arguments must at least construct a menu of alternatives and then explain why one is to be preferred over the others, all salient things considered.[1]

This section argues that, *based upon the core democratic value of effectiveness*, SLD is to be preferred over hierarchical bureaucratic modes of organization *when the environment of*

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[1] For more rigorous applications of this mode of argument in the context of selecting principles of justice, see Rawls (1972) and Cohen (1989).

public action is diverse, unstable, and otherwise complex.[2] The very principles of organization

that make bureaucracy effective in other contexts render it incapable of meeting demands that

diverse and unstable problem environments place on it. Decentralization and the generative

problem-solving structure of SLD, on the other hand, enable it to more effectively achieve public

goals under those same circumstances. In addition to this core argument, I also argue

(independently from environmental considerations) that SLD structures the micro-relationships

between state and civil society in two ways that are more conducive to effective public action: it

enhances trust between citizens and agents of the state and it creates incentives for social self-

organization.

9.1. Instability and Diversity: Limits to Bureaucratic Effectiveness

At-scale command-and-control bureaucracies can impressively deploy resources and

personnel to achieve public (and for that matter private) goals when (i) the set of tasks to

efficiently achieve the goal can be clearly specified; (ii) those tasks are uniform over space and

stable over time; and (iii) managers can monitor subordinates' performance of those tasks. When

tasks are specifiable and stable, they can be formalized into routines. When supervisors can

easily monitor the performance of those tasks, then a hierarchical structure of formal authority

that induces compliance through incentives can be created. These two structures of established

routines and authority constitute an organization that resolves conflicts of interest through

authority and technical obstacles through expert specification of the division of labor (Downs

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[2] Note that SLD may be more effective than bureaucracy in uniform, stable problem environments, but I
leave that question open.

1967: 49-74). Environments that are diverse or unstable often generate problems that do not meet

these three conditions, and thereby pose serious obstacles to effective bureaucratic public action.

As a consequence of diversity, tasks necessary to achieve a given broad public aim vary

from one situation to another. In the field of primary education, the most urgent task of one

school might be English language skills, computer literacy that of another, and truancy and

discipline issues may paralyze yet a third. The optimal pedagogical method for one school might

be a progressive, Deweyan, "whole language" approach, while rote methods of Direct Instruction

better suit a second (Druffin 1996; Gardner 1993). Policing situations are just as

diverse—residents of some communities may perceive the police as little more than an

occupying army,[3] while residents from other neighborhoods might see them as an ally against

encroaching disorder. Such diversity makes it difficult, sometimes fundamentally impossible, for

a centralized body of experts to accurately specify a uniform set of tasks that will effectively

advance general public ends. Due in part to these complications of diversity, command-and-

control styled attempts to direct street level actors frequently cannot guide action because their

rules are either over-determinant and contradictory or under-determinant and depend upon the

skillful use of discretion. So Michael Lipsky writes that,

> Rules may actually be an impediment to supervision. They may be so voluminous and
> contradictory that they can only be enforced or invoked selectively. In most public
> welfare departments, regulations are encyclopedic, yet at the same time, they are
> constantly being changed. With such rules adherence to anything but the most basic and
> fundamental precepts of eligibility cannot be expected. Police behavior is so highly

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[3] See the description of Los Angeles police in Mike Davis's *City of Quartz* (1990).

specified by statues and regulation that policemen are expected to invoke the law selectively... Similarly, federal civil-rights compliance officers have so many mandated responsibilities in comparison to their resources that they have been free to determine their own priorities (Lipsky 1980: 14).

If tasks cannot be specified, then routines cannot be formalized and relevant performance cannot be monitored. As is commonly known by students of bureaucracy and subordinates who work in them, low-level agency staff fill the gaps in these formal procedures through their own discretion (Lipsky 1980; Downs 1967; Wilson 1989). Sometimes managers have the foresight to grant discretion, at other times operatives seize it. Such discretionary gaps are inevitable in any bureaucracy, but grow larger with the increasing diversity of problem environments because formal routines loose prescriptive purchase.

The standard, somewhat *ad hoc*, response to such discretion is professional indoctrination and training. If successful, indoctrination reduces the need close for supervision from formal authority by instilling enthusiasm and codes of ethics in ground-level agents. This training attempts to enable agents to cope with diverse situations by providing them with a wider repertoire of routines than can be specified through bureaucratic routine and by developing senses of professional judgment.

But there are at least two reasons to think that a hybrid scheme of well-trained operatives organized in a bureaucracy of loose formal routines will be still be unable to achieve public ends in conditions of diversity. First, the professional model still presumes a body of experts who possess effective routines and can train others in these techniques. Perhaps due to radically diverse conditions, there are many areas of public action in which expert prescriptions seem irrelevant or ineffective. So, "many novice [teachers] look back at their training and complain it

was insufficient for the challenges they face,"[4] and standard advice to rookie cops on the first

day of the job from veterans is to "forget what you learned in the police academy" (Wilson 1989:

37). Absent a set of master routines, then, professional bureaucracy has no generative mechanism

for practical knowledge beyond informal training provided by experience on the street. And

since the reasons for bureaucracy's effectiveness stand on its capacity to implement articulated

routines, informal experience is simply an *explanation* of how bureaucracies (don't) work, and

not a justification for them.

Second, presuming that this source of incapacity could be overcome, it would still be

impossible to realize the values of effectiveness and popular accountability at the same time

through public professional bureaucracies under conditions of diversity. Suppose we begin with

an overly formalized bureaucracy that is ineffective because the diversity of its environment

frustrates its minute routines; this is the case of accountability without effectiveness. To make

the organization more effective, we allow more discretion and perhaps offer professional

development options to the rank-and-file. Emancipated somewhat from the strictures of the

center, the organizational performance becomes more effective (effectiveness without

accountability). But since professional socialization can never be complete, some agents of the

organization use their discretion to shirk. A ground-swell of demand for accountability of the

agency then reduces discretion, only to make the organization less effective. Without developing

this situation further, it does illustrate the tension between the organizational assumptions of

professionalism and bureaucracy that diversity creates.

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[4] "New Teachers Sink or Swim," *Catalyst: Voices of Chicago School Reform*. Vol. 7, No. 8 (May 1996), p. 1.

Beyond diversity, dynamic and unstable problem-environments (diversity through time) also paralyze bureaucracies. When change makes old routines ineffective, new solutions must be developed and implemented. But bureaucracies have difficulty coping with change because (i) those in a position to develop new routines are slow to detect the need for them, and (ii) rank-and-file agents resist change.[5] Bureaucracy creates a long reflexive circuit[6] between task-definition, task-execution, result, and evaluation; researchers and managers define strategies, pass them down to subordinates, who then execute those strategies. Subordinate agents, however, have neither the inclination to report results back to managers nor authority to change routines in light of those results. One stark example of the pace of bureaucratic response to changing environment comes from the realization following World War I that the machine gun had rendered trench warfare tactics obsolete. Wilson puts it nicely:

> By the end of that war, it was evident to all that large frontal assaults by infantry against well-entrenched soldiers manning machine guns and supported by artillery would not be successful. A rifleman who must cross three hundred yards of No Man's Land, slipping and staggering through the countless shell holes made by his own side's artillery bombardment and desperately trying to get over or around barbed-wire barricades, had no chance against the murderous fire of dug in machine guns.[7]

It is unsurprising that military commanders learned this lesson, but what is surprising is that they did not respond sooner. Though various armies experimented with tactical innovation throughout the war, the loosing strategy of trench warfare persisted throughout and thus verifying the cliché

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[5] On the costs of search and bureaucratic change, see Downs (1966), chaps. 14-16.
[6] See, famously, John Dewey (1896).

about generals and past wars. SLD overcomes this problem by reducing the path of the reflexive circuit.

Bureaucracies also find it difficult to implement change after they have developed new routines because rank-and-file operators resist the change when it touches the core of their roles (Wilson 1989: 218-32). This is a well documented phenomenon with many compatible explanations. One is that rank-and-file personnel have vested interests in their core activities and changing routines shifts control away from them. It may be that such operatives, for good reasons or not, think their routines more effective than those devised by research and development departments or high-level management. Uncertain about management's commitment to any particular top-down innovation, rank-and-file agents may prefer to "wait-and-see if it is here to stay" before investing themselves in it. Finally, mastering new routines is itself difficult. SLD overcomes rank-and-file resistance first by placing much of authority to make decisions concerning innovation in the hands of the rank-and-file and second by making innovation a core rank-and-file task.

9.2. Designing Democracy for Complexity

Now consider five mechanisms of SLD that generate success where bureaucracy fails: *directed discretion, institutionalized innovation, coordination amid complexity, studied trust,* and *civic engagement.* The first two mechanisms redescribe participatory problem solving as laid out in Chapter 7 to show how (i) it harnesses ground-level agent discretion where bureaucracy

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[7] Wilson (1989), p. 14. For better examples of organizational innovation and warfare, see Roberto Unger's (1987: 162-70) discussion of "Plasticity or Death."

cannot, and (ii) incorporates continuous innovation into its core design principles and thus more easily advances general aims in dynamic problem environments. The third mechanism, a product of the first two, show how SLD constantly re-combines unstable flows of external and internal resources to solve urban problems such as dangerous drug houses and dilapidated school facilities. The last two mechanisms show how, apart from considerations of shifting problem-environments, SLD reconstructs state-society relationships from the ground-up in ways that address oft-heard criticisms about the disappearance of civil society and widespread lack of faith in public institutions (Putnam 1994).

9.2.1. Directed Discretion

SLD's answer to the difficulty of diverse problem-environments will not surprise political or corporate-managerial devolutionists: decentralize decision power to the operational level, but discipline agents through accountability devices. In diverse problem environments, uniform solutions will not do. Since it is difficult or impossible for a central authority to develop the range of effective solutions necessary under radical diversity, the most obvious response is to devolve power for developing solutions to the operational level—to local agents. In the language of local democracy, smaller units allow policies to be tailored to local preferences and situations (Tullock 1969). In managerial language of teams, those closest to the point action are best positioned to identify flaws in complex processes and suggest remedies. As we have seen, however, problems with increased discretion are that agents may shirk, advance personal motives, or simply lack the capacity to use increased power effectively.

SLD responds to these difficulties by increasing discretion,[8] but harnessing that discretion to the achievement of public ends through internal and external direction. First, it accepts the barrier that diversity poses to centralized solutions and so enhances the discretionary power of ground-level units. Second, it seeks to assure that agents use this discretionary power to advance public ends by (i) regulating the use of discretion through deliberation; (ii) inviting citizens—who have an intense interest in the achievement of public ends and no interest in agents' shirking—to participate in that deliberation; and (iii) requiring deliberations and their results to be documented and thereby monitorable by external (central) authorities and wider publics.[9] Formal provisions for directed discretion in the organization of LSCs and police-resident community policing groups have already been described in (7.2.-7.3.), but we see now how this structure overcomes bureaucracy's problem of increasing discretion in situations of radical diversity.

9.2.2. Institutionalized Innovation

Just as SLD's deference to local judgement makes it effective under conditions of diversity, its compact, continuous problem-solving procedure enables it to thrive under changing conditions. Flux—for example in the form of shifts in the availability of resources, demographic shifts, linguistic changes, new technologies, or new expectations—render yesterday's routines obsolete. Whereas adherence to stable rules and routines makes bureaucracies efficient, SLD's

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[8] Directed discretion is something of a contradiction in terms. In the discussion, it should be clear that "discretion" means decreased control from the point of view of the commanding heights and consequent increase in control over task definition and implementation from low level actors such as police officers, teachers, and ordinary citizens.

public-action engine of continuous problem solving takes few of its circumstances for granted. Whereas bureaucratic organizations attempt to control more and more of their environments, SLD places a premium (and its bets) on effective response and adjustment.

Several institutional features of SLD create superior capacities for responsive innovation. At the level of center-periphery relations, devolution and local authority liberate operational units from headquarters' paralyzing constraints. Decentralization thus creates the space and potential for constructive innovation. At the level of unit decision, internal procedures of our communities of inquiry constantly dissect received procedures and attempt to identify more effective strategies.[10] Furthermore, we envision that these communities of inquiry are quite small, and so SLD shortens the reflexive circuit between strategy, implementation, assessment, and revision that is lengthy and tenuous under bureaucracies. At the level of the agent, SLD removes the alienation that accompanies demands for change from the commanding-heights by fusing task (re-)conception and execution at the level of the individual operator. In hierarchical schemes, waves of innovation devised at the top wash down on a rank-and-file that often receives them as alien, ill-considered commands. It is unsurprising, therefore, that lack of ground-level "buy-in" often hampers the implementation of innovations in bureaucracies. In SLD, by contrast, agent participation in the deliberative problem-solving procedure sets the

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[9] See Chapters 7 and 8.
[10] Note that decentralization does not entail deliberative, pragmatic problem solving as its decision procedure. An interest-based decentralist might, for example, favor decentralization of power to local units of government, and then voting as a mechanism of interest-aggregating decision within those units. Since intrests might be based on stable characteristics such as culture, belief, class, or race, this scheme might not be any more innovative than hierarchical bureaucracy. An authoritarian decentralist—for example an advocate of site-based school control with strong principals—might favor charismatic dictatorial governance within units. Since such dictatorships can be based upon unchanging personal or

content of innovative strategies. Having originated from the grassroots, they are then much more

likely to enjoy grassroots support and enthusiasm. Finally, SLD makes innovation part of agents'

core task action rather than an occasional idiosyncratic requirement. Part of being a good teacher,

policeman, principal, other public servant, or citizen in SLD is to be able to continuously

envision how the job or the organization might do better, explain that vision, and then help

implement it.

9.2.3. Coordination Amid Complexity

These two mechanisms of directed discretion and institutional innovation enable SLD's

communities of inquiry to act effectively in situations that seem intractably complex to

hierarchically organized methods. Bureaucracies are often justified over other forms of

organization by virtue of their capacity to solve complex problems. Crudely put, they do so by

breaking daunting tasks into more manageable parts, and then by developing divisions of labor

and expertise appropriate to those sub-tasks. So, the public tasks of city management might be

broken up into fire, police, schools, transportation, sewers, sanitation, and other agencies, each

with their core competencies. Solutions to many urban problems, however, require jointly

coordinated action on the part of two or more agencies, or between public agencies and private

actors in civil society or in the economy. The bureaucratic logic of rigid division and

specialization, however, makes these kinds of problems seem complex and even insoluble.

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ideological views (e.g. about this or that educational theory or school organization), authoritarian
decentralization may not be more innovative than bureaucracy either.

SLD's logics of discretionary and innovative problem solving, however, facilitate the recombination of public and private parties necessary to overcomes these barriers of complexity.

Problems that lie between the core competencies and responsibilities of several agencies is complex to would-be bureaucratic problem solvers because effective action requires coordination between horizontally separate agencies. Because no particular agency centrally bears official responsibility, all lack both motive and opportunity to solve such problems. Bureaucracies purchase economies of scale at the expense of scope; each specializes in a particular policy area and develops a stock of procedures and techniques to address the canonical problems which arise in that arena. Problems seem complex, then, when they do not fit these canonical types. SLD, however, constructs communities of inquiry that deal with urgent concerns as they arise, and so the scope of a democratic unit is determined (on the fly, as it were) by the particular problems to be addressed (D1 in 7.1).

A second source of complexity stems from the regulatory state's premise that the spheres of administration, civil society (citizens, secondary associations), and economy (firms, landowners) should remain separate, stable, and distinct. Similar to the economies of scope which can be captured from recombining separated agencies at the bottom, problems which seem complex from the perspective of insulated bureaucrats become more tractable given articulated relationships between concerned (or implicated) parties who happen to reside in these improperly separated spheres. For example, activities in the private sphere of economic exchange often have unexpected negative spill over effects—externalities—on third parties and secondary associations potentially offer resources which would help solve these complex problems; hard and stable walls between the spheres obstruct the prevention of such harms and the employment

of such resources. SLD—in which citizens and public servants deliberate as equals—rejects hard

walls (e.g. absolute property rights) that separate public from private and the state from civil

society and contends instead that these relationships must often be reasonably reconstructed in

order to solve urgent problems.

9.2.4. Studied Trust

Aside from these three pure public problem solving advantages, SLD begins to alter the

character of relationships between the object and subject of public action: civil society and the

state. The bureaucratic principle of professional autonomy demands insulation from public,

politicized, non-professional "interference." One result of this wall is that it fosters mistrust and

conflict between citizens and public servants by hardening identities and interests of each and

pitting them against one another. From the perspective of agency operators, citizens seem

unreasonably demanding, their suggestions uninformed, desires contradictory (e.g. civil rights

and safe streets), their engagement unconstructive, whiny, and clueless. Several close observers

of law enforcement, for example, identify these beliefs as constitutive of police culture: (i) "No

one understands the real nature of police work... No one outside police service... can comprehend

what we have to do. The public is generally naive about police work;" (ii) "We have to stick

together. Everyone else... seems to be out to make our job difficult;" and (iii) "Members of the

public are basically unsupportive and unreasonably demanding. They all seem to think they

know our job better than we do. They only want us when they need something done."[11] Though

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[11] Sparrow, Moore, Kennedy (1990); p. 50-54.

the levels of citizen trust of government agencies is more diverse (e.g. diversity of citizen opinions about the police in the Rodney King trial), it is uncontroversial to say that large segments of the public hold the operatives of large public agencies such as schools and police departments in low esteem and low trust.

SLD offers citizens and public servants deliberative problem solving as a method to reconstruct their trust in one another and to modify their respective behavior in ways that warrant trust.[12] In contrast to the bureaucratic separation of state from society, SLD throws citizens and their agents together at the grassroots level. Its problem-solving sessions allow each to probe the agendas, motives, and commitments of the other and to identify and expand real regions of overlap. In the context of public safety, citizens may not trust police because they perceive a wide gap between what police should be doing and what they actually do. In the problem solving process, citizens can demand that police justify particular actions (often the problem is lack of action). If police cannot justify a particular course, reasonableness demands that they change future behavior. When such demands arise under bureaucracy, street-level agents can "pass the buck" by claiming that rules and red tape do not permit them to change irrational routines. SLD's localism, however, removes this excuse by empowering grassroots agents to implement results of deliberation. On the other hand, police may be able to justify apparently irrational behaviors by providing additional information or deeper explanations. Reasonableness would then require citizens to change their initial preferences and demands.

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[12] For a discussion of this concept in economic contexts, see Sabel (1993).

Similarly, repeated interaction between citizens and agents in deliberative problem solving allows each to ascertain the others' commitment to a shared goal—say public safety or education—by observing levels of follow-through. Anecdotes about such studied trust-building—or "trust but verify"—recur frequently in tales of participation in community policing and local school governance. One often hears the story of how initial meetings between police and residents were accusatory shouting matches that demonstrated low trust. Such participants entered problem-solving tentatively, suspecting that the other side had no real commitment to the supposedly common goal and so will not deliver on its promises. Frequently, one side was surprised at the commitment, even tenacity, of the other, and grateful for the contribution that they made to the shared project. In this way, citizens and public agents in SLD can build the trust necessary for partnership and cooperation slowly and verifiably.

9.2.5. Civic Engagement

In addition to low trust, bureaucratic insulation also demobilizes civil society by prescribing social divisions in which specialized public servants execute public action while private citizens consume it. By contrast, SLD constructs incentives for higher quality and quantities of civic engagement with the promise of power.[13]

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[13] Some recent scholars of "social capital" have proposed that civic engagement is an important component of well-functioning democracies, and have sought to explain democratic dysfunction by pointing to the absence of civic traditions and behaviors. While this project takes no position on trends in civic engagement, it does contend that engagement would be higher under SLD than it is under command-and-control bureaucracy. SLD, then, offers one potential remedy for the aliment these scholars perceive. See the works of Robert D. Putnam (1993, 1995, 1996).

To stylize, voting and direct lobbying of officials provide the main channels of civic participation under the ideal command-and-control model of administration. We expect two aspects of SLD's incentive structure to generate greater levels of participation. The probability that one will affect final policy outcomes is greater than under electoral schemes. The principle of decentralization and problem-oriented scope mean that fewer people will participate in any of particular forum (but that the aggregate level of participation will be greater since fora proliferate), and therefore that one's voice will be relatively greater. Furthermore, the direct participation means that one's voice is voice about the details of policy formulation and implementation rather than about this or that representative who may or may not enact one's policy preferences; SLD removes the weak mediating link of political representation.

We also expect the quality of participation—as reflected in the knowledge that citizens have about issues, judgment between what is likely to work and what is not, and deliberative skills of reason, justification, and argumentation—to be higher under SLD than unreconstructed bureaucracy. The first general reason is that SLD increases the returns to these individual (which come in the form of policy outcomes and solved problems) skills. The reform builds political units in which the prime currency of exchange and influence is reason, and the only force, as they say, is the peculiar force of a better argument. To the extent that such spaces can be constructed, participants have incentives to acquire the deliberative skills and policy knowledge that makes them effective interlocutors. Second, SLD effaces the distinction between expert technocrat and lay person by placing them on a footing of *formal equality* in its democratic procedures. Whereas electoral-cum-bureaucratic models of public action expect citizens to expend for the most part private resources to acquire the human capital necessary to participate

effectively, SLD opens the space for the expenditure of public resources to increase the level of

substantive equality of knowledge between expert and lay participants by expertise and capacity

of ordinary citizens through training (8.1.).

9.2.6. Illustrating the Mechanisms at Work: A Roger's Park Hot Spot[14]

Before the formalization and spread of community policing in Chicago, residents and

police in Roger's Park were already experimenting with community policing and problem

solving methods. They were protoyping just the kind of resident-professional joint-problem

solving techniques that the Chicago Police Department would formalize as a city-wide agency

reform in 1995. This modest account of some of their efforts illustrates how some mechanisms of

SLD's effectiveness operate in the real world.

In 1992, residents identified a nexus of problems on the corner of Greenview Avenue and

Birchwood Street which included suspected crack dealing, prostitution, and noise late into the

night. Disorder was concentrated around three rental properties at 7500 and 7458 North

Greenview Ave., and at 1528 West Birchwood St. These properties and other salient geographic

features of the problem areas are depicted in the map below:

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[14] Information and materials from for this case were very kindly provided in an extensive interview with Karen Hoover of Roger's Park on 17 May 1995. The figure in this section was reproduced essentially unchanged from Ms. Hoover's records.

Figure 9.1: Problem Area
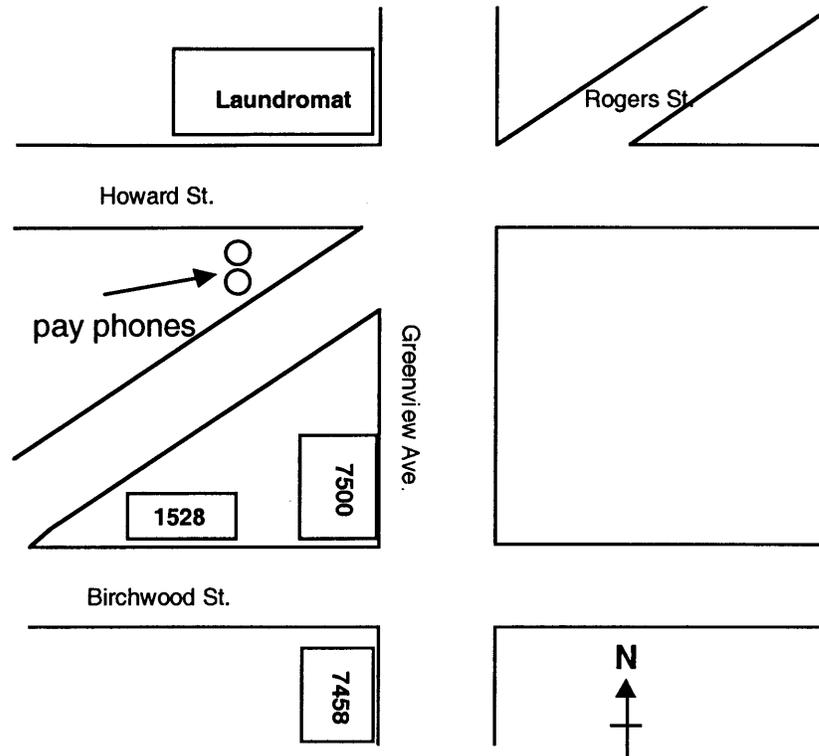
After some reflection, residents determined that recent increases in undesirable street

activity could be attributed to two main causes. First, the landlord of the Laundromat on Howard

Street had refused to renew the previous manager's lease and given management of the business

to his son. The new manager took steps to discourage drug dealing on the premises, whereas the

prior manager had allowed such activity. One significant measure was to remove pay phones in

the Laundromat. Residents traced a second line of causation to the fact that the three problem

buildings on Birchwood and Greenview had recently changed owners and that new landlords did

not screen tenants or keep up properties as well as previous owners. As a result of these two

factors, undesirables moved in and illegal activity grew, other undesirables who had previously

frequented the laundromat haunted the bank of pay phones and problem areas instead, and buildings dilapidated.

Perceiving that that the business-as-usual routines of public agencies would not solve this nexus of disorder, people in the community policing group used a variety of strategies to target these various causes, and their strategies met with various degrees of success. These intertwining strategies illustrate the mechanisms of *complex coordination* and *directed discretion* by bringing to bear not only police power, but also those of other public and private actors, on the problem area. To address the problem of pay phones, they tried to convince their owner to cancel his contract with the telephone company. The owner agreed to do so, but the telephone company refused to cancel his contract. Eventually, some members of the community policing group met with the company and negotiate a change in operation so that the phones would be unable to receive incoming calls.

Independent resident efforts exemplify the mechanism of enhanced *civic engagement*. To target the properties, residents wrote letters to landlords to inform them of the problem and to offer to help. They organized walking groups to establish a "positive" community presence. They also set targets for use of nuisance abatement laws, which allow a property to be taken from a landlord if police make two drug arrests on a single property within one year; they then worked with police to target arrests in specific units; and finally, they set up a task force to demonstrate community support in housing court when the time came to take property away from the landlord.

At the same time that they developed these strategies to address the phone and property problem, they coordinated with local police units. They convinced police to establish a greater

uniformed presence at this location. They also informed the police of known trouble makers, and the police paid special attention to these persons by finding arrest histories, etc. Tactical police units targeted the area for arrest and surveillance, and narcotics officers were deployed to make undercover drug "buys" and arrests perpetrators.

These efforts improved the space around the problem properties and thus social conditions in the neighborhood. The nuisance abatement effort resulted in two arrests at the 7458 Greenview property and at the same time brought the owner to housing court. The building was sold and renovated. Negotiations between the community policing group and the landlord of the 7500 Greenview property resulted in improved management, intervention with problem tenants, and better tenant screening. In the 1528 West Birchwood building, one tenant was evicted and another moved out. As a result of this public-public partnership, problems of crime and disorder on the corner of Birchwood and Greenview in Rogers Park decreased. As secondary, but still important, outcome of this real world example was that, through the mechanism of *studied trust*, new working links were built between this group of Roger's Park residents, police officers, and nearby landlords.

9.3. Three Objections

None of arguments presents a knock-down case for the effectiveness of SLD over bureaucratic modes of organizing public action. Consider three main objections that explain why SLD might not be as effective as hierarchical bureaucracy: shirking, stupidity, and indecision. We very briefly explain the substance of each objection and then responses that SLD might offer.

The first objection is that agents may use SLD's increased discretion to shirk. One principal advantage of bureaucracies is that they closely monitor subordinates' activities according to the expectations of fixed routines. Even if these routines are not particularly suited to achieving particular public ends, they may do better than a system in which agents abandoned public purposes as soon as supervision loosens. Our response is that agents under SLD are indeed accorded greater discretion in the determination and implementation of tasks, but that the exercise of this discretion is supervised both from directly concerned citizens and by agency supervisors. In SLD, agents are left free to determine (through deliberation) public action strategies, but they are required to document the analysis that justifies their strategies, actions necessary to implement them, and the results of those actions (Chapter 7). Whether these monitoring devices can be sufficient to control omnipresent shirking temptations is a technical and empirical matter that cannot be settled here.

Rank stupidity, or stupidity of rank-and-file public servants and citizens, constitutes the second objection. Those who argue that more capable individuals rise in organizations worry that devolution gives power to those who lack the intelligence, wisdom, and expertise to make good decisions.[15] Without challenging whether natural aristocracy properly characterizes the distribution of human talents or whether promotion systems select for these talents, SLD offers two responses to the worry of rank-and-file incompetence. First, *decentralization reduces cognitive burdens* of decision-making compared to centralized, hierarchical schemes. The scope

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[15] Consider popular commentary that typifies this perspective. Arguing against the devolution of federal power to the states, for example, R.W. Apple (1995) wrote in the *New York Times* that "Heretical as it may sound, the Federal Government, for all its failings, attracts far more talented people than most state governments, in both elective and appointive offices."

of local decisions are by definition smaller, the decision makers closer to sources of relevant information, and better positioned to evaluate results. Given the same public task—running the public school system of a large city, for example—the SLD multiplies the number of decision makers and divides the potential impact of any particular decision. Second, SLD incorporates many devices to enhance rank-and-file expertise through time. We expect that central bodies will provide training for both citizen and operational level agents (8.1), the ideal problem-solving procedure is itself a "school" that develops the expertise through iteration (7), and comparative learning provisions allow the most expert to impart skill and knowledge to the least capable (8.3). Whether or not these measures will be sufficient to generate the broadly distributed competence that SLD requires is partly an empirical matter that remains to be tested, partly a matter of faith.

A third objection, following Oscar Wilde's quip about the length and frequency of meetings under socialism, is that the deliberative democratic features of SLD will result in indecision and thus inaction. Since they need not conduct lengthy deliberations that generate broad support, command centers of bureaucracies can certainly make decisions much more quickly than SLD's communities of inquiry. The relative quality of those decisions and the center's capacity to implement them have been discussed above already. SLD's response, then, is that decisions will be somewhat slower in coming, but that they will come more frequently (because decision centers proliferate), be better choices, and more quickly implemented. Pragmatic features of deliberation under SLD quicken the pace of decision somewhat. Unlike some other accounts of deliberation, much of SLD's discussion concerns what to do, not what to

believe, and such discussions are less likely to result in defensiveness and deadlock.[16] Second,

decisions are always open to revision based upon post-facto assessment of results, and so

participants may be willing to support tentatively positions that differ from their own, knowing

that they will have opportunities to argue for paths not taken based on the group's previous (bad)

decisions. Finally, the nature of problem-solving endeavors itself creates an impetus to action; all

parties join communities of inquiry because they are dissatisfied with the *status quo*, and so each

is inclined to moderate his opinions for the sake of doing *something* to address what all agree is a

problematic situation.

These arguments for why we might expect the performance of Street Level Democracy to

exceed that of hierarchical bureaucracies under modern conditions of diverse and unstable

problem environments have relied upon abstract and theoretical reasoning. Based upon a series

of prospective considerations about five specific mechanisms—*directed discretion,*

institutionalized innovation, coordination amid complexity, studied trust, and *civic engagement,*

we claimed that Street Level Democracy will generate more effective outcomes than command-

and-control agencies. Without much more experience with the emergent modes of organization

and empirical examination of SLD in action, the advantages of one over the other cannot be

determined with absolute certainty. This chapter has offered some theoretical considerations that

favor SLD. In the case studies of Part III (Chapter 12-16), we shall treat these theoretical

considerations as hypotheses to be tested: do actual cases of community policing and local

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[16] For descriptions of deliberation about values and public policy that enacts those values, see Gutmann
and Thompson (1996).

school governance employ the mechanisms we described above? If so, do these mechanisms

exhibit the advertised performance gains over command-and-control systems? These are some of

the questions we shall answer in the final part of this volume. Before we explore how SLD has

actually operated in Chicago, consider a second evaluative dimension that is at least as important

as effectiveness. In the next chapter, we explore some abstract considerations that lead us to

think that SLD will generate solutions that treat participants fairly as well as effectively

advancing their common ends.

Chapter 10:

SLD's Fairness

While we explored mechanisms that make public action more effective in the last

chapter, here we justify SLD on the additional ground that it generates more fair outcomes than

bureaucratic action. To the extent that it succeeds in generating outcomes that treat citizens

fairly, it advances the second core democratic value of equal consideration (see chapter 2).[1] In

this analysis, we consider three dimensions of SLD's fairness: its part in the scheme of

institutions that make up a just (and therefore fair) society; the fairness of outcomes across

various communities of inquiry in a specific area of public activity such as education or policing;

and fairness with respect to individuals that make up a particular community of inquiry.

10.1. SLD's Role in the Institutions of Just Society

As mentioned in chapter 6, Street Level Democracy is not a total, self-contained political

design, but rather aims to enhance direct citizen participation in specific areas of public action

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[1] There are of course many institutional interpretations of what it means for a democratic state to treat is citizens as equals. The most common interpretation is the equal aggregation of interests in the principle of one vote for each citizen. Another interpretation is the equality-neutrality principle of Ronald Dworkin, which insists that the state should remain neutral with respect to any particular citizen's notion of the good (Dworkin 1978, 1987). Here, we advance a third notion that equal consideration in state action means that the content of that action reflects the results of fair and reasoned deliberation between citizens.

presently executed by insulated, hierarchical administrative agencies, such as public education

and policing. SLD fits into the scheme of social institutions that make up its "basic structure,"

including markets, legislatures, courts, families, and secondary associations (Rawls 1971: 7-11).

As part of this larger scheme, the fairness of SLD at once depends upon and contributes to the

fairness of those other institutions.

On the issue of institutional reliance, we continue to reiterate[2] that SLD's fairness

depends upon economic and political background conditions such as material wealth and

political equality. These background conditions are largely set by elements of the basic

structure—such as the regulation of economic markets, levels of economic and social

development of poor communities, and the operation of the representative political system—that

lie outside the scope of Street Level Democracy. Nevertheless, SLD depends upon these basic

conditions for its fair and effective operation. If the "basic structural" rules governing real estate

markets, individual taxation, and private property rights established a more even distribution of

material wealth and economic development, for example, the psychological capacities of

deliberation (Chapter 6) that depend on education and work opportunities would be more evenly

distributed among residents and neighborhoods. Since the fairness of SLD's decisions and

actions depends upon the quality of its deliberations, a basic structure that generated more fair

background conditions would also increase fairness generated within SLD.

Another aspect of dependence relates to the question of intergovernmental relations

between SLD institutions and other elements of the basic structure. As we have seen in the case

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[2] See the discussion of the problem of inequality in Chapter 2.

of school reform and community policing, SLD is a child of more conventional governmental arrangements—hierarchical agency decisions created the community policing reforms and a state law established the local school governance structure in Chicago. Since its inception, the boundaries of operational authority between SLD and more conventional politics has been a matter of some contest. Obviously, the ability of SLD to generate fair outcomes depends upon the degree to which these other institutions respect the integrity of its deliberative processes. To illustrate, consider a case in which SLD participants refuse to abide by the outcomes of fair deliberations[3] and pursue their interests by using these other elements of the basic structure to over-ride group decisions. Suppose several parents feel that a particular teacher harbors a secret bias against their children and imposes unfair discipline on them as a result. Seeking justice, parents raise this issue as a matter for public concern at the school's LSC. After open and extensive discussion and argument, the group agrees that the teacher has acted with no malice, and indeed that he behaved with integrity *by punishing the students in question* according to a system of class rules that she had announced at the beginning of the year. Dissatisfied with this outcome, the parents exercise their political connections by raising the issue with a local alderman. The alderman, rather than respecting the deliberative authority of the LSC, successfully cajoles school officials at the city and district level to reassign or fire the teacher. This example clearly illustrates how the fairness of SLD depends upon the willingness of other powerful actors to respect its institutional boundaries.

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[3] Thus they fail to exercise their capacity for moral constraint, specified in Chapter 6, Section 1.

In the real world of urban America and in the institutional youth of Street Level

Democracy, however, these elements of the basic structure upon which SLD depends will not be

completely congenial to this new, potentially threatening participatory democratic process. In

Chicago, for example, we cannot realistically expect redistributive policies to produce a

substantially more even distribution of material resources either within neighborhoods (10.2) or

between them (10.3). Similarly, the boundaries and relations of institutional authority will for the

foreseeable future continue to be contested and fluid. Despite these obstacles posed by a highly

imperfect basic structure, we nevertheless expect that SLD will contribute to the fairness of

outcomes by establishing arenas of fair popular deliberation that produces effective public

action. SLD helps secure fairness by advancing public ends that are broadly acknowledged to be

necessary to a fair society. So, effective policing secures individual bodily integrity, which in

turn is part of a basic scheme of rights and liberties essential to any fair and just society.

Effective education is vital component in a scheme of fair equality of political opportunity and in

creating the competent citizens that make up a fair democratic polity.[4] SLD's role in a panoply of

institutions that constitute a fair society, then, in part reduces largely to a question of its

effectiveness.

10.2. Fairness Across Communities of Inquiry

Considering SLD apart from these other elements of the basic political structure, critics

will rightly object that differently situated communities of inquiry will generate better and worse

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[4] See the case made by Thurgood Marshall in *San Antonio Independent School District* v. *Rodriguez* 411 U.S.
1 (1972). See also Gutmann (1987). Also, see discussion of liberal rights at section 6.4 above.

outcomes. The difficulty is that we desire equality in such outcomes as public safety and education, but find it impossible to insulate the units that provide those services from the geographically differentiated background of social and economic inequality in which they act. It is pure fantasy to think that any proposal for organizing public action could generate equal outcomes without altering this background. No one would contend that public school systems and big city police organizations have managed to achieve equal outcomes despite these inequalities. The appropriate question, for our purposes, is whether SLD would generate outcomes that are even more unequal than the ones produced by hierarchical bureaucracies.

At least three reasons suggest that SLD's outcomes would be more fair. First, SLD recognizes the influence of background inequalities and incorporates a remedial mechanism to compensate for them as best it can within its administrative purview. As discussed above (8.4), that mechanisms might channel mobilization, training, facilitation, or material resources to the least capable units. Second, benchmarking and mutual learning mechanisms link the most successful to the least, and so their fates are tied at the level of particular solutions and techniques (8.3).

Finally, SLD creates constructive channels for the expression of rage that the least advantaged justly, yet seldom, express at society's institutions. SLD attempts to reverse the adage that those who need democracy most use it least by creating space for efficacious voice at the most basic levels. Those low on the socio-economic ladder, it is hoped, will use SLD channels to transform their silence into articulate demands for effective service, and for resources that they themselves can use to help direct and provide that service. In the next chapter, we shall

see that participation patterns in community policing and school reform confirm this optimistic expectation.

10.3. Fairness Within Communities of Inquiry

Within communities of inquiry, we take fairness to consist in the integrity of the deliberative problem-solving procedure. If (i) all potential participants have a fair chance[5] to articulate their perspectives and (ii) decisions and conclusions are governed by deliberative norms (argument and reasonableness) at all stages of the procedure (chapter 7), then we can expect the outcomes of the process to be fair. Conversely, domination occurs when an individual or faction systematically translates its views into the community's decision irrespective of the merits of other perspectives, and upsets fairness. Consider five species of domination that constitute objections to SLD: explicit domination of a faction, subjective domination, participation bias, domination by the articulate, and suffocating community. For each, I describe the character of domination and the resources within SLD which might overcome that domination. These abstract considerations, however, lay out only avenues of response that cannot be completely satisfactory. A more persuasive case about whether SLD can generate fair outcomes despite these possibilities for domination depends upon empirical data that addresses two questions. First, how often do these kinds of domination arise in actual instances of SLD? Second, how effective are SLD's domination-correcting mechanisms? We shall present such data in Part III of the volume. The prior contribution of social theory in this regard, however, is to

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[5] Including the chance to develop the capacities necessary to participate effectively in deliberation (6.1).

describe the most threatening varieties of domination so that we can later focus the empirical

lens.

Since SLD is as vulnerable as other political institutions to the victory of passions and

interests over reasonableness, we expect one common form of domination to be the

fragmentation of a community of inquiry into stable factions in which there is very little

deliberation, outcomes are forgone conclusions, and one side always looses.[6] In such instances,

SLDs processes degenerate into simple interest-seeking behavior that is largely indistinguishable

from ordinary voting. Parties enter discussions in order to assert their opinions and fixed

preferences rather than to discover solutions, and so victory goes to the interest with the greatest

numerical support. Typically, such situations fail to meet the normative standards that generate

fair solutions in SLD because parties fail to exercise the capacity of moral restraint. Instead, they

use SLD's avenues of political participation to advance their own self-interest beyond the bounds

of reasonable deliberation. In such cases, SLD provides mechanisms of appeal and facilitation to

break up factions and restore the process to governance through deliberative norms (8.1).

Co-optation and false consciousness constitute a second form of domination that I will

call *subjective domination*. Rather than serving as a means of voice and method of popular

control, SLD might provide opportunities for agents of the state to moderate demands for change

by co-opting leaders or by instilling in them a false consciousness that assert positions contrary

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[6] For a discussion of this problem in the ordinary politics of interests groups and voting blocks, see Ely
(1980).

to their true interests. Because state agents and citizens will often confront each other from unequal positions of knowledge and power in SLD, initially critical citizens may accept officials' deceptive rationales as reasonable justifications because they are unable to muster effective responses and alternatives. Participation in SLD can thereby dull citizens' critical edge and oppositional will. For example, they might come to (wrongly) believe that "police are your friends" when their true, objective interests would be better served through adversarial protest or other opposition strategies. School faculty and principals similarly may be able to moderate demands of community members and parents through deception and manipulation.

SLD offers two responses to possibility of domination through co-optation and false consciousness. The first merely points out the high burden of demonstration facing the critic who raises this objection (Geuss 1981). Subjective domination is methodologically difficult to substantiate because it requires the analyst to deeply second guess actual political participants. In any particular case, the critic must

(i)　identify the dominated party A's true interests

(ii)　identify the dominating party B's true interests

(iii)　show that, as a result of participation in SLD, A adopted mistaken beliefs about his interests

(iv)　show how A's actions based on his (mistaken) beliefs advance dominating party B's interests.

(v)　construct a counterfactual case in which A has correct beliefs about his interests and A's action based upon those beliefs would better advance his real interests than his actual actions do.

(iii) is difficult because one central objective of deliberation is to change one's interests and one's beliefs about what will advance those interests in light of exposure to other articulated positions and argumentation. If deliberation brings the beliefs of parents into alignment with those of teachers, that may be evidence of real deliberation rather than subjective domination. (v) is difficult because it requires the analyst to place himself in the position of A, correctly reconstruct all of the constraints that A faced, and claim that he could have chosen more wisely. Two general reasons to think the actual actor's judgment is better than that of the analyst: the analyst has a dimmer conception of the situation's possibilities and the analyst has much less riding on the choice.

A second response to the possibility of subjective domination is that SLD's public, iterated process presents repeated opportunities to correct false beliefs by probing and challenging them. In this deliberative process, a single individual can point out states of subjective domination. As a formally open and deliberative procedure, SLD is responsive to articulate boat-rocking trouble-makers who can point out others' erroneous beliefs and induce correction through criticism and argument.

As a third species of domination, some parties may not be able to participate effectively, or participate at all, because they lack relevant resources such as time, skill, and freedom from stresses and distractions brought by economic security. This objection is quite right, but it also applies to all schemes of democratic participation. The appropriate questions are whether SLD is

more sensitive to such resources inequalities, and where remedial mechanisms are available.[7]

One reason to think that SLD will exclude the resource-poor more than other forms of

participation is that it requires intensive involvement. So, rather than pulling a lever in a ballot

box every two or four years, SLD requires long and frequent meetings. Furthermore, it is more

cognitively demanding than many other avenues of political participation, and levels of cognitive

development may in turn depend upon available resources. This bias may be subject to remedial

efforts of the kind discussed above (8.4): e.g. deploy mobilization resources in poorer sections of

the neighborhood where participation is low.

It should be noted that initial empirical studies of bias in Chicago community policing

reveal two trends (see chapter 11). First, participation in low-SES communities is greater than

participation in more wealthy ones. Second, those who attend community policing groups tend to

be better off (in SES terms) than their neighbors. These two patterns together suggest that SLD's

extensive geographic decentralization may align individuals on the basis of place rather than

class, which may count in SLD's favor. So, community policing and school improvement efforts

aim toward the improvement of (indivisible) public goods which can be enjoyed by both the

better and less well off in a neighborhood. To the extent that SLD enlists the energies of the

better off to improve these goods rather than "get theirs" through private solutions (home

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[7] Jane Mansbridge (1980) has shown that inequality stemming from class, gender, and other factors pervades participatory democratic institutions. By itself, this finding should not be surprising; insulation from such background inequalities would be a stunning success for institutional design. The question Mansbridge fails to ask, however, is whether participatory democracy is more or less vulnerable to infection from inequality than other arrangements for popular sovereignty.

fortification, private school), it harnesses resources and skills of the better off to improve the welfare of all.[8]

A fourth form of domination results from differences in individual discursive styles and abilities;[9] SLD advantages those inclined to and good at dispassionate argument and justification, dissection and analysis. To illustrate this problem, consider a community of inquiry in which a small number of individuals skilled at argument and explanation favor one option (A), while a greater number of individuals favor another option (B) but cannot argue for it. SLD unambiguously selects the option advanced by the articulate minority as the group's social choice.

The difficulty, however, is not that articulate win, but that the inarticulate cannot (or will not) justify their views. To see why, recall citizens join a community of inquiry in order to solve a problem that is common to them all (e.g. bad schools, unsafe streets). The options they favor as social choices (A and B in our case) are not "naked preferences," but rather strategies—about which there is an objective, determinate, yet unknown truth—to solve the common problem. In our example then, the inarticulate party has some internal set of reasons that he favors B over A. Furthermore, since the inarticulate party has an interest in solving the problem, he also has an interest in developing and honing the skills of practical reason—analysis and dissection—that will help him figure out (internally) whether B really is more likely to solve the problem than A. As a final step in this argument, we presume that the translation of these private justifications

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[8] For an argument about the negative effects of separating the fate of elites from that of the masses, see Christopher Lasch (1995).

into public ones is a short step the cost of which is covered by the increased likelihood of effective public action (Chapter 9). Even from the point of view of the inarticulate, then, problem-solving processes should not favor their presently preferred options, but rather they should provide resources to make them more articulate.

Finally, libertarians of many stripes may worry that moral majorities will use SLD illiberally, to impose moral values or perspectives upon nonconformist minorities. We have already discussed this issue in the comparison of liberal and pragmatic citizenship (6.4) above and elaborate briefly on that discussion here. Potential examples come from the Chicago reforms: community policing groups often address problems of physical decay and social disorder—such as traffic, noise, and garbage—that link only indirectly to safety threats[10] and Local School Councils in have established uniform dress codes.[11] Our first line of response points to the difficulty of properly delineating the scope individual liberty generally, but especially under conditions of contemporary urban density. So, we have discussed above the negative externalities of the absentee landlord who lets his rooms to crack dealers. Some might consider neighbors' demands that he screen potential tenants an unjustifiable infringement on his right to let his property to whomever will pay the most fetching price. But since both parties have important, non-moral, welfare claims at issue, the landlord's claim that he has a "right" in this instance is feeble.

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[9] See discussion in Joshua Cohen and Charles Sabel, "Directly Deliberative Polyarchy" (1997).
[10] Many do argue, however, that physical decay and disorder mark the beginning of a "spiral of decline" that begins to spread more violent forms of crime. See Skogan (1990) and Wilson and Kelling (1989).
[11] As far as I know, school prayer has not come up in any LSCs.

This leads to the second response; when claims of individual desire and public aim conflict, deliberation regulates the issue within communities of inquiry. So, a religious majority might control a Local School Council and feel that the establishment of religious worship in that school will importantly advance educational achievement. A member of a religious minority might contend that the establishment of religion has little to do with educational achievement by pointing to the vast number of similarly situated, better performing schools. Based upon this evidence, he may further argue that the majority's proposed policy has nothing to do with the common problem of school improvement at all, but is instead a disingenuous cloak for the imposition of moral and religious values. If, on the other hand, experimental evidence (against probability) shows that similarly situated schools that mandate religious worship really do outperform others, then there really is a conflict between individual right and common good. In such instances, SLD would recommend an accommodation that would capture the educational benefits of religious worship without violating the deeply held beliefs of religious minorities, perhaps by incorporating an exemption clause in the school policy.

Suppose that deliberation fails in this example where religious worship and educational achievement are unrelated. The majority refuses to acknowledge the weight of empirical evidence and insists—unreasonably—on using its power to impose its beliefs and practices on everyone. This case reduces simply to deliberative breakdown, our first species of domination, and must be settled through appeal to bodies outside the community of inquiry such as facilitators established by SLD itself (8.1) or traditional constitutional courts (6.4).

In this chapter, we argued that adding Street Level Democracy to the panoply of liberal democratic political institutions can contribute to the fairness of social action. If it manages to increase the state's effectiveness in the worst-off neighborhoods, it will thereby serve social justice by providing goods such as public safety and quality schools to those who presently lack them. Additionally, we argued that deliberative processes and mechanisms designed to insure the integrity of that process will lead to fair outcomes within SLD's local decision units. While these theoretical arguments provide may provide a substantial basis for supposing that SLD will generate fair outcomes, they depend on many unstated and untested empirical assumptions about how people will behave inside participatory pragmatic institutions. In the final part of this volume, chapters 11 through 16 below, we fortify this theoretical case with empirical evidence from Chicago school reform and community policing; we examine the behavior of citizens under two actually existing SLD regimes and show that they do indeed generate fair solutions through deliberation under a wide array of circumstances.

Part III

Deliberation in the 'Hood

Chapter 11:

The Empirical Examination of Street Level Democracy

The discussion of Street Level Democracy (SLD) thus far has presented a stylized

institutional prescription for how the governance and delivery of public services—education and

policing were given as actually existing examples—might be reconstructed along participatory

democratic lines. Additionally, we offered two kinds of empirical evidence to support the

contention institutional reforms to the Chicago Public Schools and Chicago Police Department

can be properly characterized as emergent forms of SLD. The historical discussion of Part I

shows how dissatisfaction with existing bureaucratic forms led to the halting but deliberate

construction of SLD first in the Chicago Public Schools and then in the Chicago Police

Department. Part II described ideal architecture of SLD and showed how pieces of the actual

Chicago reforms corresponded to central planks of this theoretical design. Local School Councils

and beat meeting groups form SLD's communities of inquiry (Chapter 7) and the headquarters of

both the CPS and CPD have begun to develop departments to perform the functions prescribed

for a "supportive center" (chapter 8).

Accept for the moment these parts of the argument for SLD—that it offers an attractive

normative democratic ideal and that it accurately characterizes much of the recent reform of

Chicago's public education and police agencies. Skeptics may still object that SLD's institutional

form will not generate the virtuous results—greater participation, deliberation, and superior

policy outcomes—that its architects and supporters hope for. For instance, some might argue that the standards of pragmatic citizenship[1] do not accurately describe the motives, capabilities, or potentials of flesh-and-blood people, and that therefore SLD demands too much. Others might contend that the many inequalities between individuals and neighborhoods in cities like Chicago will upset the scheme. Still more might argue that the theory misunderstands the technology of policing and/or education, perhaps by according too much credit to non-professionals such as ordinary residents or the parents of school children or by overstating the importance of organizational learning and local judgment.

11.1. Three Stages of Empirical Investigation

In order to assess whether SLD remains an attractive ideal despite such criticisms, it is necessary to move beyond the historical and institutional evidence already offered and to consider the actual individuals—the residents, police officers, teachers, and parents—who inhabit these institutions and the processes that connect them. SLD is an institutional social theory to the extent that it predicts that individuals placed in a particular problem-solving setting (small group, endowed with authority to act on a class of public concerns, required to argue and reason, following a problem solving process, and accountable to outside bodies for performance) will behave in a deliberative manner that generates fair and effective solutions to public problems. The empirical exploration of this social theory moves in three stages. This chapter

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[1] See chapter 6.

carries out the first two stages of investigation, while the third stage occupies the remainder of

this volume.

First, we lay out five critical social theoretical perspectives on SLD. Each of these

predicts, in its own way, that SLD institutions will not operate as Part II describes, and in

particular that SLD will not generate fair and effective outcomes. We construct these imaginary

interlocutors from several common social theories in order to sharpen the immediate criticisms

of SLD and to anticipate powerful objections to it. We construct each of these perspectives in a

very basic form so that each yields testable predictions that diverge from those of SLD.

Recognizing that each theory could be elaborated in directions that bring its predictions closer to

those SLD,[2] we nevertheless refrain from doing so. At this stage of theory construction, these

perspectives are useful as contrasting views that contest SLD's fundamental expectations rather

than as explanatory supplements.

Very briefly, the first critical perspective is that of *rational choice*. In chapter 6 (6.3), we

described how the pragmatic view of political personality differs from that of rational choice.

Fundamentally, the rational choice objection holds that political actors will refuse to restrain the

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[2] Some form of each of these theories could be enlisted to elaborate SLD. Incorporating moral preferences, higher-order preferences, incomplete information, and iteration could render a version of rational choice theory that is predictively consistent with SLD. Similarly, as laid out in the text below, the contentions of a strong egalitarian might be weakened into perfectly compatible forms. SLD might be redescribed as a strategy for generating social capital to lessen its differences with that perspective. Feminists and other theorists of difference might construe SLD's deliberation in a friendly light, seeing it as a medium in which to assert, transform, and contest identities. Finally, the technocratic-elitist (described below) might adopt a more chastened view of the efficacy of expertise, one that preserves a substantial role for ordinary citizens, that is fully consistent with SLD. Each of these moves would, however, constitute a shift from the theoretical core of each perspective, and each would transform that perspective from opposition to SLD to one of friendly amendment.

pursuit of their self interest according to the norms of reasonable deliberation that SLD requires.

In this and the following chapters, we shall examine actual instances of SLD to see whether

actual residents and officials defy rational choice description and behave enough like pragmatic

citizens for the deliberative process to yield fair and effective outcomes. The second criticism,

that of the *strong egalitarian*, holds that social and material equality is a necessary condition of

fair and effective deliberation. SLD, by contrast, proposes that its institutions will advance

democratic values such as effectiveness and equal consideration (fairness) even under conditions

of substantial material inequality and/or poverty. The *social capital theorist* or *communitarian*,

our third imaginary critic, holds that the success of participatory schemes like SLD require rich

civic resources such as a dense network of associations and norms. SLD contends to the contrary

that its institutions will operate even in the absence of such social substrates. It may actually

contribute to the formation of social capital in areas that lack it.[3] The fourth perspective of

cultural difference holds that directly democratic and deliberative schemes require a high degree

of homogeneity, and consequently worries that SLD will result in domination by culturally

advantaged parties under heterogeneous conditions. The proponent of SLD is more sanguine

about the possibilities of fair deliberation and cooperation across these lines of difference and

stresses the interdependence of parties as a point of commonality upon which trust might be

built. A fifth and final critic, the *elite-technocrat*, stresses the complex nature of modern

problems. According to his widely shared perspective, competent decision-making in areas such

school governance and neighborhood safety require highly specialized training and knowledge

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[3] See the discussion of SLD's mechanism of Civic Engagement, discussed in 9.2 above.

that ordinary citizens lack and cannot be expected to acquire. Therefore, empowering these

novices with public authority over such matters, as SLD does, will result in ineffective, perhaps

destructive, policies. The SLD proponent responds that his institutional proposal does not simply

cede authority to the unwashed, but constructs institutions that link ordinary people to experts in

a way that improves the efforts of each to achieve particular goals such as school improvement.

The second stage of the empirical argument uses city wide data to assess the dire

predictions of these critical perspectives against those of SLD. The five critical perspectives each

offer necessary conditions—e.g. convergence of interests, equality, wealth, cultural

homogeneity, sufficient social capital—without which, they contend, SLD will not work. In their

most pessimistic forms, these perspectives predict that individuals will not participate in SLD

institutions absent these conditions. By examining levels of participation and characteristics of

participation in community policing and school governance across the city, we can assess these

bleak predictions against SLD's claim that, even without these favorable conditions, citizens will

participate out of the desire to solve urgent problems. Both of the Chicago reform experiments

are fortunate to have research groups dedicated to their documentation and evaluation. Since the

Chicago school reform legislation was passed in 1988, the Consortium for Chicago School

Research (based at the University of Chicago) has generated a series of high quality reports that

document the progress of Local School Council governance from many perspectives. Even prior

to its official roll out in 1993, the state of community policing in Chicago has been painstakingly

documented by the a group led by Wesley Skogan at the Institute for Policy Research at

Northwestern University (formerly the Center for Urban Affairs).[4] Citywide data gathered by these two research groups and others reveal large scale patterns even in neighborhoods that lack conditions supposed as necessary by the critical perspectives.

This macroscopic evidence clears the empirical underbrush, as it were, by showing that Chicago residents from many neighborhoods and circumstances participate in school governance and community policing reforms, and that therefore participation does not require rare and demanding conditions as the critical perspectives claim. Relatively robust participation is, however, only necessary but not sufficient for SLD to advance fairness, effectiveness, and the other core democratic values. These normative claims rely upon aspects of SLD's institutional process—such as the character of individual pragmatic behavior, the deliberative problem solving process, and the efforts of the supportive center—that these city-wide data do not address. The third stage of empirical argument, then, uses case studies to explore these institutional processes. The last four chapters of this volume present ethnographically informed neighborhood-level case studies of SLD in action—three Local School Councils and three police beats—to further examine the character of pragmatic public action and to evaluate its predictions against those of the critical perspectives.

Each of these five competing perspectives offers distinctive rejections of SLD; each predicts that individuals placed in SLD's decentralized, deliberative institutions will produce

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[4] The author worked in this research group in 1996 and 1997.

pathological outcomes such as domination or collective paralysis. If any of these perspectives

accurately characterizes our data better than SLD's predictions, then the normative ideal requires

revision or rejection. If it turns out that SLD's predictions fit the data better than the competing

perspectives, then I have at least offered preliminary empirical evidence that the democratic

design deserves further examination and elaboration. Since the competing perspectives

encompass the most common objections to SLD and to applied deliberative democracy

generally, the macroscopic and case-level empirical arguments potentially clear the theoretical

underbrush of first-order objections and open the way for further elaboration. At minimum, they

offer empirical examinations of deliberation which have to date been largely absent from

scholarly literature.

11.2. The Strong Rational Choice Perspective

While SLD is compatible with, indeed utilizes, the insights of rational choice theory, the

common strong version of rational choice used to model individual behavior in political contexts

precludes deliberation as such.[5] In contrast to SLD's pragmatic citizens—who are self-interested

but uncertain about the appropriate strategies to advance their interests, competent but not

omniscient, and rational but reasonable—the strong theory of rational choice posits individuals

who have complete preference orderings over outcomes and act single mindedly to achieve the

most desired available outcome. The strong theory of rational choice predicts that individuals

know what they want and that they act, speak, and vote strategically in order to get that.

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[5] See, for example, Riker (1982). See also chapter 6 (6.3) above.

According to this perspective, the democratic fora of SLD will be no different from other social choice situations such as ordinary voting; individuals will act strategically to maximize their interests according to fixed preference orderings.[6] Just as in other voting contexts, the rational choice account predicts that SLD institutions will function principally to aggregate the pre-existing preferences of individuals into social choices (Downs 1957). Furthermore, since it takes strategies, interests, and preferences to be unproblematically fixed *ex hypothesi*, the strict theory of rational choice rejects SLD's contention that pragmatic deliberation provides occasions for participants to discover more effective strategies, alter individual preferences and positions according to the demands of deliberative discussion, build practical or moral capacities, or solve common problems.

This rational choice perspective predicts that SLD institutions will fail to realize the democratic values of participation, deliberation, and fairness because SLD incorrectly characterizes the motives and behavior of individuals. In particular, the theory of rational choice predicts at least three observable departures from SLD's social theory: that overall participation rates will be low, that individual morality will not constrain the pursuit of their preferences, and that deliberation will not transform the preferences of participants in SLD.

First, the rational choice perspective would seem to predict low overall rates of public participation due to free-rider problems (Olsen 1965). In our examples of public education and policing, SLD's communities of inquiry generate public goods—better schools and safer neighborhoods—through the ingenuity and actions of individual citizens and public servants.

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[6] For game-theoretic accounts of deliberation, see David Austen-Smith (1993; 1994).

Since a resident, parent, or teacher will often benefit from the outputs of a community of inquiry whether or not she contributes through participation, she will be tempted to "free-ride" by enjoying the benefits of safe neighborhoods and better schools without paying the costs of participation. In particular, an individual will contribute to a public good just in case the personal cost of the contribution is lower than the marginal personal benefit he derives from that good. Since SLD involves quite small groups—a dozen individuals in the case of school governance and perhaps two dozen in the average community policing group—it is somewhat less vulnerable to free rider objections than endeavors that include large numbers of citizens.[7] Nevertheless, adherents to strict versions of rational choice theory are likely to predict that free-rider problems will afflict SLD with untenably low participation rates. Recent experiences with both community policing and local school governance in Chicago, however, have exhibited relatively high levels of citizen participation.

The following figure depicts monthly total and cumulative resident attendance at community beat meetings in Chicago's 279 police beats.

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[7] See Ibid., 32-3, for reasons why small groups are less subject to public goods provisioning problems than large ones. In SLD, it is difficult to establish operationally that the costs of individual participation outweigh the individual benefits that issue from the public good, since the participation of even a single individual can have a substantial impact on the quality of the public good provided and the disposition of state resources.

Figure 11.1: Beat Meeting Attendance[8]

At peak levels of attendance from April through August of 1995, upwards of 6000 Chicago

residents attended community beat meetings every month. The average participation in any given

beat meeting during this period was, therefore, slightly more than 21 residents. Note that these

figures include only formal beat meetings; residents often participate in numerous other face-to-

face meetings such as sub-committees of beat groups, independent problem-solving meetings, *ad*

hoc "call meetings," and rallies and demonstrations.

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[8] Chicago Community Policing Evaluation Consortium (1996): 20.

Similarly, participation statistics on Local School Council (LSC) elections reveals high, but not overwhelming, levels of public participation. Recall from the discussion of LSC structure that each elementary school LSC has eleven seats—the principal, two teachers, two community members, and six parents—and ten of them are selected through neighborhood elections. Elections are held every two years since 1989, and table 12.1 below presents some statistics for these elections:

Table 11.1: Local School Council Election Statistics[9]

	Year	Parent	Community	Teacher	Total
Number of Candidates	1996	4,493	1,682	1,620	7,795
(candidates per seat)		(1.4)	(1.5)	(1.5)	(1.4)
	1993	4,254	1,495	1,612	7,361
		(1.3)	(1.4)	(1.5)	(1.3)
	1991	4,739	1,858	1,545	8,142
		(1.5)	(1.7)	(1.4)	(1.5)
	1989	9,329	4,818	2,429	16,576
		(2.9)	(4.4)	(2.2)	(3.1)
Average Candidates per School					
	1996	8.2	3.1	3.0	14.3
	1993	7.8	2.7	2.9	13.4
	1991	8.8	3.4	2.9	15.1
	1989	17.2	8.9	4.5	30.7
Percent of Schools with Contested Elections					
	1996	71%	54%	52%	
	1993	62%	45%	51%	
	1991	76%	63%	49%	
	1989	98%	93%	88%	
Number of Voters					
	1996	68,210	24,519	29,313	122,042
	1993	33,701	23,544	27,435	84,680
	1991	44,735	35,583	30,514	108,832
	1989	113,008	97,276	34,902	245,186

This table counts only statistics relating to formal LSC elections; no aggregate data is available on the number of people who attend these LSC meetings (which are public events regulated under the Illinois Public Meetings law) as "members of the public," nor those who participate on LSC task and sub-committees. The table does suggest, however, that the supply of LSC seats roughly matches the demand to participate in school governance through this channel. In the three most recent LSC elections, between 30% and 50% of school elections went *un*contested

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[9] Catalyst Staff (1996): 26.

and there were roughly 1.4 candidates for each open seat. At any given moment, between 15%

and 20% of the some 5600 LSC seats in the city of Chicago stand vacant.[10]

These city-wide aggregate statistics show that free-rider effects have not driven

participation in the new institutions of local school governance and community policing down to

paralyzingly low levels. Actual participation levels are high enough—average attendance of

between ten and twenty persons at beat meetings and average LSC size of nine persons—for

these bodies to function as the communities of inquiry specified in chapter 7. Reasonable levels

of participation are, however, a necessary but insufficient condition for SLD to advance its

democratic values—the deliberative character of participation is at least as important as the sheer

quantity of participation.

When parties with disparate interests come together in a political situation in which they

must agree to a single "social choice," the strict theory of rational choice predicts that each will

advance his most important interests (maximize his expected value) to the extent that his

bargaining power and the institutional rules of the game allow. The social choice then, results

from the aggregation of conflicting individual interests via negotiation and bargaining, voting,

domination, or some other such mechanism. Jane Mansbridge has called the communication

between such adversarial parties "competitive deliberation." Under the strict theory of rational

choice, communication between parties may improve the quality of social choice by injecting

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[10] Interview with Dr. Rodolfo Serna, Deputy Director of School and Community Relations, Office of Community, Chicago Public Schools, on 20 November 1997.

information, but it does not alter the deeper interests or preferences of parties regarding the

political questions at hand.[11]

While SLD certainly expects that deliberation will improve the quality of social choices

by increasing available information, it departs from the predictions of the strict theory of rational

choice in two important respects. First, SLD predicts that parties will regulate the pursuit of their

interests according to the norms of fairness and public reason. In particular, SLD expects parties

to justify their proposals for group action with reasons that others can endorse, and to refrain

from advancing interests and proposals which they cannot justify in terms of common goods. To

illustrate the difference symbolically, consider an agent A whose (decreasing) preference

ordering over group actions is $\{P_1, P_2, P_3, P_4\}$. Suppose further that his first choice P_1 is not

justifiable to some other members of the group, but that A could, through force of numbers or

power, induce the group to select P_1 as its social choice. The strict theory of rational choice

would expect that A advance P_1 as the group's social choice. SLD, on the other hand, demands

(as a normative theory) and expects (descriptively) that A refrain from advancing P_1 and instead

that he pursue $\{P_2... P_4\}$.

Beyond filtering unjustifiable preferences, SLD also departs from the strict theory of

rational choice in its predictions about the stability of individual preferences. Whereas the strict

theory of rational choice posits individuals who have stable interests and preferences, SLD

expects that parties will transform their interests, preferences, allegiances, and identities as a

result of deliberative discussion and action. We might imagine, for example, that A initially

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[11] Jane Mansbridge (1992). For a game theoretic treatment of the biases in information that parties would reveal, and the skepticism with which listeners would treat information brought by adversaries, see

participates in SLD institutions for largely instrumental reasons—because he wants to use SLD

in community policing to make his neighborhood safer or SLD in public education to improve

the quality of his children's school. After participating in SLD and benefiting from it, **A** may

then develop an independent interest in SLD as a political institution or in participation as

something he enjoys or comes to see as a part of his duty as a citizen.[12] In the bare language of

rational choice, we would say that participation in the process has altered his preference ordering

by introducing a new preference, P_5, for the stability and integrity of SLD or for his participation

in it.[13]

In addition to acquiring interests in democratic processes, SLD also expects agents to

develop their moral capacities as a result of participation in the process. In addition to extirpating

unjustifiable proposals from group considerations, deliberation might make the preferences of

agents themselves more justifiable. To continue our simple example above, deliberation might

transform **A**'s preference ordering from $\{P_1, P_2, P_3, P_4\}$ (before deliberation) to $\{P_2, P_1, P_3, P_4\}$

(after deliberation). Since P_2 is (*ex hypothesi*) intersubjectively justifiable while P_1 is not, the

later preference ordering is superior to the first from the moral point of view. In vocabularies

richer than that of rational choice, we might say that **A** develops other-regarding preferences or

that he strengthens his solidarity with other participants as a result of deliberating with them.

David Austen-Smith (1992).
[12] For a classic rational choice discussion of a preference that consists of "complaince with the ethic of voting," see Riker and Ordeshook (1968).
[13] This example is simply a scaled down version of the psychological account of political stability given by John Rawls (1972):

Case studies in the following chapters will examine whether the strict theory of rational choice or SLD better describes the behavior of actual participants in the deliberative arenas of school reform and of community policing in Chicago. All six cases allow us to examine generally whether individual preferences remain stable during the course of deliberative processes. We expect that, when the process exhibits "deliberative integrity," individuals will develop an allegiance to it and to the other participants. In three of our six cases, residents face each other across lines of class and race that correspond with conflicting interests and preferences over outcomes. Actual processes of conflict and conflict resolution in these cases sometimes supports the theory of rational choice, and sometimes SLD's more optimistic expectations. A close examination of the actual discussions and deliberations reveals, not surprisingly, that behavior according to the norms and expectations of SLD depends upon such contingencies as the presence of facilitators capable of guiding deliberations and bridging conflict and upon whether the participants themselves are aware of and understand these norms.

11.3. Strong Egalitarianism

The "strong egalitarian," our second imaginary critic, holds that background inequalities in society such as those based especially upon class, but also on race and gender, prevent the mechanisms of decentralized deliberative problem solving from operating as the normative theory supposes. In particular, inequality will prevent these political institutions from delivering fair or effective outputs. Even under the relatively undemanding institutions of representative

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Since a well-ordered society endures over time, its conception of justice is presumably stable: that is, when institutions are just..., those taking part in these arrangements acquire the corresponding

democracy, political participation exhibits substantial upper class participation biases.[14] SLD

may exacerbate this problem if, as Jack Nagel writes, "the more intensive the form of

participation, the greater the tendency of participants to over-represent high-status members of

the population" (Nagel 1987: 58). Under conditions of severe inequality, for example, the least

well off may lack the basic resources—information, time, money, or skills—to participate in the

demanding institutions of SLD.[15] When unequal parties face one another in political arenas,

furthermore, domination often results.[16] Operationalizing this perspective in terms of

institutional choice, the strong egalitarian holds that we ought not adopt the democratic

prescriptions of SLD *without first* substantially equalizing the resources that citizens can deploy

in the political process. Absent such redistribution, some institutional set—such as centralized

command-and-control bureaucracy—is more likely to yield fair policy outputs. The strong

egalitarian's basic claim is that decentralizing schemes like SLD benefit those who are already

well off while doing little or nothing for the worst off.

In order to avoid confusion, it is important to distinguish strong egalitarianism from

SLD's weak egalitarianism (see chapter 9.4). A weak egalitarian fully admits that increases in

background equality would make SLD processes more fair, more effective, and yield greater

levels of participation. He asserts, however, that disadvantaged citizens will nevertheless

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sense of justices and desire to do their part in maintaining them. (454)

[14] Nearly every study of American voting verifies this point. See, for example, Rosenstone and Hansen (1993).

[15] For a discussion of resources for political participation, see Verba, Schlozman, and Brady (1995: 270-2). On the structural resource constraint, see Cohen and Rogers (1983: Chapter 3). On the idea of falling below an absolute resource threshold necessary to participate in democracy, see Justice Thurgood Marshall's dissent in San Antonio vs. Rodgriguez and Amy Gutmann (1987).

[16] For an application of this idea in local democratic contexts, see Jane Mansbridge (1980). On the dubiousness of "bracketing" background inequalities in deliberative situations, see Nancy Fraser (1992).

overcome their resource poverty to participate in SLD because they believe that such participation will deliver desired goods such as improved education and public safety. This participation, in turn, advances the five democratic values described in Chapter 2. According to this weak egalitarian account, greater need and demand for improved public goods off-sets the obstacles to participation imposed by lack of resources. SLD expects that those who are worst-off will nevertheless be able to use this kind of democracy to their advantage, but that that they would participate more effectively and in greater numbers given additional resources. Indeed, one of the institutional functions of SLD's "supportive center" is to effect just this resource redistribution (chapter 9).

Because the institutions of SLD are nowhere fully realized, because the participatory community policing and site-based school governance are young and still developing, and because we examined only six cases in detail, the available empirical materials do not allow full evaluation of the strong egalitarian perspective against SLD's weaker egalitarianism. To complicate matters further, empirical differences between strong and weak egalitarianism are a matter of degree rather than kind; both views expect, *ceteris paribus*, higher quantity and quality of participation from better off parties. SLD expects that the admittedly lower levels of participation from those worse off will still be great enough to advance the core democratic values beyond levels realized by bureaucracies while the strong egalitarian doubts just this point; within a wide range, macroscopic empirical measurements of participation can be interpreted as supporting either the weak or strong view. Still, the available materials do allow us to begin evaluating the predictions of SLD against those of the strong egalitarian on three questions:

levels of participation across differently endowed neighborhoods, representativeness of

participants within neighborhoods, and the dependence of problem-solving effectiveness upon

neighborhood endowments.

First, the strong egalitarian expects that SLD participation levels of advantaged

neighborhoods will far exceed that of destitute areas. Wesley Skogan, an extremely close

observer of community crime prevention programs, has written in a survey of empirical studies

that

> the general lesson is that participation in anti-crime groups results from the same factors
> that stimulate general involvement in neighborhood affairs. Those factors are, above all,
> indicators of socio-economic status and class-linked attitudes concerning personal and
> political efficacy, extent of political information, and civic mindedness...[17]

However, city-wide evidence that compares neighborhood participation rates in

Chicago's community policing program weigh against strong egalitarian predictions and in favor

of SLD's more optimistic assessment. Annual studies of Chicago's community policing program

from Wesley Skogan and his colleagues at the Institute for Policy Research at Northwestern

University reveals that the pattern of participation in "Chicago reverses a common pattern across

the country, one in which participation in civic affairs and even crime prevention is higher in

better-educated, home-owning, and white neighborhoods" (Chicago Community Policing

Evaluation Consortium 1996: 21).

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[17] Skogan (1988: 53). As will become clear below, Professor Skogan has recently altered his view on this
point based largely upon the distinctive community policing institutions in Chicago. See Skogan and
Hartnett (1997).

To explore this trend, we use beat meeting participation data reported in police department records of meetings in each of the city's 279 beats between January 1995 and May 1997.[18] Nine of these beats were eliminated due to insufficient demographic or attendance data, leaving 270 beats in our data sample. These records report 5786 meetings, averaging 22 reported meetings per beat. For each beat, we constructed a statistic of beat meeting participation per 10,000 residents by dividing (i) the average number of participants in the average meeting for that beat by (ii) the number of adults living in that beat, and multiplying by (iii) 10,000. This data set also contained demographic data for each beat that was constructed from tract-level 1990 census data. The following table shows summary statistics for beat meeting participation rates (as the dependent variable) and a number of demographic variables: percentage of households who are black, percentage Hispanic, percent of adults with college degrees, median income, rate of personal crime in 1996,[19] and percentage of households that own their homes.

Table 11.2: Statistics for Beat Meeting Attendance Rate Variables

Groups	Mean	Std. Dev
Pct Black	49.5	43.0
Pct. Hisp	17.4	23.7
Pct. College	16.4	16.3
Median Income	24,055.3	9,727.3
Personal Crime Rate	84.5	50.7
% Own Home	38.1	22.5
Participation Rate	35.4	17.5

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[18] This data set was very kindly provided by Wesley Skogan at the Institute for Policy Research at Northwestern University.
[19] Personal crime crate is given as incidents per 1000 population annually, and includes murder, assault, battery, rape, and robbery.

We refrain from developing a full model of the causes of participation in community policing

meetings here because our purpose is more limited. In the first instance, we wish to use this data

explore the degree to which commonly accepted conditions of political participation, in

particular socio-economic advantage, work to exclude the less advantaged in reaping the

benefits of SLD institutions. Following completely standard expectations and models about

political participation, then, we treat the percentage of a neighborhood's population that is black

or Hispanic as a proxy for racial disadvantage, the percentage of college educated adults in a

neighborhood and its median income to be proxies for advantages in deliberative skills and

resources, respectively. The percentage of households in a neighborhood the own homes in

which they live to measure both economic advantage and neighborhood stability; previous

studies have found home ownership rates to be prime predictors of neighborhood engagement in

public safety programs and other forms of self help.[20] The personal crime rate in a neighborhood

is a proxy for the potential "demand" for police action, paid for with higher participation, and is

an important feature of this model that does not correspond directly with common predictors of

participation in other studies of political engagement.

The following table gives the OLS multiple-regression results for these six independent

variables as predictors of participation:

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[20] In our sample of 270 beats, however, percentage of neighborhood that is college educated turns out to be uncorrelated with percentage home-ownership, with a simple correlation coefficient of -0.07. Percentage home ownership and median income, however, are fairly strongly correlated with a

Table 11.3: OLS Regression Results for Beat Meeting Attendance Rate

	Coefficient, B	SE	Beta
Pct Black	0.0275	0.0444	0.0630
Pct. Hisp	0.1012	0.0673	0.1285
Pct. College	-0.2174	0.1405	-0.1894
Median Inc	0.0004	0.0003	0.1824
PersCrime*	0.2038	0.0397	0.5512
% Own Home	0.0804	0.1086	0.0967

R Squared = 0.275
Observations = 270

* Statistically significant at the 1×10^{-6} level of confidence.

As can be seen from the table above, the only statistically significant factor in this regression—an the one with the most substantial coefficient—is personal crime rate.[21] According to this model, a increase of 40 crimes per 1000 residents (mean personal crime rate in Chicago was 84 crimes per 1000 residents in 1996) corresponds to an increase in beat meeting attendance of 8 persons per 10,000 adults, or some 4 persons per meeting in a medium sized beat. The same predicted increase requires, according to this regression, an increase in neighborhood mean household income of $20,000 (almost doubling the mean neighborhood median household income of $24,000). Interestingly, the effect of percent college educated on beat meeting attendance is small, but in the *opposite* of the expected direction; the regression model finds that the controlled effect of increasing the number of college graduates in a neighborhood weakly reduces beat meeting attendance. A decrease of 8 monthly participants per

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correlation coefficient of 0.66. The magnitude of the standardized regression coefficients (betas) rise from -0.18 for % to -0.20 for %college educated and from 0.18 to 0.20 for median income.

[21] When %home owners is removed from the list of regression variables, both %College Educated and Median Income become statistically significant at the 0.01 level, indicating multicolinearity between these variables. .

10,000 adult residents corresponds with a 38% increase in percent of college graduates, tripling

the mean percentage of college graduates in the beats (16%).

While this finding is unsurprising in itself—people who live in high crime areas show up

to community policing meetings in greater numbers—it does weigh against the strong egalitarian

contention that disadvantaged individuals (many of whom live in high crime areas) lack the

resources to participate in decentralized democratic institutions.

Though participation patterns in Local School Council elections have been less well

documented and the trends themselves more equivocal, the data also weigh against the strong

egalitarian expectation that those in less well off areas will exhibit substantially lower levels of

participation. In their study of the 1991 Chicago Local School council elections, the non-profit

school reform organization Designs for Change (DfC) analyzed the number of candidates

standing for election to parent seats on Local School Councils according to student body

characteristics of race, income, and ethnicity. An average of nine parental candidates stood for

election at any given school,[22] and the study found no substantial relationship between levels of

parental candidacy and (i) percentage of Hispanic students, or (ii) percentage of African-

American students (Designs for Change 1991: 7). The study found a slight *positive correlation*

between the percentage of low-income students at a given school and the number of parental

candidates standing for election in 1991. Authors of that study did not report full regression

results, and so the correlation may have been statistically insignificant.

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[22] Recall from Chapter 4 that each LSC has six parental seats, two community seats, two staff seats, and a position for the school principal.

Using data from the 1996 Chicago Local School Council Elections,[23] we independently analyzed the relationships between school-level variables such as school size, percentage of students from low-income families at a particular school,[24] student mobility,[25] percentage of African-American students, and percentage of Hispanic students and two indicators of LSC participation: the number of parental candidates standing for election at each school[26] and the parent turnout at each school election.[27] Table 11.4 below gives descriptive statistics (at the school level) for these four independent and two dependent variables for the 465 elementary schools for which data was available.[28]

Table 11.4: Descriptive Statistics for 1996 School Elections:

Variable	Average	St. Dev.
Num. Parent Candidates	8.28	2.75
%Parents Voting	19.7	12.3
School Size (num. of Students)	661	283
%Low-Income	84.3	18.2
Mobility Rate	29.2	15.7
%Black	58.4	42.5
%Hispan	27.2	33.5

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[23] Candidate and turnout data were very kindly provided by Mr. Doug Dillon of Management Information Services at the Chicago Public Schools. Demographic information on schools was taken from Chicago Public Schools (1996).

[24] A student is classified as "low-income" just in case he or she is from a family receiving public aid, lives in an institution for neglected or delinquent children, is supported in a foster home with public funds, or is eligible to receive free or reduced price lunches. In 1996, approximately four-fifths of Chicago students are classified as low-income, while less than one-fifth of the students in the state of Illinois are classified as low-income. (Chicago Public Schools 1996: 3).

[25] Student mobility at a school is defined as the number of students enrolling in a school or leaving that school during a single school year. Students may be counted more than one.

[26] Recall that each LSC provides six positions for parent representatives.

[27] Parent turnout is given as the percentage of parents eligible to vote in the election who actually vote.

[28] There were 468 elementary schools in the city of Chicago in 1996. Election data for three of these schools was not available.

So, the average school had 8.3 parents standing in the 1996 LSC elections, and thus two of the

parental seats were contested. 20% of its parents turned out to vote for these candidates.

Demographically, the average school had 661 students, 84% of these could be classified as "Low

Income," 58.4% of the students were African-American, and 27.2% were Hispanic. Using this

data from the 1996 elections, we did not find the slight positive relationship between the number

of parents standing for election at a school and the percentage of low-income students at that

school; instead, we found no discernible relationship between these two variables at all. Figure

12.4 below groups schools according to percentage of low-income students,[29] and then charts

average number of parental candidates in the 1996 LSC election for that group of schools. The

error bars range of a 95% confidence interval for the population mean in each of the groups.

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[29] 56 schools ranged from 0% to 59.9% low-income students, 53 schools were in the 60%-79.9% category, 93 schools in the 80%-89.9% group, 144 schools had between 90%-95.9% low income students, and 119 schools fell into the most distressed category of 96%-100% low-income students.

Figure 11.2: Number of Parent Candidates vs. Percent Low-Income Students
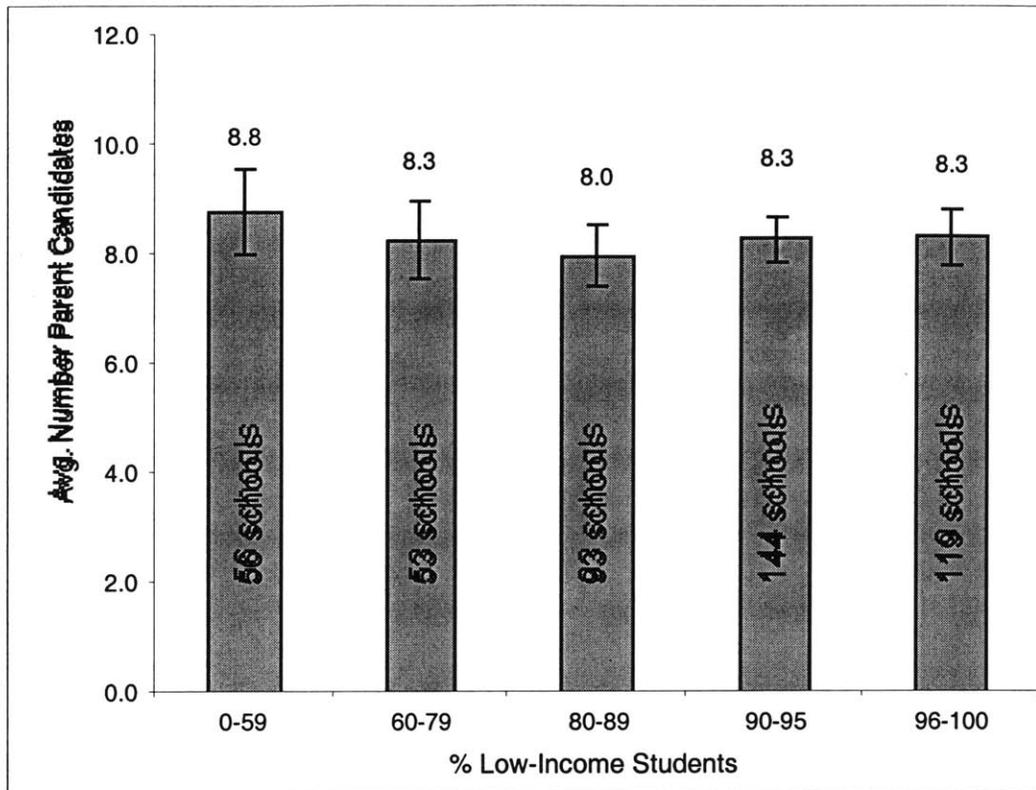
This lack of correlation between the number of parental candidates and obvious SES

school-level characteristics was verified by regressing the number of parental candidates against

school size, percentage low income students, mobility rate, percentage of African-American

students, and percentage of Hispanic students. The results of this multiple

regression—coefficients (B), standard errors, and standardized coefficients (Beta) are shown in

the left half of table 12.3 below. It should be noted that these variables explain very

little—approximately 7.5% (R^2) of the observed variation in number of parent candidates. Of the

five independent variables, only school size bears a statistically significant relationship with

number of parental candidates. This 1996 data therefore verifies the finding of the Designs for

Change 1991 study that there is no statistically significant relationship between the number of

parents that stand for candidacy at a school and race or ethnicity. Beyond this, note that the

magnitude of the coefficients on the statistically insignificant variables is quite low—a 50%

increase (almost three standard deviations) in low-income students would generate an increment

of only 0.25 additional parental candidates. To the extent that the number of candidates standing

for election at a school measures the willingness to participate in deliberative activities around

school improvement, the 1996 LSC election statistics reject the strong egalitarian expectation

that better-off neighborhoods and better-off schools will enjoy advantageous participatory

reserves of candidates willing to serve.

Table 11.5. Predictors of Participation in 1996 LSC Elections, OLS Results

Variable:	Num. Parental Candidates			Parent Voting Turnout Rate		
	B	*SE B*	*Beta*	*B*	*SE B*	*Beta*
School Size	0.002**	0.0005	0.246	____	____	____
%Low-Income	-0.005	0.010	-0.035	-0.183**	0.048	-0.272
Mobility Rate	-0.006	0.009	-0.037	-0.092*	0.041	-0.117
%Black	-0.007	0.008	-0.107	0.113**	0.037	0.390
%Hispanic	-0.003	0.010	-0.039	0.122**	0.045	0.334

R-Squared: 0.075   R-Squared: 0.064
Observations: 465   Observations: 465

* Coefficient is statistically significant at the 0.05 level of confidence.
** Coefficient is statistically significant at the 0.01 level of confidence.

The right hand side of table 11.5 gives reports the correlation between these same

demographic variables and a second measure of participation: turnout rate of parents in the 1996

LSC elections. Turnout rate for each school is defined as the number of parents voting divided by the number of parents eligible to vote at that school's election. We omitted school size from this regression. As with the first regression, these variables account for only a small fraction—6.4 percent—of the observed variance in parent turnout rates. Unlike the previous model, however, all explanatory variables are statistically significant; the poverty, race, and ethnicity variables of statistically significant at the 0.01 level of confidence for a two-tailed t-test, and student mobility is significant at the 0.05 level. The magnitude of the coefficient on low-income is small, but in the expected direction; as the percentage of low income students at a school increases, parent turnout rate declines *slightly*. According to the regression results, an increase of 25% in the portion of low-income students at a school corresponds to a decrease of 4.5% in the fraction of parents turning out to vote in an LSC election (see figure 12.5 below). Similarly, increases in student mobility (and thus decreases in school stability) produce small declines in parental turnout rates. Interestingly, the coefficients on race and ethnicity variables are also small, but in the *opposite* of the expected directions. Whereas previous studies have found that African-American and people of Hispanic backgrounds are somewhat less likely to vote than others,[30] higher proportions of black and Hispanic students in a school correlated with slightly higher parental turnout rates in the 1996 LSC elections.

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[30] See Rosenstone and Hansen (1993: 275) and Verba, Schlozman, and Brady (1995: 233).

Figure 11.3: School Parental Turnout Rate vs. Percent Low-Income Students
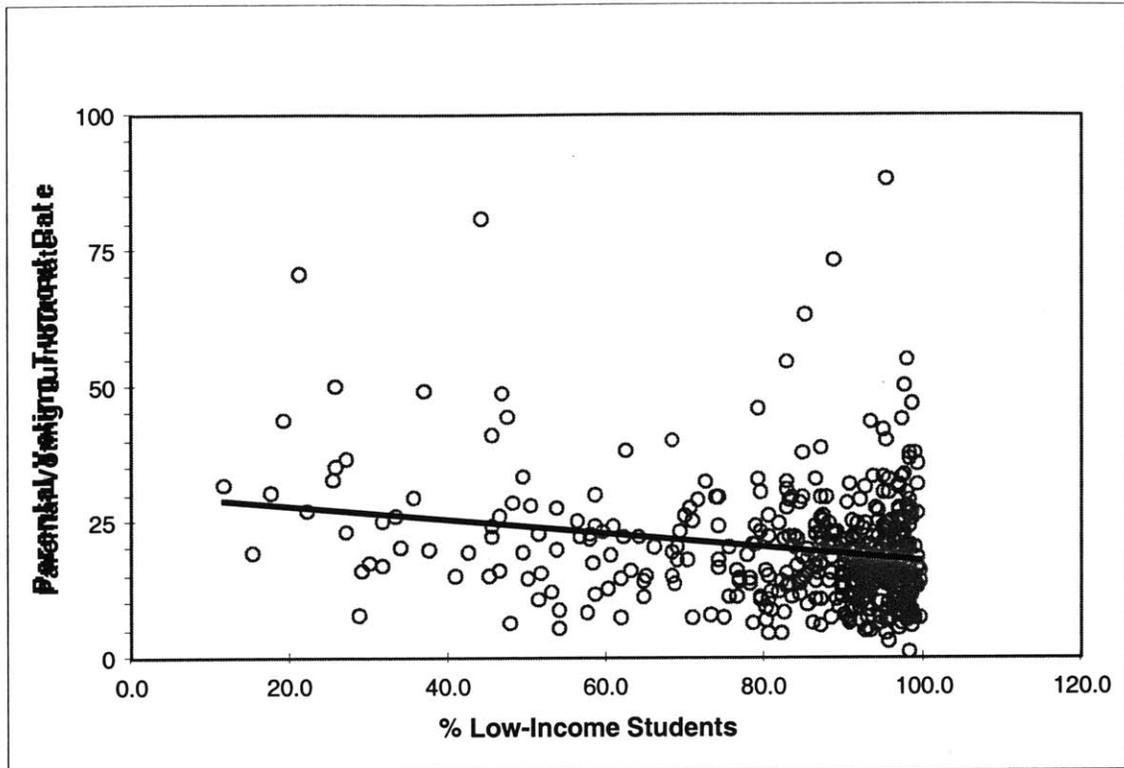
Demographic predictors of parental turnout in LSC elections provide limited support for strong egalitarian expectations about the correlation between class and participation, but the correlation is not strong enough to distinguish it from the weak egalitarian explanations of SLD in this regard. These data, however, do not bear out the strong egalitarian expectation that the most disadvantaged neighborhoods will exhibit very low levels of participation. First, the presence or absence of candidates better indicates neighborhood participatory capacity than voter turnout because those who serve on the LSC, not voters, must invest the time and mental energy required for LSC membership and for the SLD processes described above. On this candidate dimension, better off-neighborhoods cannot be statistically distinguished from the worst off

neighborhoods. On the dimension of voter turnout, we interpret the small magnitude of the

relationship between school poverty turnout to support the weak egalitarian expectation that

participation will be higher given more resources, but that even the worst off neighborhoods will

still find local democratic processes useful and will not be excluded from them.

These patterns of participation for both community policing and local school governance

institutions, considered across all of Chicago's neighborhoods, strongly disappoint the

expectations of the strong egalitarian. While these data demonstrate that people in low SES areas

enjoy substantive, not just formal, access to these participatory institutions, robust levels of

participation in across a range of neighborhood settings is of course a necessary but far from

sufficient condition to sustain SLD. These data are fully consistent, however, with SLD's

optimistic weak egalitarian prediction that disadvantaged citizens will overcome quite substantial

barriers to participate in institutions that credibly promise to reward such activity with concrete

improvements to the public goods upon which those citizens rely.

Conceding that available data disconfirm his expectations about inter-neighborhoods

participation rate variation, the strong egalitarian's second prediction is that participation biases

will manifest themselves within neighborhoods. As a weak egalitarian theory, SLD also expects

this same trend of bias. Presume, as we have, that the two factors that explain participation are

the demand for participation—captured in crime rate or local school quality—and the resources

that an individual uses to participate. Examining participation within a neighborhood holds the

first factor constant (since neighbors face largely the same school quality and threat of crime)

and so intra-neighborhood variations in participation will be explained principally by differences in the resources available to residents. SLD departs from strong egalitarianism, however, in expecting that, though substantially under-represented compared to their better-off neighbors, participation from worst-off individuals will nevertheless be high enough to generate deliberative decisions that benefit them. Participation data from community beats does indeed reveal an upper-class intra-beat participation bias. The figure below charts the proportion of beat meeting participants who own homes against the percentage of home-owners in the beat as a whole, for beat meeting held between January 1995 and April 1996.[31] Measurements falling on the line y=x would indicate equal representation of renters compared against homeowners, but almost all of the measurements fall above this line:

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[31] Home ownership is of course an imperfect measure of advantage. It is a dichotomous variable that does not capture difference among renters and among home-owners, and it may capture other relevant personal characteristics such as attachment to place. Nevertheless, it is the best non-case based measure of intra-beat inequalities that is available at this time.

Figure 11.4. Beat and Meeting Home Ownership[32]
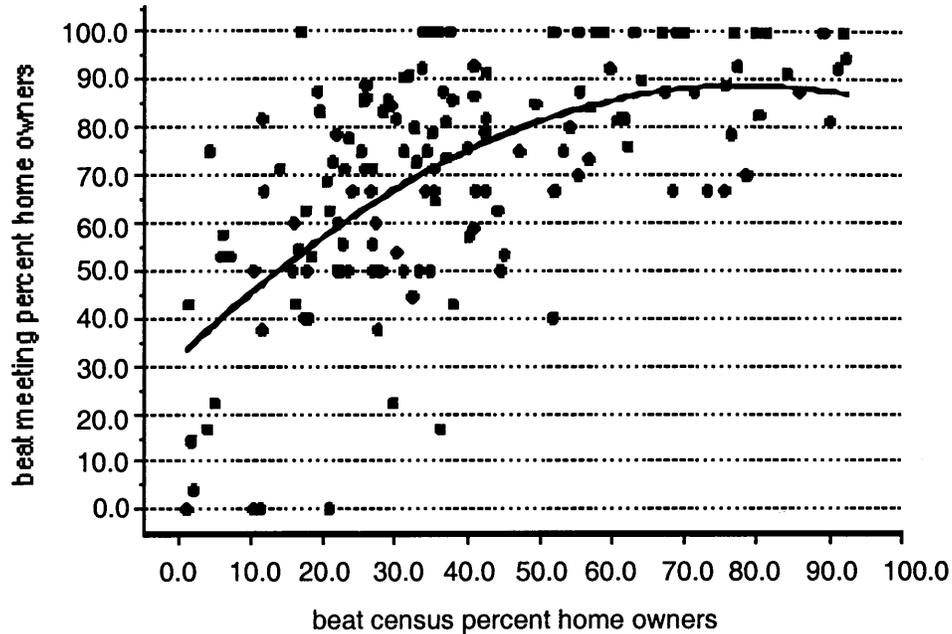
Extant data sets also suggest that representation bias within LSCs is also skewed toward

the more well off. The Consortium on Chicago School Research conducted a survey of all LSC

members in Chicago between May 1995 and February 1996 (Ryan, Bryk. et. al 1997). Using a

probability sample constructed from returned surveys, they found that the educational level of

LSC members in aggregate exceeded that of adults in Chicago. So, for instance, 13% of LSC

members in the probability sample lacked a high school diploma, while 34% of the adults in

Chicago had no high school diploma. Furthermore, this city-wide educational bias was

reproduced when examining the LSCs of individual schools. The report found that, "even in

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[32] This figure is based surveys of 2,610 beat participants in 165 representative beats, collected between
June 1995 and July 1996 by researchers at the Institute for Policy Research, Northwestern University. It is

schools with virtually all low-income students, the educational level of LSC members is almost equal to that of the general Chicago population" (Ryan, Bryk et. al 1997: 7). Treating educational level as a proxy for advantage, then, better off members of a neighborhood are disproportionately well represented in Local School Councils.

Since the participation of less well-off residents (renters and the better educated) is *low but still substantial* in most beats and LSCs, this empirical measurement is consistent with expectations of both SLD and the strong egalitarian theory. In order to distinguish between the two theories, we would have to know whether disadvantaged persons generally participate in community policing beat meetings at rates sufficient to assert and justify their priorities and solutions in the deliberative processes of SLD. This question itself turns on the character of deliberation in these meetings—in less deliberative processes, minorities must rely more on the strength of numbers than on the power of persuasion—and so further examination of the strong egalitarian predictions in this regard must await the case-level evidence presented in the following chapters.

Even if patterns in the quantity of participation do not meet the strong egalitarian's predictions, he may issue yet a third objection concerning the quality of participation and its results rather than its magnitude. This objection recognizes that many other factors aside from sheer participation contribute to the integrity of SLD processes. Many of these considerations

reproduced from Chicago Community Policing Evaluation Consortium (1996).

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(which we discussed in Chapters 6 and 7)—such as the general problem solving and deliberative

skills of participants, their technical expertise in areas such as budgeting, policing, and

education, the resources which each of them can contribute to group actions, organizational

connections to leverage resources, and participants' dispositions to cooperate with one

another—may be positively correlated to other dimensions of advantage such as income and

education. The strong egalitarian therefore predicts more wealthy participants in better-off

neighborhoods will generate positive outcomes with SLD much more easily, and frequently, than

those in disadvantaged neighborhoods.

Because the theory of SLD specifies distinctive criteria of procedural integrity and

successful outcomes, it is difficult to use existing data sets and secondary analyses to examine

this third strong egalitarian expectation. Four prior studies of the Chicago experiments, however,

do incorporate measures of procedural success similar to SLD's conception. Two of these studies

equivocally confirm the strong egalitarian hypothesis that better off residents will use SLD

institutions much more effectively than impoverished ones, and two of the prior studies reject

this prediction.

In 1993, researchers at the Consortium on Chicago School Research released a report

examining the effectiveness of the approximately 500 LSCs at Chicago elementary schools

(Bryk et. al. 1993). They constructed a dichotomous scheme of LSC problem solving success.

Unsuccessful LSCs pursued "unfocussed initiatives" that lacked coherent planning, implemented

"add-on" programs with little innovation or relation to one another, and failed to focus on core

teaching activities. Successful LSCs, on the other hand, conducted "systemic restructuring

activities" that exhibited a "shared, unified, coherent school vision," sustained debate on school

programs and goals, implemented changes to classroom practice, and focused staff development

programs (Bryk et. al. 1993: 15). The study found no relationship between economic advantage

and LSC success:

> the average percentage of low income students in the schools in these two groups
> ["unfocussed initiatives" and "systemic approach"] were virtually identical. That is,
> systemic approaches to school improvement are evident in the poorest schools as well as
> in relatively more advantaged ones. In general, the opportunities provided by PA 85-
> 1418 [the law creating LSC governance] for school improvement have been equitably
> accessed by schools across the system (Bryk et. al. 1993: 19).

A 1997 report from the Consortium (Ryan, Bryk et. al. 1997: 33-7), based on a city-wide

survey, compared characteristics of a group of 30 LSCs deemed to be most productive against

another group of 30 deemed to be least productive. "Productivity" was defined as the ability of

an LSC to execute its legally mandated functions of school improvement planning, principal

selection, and school budgeting (see chapter 4). Three findings of this report are worth noting;

two of them reject the strong and weak egalitarian hypotheses, while the third supports the

egalitarian contention. Unfortunately, authors of this report do not provide quantitative

descriptions of these findings, and so our interpretations of the data must remain tentative. The

study found first that "parents and community representatives on the most productive councils

have a slightly *lower* educational level than members on the members on the least productive

councils. About 60% of the members on the most productive councils are likely to have at least

some college as compared to nearly 70% of the members of the least productive councils."[33]

The Consortium's second notable finding is that "when we focus on the most productive

councils, they are located all across the city in virtually every neighborhood. This finding on

LSCs extends results from our earlier reports that the opportunities created by the 1988 Reform

Act have been broadly seized across the various neighborhoods of the city" (Ryan, Bryk et. al.

1997: 34). The third finding, this one by contrast confirming the weak and strong egalitarian

expectations, is that "the 30 least productive councils... are more likely to be located in

neighborhoods with high concentrations of poverty" (Ryan, Bryk et. al. 1997: 34).

The other two reports examine problem-solving success in the context of community

policing. The Institute for Policy Research at Northwestern University surveyed the efforts of

354 civilian participants of the Joint Community Police Training Program (see Chapter 5) in late

1995 (Chicago Community Policing Evaluation Consortium 1996: 53-60). Respondents reported

that their groups discussed a total of 693 problems, and they attempted to solve 63% of these.

The study found that

> There were differences in demographic groups in terms of the likelihood of trying to
> solve problems... The longer people had lived in their current neighborhood, the more
> likely they were to try to solve problems. There were no important differences across
> levels of education or between home renter and owners... *Those living in households with
> an annual income of less then $10,000 tried to solve problems half of the time, while
> those in households with an annual income of $40,000 or more tried to solve problems
> three-fourth of the time.* Half of the Hispanics attempted to solve the problems they listed,

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[33] Ryan, Bryk et. al. (1997) p. 31. Note that 41% of the adults in Chicago had at least some college
education in 1995. 46% percent of LSC members surveyed in schools with over 90% low-income students
had at least some college education.

while about two-thirds of whites and blacks tried to solve the problems they listed. (emphasis mine, Chicago Community Policing Evaluation Consortium 1996: 55)

This finding provides only weak support for the strong egalitarian expectation of upper-class problem solving bias. The support is weak first because the differences in problem-solving propensity correlate with only one of three measures of class advantage—income, but not education or home ownership. Second, the bias within neighborhoods supports SLD weak egalitarianism as well as the stronger version that objects to SLD. If we assume a zero problem-solving opportunity cost,[34] then those in the least advantaged category still attempted to solve many problems that would have gone unaddressed in the absence of community policing institutions. It is fully consistent with the weak egalitarian view of SLD that this group of participants would have tried to solve even more problems—50% more—if each of them had the private resources associated with a $30,000 increase in annual income.

Finally, a more recent study from the Institute for Policy Research examined the problem solving efforts of fifteen Chicago police beats in some detail (Chicago Community Policing Evaluation Consortium 1997: 95-132). Using case study methods that examined the level of police and community involvement and efficacy, the report categorized these beats according to four levels of success: excellent, reasonable, struggling, and failing. The cross tabulation presented in table 11.6 below was produced from the results of this study and shows the number of beats in each category according to three grades of median family income (according to its quartile ranking within the City of Chicago) in the neighborhood:

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[34] Establishing the actual opportunity costs of participation in SLD would require a counter-factual examination of what these participants would have done—and how effective these actions would have

Table 11.6: Beat Problem Solving Success vs. Median Family Income

Problem Solving Success:	Median Family Income Quartile of Neighborhood (relative to Chicago)		
	0%-25% (poor)	*25%-75% (middle)*	*75%-100% (wealthy)*
Failing or Struggling	1	4	1
Reasonable	2	1	2
Excellent	3	0	1

The strong egalitarian predicts that neighborhood efforts will cluster in the upper left hand corner

(poor neighborhoods, failed efforts) and bottom right hand corner (wealthy neighborhoods,

successful problem solving) of this cross tabulation. The limited cases examined by the Institute

for Policy Research show no such clustering; poor neighborhoods seem to exhibit slightly better

problem solving programs than those neighborhoods with median incomes in the upper three

quartiles. Three of the four programs ranked as excellent come from poor neighborhoods, and

only one of the six failures is in the poorest of beats. The results of this study, then, disconfirm

the strong egalitarian's prediction that successful problem solving will be associated positively

and strongly with neighborhood advantage.

11.4. Social Unity

In addition to these rational and strong egalitarian perspectives, theorists favoring social

unity also hold rather pessimistic expectations for the performance of SLD's participatory

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been—about the problems on their lists in the absence of community policing. That discussion lies

democratic institutions. Historical referents and theorists of direct democracy and Republicanism

both presumed polities that were homogenous with respect to race, gender, history, and culture.

The Athenian Assembly in the 5th century, B.C., was hardly an inclusive forum. According to a

law passed by Peracles, the Assembly admitted only male citizens—whose status was conferred

by both parents being Athenian citizens—and thus excluded women, slaves, and free

immigrants.[35] On the theoretical dimension, both Rousseau (1987) and Montesquieu (1989) saw

homogeneity as a pre-condition for the success of democratic institutions. Those who lament the

supposed passing of shared commitments and civic identities might predict SLD's failure

because the unitary social conditions that it requires do not obtain in many modern settings. The

theoretical discussion of SLD in Part II responded to this criticism by arguing against that its

participants need not share any deep solidarities in order to deliberate successfully about

common problems. Sustaining this claim depends in part on the empirical experience with street-

level democratic institutions, to which we now turn.

   As a representative of the view that participatory institutions like SLD can only be

successful given high levels of social unity, consider the view of Robert Putnam (1993, 1994,

1995, 1996).[36] In his recent study of Italian regional governments, Putnam argued that the

performance of political institutions depends in large measure on the extent to which its citizens

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beyond the scope of this present discussion.
[35] See Aristotle (1891), sec. 26; Davies (1993).
[36] We consider here only dimensions of unity and homogeneity that are socially constructed—such as values, norms, trust, and membership in associations—and omit the ascriptive dimensions of race, ethnicity, and gender. No communitarian or civic republican recommends purifying polities along those dimensions.

share a thick, common, and difficult to acquire culture of norms, trust, and networks.[37] Because

face-to-face institutions might depend even more heavily on this social capital than the

conventional representative institutions and because many urban neighborhoods lack just those

stocks of social capital, this perspective would seem to regard SLD as an especially foolhardy

reform proposal given contemporary urban conditions. Like the strong egalitarian perspective,

this view predicts that those areas rich in social capital will be able to take advantage of SLD,

while areas low in social capital will lack the wherewithal to seize these democratic

opportunities. The theory of SLD, on the other hand, predicts that social capital will be helpful to

the extent that it aids in the acquisition of those skills and dispositions necessary for pragmatic

citizenship (see chapter 6), but that the presence of social capital is neither a necessary nor

sufficient condition for institutional performance. This simplest theoretical formulation of the

social capital hypothesis might be refined in many directions, but the basic form serves our

purposes here. Unfortunately, little of the secondary analysis and available data on the Chicago

school reform and community policing experiments bears upon the relationship between stocks

of social capital and institutional performance. A more elaborate formulation of the social capital

theory would therefore outstrip available data on these matters.

    As far as I know, only the recent Institute for Policy Research (IPR) study of community

policing, mentioned above, has investigated the effects of social capital on the Chicago

Alternative Policing Strategy. For each of the fifteen beats under investigation, the IPR

researchers constructed an measure of community capacity that included (i) neighborhood levels

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[37] See Putnam (1993), esp. Chap. 4 on "Explaining Institutional Performance." On the difficulty of building social capital in areas where it is absent, see Chap. 5 and Chap. 6, esp. 177-81.

of informal social,[38] (ii) involvement in neighborhood organizations, (iii) ability to extract

resources from outside organizations and bring them to bear on neighborhood problems

("downtown connections"), and (iv) political capacity.[39] This index of community capacity

provides, then, a rough measure of social capital.[40] The study found, strikingly, that

> there is no direct association between community capacity and CAPS implementation. In earlier sections of the report, measure after measure pointed to advantages shared by the same set of communities. The benefits of informal social control, organizational involvement, political mobilization, and downtown connections all seems to accrue to the same fortunate areas. They were also the most homogenous, stable, home-owning and affluent beats. However, it is *not* the case that better-off places with a home-grown capability for handling problems are also the beats where community policing is working best. Only [one beat] scored near the top on both dimensions.... To the contrary, four of the most highly rated beats [in terms of community policing] are to be found among those with relatively little community capacity.[41] [emphasis in original]

A similar study of social capital and school governance performance yielded very similar

findings (Ryan 1997). Researchers from the Consortium on Chicago School Research surveyed

LSC members about their organizational memberships to measure levels of "social capital" on

various LSCs. Fully expecting to find correlations between social capital and school council

performance, researchers were quite surprised to find no significant relationships between these

two variables. The data on this point are far from conclusive, but they allay first-order concerns

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[38] Measured by a survey question that asked whether a respondent would be likely to interfere if she witnessed incidents such as teenagers spray-painting graffiti, teenagers harassing an elderly person, and fights in front for her home.

[39] Measured as a combination of voter turnout rate and survey respondent likelihood of mobilizing against a neighborhood "take away"—such as the closing of a district police station.

[40] See discussion in Chicago Community Policing Evaluation Consortium (1997) at 108-110. This metric of "community capacity" was the Consortium's best effort to operationalize the concept of social capital in the context of community policing.

[41] Chicago Community Policing Evaluation Consortium (1997) at 130. Compare the figure on page 129 of that report to the figures in Putnam (1993) p. 151. Both figures plot cases in a two-dimensional space with social capital on the horizontal axis and institutional performance on the vertical axis. While all of Putnam's cases fall along the line Y=X, there is no obvious correlation in the figure from the IPR report.

that the lack of social capital poses an obvious and decisive barrier to practicing Street Level

Democracy.

11.5. The Politics of Difference

While social capital theorists worry that shared norms, values, and networks may not be

high enough to sustain democracy, feminist and cultural theorists who emphasize difference

between groups and individual—always attentive to the needs of minorities—contend that

deliberative forms of democracy presume unwarranted unity and thereby allow dominant parties

to silence others by legitimating their particular views and interests as general (Mansbridge

1980; Fraser 1992; Young 1990, 1996; Phillips 1993, 1996). While conventional pluralist

politics—characterized by Jane Mansbridge as "adversarial democracy"—encourage diversity

and disagreement, more deliberative or discursive alternatives seem to presume similarities and

strive toward consensus in suffocating ways. First, critics such as Iris Marion Young, Nancy

Fraser, and Lynn Sanders (1997) contend that deliberative modes presume that one culturally

privileged mode of communication—assertive, reason-giving argument—is the universal mode.

As a consequence, such institutions de-value other importance modes of communication such as

story-telling, rhetoric, greeting, and expression of need. Deliberative institutions thus favor

culturally specific styles of communication by failing to recognize that those styles are typically

possessed by culturally privileged—usually male, usually white—members of American society.

Young, for example, argues that:

> [The view of] Deliberative theorists... fails notice that the social power that can prevent
> people from being equal speakers derives... from an internalized sense of the right one

> has to speak or not to speak, and from the devaluation of some people's style of speech and the elevation of others. The model of deliberative democracy... tends to assume that deliberation is culturally neutral and universal.
>
> Deliberation is competition. Parties to dispute aim to win the argument, not to reach mutual understanding. Restricting practices of democratic discussion to moves in a contest where some win and others lose privileges those who like contests and know the rules of the game. Speech that is assertive and confrontational is here more valued than speech that is tentative, exploratory, or conciliatory. (Young 1996: 122-3)

A second criticism, powerfully documented by Jane Mansbridge and seconded by many others,

is that discursive modes of democracy aim at, and often presume, false agreement upon a

common good. In plural contexts where interests conflict and no such good is common, striving

toward consensus can

> stimulate conformity to the majority against one's own real interests... assemblies designed to produce feelings of community can thus backfire and intimidate the less self-reliant... those who have no trouble speaking in public defend their interests; it does not give the average citizen comparable protection. (Mansbridge 1980: 274)

These two criticisms target general formulations of deliberative democracy, and it should

be noted that specific features of SLD that depart from the formulations Habermas (1989) and

Cohen (1989) deflect the force of these criticisms somewhat. With its highly de-centered

architecture, SLD creates multiple, spatially and functionally dispersed, sites of participatory

deliberation and action. This proliferation of public spheres makes it more likely that many of

them will be constituted primarily, and thus controlled, by those excluded from more centralized

political processes. Distributing control in this way addresses the first criticism by creating

formal public spaces for many styles of discourse, in which the culturally privileged mode need

not dominate. It addresses the second criticism by providing opportunities to advance diverse

ends by creating many sites. Decentralizing the public sphere in this way conforms partially with

Nancy Fraser's prescription for "subaltern counterpublics that are... parallel discursive arenas where members of subordinated social groups invent and circulate counter discourses" (Fraser 1996: 123).

SLD's *pragmatic* deliberation mitigates some exclusionary tendencies of other formulations of deliberative democracy. Participants in SLD deliberate principally about how properly formulate common problems and how to solve those problems. Each step of this problem solving process (see chapter 7) is open to just the kinds of culturally subordinated communication validated by Young and Fraser—indeed it blurs the distinction between "affective" and "rational" modes of thought and speech. For example, the identification and prioritization of common problems usually involves the expression of concrete needs, often through narrative, rather than the articulation and defense of abstract positions and values. Beyond this, the aim of each participant in the process is to discover effective solutions to the problem; since listening carefully and considering alternatives is often a better approach in this endeavor than trying to "win the argument," pragmatic deliberation is likely to be less of a blood sport than feared by some critics. Finally, SLD demands a much thinner consensus than other forms of deliberation; it establishes tentative agreements about effective solutions rather than an enduring consensus on values or goods, and these agreements are always open to reconsideration and revision.

Given these differences between SLD and the models of deliberative democracy criticized by theorists of difference, it is not clear what empirical outcomes such critics would expect SLD institutions to yield. A strong critic of this vein might argue that SLD's similarities to other versions of deliberation are more salient than its differences, and thus that the exclusions

of the latter will also infect the former. In terms of aggregate participation patterns, this might

then translate to an expectation that women and people of color will participate in these

institutions less than men, and in particular white men.[42]

The available empirical evidence on participation in community policing diverges

surprisingly from the expectations of difference critics on this point. In its 1996 report, the

Institute for Policy Research surveyed 2,740 participants in the city-wide Joint Community

Policing Training Program.[43] They divided participants into seven categories according to

neighborhood race, ethnicity, and class demographics. Some results of the survey are shown

below (Chicago Community Policing Evaluation Consortium 1996: 48):

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[42] In her study of a town meeting, Mansbridge (1980: 113) found so statistically significant attendance bias
with respect to gender, though her theory might have predicted this. Mansbridge does write, however,
that "women attend town meeting[s] as often as men, but they say much less."
[43] See discussion in Chapter 5 and Chapter 8.

Table 11.7. Demographic Characteristics of J.C.P.T. Participants

Grouped Districts	% female	% black	% Hispanic	% white	% other	Number of Responses
Af-Am, worse off	64	93	2	4	1	660
Af-Am, better off	66	74	8	17	1	190
Hispanic & Af-Am	61	28	43	27	2	357
Hispanic & white	63	20	45	33	1	355
White home owners	54	9	7	81	3	360
White mobiles	60	45	9	42	5	217
Diverse	59	41	3	49	7	601
Total %	61	47	15	35	3	2740

In every neighborhood demographic category, substantially more women participate then men. Beyond this, there is no obvious ethnic or racial bias in any demographic category.

These findings about the gender bias in community policing participation is repeated by examining patterns of beat meeting attendance. Between 1995 and 1996, researchers from Northwestern University studied monthly community policing meetings in 139 of the city's 279 beats. Over that period, they observed 2,190 meetings, averaging 16 meetings per beat. Using

this data, we constructed a measure of gender bias for each beat by subtracting (i) the percentage

of adults in living in a beat who were women from (ii) the percentage of participants in that beat

who were women (over all of the beat's observed meetings). Thus, a gender bias result greater

than zero indicates that women were over represented in a beat's meetings, and under zero

indicates that they were under represented. The following historgram charts frequency of gender

bias levels for all of the 139 observed beats:

Figure 11.5: Gender Bias in Beat Meeting Attendance
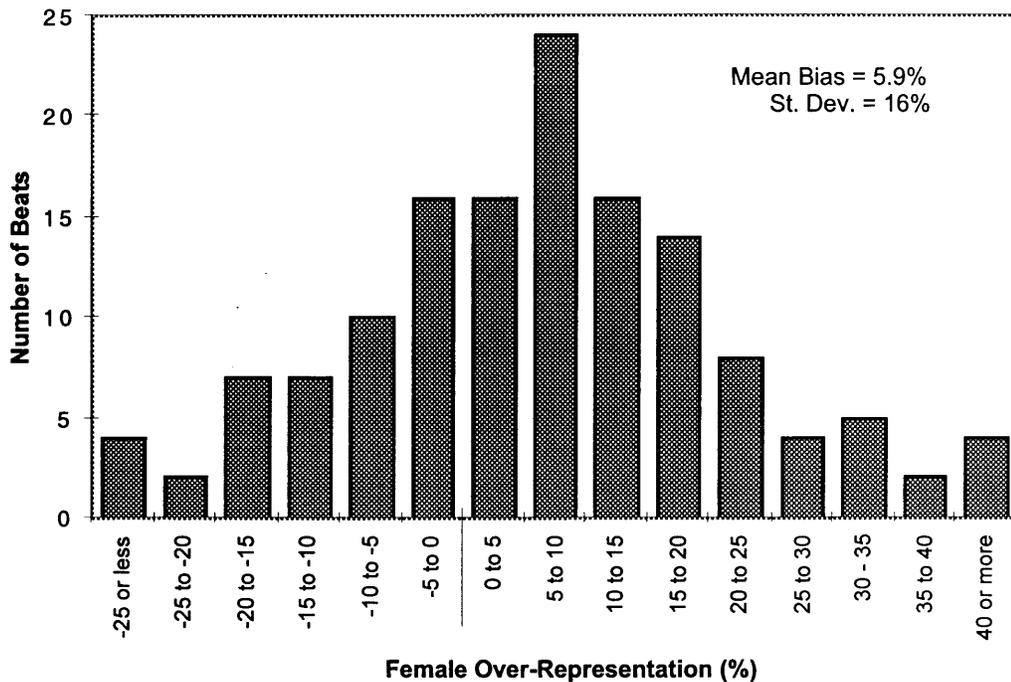
The average gender bias over these 139 beats was 5.9%. Using a two-tailed t-test, the hypothesis

that the means of a sample consisting of the percentage of adults living in each of the 139 beats

who are women and a sample consisting of the percentages of participants in meetings in each of

the 139 beats who are female can be rejected at the 0.01 level of confidence. The results of a t-

test comparing the means of these two samples are shown in the table below:

Table 11.8: T-test for Statistical Significance of Gender Bias

	Pct. Fem in Mtgs	Pct. Fem in Beat Pop.
Mean	58.2	52.3
Variance	267.2	7.2
Observations	139	139
Pearson Correlation	0.11	
Hypothesized Mean Difference	0	
t Stat	4.3	
P(T<=t) one-tail	1.6E-05	
t Critical one-tail	1.7	
P(T<=t) two-tail	3.3E-05	
t Critical two-tail	1.98	

Similarly, survey data from Local School Council members also reveals a substantial

gender bias in participation: approximately 70% of Local School Council members are female.[44]

Regarding race and ethnicity, studies show that African-American and Hispanics participate

actively in local school council governance. According to the 1997 survey conducted by the

Consortium on Chicago School research discussed above, 42% of LSC members are African-

American (38% of Chicago's population is African-American, 14% of members are Hispanic

(compared to 20% of Chicago population), and 40% of them are white (38% of Chicagoans are

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[44] Personal communication with Susan Ryan, Consortium on Chicago School Research, regarding unreleased data sets from Local School Council member surveys.

white, non-Hispanic). The authors of that report conclude that "the racial ethnic composition of individual councils tends to resemble the race and ethnicity of the students in the schools (Ryan, Bryk et. al. 1997: 11).

Some data from integrated settings, however, bears out predictions of theorists of difference regarding representation. In mixed ethnicity schools where the student body averages 50% white, for example, an average of 85% of the LSC members are white (Ryan, Bryk et. al. 1997: 10-11). While the data on participation in community policing in Table 11.5 indicates fair representation, other data indicate that when Hispanics constitute only a minority of a neighborhood's population, they tend to be under-represented at community policing beat meetings. The IPR's 1996 report find that "Hispanics did not start turning out in large numbers [to beat meetings] until they made up about half of the population of the beat. Then their attendance rate grew quickly" (Chicago Community Policing Evaluation Consortium 1996: 35).

On the dimensions of presence and representation, then, available data on aggregate participation in Chicago community policing and school reform programs offer mixed support for the skeptical predictions of theorists of difference. While these organized sites of deliberation by no means exclude women as measured by attendance—they constitute numerical majorities—minority members participate less in integrated contexts. Even there, however, "under-representation" more accurately describes the statistical profile than "exclusion." Furthermore, the numerous decentralized sites of political participation offered by the SLD reforms of school governance and community policing create opportunities for the public engagement of just those people of color that simply did not exist before the reforms. In the words of school reform observers, "the institution of Local School Councils... has allowed

approximately 1,800 African-American parents and community residents to serve as elected

officials and to gain the skills associated with this experience. They represent an overwhelming

percentage of the minority elected public officials in Illinois" (Ryan, Bryk et. al. 1997: 11).

But presence does not entail respect; simply showing up doesn't mean that others will

listen or that one's concerns will be heeded. Even if patterns of presence differ from those

predicted by a theorist of difference, he may still argue that these measures are too crude to

detect exclusions that occur despite favorable representation of women and the proportionate

presence of people of color. His second prediction, then, is that within such meetings, members

of disadvantaged groups will suffer systemic domination. Such individuals may be less likely to

speak up that more articulate, aggressive, and culturally advantaged participants. Along the lines

described above, their modes of communication may be systematically ignored because they do

not conform to modes of argument and reason-giving privileged by "deliberative" expectations.

Unfortunately, existing studies of school governance and community policing have not amassed

evidence that can establish whether this more subtle mode of cultural domination is common in

either the community policing or school governance reforms of Chicago. Our case studies will

therefore be attentive to such mechanisms of silencing and domination.

11.6. Technocratic Elitism

A fifth family of perspectives focuses on problems of competence rather than rationality

or fairness. This view's principal objection is that ordinary citizens will lack the specialized

knowledge and habits of thought necessary to make effective decisions in complex

administrative areas such as education and policing. This ignorance, harmful enough under

representative systems of government, cripples even more intensely when ordinary citizens are

given real voice over technical operations, as in SLD. One version of this objection comes from

efficiencies generated by specialization and divisions of labor; professionals, by virtue of their

training, experience, and constant exposure, will be better positioned than lay-persons to make

problem-solving decisions.[45] In another version of this objection, Joseph Schumpeter (1942: 262)

argued that political arenas often stupefy otherwise competent individuals. James Wilson

combined both of these objections when he argued against local democratic control of city

police, writing that "It is hard enough to run a good police department when it is subject to

second-rate politicians in city hall; it would be much harder if it were subject to fourth-rate

politicians in the wards and neighborhoods" (1968: 286). This elite theory,[46] then, supposes that

the demands of specialization limit the number qualified to make or supervise technical decisions

to a small minority.

While SLD certainly recognizes the importance of competence, it offers three general

responses (see Chapter 9.2) to elite theory. First, SLD reduces complexity and the cognitive

burdens of problem solving by devolving important decision-making along both territorial and

functional dimensions. Second, SLD provides explicitly for policy and skill specific citizen

training; it does not presume that the knowledge and talents that participants acquire outside its

processes sufficiently equip them to execute their duties, and so resources for training and

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[45] See discussion of the justifications of bureaucracy in Chapter 9 above. See also the discussion of the constraint of complexity at 2.3. Robert Dahl (1989: 333) has written that this distinction between expert and lay-person poses a greater obstacle to democracy than even inequalities of economic class.
[46] Robert Dahl calls this system "guardianship."

technical assistance are important features of its institutional design. In our concrete example of school governance, Illinois state law requires LSC members to undergo mandatory training in school financing, strategic planning, and principal selection. Several initiatives within the context of Chicago community policing have created teams of trainers that circulate among neighborhoods to provide problem-solving instruction. Finally, SLD presumes that some of the skills and talents required for effective public problem-solving do not fall easily into disciplinary or professional categories, and that professional habits can inhibit constructive innovation by constraining proposals to those that conform to professional orthodoxy. From this perspective, the diversity of views, talents, and experiences that non-professional citizens bring can manifest itself as strength rather than ignorance.

Along these lines, police supervisors and independent policy evaluators view officers who use only "traditional police approaches"—such as increased patrol and surveillance—as failures in community policing and those who devise innovative solutions as successes. Explicitly, the police department has begun to look unfavorably toward those who do not manage to transcend the canonical expert procedures and methods[47] instilled by its own instructional apparatus. Engaged citizens, then, might help generate these imaginative solutions. In so much as the general skill of problem-solving contributes to effective public action, SLD's optimism about the value of citizen participation is buttressed by some expert's lack of confidence in their own abilities. In a 1994 survey of Chicago police officers, only 16% felt very

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[47] Because those procedures and methods, in turn, are widely perceived to be ineffective.

qualified to identify neighborhood problems, and only one in ten felt qualified to develop or

evaluate solutions (Skogan and Hartnett 1997: 77-8).

These two sets of arguments, then, offer different predictions about how citizens and

officials will act, and interact, in SLD's institutional context. Elite theory predicts either that

citizen voices will make no substantial contribution to problem-solving or, worse, that popular

participation will degrade the quality of problem solving because citizens will make uninformed

and unrealistic demands and proposals.[48] SLD, on the other hand, predicts that ordinary citizens

can overcome the barriers of ignorance though brief training and through participation, and that

those who do so will make important contributions in both devising and implementing problem-

solving strategies. Unfortunately, very little of the secondary analysis of Chicago's reforms have

developed data necessary to examine this hypothesis on the city-wide level. Perhaps the most

obvious operational prediction of the elite perspective is that local units (schools, police beats)

which exhibit the lowest popular participation will operate most effectively. When citizens don't

show up, they cannot waste the valuable time of experts, nor can they obstruct problem-solving

with unfeasible proposals. Unfortunately, the axioms of Chicago school and police observers

eliminated this possibility from their perspectives. Increased community participation has been

treated as part of the definition of success rather than a possible cause of failure in all of the

secondary studies on Chicago school reform and community policing that have examined this

question.

We therefore turn to less direct, more contentious, attitudinal evidence to test the elite

perspective. If it is true that lay-participants add little to or obstruct organizational progress, then

we would expect experts themselves—teachers, principals, and police officers—to agree on this

point.[49] In June of 1992, the Consortium on Chicago School Research administered a survey on

school governance to all elementary and high school principals in the city.[50] The results of that

survey do not bear out the prediction of elite theory that lay-participants add little value. When

asked whether the LSC "contributes to academic improvements" 58% of principals agreed or

strongly agreed, while 20% disagreed or strongly disagreed. When asked whether the LSC

participated in developing the School Improvement Plan, 77% agreed or strongly agreed, while

13% disagreed or strongly disagreed. When asked whether the "LSC pressures me to spend

money in ways that I think are inappropriate," 87% of responding principals disagreed or

strongly disagreed.

Surveys of police opinions about the value of resident contributions to problem solving

map less crisply onto elite theory predictions. The surveys that have been administered to police

officers ask about their attitudes and prospective opinions rather than concrete problem solving

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[48] So far as I know, this matter has not been studied in decentralized democratic contexts like SLD. However, it roughly mirrors concerns about "demand overload" in mass democracies as articulated by, e.g., Huntington (1975).

[49] Of course, the self reported attitudes of elites may view the role of lay-participants more generously than reality warrants because the experts themselves are charitable or because they do not wish to disappoint researchers or supervisors. The surveys reported below did not control for nor attempt to detect these deceptions.

[50] The response rate to this survey was 83%. Survey results appear in Consortium on Chicago School Research (1992).

experiences, and so these data do not directly gauge whether police officers' opinions about the

value of citizen participation more closely match the predictions elite theory or of SLD. Overall,

surveys of Chicago police reveal that they, like police in other large cities, are quite pessimistic

about the attitudes of civilians. In a 1993 survey, half of responding police officers agreed that

"most people do not respect the police," and two-thirds agreed that "citizens don't understand the

problems of the police" (Skogan and Hartnett 1997: 78). Despite this dim view of police-resident

relations, police officers were relatively sanguine about the potential contribution of residents to

problem solving around crime and public safety issues. 53% of police officers agreed that

"Citizens know more about what goes on in their area than officers who patrol there" and 74%

agreed that "police officers should work with citizens to try and solve the problems in their

beat." Beyond this, police officers in 1993—before the implementation of Chicago community

policing institutions—worried that citizen involvement would jeopardize police autonomy. More

than 60% of police respondents thought that community policing reforms would create "greater

demand on police resources," while more than 70% thought that they would result in "more

unreasonable demands on police by community groups" (Skogan and Hartnett 1997: 84). This

same survey was administered to police officers again in 1995, after two years' experience with

the reforms, substantially fewer officers thought that community policing would reduce their

autonomy or create unreasonable demands (Skogan and Hartnett 1997: 107).

Survey evidence from Chicago school reform, then, disconfirms the predictions of elite

theory and weighs in favor of SLD; a majority of principals report that their LSCs—constituted

primarily by lay participants—contribute constructively to educational practices and school

improvement planning and do not clamor for unreasonable expenditures. Attitudinal evidence from the community policing experiment offer mixed support for elite theory; against it (and in favor of SLD), police officers seems to feel that ordinary citizens have the potential to contribute to problem solving, and that such a partnership would be desirable. On the other hand, they seem to feel that such working partnerships are unlikely because residents do not understand police problems and will use the powers of partnership to mount unreasonable demands. Consistent with the pragmatic capacity for ironic revision (6.1), officers mellow somewhat in these negative assessments after they gain some experience with SLD's participatory institutions. Unfortunately, surveys of police did not ask officers, as the analogous instruments for school reform did, whether citizens made constructive contributions or unreasonable demands in the course of actual problem-solving interactions.

This chapter has drawn on a large body of city-wide empirical evidence—numerous secondary studies supplemented with original analysis—to investigate the most damning first-order objections to the operational claims of Street Level Democracy. We constructed those objections in the form of five imaginary critics—the strong rational choice theorist, the strong egalitarian, the social unity/communitarian theorist, the theorist of feminist or cultural difference, and elite technocrat. Since the claims both SLD and these critics are based upon deeply held but nevertheless speculative suppositions about the behavior of citizens and officials, only empirical evidence can settle the debate. We therefore investigated each perspective's critical claims about political participation under SLD using available secondary and city-wide empirical evidence. Rather surprisingly, these data validated few of the critics' empirical expectations and thus have

and cleared the way against common and important first order objections to SLD's proposal for direct, pragmatic, deliberative democracy.

These data, however, leave SLD as something of a residual theory. As a general matter, the level and character of participation in Chicago's neighborhoods irrespective of local conditions is high enough to conduct deliberative problem-solving in community policing and school governance. However, the data could not reveal the extent and fashion in which such activity occurs. We must turned to more fine-grained types of evidence to probe the subtle operation of these processes themselves. The next four chapters address these issues using six neighborhood-level case studies of Street Level Democracy in action.

Chapter 12:

Exploring SLD In Six Communities of Inquiry

12.1. The Need for Case Studies

Though far from dispositive, the variety of city-wide data presented in the previous

chapter provides some empirical ground for optimism about the potential of Street Level

Democracy as an institutional method of functional urban governance. At that rough level of

resolution, the past few years' experience with these new forms of school governance and

community policing were able to overcome first-blush objections against SLD from the critical

perspectives that we considered—strong versions of rational choice theory and egalitarianism,

social capital theory, a theory of difference, and an elite-technocratic perspective. However,

these large-N comparisons addressed only the roughest inputs (e.g. neighborhood wealth and

racial characteristics) and outputs (e.g. participation rates and other characteristics of

engagement, participants' satisfaction with SLD processes or outcomes). That data was unable to

assess more fine-grained claims about democratic proposals, institutional mechanisms, and the

effects of those mechanisms that the theory of Street Level Democracy has constructed in earlier

chapters (6-10). This chapter introduces six neighborhood-level case studies and describes the

empirical strategies with which we shall examine many of these speculative hypotheses. These

case studies evaluate SLD's claims and various criticisms of it in much more detail than was

possible with the kinds of data deployed in Chapter 11. While six-case studies cannot construct a

definitive argument for a theory as broad-ranging as SLD, this final part of the argument begins

to fill a gap that frequently separates theoretical treatments of deliberative democracy from

empirical research. Most academic work on deliberation has focused on the theoretical

conditions, justifications, and hoped-for outcomes of deliberation at the cost of ignoring how

people actually deliberate. The case studies addresses this silence in the academic work by

documenting and probing the practice of SLD-structured deliberation in six instances.

To reiterate, the normative and predictive theory of Street Level Democracy constructed

thus far presents too many mechanisms, variables, hypotheses, and probabilistic relationships to

be tested thoroughly be a handful of case studies. Instead, these case studies aim to fulfill two

more modest goals. First, the cases empirically elaborate the nature of parties and mechanisms

that have thus far been described rather abstractly—pragmatic citizens, communities of inquiry,

central agencies that facilitate rather than direct, problem solving deliberation (Chapters 7-9),

and the mechanisms of efficiency and fairness laid out in chapters 10 and 11. Second, the case

studies examine what I anticipate to be the most common and damning criticisms of SLD. In

chapter 11, we articulated some commonly asserted conditions for successful deliberation—high

levels of material and/or cognitive resources (strong egalitarianism), cultural homogeneity or

shared histories (social unity), or professional training (technocratic elitism). Using city-wide,

aggregate data, we found that these conditions did not appear critical to the success of SLD. The

limitations of those data, however, left many of SLD's potential failures and pathologies

unexamined. For example, though residents of poor neighborhoods participated in SLD

institutions at least as frequently as those from wealthier neighborhoods, the quantitative data

could not address the relative capacity of each group to utilize these new democratic institutions. Though many more women participated in these institutions than men, we were unable to determine whether men dominated the proceedings despite their numerical weakness. Though heterogeneous neighborhoods drew diverse participants, we could not tell whether participants from different groups typically behaved as adversaries or whether they deliberated constructively. Similarly, though both educational and policing professionals responded that lay-participants played important and constructive roles, the data could not determine whether or not professionals set the agendas and performed the "heavy-lifting" of developing and implementing strategies, or whether citizens participated as equals in public decision and action.

We attempt to advance these two parts of the argument by examining three sets of hypotheses that relate the *institutions* of Street Level Democracy to its *democratic performance*. We define democratic performance as the level of realization of the core democratic values discussed in chapter 2: the effectiveness and fairness of public action, its deliberative character, and the autonomy and solidarity of citizens. The three general questions that organize the case studies that make up the rest of this volume are:

(i)   How well does SLD perform (in terms of advancing democratic values) as a

       function of initial neighborhood conditions such as poverty, inequality, and

       diversity?

(ii)   Given a set of initial conditions and prior institutions (that I have characterized as

Command-and-Control) in a neighborhood, does SLD perform better than the

institutions that came before it in terms of advancing democratic values?

(iii)   Finally, do city-wide SLD institutional reforms such as Chicago School Reform and

Community Policing set into motion the ground-level micro-mechanisms of fairness

and effectiveness that the theory of SLD postulates?[1]

The case investigation proceeds by stating each of these questions in the form of an

extended hypothesis about the sources of Street Level Democracy's success or failure. The first

hypothesis, discussed in 12.2 below, asserts that democratic performance of SLD depends upon

the existence of favorable neighborhood-level "initial conditions," and that the relative

democratic performance of different neighborhoods governed under SLD institutions will

therefore be a function of those underlying conditions. Along these lines, one frequent criticism

of proposals like SLD is that they yield positive outcomes only under certain narrow

conditions—wealth, education, homogeneity—and that therefore their benefits will accrue only

to those who are already well off.[2] Recall that chapter 11 presented substantial, but not

conclusive, data against these hypotheses about the importance of wealth and uniform interests.

To further probe these claims, the case studies will attempt to gauge the relative democratic

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[1] See the discussion in chapter 7 on the five step deliberative problem solving process and chapter 9 on mechanisms such as complex coordination, studied trust, directed discretion, institutionalized innovation, and enhanced civic engagement.
[2] Two varieties of this general criticism were examined using city-wide neighborhood comparisons in chapter 11. Section 11.2 examined the "strong egalitarian" objection to SLD while Section 11.3 evaluated criticisms stemming from the "Social Unity" perspective.

performance of SLD under various sets of "initial conditions." In particular, we compare the

(inter-case) *relative performance* of SLD in neighborhoods that enjoy very favorable conditions

to that of neighborhoods characterized by levels of blight and social conflict that are frequently

considered very unfavorable to democracy.

The second hypothesis, discussed in section 12.3, compares the democratic performance

of SLD institutions against the hierarchically organized school and police system that preceded it

in each of the cases. In Chapters 6-8 and especially in Chapters 9 and 10, we argued that SLD

will outperform Command-and-Control organizations on the fairness and effectiveness

dimensions of democratic value. A critic could easily make the opposite argument that

Command-and-Control systems will generally out-perform SLD institutions in terms of realizing

our core democratic values. To shed light on this question of democratic performance under

different governance regimes, we will attempt to make rough (intra-case) assessments of whether

the advent of SLD reform to prior command-and control arrangements advanced core democratic

values in each of the case-study neighborhoods.

The third hypothesis (discussed in 12.4 below) contends that the democratic success of

SLD can be attributed to its deliberative procedures and mechanisms rather than to favorable

"initial conditions." In chapters 9 and 10, we speculated that SLD advances core democratic

values by setting in motion various kinds of mechanisms (directed discretion, complex

coordination, institutional learning, civic engagement, and reasonable deliberation). We will

examine the extent to which each of these mechanisms obtained in each of the cases, and the

extent to which the presence or absence of these mechanisms explained the fairness and

effectiveness of outcomes. This third hypothesis supposes that the institutional mechanisms of

SLD do the work of advancing democratic values. If, for example, a community policing or

school governance group fails to follow the deliberative problem solving procedure prescribed in

chapter 7, then it will be less likely to advance core democratic values. According to this

hypothesis, democratic success is driven primarily by the extent of SLD implementation. Each

case study will closely examine the processes of deliberation and problem solving to gauge

whether any gains for democratic values can be accurately attributed to SLD rather than other

unanticipated and un-theorized factors such as luck, dedicated community activists or

professionals, or conventional local political processes.

12.2. Initial Conditions: Six Cases In Three Neighborhoods

I examined problem solving deliberations in three elementary (K-8) Local School

Councils and three community policing groups over the period of February 1996 Until August

1997. These six cases were distributed over three Chicago neighborhoods, with one school and

one policing group in each neighborhood. For ease of reference, I given each of the three

neighborhoods an alias: "Central," "Southtown," and "Traxton."[3] Continuing this anonymity, I

shall refer to each of the three police beats by its neighborhood alias and "beat," and each school

by its neighborhood alias and the suffix "elementary." So, the case study school in Traxton is

denominated as "Traxton Elementary," the policing case study in Central as "Central Beat" and

so on. Central is located in the heart of Chicago's South Side its physical and demographic

characteristics resemble those of many central-city neighborhoods. The two sides of "Traxton"

are separated by a set of railroad tracks; the residents on one side are quite well to do, while

those on the other are by comparison economically and socially impoverished. "Southtown" lies

on the far southern edge of Chicago, and its long-time residents are the African-American and

whites of primarily Polish descent, but a sizable number of Hispanics have moved into the area

in recent years. The rough areas of the three neighborhoods are indicated in the following map of

Chicago:

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[3] These neighborhoods and their aliases also appear in several reports of the Institute for Policy Studies at Northwestern University. I was in a research group directed by Wesley Skogan, and assigned to conduct empirical investigations of community policing activities in the three neighborhoods that appear below.

Figure 12.1: Case Study Areas
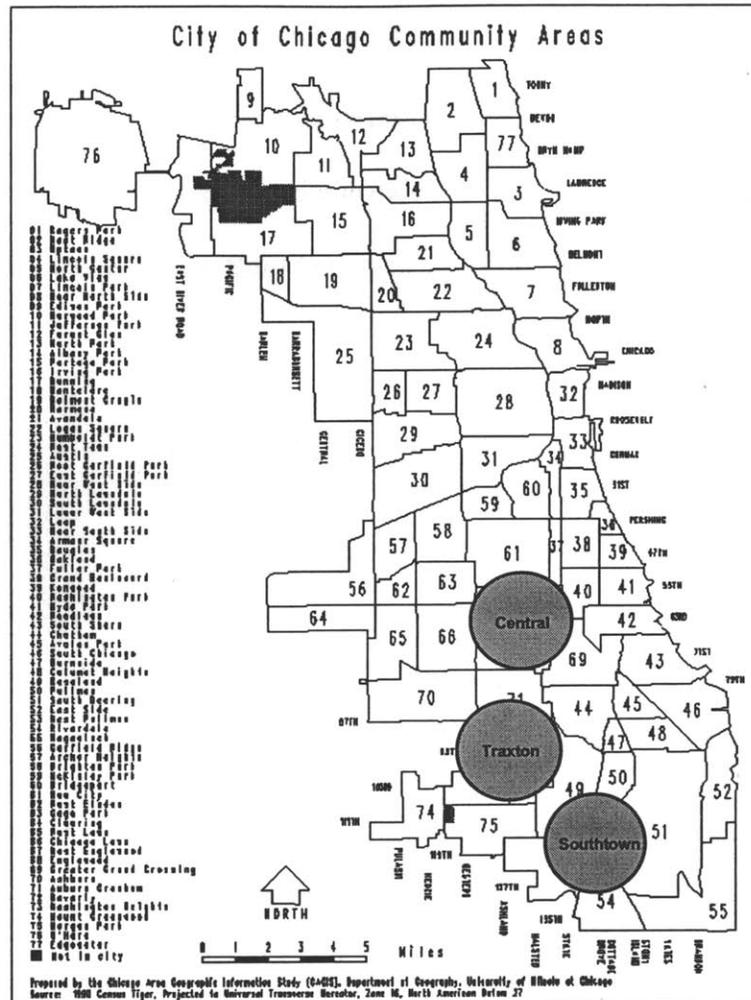
Selected demographic characteristics each neighborhood appear in the following table:

Table 12.1: Selected 1990 Census Statistics for the Three Neighborhoods

Neighborhood Alias	Pop.	Percent Black	Percent White, NonHisp	Percent Hispan.	% Earn less than $15,000/yr	Median Household Income
Central	6,297	99.4	0.4	0.3	50.2	$15,192
Traxton	9,306	66.6	33.1	0.3	16.7	$37,335
Southtown	7,769	78.3	2.5	19.1	54.4	$14,074
All Chicago	2.78 mil.	39.0	38.1	19.2	29.7	$30,707

To examine how Street-Level Democratic institutions operate under the varied social and economic conditions of these neighborhoods, we begin by constructing rough "prior expectations" about the likelihood of SLD's *democratic success* (whether the institutions will drive local public action that advances the democratic values of effectiveness, equity, and autonomy described in chapter 2) under various neighborhood level *initial conditions*. Within each case, the exploration then examines how deliberative processes and institutions operate given its starting point in the space of initial conditions. Initial conditions are just those variables which social scientists typically deploy as independent variables in regressions or as background conditions to deeper ethnographic or case studies: racial composition, wealth, education, social capital, prior histories, and so on. Analytically, for the purposes of SLD, initial conditions describe the social, economic, and political environment of a school or neighborhood immediately prior to the institutionalization of Street Level Democracy. We want to study the operations of SLD against a wide variety of these initial conditions to determine whether, for instance, (i) certain initial conditions are strictly necessary for SLD to operate as the normative theory specifies, (ii) whether SLD operates as the normative theory specifies under any set of initial conditions, or (iii) whether there is a probabilistic relationship between the successful

operation of SLD and various initial conditions. Those who find SLD attractive as a democratic

theory would also like to know whether SLD requires (either strictly or probabilistically) certain

background conditions. The practical and scholarly interest in SLD would in large measure then

rest upon the frequency with which those initial conditions can be found in society.

Though we would like to examine all initial conditions along the many dimensions

potentially salient to the success of SLD, that large project far exceeds the limited resources of

the present endeavor. The limitations imposed by a small-N study of six cases requires us to be

judicious in our selection of causal conditions. To economize the research, we selected two

dimensions of initial conditions that are politically and theoretically salient because they seem to

pose the most difficulty for the normative theory of SLD: *wealth and poverty of resources* on one

hand, and the *similarity or dispersion of interests* on the other. Expectations about the

relationship between these two dimensions of initial conditions and the success of SLD are

straightforward and have been stated many times in the literature on political participation and

collective action. Those who possess an abundance of resources are more likely to succeed in the

deliberation and problem solving of SLD than those who are relatively impoverished. Public and

private resources such as time, skill, and political influence are often thought to generate the

capacities necessary for effective deliberation. Furthermore, they also provide the wherewithal to

implement problem-solving strategies that result from deliberation. City-wide participation

statistics analyzed in Section 11.2 ("Strong Egalitarianism") cast doubt upon this hypothesis, but

we nevertheless continue to probe it more deeply through case study here. On the second

dimension of interest dispersion, deliberation is a mode of collective decision and action. As

reasoned discussion about group goals, it is commonly thought that situations in which parties

have conflicting or dispersed aims will likely degenerate into adversarial contests, while

situations in which parties share interests that are largely common will deliberate more easily.

Some dimensions of this hypothesis were examined in chapter 11.3 above (on "Social Unity").

We need to refine these two dimensions of resources and interests a bit before we use

them to map the distribution of the empirical cases and construct more definite expectations

about the success of SLD. First, the analysis below treats median family income as a proxy for

the level of neighborhood resources. There are of course many other important and relevant

aspects of neighborhood resource levels—the abundance of public goods, non-material

individual resources such as time and education, and social capital—that we shall explore as they

arise in the case material. Because it is more difficult to translate these additional factors into

comparable metrics across cases and because these kinds of resources frequently correlate with

private income, we use income as a proxy measure for resource level. We divide this dimension

of neighborhood income/resources into three qualitative bands: those which are relatively

wealthy, situations of medium wealth, and poor neighborhoods.[4] Other things being equal, we

expect that SLD delivers the greatest benefit to neighborhoods in the top level.

The degree of interest dispersion among parties in each case is the second dimension,

orthogonal to considerations about resource characteristics, of initial conditions considered. At

this point, it is important to highlight a few methodological choices about how interests are

treated. For the purposes of this study, the interests that parties have are the *revealed* interests

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[4] This schema of cases is too rough to warrant further quantification, but one might think of poor
neighborhoods as those in the bottom median family income quintile of the relevant universe (Chicago
neighborhoods, elementary school districts, police beats), rich ones as being in the top quintile, and the
others residing in the middle band.

that they advance (or fail to advance) in SLD processes. I determined these interests interpretively, though field observations and interviews; there is an inevitable amount of controversial interpretation in any such exercise. While parties' class, race, geographic (e.g. east side or west side of neighborhood), and structural (public official, citizen, etc.) positions and self-identities (activist, Black Muslim, police officer, principal) figure importantly in the constitution of their interests, there is no one to one mapping from the positions and identities of parties onto their interests as revealed in the field research. Beyond the loose relationship between structural position and interest, I also take the interests of parties to be rather plastic. One central feature of successful deliberation is that parties transform their interests in the course of goal-directed, reason-governed discussion. In this discussion of the initial condition of the cases, then, we attempt to specify the content of parties' interests and the level of dispersion in those interests at the beginning of the observation period. We fully expect that these interests and levels of disagreement will change during the case study period and after it; one aim of the examination is to establish the relationship between the political process of SLD and the transformation of parties' interests.

Imagine the interest dispersion and resource level in an X-Y plane that forms the domain of a function whose range, a unidimensional measure of democratic performance, is plotted against Z-axis. Our prior expectations, or hypotheses, about the effects of abundance and agreement upon SLD in neighborhoods, then, describe a surface similar to the one depicted below:

Figure 12.2: Hypothesized Democratic Success vs. Initial Conditions
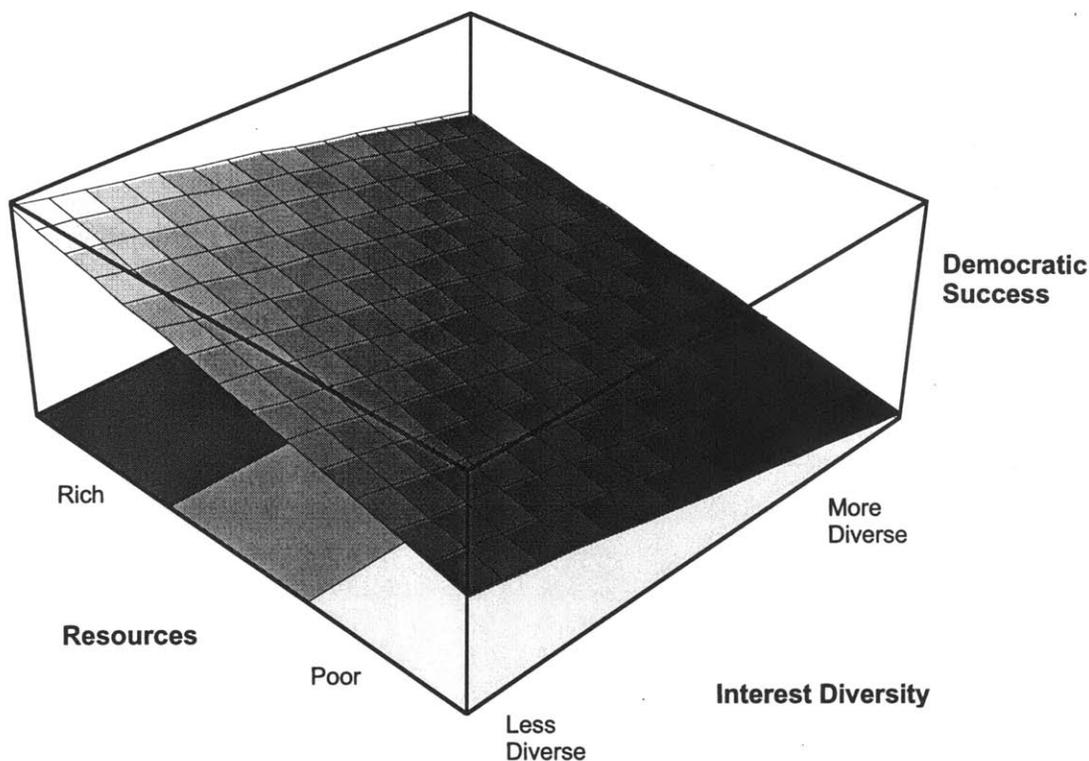
For a given neighborhood, we can plot its position in resources and diversity in the X-Y plane. At a given level of neighborhood resources, we expect that SLD will better advance our core democratic values[5] (fairness and effective public action, citizen autonomy, and the other values described in chapter 2) when the parties in that neighborhood share many interests in common (low interest diversity) than when their interests conflict intensely. Thus the plane slopes downward (indicating less democratic success) as diversity of interests increases. At a given level of interest diversity, furthermore, the plane slopes downward because we expect that

wealthier neighborhoods will be better able to effectively solve problems and deliberate than less

wealthy ones.

Thus interpreting the two dimensions of resource level and interest dispersion, the

following figure depicts the six cases in this two-dimensional space of initial conditions:

Figure 12.3: Initial Conditions of the Six Cases
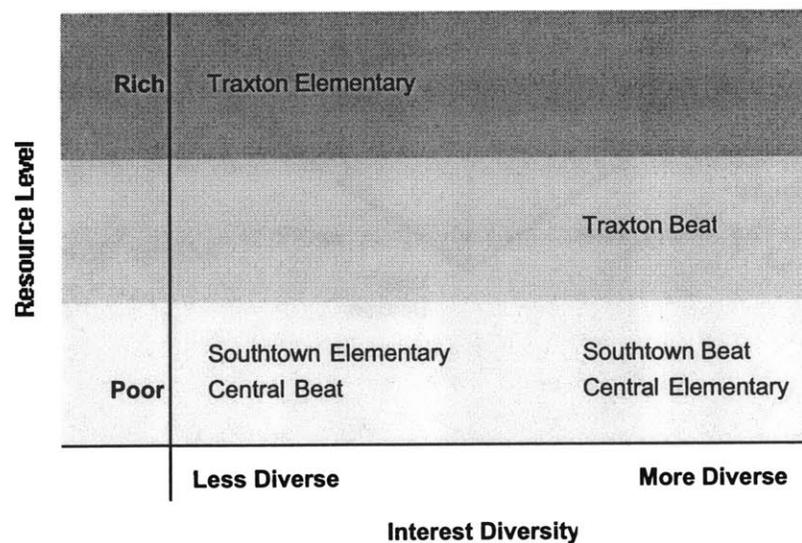
Though the bulk of the justification for this interpretation of each case's initial condition must

await the case studies, a skeletal justification for locating each case as we have in the domain

above helps to explain the dimensions themselves. Traxton elementary is located in the wealthy

part of the Traxton neighborhood (with its median household income of over $60,000, this part

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[5] It is of course problematic to collapse the multiple values which we have described as the democratic

of Traxton ranked in the top 10 census tracts in the city of Chicago) and draws most of its

student body and parent participation from that area, and so it is classified as wealthy. Traxton

Beat, on the other hand, encompasses both the wealth area served by Traxton Elementary and a

poorer adjacent region. Averaging these different median income levels, we place Traxton in the

middle region of the resource scale. While conflict was certainly not absent in the deliberations

of Traxton Elementary participants, the differences between parties was often of a second-order

nature; participants were largely agreed on their vision of what they wanted their school to be. In

Traxton Beat, interests and perspectives initially divided predictably along class lines, and so we

characterize its level of interest dispersion as "more diverse." Residents had different views

about what problems the police should treat as priorities, the proper role of the police, and

police-civilian relationships and attitudes differed between better-off and less-well off residents.

Both the elementary school district and the policing boundaries of Central lie in a poor

African-American neighborhood whose median household income of $15,000 places it in the

bottom quintile of Chicago's census tracts. Therefore, both Central Elementary and Central Beat

fall in the "poor" region of our resource-level chart above. Participants in Central Elementary

school governance inherited long histories of multi-sided conflict—factions of the community

had fought with one another for years prior to the observation period and the professional staff of

the school were divided against one another and in tenuous alliances with community

factions—and so the school governance case is classified along the "more diverse" side of the

interest dispersion spectrum. The professional and citizen participants in Central's community

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core into a single dimension of "democratic success." We abstract from that difficulty here, however, in
order to simplify the present discussion of case conditions and our expectations of them.

policing effort, by contrast, lacked this history of animosity; they had little in the way of prior interactions with one another, and came to the community policing project with a similar general objective: the safety of the neighborhood. So the case of Central Beat is classified as having less dispersed interests.

Finally, Southtown is a neighborhood composed mostly of African-American and Hispanic residents. In terms of income, residents who live in the policing and school boundaries of Southtown are quite poor; median household income falls in the bottom quintile of Chicago's census tracts, so both Southtown Beat and Elementary fall in the "poor" region of the resource space. Southtown Beat served Hispanic and African-American residents who had a history of racial animosity that occasionally flared into violence. Because they came to the community policing effort literally speaking different languages, living in different parts of the neighborhood, having no habits of cooperation, and asserting different priorities, this case is characterized as having participants with dispersed interests. By contrast, Southtown Elementary almost exclusively served African American children and their families, and parents who participated in the process of school governance shared many of the same goals and educational perspectives as other parents and school staff. Because of this initial agreement, Southtown Elementary is located on the left-hand region—less diverse interests—of figure 11.3 above.

Given the prior expectations about the advantages of homogenous interests and wealth for the implementation of Street Level Democracy, five of the six cases are "hard cases" in the sense that they occur under unfavorable background conditions. Only the participants of local governance in Traxton Elementary enjoys both the advantages of wealth and aligned interests. The other five cases face one or both challenges of unfavorable material resource conditions or

conflicting interests. The material inequality and racial diversity of Traxton Beat holds

theoretical interest because it stresses the moral capacities of the participants; we expect

domination by wealthy parties to result, but deliberative norms require otherwise. Four of the six

cases occur in conditions of severe resource scarcity. We focus the lion's share of our attention

on the low end of the socio-economic ladder for two reasons. First, one of the most common

challenges to deliberative, decentralized democratic proposals similar to Street Level Democracy

is that the worst-off suffer under these regimes. It is important to know in some detail, therefore,

how the institutions of SLD operate under conditions of destitution. Second, SLD has been

offered as a proposal to advance our core democratic values. From the practical and scholarly

perspective, the import effects of any such proposal are the benefits that it has upon the least

advantaged in society; if it does not work for them, it cannot advance our democratic aspirations

very far. In particular, we want to know whether SLD advances our core democratic values more

effectively than our received political institutions, even under very unfavorable conditions.

12.3. Institutional Choice: SLD or Hierarchical Bureaucracy?

In chapter 2, we offered a quite general challenge to democratic theorists and social

scientists: find new institutional arrangements that advance democratic values beyond their

present levels of realization. In the intervening chapters, we offered SLD as one such

institutional proposal and defended the promise of its democratic performance through a series of

abstract arguments that took command-and-control systems as their baseline. In the case studies

below, we revisit the challenge and test our contentions about SLD by examining whether it

advanced core democratic values such as fairness, effectiveness, deliberation, and autonomy in

each neighborhood. Whereas the first group of hypotheses questioned the relative performance of SLD *across neighborhoods* in light of various significant conditions, this second set of contending hypotheses questions whether or not SLD advanced the realization of democratic values beyond the baseline established by the prior institutions of command-and-control public service provision *within each neighborhood.*

In chapters 9 and 10, we defended the strong position that SLD generally outperforms command-and-control arrangements irrespective of contextual variables such as resource level or diversity. Our distribution of case studies, however, allows us to refine this claim a bit by probing the relative democratic performance of SLD compared to command-and-control institutions under various initial conditions. Suppose, for the sake of illustration, that the democratic results of Command-and-Control arrangements correlate positively to the possession of neighborhood resources, but are insensitive to considerations of interest diversity.[6] So, suppose that hierarchical public institutions perform more fairly, effectively, and accountably in wealthy neighborhoods than in poor ones, but that at a given level of neighborhood wealth, diversity of interests does not affect their democratic performance. We do not defend this *ad hoc* supposition because we use it only to illustrate one possible family of hypotheses, and nothing in the core of the argument depends upon the particular shape of this function. Rather, the argument here concerns contentions about the relative gain or loss in the realization of democratic values between command-and-control and SLD institutions, not the comparative performance of hierarchical agencies under different socio-economic conditions.

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[6] This *ad hoc* supposition might be defended on the ground that public services are usually provided more effectively and accountably in well off areas (see schools).

The *strong form of the argument for SLD*, that it outperforms Command-and-Control arrangements irrespective of initial conditions, might be depicted according to the figure below:

Figure 12.4: The Strong, Pro-SLD Hypothesis
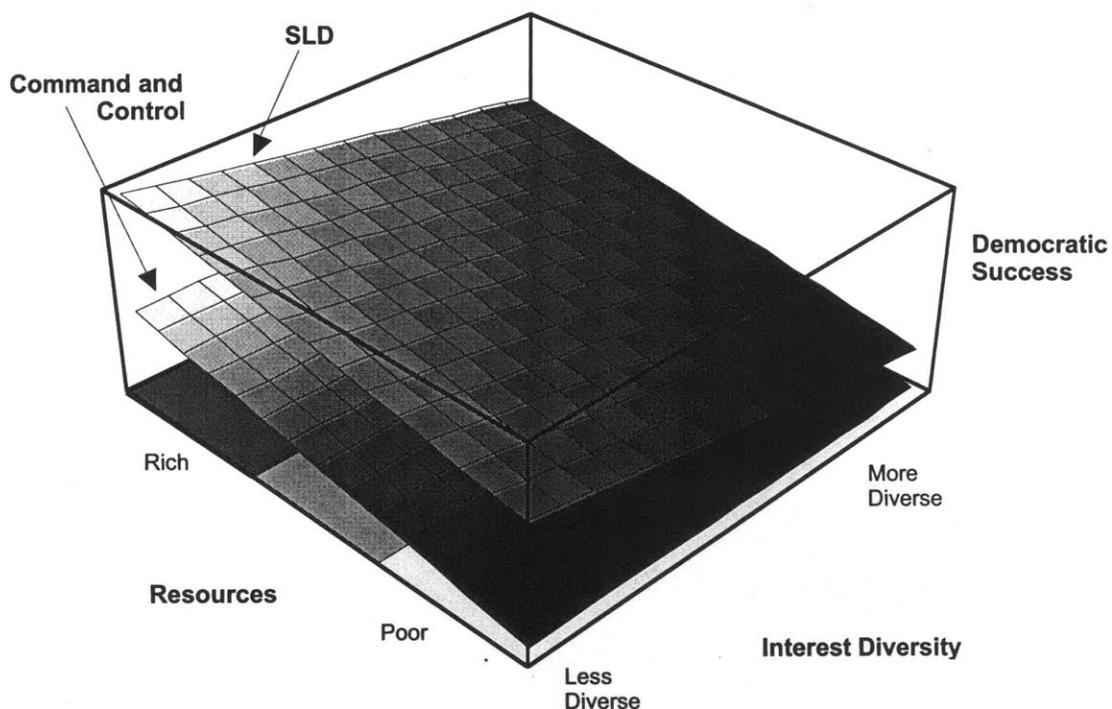
In the above figure, the bottom surface plots the supposed democratic performance of Command-and-Control institutions under various conditions of neighborhood resource level and diversity. The top surface, following the previous section's discussion, maps the performance of Street Level Democratic arrangements. The figure as a whole represents the strong version of the pro-SLD hypothesis because the democratic performance of SLD is greater than that of command-and-control at every point in the domain (the X-Y plane of resource level and interest diversity).

One contending view is of course the *strong anti-SLD hypothesis*, which would reverse the

vertical positions of the two surfaces; at every point in the domain, the democratic performance

of command-and-control would exceed that of SLD. In addition to these pure contentions, *hybrid*

hypotheses would contend that SLD outperforms command and control only for some subset of

the domain. Figure 12.5 below, in which the two planes intersect, depicts the hybrid hypothesis

that SLD out performs command-and-control organization only under conditions of poverty and

low interest diversity.

Figure 12.5: A Hybrid Hypothesis About SLD vs. Command-and-Control
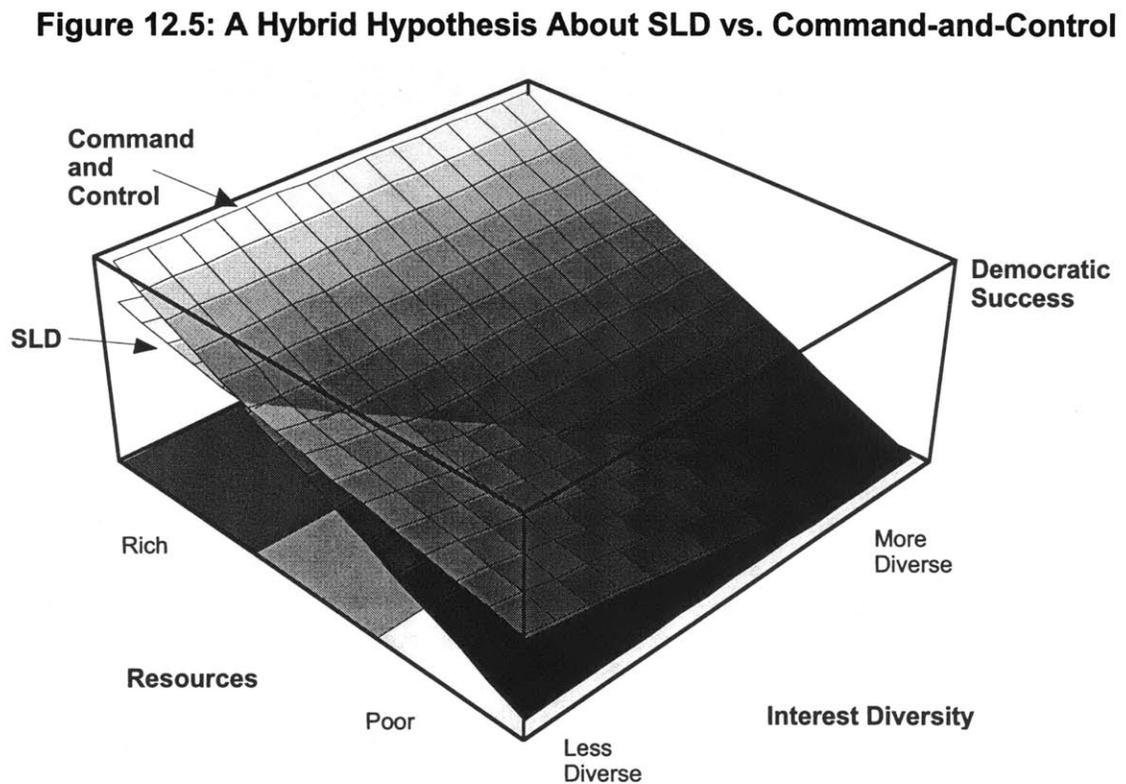
In the second strategy of investigation, then, each of the case studies will offer a rough assessment of the relative realization of democratic values under the command-and-control regime and the new regime of Street Level Democracy. Through this method, we will gauge the democratic accomplishments of these two contending institutional forms at the points on the domain depicted in Figure 12.3 above. Now this exploratory exercise cannot yield definitive general conclusions about the relative democratic performance of the two institutions; the data points are distributed over a small portion of the domain, and each segment of the domain is sampled very thinly with only one or two cases. Despite these limitations, this second strategy of case study analysis will generate a preliminary assessment of the relative merits of SLD compared against command and control systems and lay the ground for deeper empirical development.

12.4. The Extent of SLD Institutionalization

The third set of hypotheses of case these investigations explores the extent to which the presence or absence of the procedures and mechanisms laid out in Part II account for the levels of democratic success. In the discussion of SLD's constitutional architecture, we laid out aspects structured deliberation at the level of the citizen (chapter 6), the group (chapter 7), and at the relations between center and neighborhood (chapter 8). In chapters 9-10, we proposed mechanisms that stem from SLD's structured deliberation and argued that those mechanisms would render public action more fair and effective under command and control systems. In each of our case study neighborhoods, we will examine the extent to which the hypothesized structured deliberation and problem solving mechanisms came into play and whether problems

were selected fairly and solved effectively through those mechanisms. This third strategy of case-level investigation is both a method of pursuing the first two strategies and an independent hypothesis to be tested. As method, we develop assessments of democratic performance within each neighborhood and across them by breaking open the black box of deliberation to examine its features and defects. These case-level narratives of successful and failed deliberative problem-solving constitute our principal measure of the extent to which core democratic values were realized in each neighborhood. But the mechanisms and processes are also themselves an independent hypothesis to be tested. The distinct procedural hypothesis is that the institutions of Street Level Democracy will encourage participants to behave as reasonable deliberators and effective problem solvers, and that when they do so fair and effective outcomes will result.

We pursue these three investigative strategies by building a narrative of each case that highlights critical aspects of the SLD process. Each narrative: (i) identifies the parties to deliberation; (ii) characterizes their interests at the beginning of the observation period; (iii) assesses the resources available to each of the parties; (iv) examines whether the selection of group priorities and agendas could be characterized as reasonably deliberative; (v) assesses whether iterated deliberation characterized the development and implementation of problem solving strategies within groups; (vi) documents the roles of external agents, especially the central offices of the police department and school system; and (vii) offers a preliminary assessment of the degree to which each case realizes the democratic values of fairness, effectiveness, citizen autonomy, deliberation, and solidarity.

Steps (i)-(iii), the identification of parties and specification of their resources and

relations to one another, set the background for the procedural narrative and situates the case on

the space of initial conditions shown in figure 12.3. To reiterate, the specification of parties'

interests is deeply contextual; I have inferred parties' interests based upon interviews with them

and by observing their actions in and out of public contexts. So, I attributed conflicts of interests

between police and citizens, members of different cultural groups within the same neighborhood,

principals and teachers or parents, etc., only when I was able to infer these interests from parties'

actions or declarations.

In step (iv) of each narrative, we examine processes of agenda setting and prioritization

in each case. Roughly, we want to determine whether problem-selection was best described as

adversarial, authoritative, or deliberative. An adherent of the strong rational choice perspective

(Section 11.1) would expect agenda setting to be always adversarial, while the strong egalitarian

(Section 11.2) would expect deliberation only under conditions of material equality. From the

social unity perspective (Section 11.3) deliberation is most likely but least necessary when there

is little diversity of interests between groups. The technocratic elitist (Section 11.5) would expect

that the trained professionals—principals, teachers, and police officers—generally set priorities

by dint of their authoritative expertise and override the voices of lay participants. SLD, by

contrast, de-emphasizes these initial conditions and status factors in favor of the expectation that

parties will deliberate reasonably about group priorities despite conflicts of interest, inequality of

resources, and differences of background knowledge between parties. On the evaluative

dimension, we say that the core values of deliberation, autonomy, and fairness (chapter 2) are

better realized when group agendas are set through reasonable deliberation rather than through adversarial conflict or fiat.

Step (v) examines if and how prioritized problems were solved in each case. The standard command-and–control, technocratic-elitist, account expects that prioritized problems will be solved by professionals paid to do the job and trained in established procedures. SLD, however, offers a deliberative problem-solving procedure and several mechanisms (civic engagement, complex coordination, institutional learning, and directed discretion) that arguably promise more effective public action. For each case, we shall examine whether the identified problems of education and public safety were addressed effectively, who acted, and whether solutions proceeded according to the hypothesized mechanisms or in some other way. If problems are generally solved more effectively than before the SLD reforms, and if they are solved by lay participants as well as professionals, then the cases are described by the pro-SLD hypothesis about the relative performance of SLD versus command and control—depicted in figure 12.4 above—on the democratic value dimension of effectiveness. If, on the other hand, problems are not addressed effectively or if they are solved principally by professionals, then the anti-SLD hypotheses discussed in Section 12.3 above would more accurately describe the case findings.

Step (vi) examines the role of external agents, in particular the forces of central authority, in each of the cases. The actions and roles of these central agents merit special empirical attention for two reasons. First, the theory of SLD proposes, somewhat implausibly, a radically transformed role for central authorities (chapter 8). Rather than devising master plans and supervising their implementation, SLD envisions a central authority that supports and facilitates

the deliberative efforts of component, neighborhood level groups. The case studies will help differentiate, then between which of these descriptions of central authority—commanding or facilitative—is more accurate. It is a mark against the democratic values of deliberation and autonomy (though not necessarily against fairness or effectiveness) when the Center acts by edict. Second, it is important to distinguish SLD from other similar proposals on the dimension of central authority. While many accounts of participatory democracy ignore or are hostile to external central authorities, SLD supposes that the mechanisms of deliberate problem solving generally will not yield fair and effective outcomes in the absence of appropriately constituted central powers. The action of these agents, or absence of them, therefore figures importantly in the explanation of SLD's success and failure.

The final part of each narrative (step vii) constructs a preliminary assessment of the degree to which group action realizes the core democratic values. Unquestionably, it is difficult to operationalize these abstract values, and case-level interpretations will be controversial. Nevertheless, it is not controversial that these values are realized to different degrees at different times, in different conditions, and under different institutional regimes. Each case narrative, therefore, will attempt to make relative assessments of the realization of these values in comparison to the other cases and in comparison to the command-and-control baseline level that existed prior to SLD reform. The former comparison addresses hypotheses about initial conditions (Section 12.2) and the later addresses hypotheses about comparative democratic performance under the two regimes of command-and-control and SLD (Section 12.3).

The rest of this volume examines the operations of Street Level Democracy in six neighborhoods according to the three empirical strategies described in this chapter. Chapter 13 tells the story of SLD in Traxton Beat, where participants enjoyed unequal access to resources and suffered from historical conflicts of interest rooted in class, race, and place. Chapter 14 describes Southtown Elementary and Central Beat. These two cases were characterized by the initial conditions of resource poverty but general alignment of expressed interests. We explore Central Elementary and Southtown Beat, two neighborhoods burdened by poverty and deep internal conflicts of interests, in Chapter 15. Chapter 16 tells the story of our final case, Traxton Elementary, a school that enjoyed the advantages of both wealth and large agreement on educational perspectives.

Chapter 13:

Bridge Across Race and Class:

Structured Deliberation vs. Laissez Faire Discussion

The fifteen by eight block rectangle that forms Traxton Beat is one of the more diverse areas of the city. More polarized than socio-economically plural, a fenced-off set of commuter railroad tracks segregates a well-to-do west section of the area from the lower-income east side. A brief drive-though "windshield survey" of the area generates reflexive impressions that census statistics later confirm. On either side of the smooth, wide streets of Beat's west side sit large, solid houses that have well manicured lawns and shiny new cars in their driveways. The residents of this area are among the wealthiest in the city proper, enjoying a median household income of $66,000 according to 1990 census figures. The west side population is racially integrated but predominantly white; economically, householders are mostly upper middle-class and professional.

By no means dilapidated, houses on the area's east side are nevertheless more modest by comparison. While most of the east side blocks contain smaller but still well maintained houses, one clearly discerns the creep of urban decay from the boarded-up and otherwise abandoned houses that mar, for now only infrequently, the east side blocks. The residents who live in those houses are solidly middle-class, with a 1990 median household income of $34,391. This figure is

slightly above the city's median but little more than half that of the west side. Also in contrast to the west, east side residents are uniformly African-American.

As a consequence of decades-old administrative determinations of policing boundaries, these two very different clusters of residents—each with its own distinct public safety needs and interests—share the same set of policing resources. Recalling the definition of a "police beat,"[1] these residents are served by the same set of patrol officers and squad car. Despite these scarce public safety resources and the conflicting demands that might be placed on them given such diversity of culture, race, class, and spatial location, east and west side residents had never come to loggerheads with one another over policing issues, or over any issues at all, for that matter. The simple explanation, and I believe the correct one, is that east and west side residents for the most part lived in separate and parallel worlds, each with its own avenues, public services, commercial areas, and civic institutions. When residents from one side or the other had problems with public safety and police action or inaction, they would pursue standard channels of redress—perhaps by taking the matter up with individual officers, their supervisors, or local politicians—that did not require awareness of, much less interaction with, residents from the other side of the Beat. The Chicago community policing reforms of 1994 and 1995, however, removed this luxury of anomic ignorance by creating a common forum that cast residents from both sides of the tracks together. Somewhat ironically and perhaps idiosyncratically, given the common perception that political and administrative decentralization tends to engender parochial sentiments and balkanize polities, Street Level Democratic policing reforms brought together

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[1] See discussion of Chicago Police Department organization in Chapter 5.

previously separated neighbors in the case of Traxton Beat. In this chapter, we examine the

interactions between these diverse residents and police, their decisions and actions, in light of the

deliberative processes and outcomes predicted by the normative theory of Street Level

Democracy and hypotheses elaborated in the previous chapter.

13.1. Initial Conditions: Spatial and Socio-Economic Polarization

Neighborhood descriptive statistics confirm and elaborate these rough impressions of

socio-economic disparity between the east and west sides of Traxton Beat. According to 1990

U.S. Census figures, the west side is at least twice as well off as the east side on several standard

indicators. The median household income of West Side residents is almost twice as high as that

of those on the East Side residents, the percentage of female-headed households is approximately

three times as great on the east side, the east side poverty rate is six times greater than of the west

side, and east side unemployment rate in 1990 was four times as great as the west side's rate:

Table 13.1. East vs. West: Selected 1990 Census Figures for Traxton Beat

	West Side	East Side
Total Population	3,940	2,794
% White, non-Hispanic	75	2
% Black	23	97
Median Household Income	$61,264	$34,391
% with Female Head of House	14	48
% Housing Units Owner Occupied	93	70
% more than High School Education	81	47
Poverty Rate (%)	1.6	10.5
Unemployment Rate (%)	6	28

The west side of Traxton Beat, then, is one of the most peaceful and well off enclaves within the Chicago city limits. Many of these advantages can no doubt be attributed to the raw income power that west side residents enjoy as a result of their high-quality employment opportunities. This materialist account is inadequate, however, given that many other once well off neighborhoods in the city are now blighted *because* those who could afford to move away from the urban core did so. Traxton Beat's west side has become an oasis in the city not just because its residents enjoy material advantages that most other residents can only dream of, but because they have very successfully and self-consciously organized themselves to deploy these resources for the sake of neighborhood preservation and status reproduction over the course of some two decades.

The senior cohort of west side residents moved into the neighborhood in the late 1960s and 1970s. Many of them were young, upwardly mobile white couples, at the beginning of their careers, who sought comfortable housing on a constrained budget. Fortunately for these young families, the fear of black encroachment and outward flight of established white families had depressed housing values and thus created fireside bargains for whites who were not terrified

about living next to blacks. One neighborhood notable, call him Mr. Phillips, who is now active

in one of the West side's churches and president of the Traxton Improvement Association,

reflected on his decision to live in the area:

> In the late 1960s, we used to walk through [West Traxton] often. The [home] buys were
> great then because of white flight. After looking at many places [all over the South Side],
> we saw the place [we wanted in Traxton], closed the deal in two hours, and have been
> living there for twenty seven years now... Many [neighbors] said that they wouldn't live
> with blacks, and many of them could and did move out.

Almost as soon as Mr. Phillips and other families like his moved in, many of them began

organizing mightily to transform West Traxton Beat into their vision of a livable urban

community. Defying the logic that poverty and ghettoization radiate outward from city centers,[2]

West Traxton residents proudly claim that they have created and maintained "a model of

diversity and residential stability" through their clever and cohesive collective action. These self-

help efforts occur through a web of associations that includes neighborhood committees of two

churches and an impressive number of civic associations that includes[3] the Traxton Improvement

Association (TIA), Traxton Area Planning Association (TAPA), the Traxton Arts Association

(TAA), the 18th Street Business Association, and the Apple Avenue Business Association. The

individuals in these associations have pursued strategies of neighborhood stabilization both

through independent action and by leveraging their connections with local politicians, agency

officials, and local business people. Mr. Phillips recalls early neighborhood preservation

strategies that aimed at stabilizing the socio-economic level of residents during the period of

white flight:

> I got involved right away at Traxton Church [and its] Social Action Committee, chaired by Jim Stevens.[4] We took some definite steps in the early to mid-1970s to stabilize the population. We knew that we had to attract buyers to the area, and so we put together a professional brochure of homes. We went to the heads of corporate transfers of big corporations in Chicago, and made them aware of what great deals were available in Traxton, what a great place to live it was. We offered interested potential buyers on tours. Based upon the steps he devised at the time, Jim Stevens was the person most responsible for the state of Traxton as it is today.

For more than two decades, then residents have maintained what they see as the quality and peace of their neighborhood through measures that some outside observers have found controversial and others horrifying. Home sales in West Traxton, for example, almost never appear on the open market because they are passed down to acceptable potential neighbors through word of mouth. While West Traxton is itself is quite racially integrated by Chicago's standards, the area has a reputation as a white enclave within a city increasingly constituted by people of color. The geographic contours of the neighborhood itself provide perhaps the most dramatic testimony to the boldness and effectiveness of West Traxton's residents. Attentive to the spatial determinants of the quality of neighborhood life, residents in Traxton's neighborhood organizations have used public resources to construct walls around their community to keep out what they perceive to be the chaos and crime of the surrounding urban environment. The map of Traxton Beat below shows the division between its east and west sides and several notable features of each side:

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[2] See, for example, Downs (1994).
[3] Names modified to conceal the location of this case study.
[4] Throughout, I have used aliases to conceal resident identities.

Figure 13.1. A Map of Traxton West and East[5]
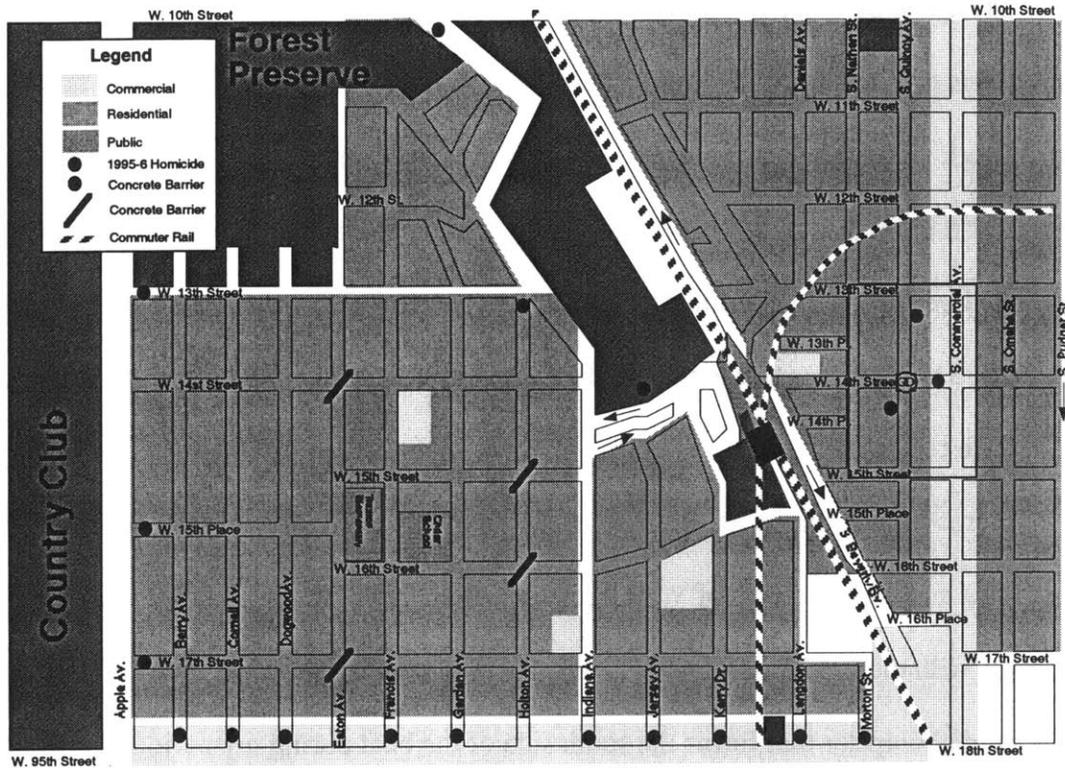
One can see from the map above that West Traxton residents have effectively used public

resources to create a walled community; substantial barriers surround the area on all sides. Its

eastern edge is defined by a set of commuter rail tracks running north-by-northwest. These tracks

lie on an elevated berm and are protected by wire fence on both sides. A forest preserve with a

single road through it defines the northern boundary of West Traxton. The wide streets that form

its western and southern edges would pose less formidable obstacles, were it not for the large

concrete planters—marked by the gray circles in the map above—that block vehicular access on

all but two points at the south and one on the west. Another planter-barrier also closes the

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[5] Street names on this map have been modified to conceal the location of this neighborhood.

smaller street that runs through the northern Forest Preserve. To further slow traffic and make the area less navigable by those not familiar to it, four concrete traffic barriers were erected on the interior streets of West Traxton—marked as diagonal lines on the map above—to transform that traffic network into a circuitous maze of one-way streets. These cul-de-sacs, so-called because they transform through-streets inside Traxton West into closed-end cul-de-sacs, and other traffic barriers resulted from a successful effort in 1995 by several active residents and their aldermanic representative to capture city-wide traffic funds and use them to build barriers that they hoped would reduce crime and traffic.

To provide just one more example of the many notable and controversial neighborhood improvement accomplishments of West Traxton areas, the 18th Street Business Association in cooperation with their alderman on the Chicago City Council was in the midst of redeveloping the commercial corridor that forms the south side of the beat during my period of observation. The dominant redevelopment strategy would consolidate smaller parcels that were occupied by a diverse variety of locally-owned small businesses into larger lots that could be used by major anchor establishments connected to satellite operations. The City had already re-designated the area as a development zone, and one of the aldermen has been pushing the city Council to use the city's power of eminent domain to seize the smaller lots and consolidate them into parking lots and larger properties appropriate to major commercial operations. One well known national bookseller had publicly expressed interest in locating a store in the corridor, and this trajectory of redevelopment was moving forward as I ended the Traxton portion of my field work.

As with any neighborhood betterment measure, the cul-de-sacs and commercial redevelopment were neither neutral nor non-controversial; organized groups within and outside

of West Traxton opposed the measures. Several residents of the area, for example, considered

traffic barriers to be racist attempts to segregate adjacent populations within the same city. The

activists formed a "West Traxton Neighbors" and published a newsletter called the "Cul-de-

News" to organize opposition to the barriers. A open letter from these activists read, "Rage!!!

Why??? Because We Live In A Cage And We Don't Like It!!!" (Lawrence 1999). The *Chicago*

Sun-Times reported the view of another anti-cul-de-sac activist:

> Local politicians told their constituents the barriers were needed to reduce the amount of traffic cutting through each of the two communities.
>   A far more believable explanation would be that in each case, local politicians are struggling to mitigate and control the process of racial succession in these racially changing areas. (Peterson 1998)

Similarly, local business people and a nearby alderman fought the redevelopment plans and saw

them as a downtown scheme developed by the Mayor and supported by his City Council

coalition. The inequality of city life forces hard choices around development decisions and the

appropriate enforcement of neighborhood boundaries. Far from oblivious to these ethical

decisions, West Traxton residents hotly debated these issues among themselves and with outside

observers in their living rooms, civic associations, and the community and city presses. Such

debates are far from idle; as we have seen, residents and their wider allies have the wherewithal

to implement audacious measures in these areas. Despite these strong preservation measures and

very low crime rates in the area of West Traxton, we shall see that its residents have remained

mobilized and vigilant regarding kinds of disorder and "quality of life" issues that would be

considered minor, even trivial, in most Chicago neighborhoods such as parking and traffic

congestion, street peddling, noise pollution, and underage drinking. Residents do face more

serious problems of crime such as residential and commercial burglaries.

The less well-off residents of East Traxton, by contrast, lacked the community capacities

just evidenced in adjacent West Traxton. Interviews with community activists in the area, for

example, revealed that there were no durable community or business associations beyond a

handful of occasional block clubs. In West Traxton, these secondary associations provided

spaces for discussions of hot neighborhood issues and vehicles for taking action to solve real and

perceived neighborhood problems. Since the east side lacked these associations, discussions

about the proper direction of neighborhood development occured in more isolated, private

settings. Also in contrast to their westward neighbors, East Traxton residents enjoyed few

connections and relationships with their alderman, and so have leveraged few neighborhood

improvement resources from him.

Due in no small part to this dearth of independent organization and absence of outside

connections, the physical structure and condition of the neighborhood bore little imprint of the

conscious neighborhood self-help efforts found on the west side. The strip that runs north to

south through the middle of East Traxton along Commercial Avenue, for example, was dotted

with convenience stores, liquor lounges, auto repair operations, and one large grocery store

located on the southern end of the Avenue. Though the health and disrepair of these businesses

varied greatly, owners and customers frequently complained about various kinds of minor

disorder that ranged from street harassment from loiterers, to prostitution, to shoplifting. Store

owners and residents reported hearing occasional gunshots on this Avenue. In stark contrast to

West Traxton's style, residents and proprietors had taken no coordinated action to combat these widely felt neighborhood problems.

Consistent with Jane Jacobs' notion that lively streets make safe spaces, the most dangerous areas of East Traxton, and indeed Traxton Beat as a whole, lie in the interior, residential neighborhood that lies west of the Commercial Avenue rather than on the busy avenue itself.[6] The Gangster Disciples (GD) street gang claims a four block area (marked on map above) bounded by 13th street on the north, 15th to the south, Nathan on the west, and Commercial on the east side as their territory. Spike, a mid 30s black male, allegedly operates a crack-house located in the center of this rectangle—at the 9110 South Quincy.[7] Evidently, his elderly mother owns the house and dislikes the suspicious activity of Spike and his brothers, but has been unable to stop it. A neighbor of Spike and his mother reported at a Traxton Beat meeting that, "I asked Mrs. _____ [Spike's mother] to come to this [community policing] meeting, but her health is not good. That is why Spike can do this [criminal activity]. John and Spike are the only ones that live there [other than their mother], but many others hang out."

This concentrated 2x2 block area suffers from the systemic violence that accompanies the drug trade; three of the five homicides that occurred between 1995 and 1996 on this beat took place in this four square block area (see map above). In July of 1995, a 48 year-old black male was shot an killed in an alley at 13th and Quincy. In December of that year, another black male, this time 45 years of age, was shot to death on 14th Street just west of Commercial Avenue.

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[6] On theories that busy areas tend to be safer than quiet ones, see Jacobs (1993), Merry (1981), and Murray (1983).

Finally, nineteen year old black male was gunned-down at roughly the corner of Commercial and

14th street in December 1996. Several less severe "hot spots" of violent threat dot East Traxton.

Statistics on the number of non-fatal gunshot casualties were not available, but certainly range at

several times the number of fatalities. On the 1300 block of Omaha Street, just to the east of the

GD hot spot, residents frequently complained about narcotic trafficking and sporadic automatic

gunfire. Businesses on Commercial Avenue face fairly persistent armed robberies. Furthermore,

12th Street is a territorial boundary between GDs on the south and the Black P. Stone Nation[8] on

the north, but a truce between these groups kept this boarder quiet during the period of my

observation.

Recalling the two dimensional scheme of initial conditions developed in the previous

chapter, resource level and interest diversity, the above considerations lead us to classify Traxton

Beat as intermediate on the resource dimension and "more diverse" on the interest dimension

(see figure 12.3). The assessment of intermediate resources comes straightforwardly from

combining its wealthy west side with a solidly lower-middle class east side. On the second initial

condition dimension of interest diversity, Traxton Beat was classified as having highly diverse

interests because the public safety concerns of east-siders differed considerably from those of

west side residents in terms of location, severity, quantity, and general character. Many of these

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[7] While riding with police during the observation period, I witnessed patrol officers stop several 13-15 year old African-American youths in this area who had previously been identified GD lookouts for "Spike." While police did not find narcotics on the kids, one did have $150 in his pocket.

[8] The Black P-Stone Nation was an organization in Chicago headed by Jeff Fort on Chicago's West side in the 1970s. In the 1980s, they changed their name to the El Rukins, but activists in beat 2221 still refer to the group as the P Stones. I am not sure whether this is a terminological mistake on the part of police and residents, or whether the group north of 89th is a splinter faction.

differences grew out of the differential social environments associated with the severe inequality of resources between the two sides of the beat; the difference in median income between the east and west sides was almost $30,000 per household in 1990. This material difference compounded with geographic segregation led to two divergences between east and west side public safety interests. Spatially, a seldom crossed border composed by commuter-rail tracks separates the two neighborhoods, and so the problems on one side do not for the most part spill over onto the other. Therefore, each neighborhood had an interest in maximizing the amount of police resources devoted to its own side of the tracks. Beyond space, public safety problems on the east and west side differed fundamentally in their character—west side problems revolved around quality of life and disorder issues, whereas east side inhabitants faced narcotics trafficking, criminal burglary and robbery, and occasional more serious threats to physical integrity. This difference in the *kind* of problems that the two sides face formed another kind of interest diversity.

According to the performance hypothesis developed in the previous chapter and depicted in Figure 12.2, Traxton's configuration of initial conditions predicts rather poor democratic outcomes when east and west side residents are thrown together under the common deliberative institutions of Street Level Democracy (SLD). To understand why, consider the perspectives of the Strong Egalitarian and Social Unity critic developed in chapter 11. Based upon the vastly greater resources of west side residents—not only in terms of income, but also in terms of time, education, civic skills, habits of association, and prior levels of organization—the Strong Egalitarian predicts that they will dominate decision processes. She is a Strong Egalitarian, after all, because she believes that fair deliberation requires that parties enjoy rough equality of resources. Since one side will dominate discussion at the expense of the other, SLD in Traxton

will therefore fail to advance the core democratic values of effectiveness, fairness, deliberation, or solidarity.[9] While these arrangements might better advance west side residents' goals, east side priorities will suffer, and so we would not say that public institutions are more effective for the population overall. Indeed, since SLD shifts police resources from a supposedly neutral bureaucracy to deliberative control, east side residents may fare worse under SLD than under the prior command-and-control policing institutions.[10] Similarly, domination would block the advance of the other democratic values of fairness, deliberation, and solidarity. By definition, discussion in which one side dominates the other yields unfair outcomes. Recall that the value of deliberation is the value of guiding a common fate through discussion; if some voices are silenced, as the Strong Egalitarian supposes they will be in Traxton Beat, these voices necessarily cannot guide and so the value of deliberation does not advance. Similarly, domination seldom generates feelings of solidarity, and never produces genuine solidarity. According to our normative account, SLD generates solidarity as participants to deliberation come to realize that they face problems in common and when they see common action solving problems with which they are concerned. On the Strong Egalitarian view, SLD processes and outcomes will offer no basis for solidarity to East side residents because West siders will control the agenda and will be the principal beneficiaries of public action.

For distinct reasons, a critic who holds the Social Unity perspective—that "the quality of public life and the performance of social institutions... are powerfully influenced by norms and networks of civic engagement" (Putnam 1994)—will similarly predict poor democratic

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[9] See chapter 2 for a discussion of these core democratic values.
[10] This relative outcome is depicted in Figure 12.5.

outcomes for SLD in Traxton Beat. Based upon the brief description above, we infer that the west side possesses valued networks and norms to a greater degree than the east side. Regarding networks, west side residents incontrovertibly enjoy far more associations that link them to each other than to powerful outsiders than do east siders. On norms, we lack survey data that reveals the degree to which residents adhere to, or espouse, norms of sociability such as the disposition to trust others, join associations, or engage in mutual aid. In individual interviews, however, east side residents complained about the difficulty of mobilizing their neighbors to engage collective self-help. When asked to identify leading community activists on the west side, by contrast, one residents declined to respond because "there are so many that I would surely leave people off. This community is so full of people willing to help."

From the Social Unity perspective, this poverty of sociability will tend to cripple the deliberative capacities and contributions of east side residents in SLD in three ways. First, they will be less likely that west side residents to participate in the political opportunities created by SLD precisely because they are not "joiners." Chapter 12 showed, using city-wide evidence and secondary studies, that social unity did not appear to correlate with participation in SLD institutions. This neighborhood level-examination offers a sharper contrast and more accurate assessment of social capital and unity that was available at the city-wide level, and so allows a more accurate examination of Social Unity predictions about participation in this neighborhood. Second, at the level of group decision, the Social Unity perspective predicts that east side residents will lack the skills and dispositions necessary for fair and effective *deliberation*. Recall that deliberative procedures first require participants skillfully to offer and justify proposals and second to regulate the pursuit of their own self interest according to the demands of

reasonableness. The Social Unity critic would expect east side residents, because they lack habits

of association, to also lack the skills required to set the agenda on one hand and the dispositions

to willfully circumscribe self-interest on the other. Third, the Social Unity critic supposes that

residents of communities like West Traxton find it easier to *act* collectively on a common agenda

because they trust one another and share a history of cooperation, unlike east siders.

In contrast to both of these Social Unity and Strong Egalitarian perspectives, Street Level

Democracy is more sanguine about the prospects for advancing democracy with its institutional

prescription even in a place as unequal and divided as Traxton Beat. In response to the Strong

Egalitarian expectation that West will dominate East, SLD asserts that residents of each side can

recognize that they must share police resources, and deliberate about how to do so fairly rather

than each simply seeking to maximize control. In response to the argument that east side

residents will not participate in SLD institutions because they are not habituated to participate in

other forms of political and civic life, the SLD proponent argues that its institutions offer

distinctive incentives to participation: real power to solve problems that residents care about.

Finally, in response to the argument that East Traxton residents lack the attitudes and capacities

to deliberate fairly and effectively because they lack either the education, the time, or the

associations that might have functioned as "schools of democracy," the theory of SLD supposes

that the acquisition of these skills and dispositions can be relatively easily and quickly acquired

given an appropriate institutional context.

13.2. Discussion and Domination : November 1996 – February 1997

How did these racially and economically variegated residents and their public servants in the police department interact with one another within the Street Level Democratic institutions of community policing? Did they treat each other fairly, with respect, together developing and implementing effective solutions to public safety problems, thereby advancing core democratic values as the normative theory of SLD predicts? Or, did SLD yield domination of east by west or institutional paralysis, as skeptical critics might expect?

This study attempts to answer these questions with evidence gathered during ten months of close observation, between November 1996 and August 1997, of the community policing process in Traxton. As we shall see below, Traxton offers *prima facia* evidence to support both SLD's proponents and critics. During the first four months, better-off west side residents set the community policing agenda, east side residents were quiescent, and consequently west-siders dominated discussions about what the police ought to be doing and how they ought to be doing it. During the final six months of the observation period, however, the process included voices from both sides of the neighborhood in roughly comparable proportions. In this later period, both groups—or the unified group as a whole—agreed that problems on the east side were more severe and they devoted the majority of policing resources there. The prime explanation for this marked difference in the fairness of collective discussion and action between the first period and the second, I will argue, is that participants were reminded and guided by explicit deliberative norms and procedures in the second period, whereas meetings in the first period were free-form discussions that allowed the most articulate and aggressive speakers to dominate.

I define the first period of observation in Traxton to extend from November 1996 until

February 1997. During this time, monthly community policing beat meetings exhibited several

notable characteristics. First, though a substantial number of East side African-American

residents attended, the majority of "civilian"—non-police—participants were whites who came

from the west side. Between fifteen and thirty residents and from five to ten police officers

attended the average beat meeting over this period (see figure 13.3 below). This over-

representation of better-off residents conforms to the expectations of the Strong Egalitarian and

Social Unity critics of SLD. Second, discussions were extremely orderly, well facilitated, and

effective by the standards of community meetings. In Traxton Beat, community policing

participants have adopted the practice of electing one resident, chosen by majority vote, to serve

as beat facilitator each year, with terms beginning in January and ending in the following

December. Both of the facilitators who served over the observation period were west side

residents, and both possessed excellent group process skills that they had gained in other

community associations and in professional life. As a result of their facilitation, meetings moved

very quickly, decisively, and possessed continuity from one session to the next. Third, within this

context of fast facilitation and formally equal participation rights, west side residents effectively,

though perhaps not consciously, controlled the agenda of priority-setting and problem-solving.

West side problems occupied most of the content of discussion and the attention of police

officers insofar as they take direction from these meeting. The most obvious, and accurate,

explanation for this domination is that better off residents enjoy advantages of articulateness,

education, and attitude in open discussions with those who are less well-off (Sanders 1997).

The November 1996 beat meeting was typical for this period. Based upon the impressions of long-term participants, its style also characterized prior sessions. It was held in the community room of Christ School, a parochial school located on the West side of the beat, on a cold Wednesday night.[11] Traxton's beat meeting participation rates are high compared to the rest of the city, and on this night some 29 adult residents (2 or 3 brought their children) and 8 police officers braved the cold to attend.[12] Twenty-one of the residents were white, while eight were African-American. Approximately half—a lower ratio than at the average Chicago beat meeting[13]—were female. Three of the police officers were black, and the rest white. Most of them were regular beat meeting participants, and so knew from previous meetings where and when to go. New participants probably heard about the meeting from friends, at other community events, from street posters, and very likely from the many radio and television advertisements, sponsored by the City, that implore them to "Get with the Beat" by attending their neighborhood beat meetings.

Scheduled to start at 7:00pm, it began at 7:10pm, again remarkably prompt by Chicago community policing standards. Some 20 residents had arrived when the meeting started, and the rest trickled in slowly. Residents and police officers sat in a large circle facing one another, to both indicate and foster a sense of equality and attenuate the distinction between law enforcement professionals and residents. This simple practice is again distinctive; police sit at a

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[11] Community beat meetings in Traxton are held on the first Wednesday of each month so that residents and police can plan their schedules far in advance; most Chicago beats use some such regular scheduling practice.
[12] Recall from Chapter 11 that the average beat meeting in Chicago has 18 participants, and that the figure is seasonally sensitive with most participation occurring in summer months.
[13] See Chapter 11, figure 11.5 for a closer examination of gender ratios at beat meetings.

head table and residents in an audience arrangement in most of the other beats in the city. It was

not entirely successful, however, as police officers, white west side residents, and black east

siders for the most part still tended to cluster together in their respective groups. The following

figure depicts the seating arrangement for this meeting:

Figure 13.2. November 1996 Traxton Beat Meeting
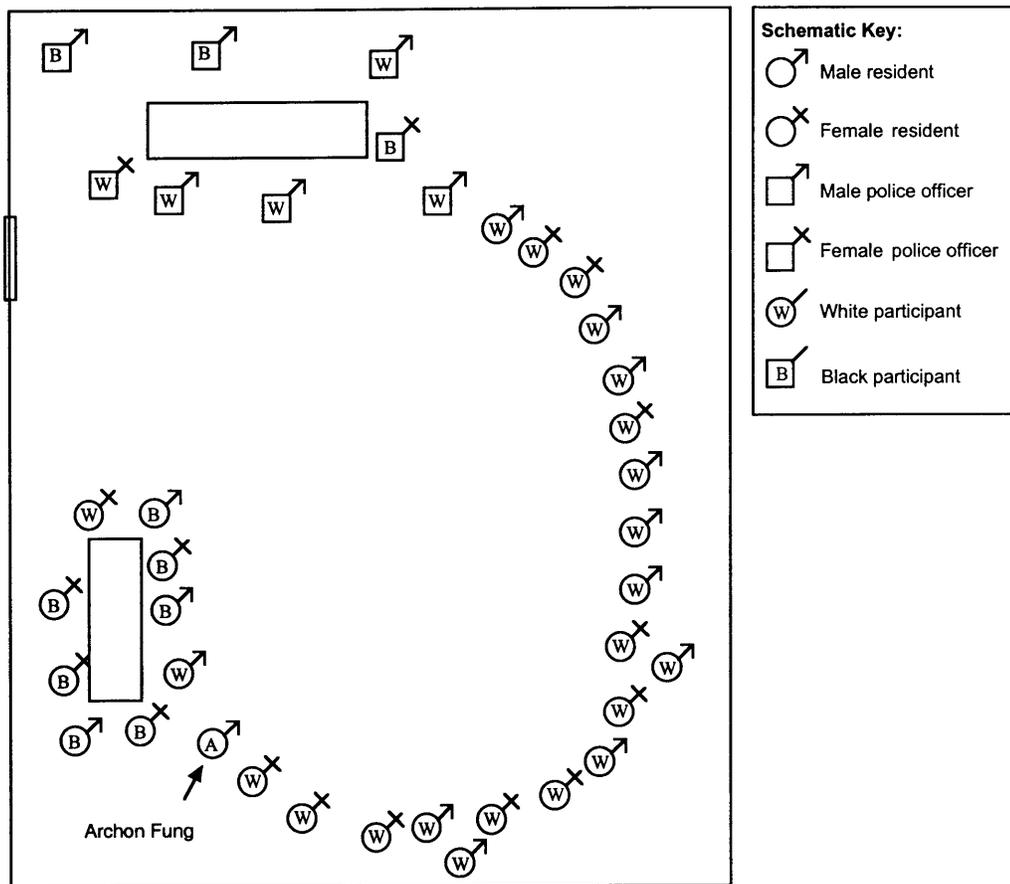
Over this three month period, the typical structure of discussion consisted of standard meeting

elements inherited from Robert's Rules of Order rather than the explicit problem solving

procedure outlined in chapter 8: the reading of minutes from the prior meeting, announcements, standing committee reports, guest speakers, review of old business, and finally new business.

This particular night's meeting followed that pattern. The Beat Facilitator, call him Leonard Jones for reference, began by reading the minutes from the previous meeting. A police sergeant then read the crime report and arrest statistics for the beat, and handed out beat maps that showed the addresses of crimes committed and arrests made since the previous meeting. Emily Crenshaw, West Traxton resident and also an employee of the Chicago Alliance on Neighborhood Safety (CANS), updated residents on the organizing and training activities of her group. The chair of the Court Watch committee, a sub-group of Traxton community policing participants that monitors criminal cases of interest, e.g. those in which a suspected criminal who lives in Traxton or preys on the area, reported that they were tracking no Traxton-related cases at the time. Again exhibiting an unusually high level of internal organization in comparison to the activities of other beats, the Traxton beat group has a regular practice of inviting Aldermen and their representatives to meetings to both learn about Aldermanic activities and to request particular actions from the City Councilors' offices. At this particular meeting, a regular representative of the West side alderman's office attended the meeting and reported that she was helping to negotiate the re-purchase of several unused properties that had come up at prior meetings as being dangerous because they were unused. There was no representative from the Aldermanic office of East Traxton's ward.

The meeting then moved into the direct discussion of public safety problems by reviewing the three main problems brought up during the last meeting and then the actions and results, if any, that relate to those problems. At the last meeting, residents complained about

illegal drinking by teens on the grounds of Traxton Elementary, located on the West side of the

Beat (see Figure 13.1 above). In response, residents from last meeting had formed an ad hoc

school-safety relations committee, and this group had already met once with school officials and

another meeting was planned. They discussed actions such as posting signs and installing

additional outdoor lighting. An abandoned building was the second problem brought forward

from the prior meeting. The building used to be a synagogue, but its institutional owners had left

the property unused and unsecured for several months. Trespassers had subsequently used the

building for drinking, possible drug use, and other illegal activities. Residents therefore

considered the area a nuisance that could potentially become a more serious criminal "hot-spot."

In response to this problem, residents had formed another ad-hoc committee that had met with

the Rabbinical owners of the property and persuaded them put a protective fence around the

property. Since meeting participants raised this property as a public safety issue, police agreed

that they would increase patrols around the area during night-time hours. Finally, the committee

had been searching for potential buyers of the property, and hoped to act as a broker that would

pilot the property to a productive use from its condition as a forsaken lot threatening public

safety. Several months later, this group did succeed in finding a buyer to assume control of the

property and converted it to commercial use.

The third continuing problem was late night noise pollution and traffic emanating from a

pancake diner located on the western edge of the beat. Residents living next to the structure had

for months complained about horns, shouting, car alarms, the occasional fight, and other noise.

Some of the more militant and suspicious residents complained of substantial gang activity

(called "gang loitering") inside the restaurant, but offered little evidence to support this claim. As

with the previous two problems, residents pro-actively addressed this issue. Those who lived

near the area organized one another to call the emergency 911 number whenever disturbances

occurred. For their part, police had been paying special patrol attention to this area. Beyond this,

residents organized yet another committee to meet with the franchise owner. As of this

November meeting, they had met several times but the owner seemed stubborn to residents; he

cited corporate policy and financial constraints as obstacles that prevented him from responding

to their complaints. Over the months that followed, the relationship between the restaurant owner

and residents became more cooperative, though never completely so. He attended several

community policing meetings and eventually agreed to several measures which adjacent

residents would report to be effective: he hired additional security guards, reduced operating

hours to close earlier in the evening, and reconfigured his parking lot to reduce loitering there.

After reviewing these persistent problems and the group's various responses to them, the

meeting then moved on to the "New Business" of raising new issues and strategies to deal with

them. This portion of the meeting was the most interactive and lively. In a first-come, first-

served flavor, residents aired the public safety concerns and social annoyances. Street peddlers

operating on the avenue that forms the Western edge of the beat bothered a few residents, and

they pushed police to more strictly enforce vending license requirements; police promised to do

so. Various traffic issues also bothered many of the West side residents—drivers hopping curbs

to transgress the cul-de-sac planters, drivers cutting through traffic lights, and several residents

voiced the need for an additional traffic light at one of the busy corners of the beat and a stop

sign on another particular corner. Police promised to target traffic surveillance at the points

identified by residents. The alderman's representative noted and promised to submit the requests

for stop-signs and traffic lights.

The discussion then moved from these relatively minor problems to a more serious and

violent public safety concerns of East Traxton residents. Unlike the discussions that involved

proposals, sometimes demands, for action involving the police, the alderman, and other

residents, the issues raised by East Traxton residents took the form of question-and-answer

informational requests. One black East Traxton resident inquired about some shots that he had

heard one evening:

> **Resident**: What happened with the shooting that occurred on 11th and Daniels? I heard that one guy got hit with a shotgun in his ear. A couple of houses down, someone got hit with a BB gun as well.

> **Police Officer**: That is right, but the people who got shot didn't see who did it. The same day, on the same corner, Officer Crusher and the gang guys picked up four guys with a MAC-10[14] in a car on that same corner.

To his credit, the beat facilitator Leonard Jones did attempt to delve a bit deeper into this issue

by establishing whether these shooting revolved around some kind of "hot spot" or whether it

was an isolated instance. No one else in the meeting, however, accepted his invitation:

> **Jones**: Has this house… been a problem?

> **Police Officer**: Only that there is a loud dog there.

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[14] The MAC-10 is a submachine gun, typically capable of fully automatic fire and accurate at ranges of less than 150 yards.

And so ended this meeting's discussion of the multiple shootings at the corner of 11th and Daniels. No further action was taken beyond that specified by standard police routines because none was imagined or demanded at this meeting. This inaction and silence on the part of East Traxton residents stands in contrast to the coordinated and persistent efforts of West Side residents to solve what are, by comparison, quite minor problems. This meeting's general pattern of effective west side action and east side paralysis continued in the next two meetings, through January 1997. As in this November meeting, residents from both sides of the tracks raised problems of public safety that were on their minds. However, only West side residents proposed strategies to deal with problems raised. The following table shows the major problems discussed in rough order of attention given them during these three months in the left-hand column, and shows the actions taken in response to those problems in the right hand column. East side problems are listed in bold-face type.

Table 13.2. Problems in Traxton Beat: November 1996 – February 1997

ID#	Problem Raised	Strategies and Actions Taken
1.1	Abandoned Church Property	Increased Patrol, Brd. of Ed. secures area, property sold to developer.
1.2	Noise at Pancake House	Issue noise citations; open discussions with owner which resulted in operational changes that reduced noice and fighting.
1.3	Street Peddlers	Citations and intensified patrol.
1.4	Poor 911/Police Response	Presentation & Tour of 911 Center. Police carry pagers.
1.5	**Intrusive Police Surveillance**	(Request for evidence - which cars?)
1.6	**Brother Shot Dead**	(Police rpt. On-going Investigation)

Problems 1.1 through 1.3 were raised before my observation began in November, discussed at

the November meeting and action on these problems continued persistently throughout the

period. West side residents and their allies in the police department, city agencies, and city

council made significant progress on all three of these problems. The abandoned church property

was first secured, and then residents working with the alderman's office helped to identify a

developer who put it to commercial use. A by-product for him, but the main objective for

residents and the alderman, is that the property no longer poses a public safety threat from its

vacancy. As mentioned earlier, strategies to solve resident problems with disturbances at the

diner (Problem 1.2) included increased police patrols and early fruitless discussions with the

franchise owner. As the committee persisted, however, relations with the owner became more

cooperative, and eventually he attended a beat meeting himself. The group negotiated operating

changes with the owner that included hiring an extra security guard, closing earlier on weekends,

and securing the parking lot. While the residents who initially complained about the diner still occasionally complain about noise, they agree that these actions have substantially abated the original problem. Street peddlers who obstructed traffic and whom some West Traxton considered an eyesore also received substantial attention. At the behest of these residents, police began to enforce vending license statutes and to confiscate the wares of those peddlers that stood in violation. Within two or three months, the peddlers had moved on to other cross-roads, and they no longer posed a problem for anyone in Traxton.

A fourth problem that arose in meetings during this period, this one shared by both East and West side residents, was slow police response to 911 calls (Problem 1.4). Residents frequently complained that police did not show up until hours after a call had been made, and they felt this to be an unacceptably poor level of service. The group took action on this problem in two ways. First, residents invited representatives of the 911 office to explain the system, and to answer questions about tardy response. The representative laid out the priority system of responding to calls and placated resident complaints a bit. Ultimately, however, the 911 system is organized as a citywide system, is quite rigid in its design. The residents of one beat, even one as well off and well organized as West Traxton could therefore not hope to change it. As a second strategy, then, residents and police short-circuited the city-wide system. Police began to carry personal pager units and publicized their pager numbers at beat meetings.

In contrast to these fairly effective responses to targeted problems, two of the major issues of distinctive concern to East Traxton residents received much less sustained attention during the first observation period. In February 1997, for example, black residents from East Traxton raised two recurring problems that directly questioned the competency, interest in public

safety, and racial attitudes of the police. One woman suspected the police of carrying out

surveillance operations on her house (Problem 1.5). She said that, "Whenever one of my friends

comes over to visit, I [always] see police come ten minutes later. I always see them outside my

house with binoculars." The police denied this surveillance, she did not press the matter, and the

meeting continued without addressing her concern. In a very similar comment in a meeting some

months later, one woman complained that police harassed her son. This time, however, the beat

facilitator (who at that meeting was Emily Crenshaw) pressed the matter further:

> **Black Resident**: I live on [13th and Daniels]. We have an unusual number of
> plainclothes officers, and there is trouble [when they are around]. We are having trouble
> with those that are trying to protect us. Some of these officers harass the teens playing in
> the vacant lots. [You police should] make yourself useful...

> **Emily Crenshaw**: Do you know how to identify police cars? On the top of the police
> cars are numbers with four digits, if you see something that is not right, then take down
> this number [and we can act on it]

> **Black Resident**: The kids say, "the police told us to go away, they took our ball." The
> police would stop my daughter from being on the street. I want to know what we can do
> [to stop police harassment].

> **Emily Crenshaw**: You are going to have to ask your daughter to get the name, or the
> numbers on the cars. That is the only way we can do anything.

> **Police Officer**: What lot is this that kids are being run off of and balls taken?

> **Black Resident**: There is an alley by my house, and a lot next to it [that is where the
> police harass]

> **Emily Crenshaw**: The best thing to do is to ID them. If you bring license plate numbers,
> then we can track it down [and stop police harassment]...

> **Black Resident**: You have two cars in that neighborhood, and their badge numbers are
> not visible. I report them to city hall. I have reported them, and all they do is harass me
> more.

> **Tactical Officer**: Why don't you give me their names?

Black Resident: This won't do any good.

Unfortunately, this matter was never pursued further. The woman did not return with more detailed information such as the identity of the offending officers that would have supported her claim and enabled the rest of the group, should they have been appropriately disposed, to stop the alleged harassment if it did in fact occur. The matter remained tantalizingly unresolved and unactionable.

At the same meeting, another African-American female resident of the east side raised an even more serious matter; her brother had been shot:

> **Female Resident**: On December 15, my brother was shot and killed at a store on the corner of [14th and Commercial]. I don't think that the police are doing anything about this. I have made many attempts to get some satisfaction, but nothing is being done to find the person who killed my brother. You would say that he was a young black man [and so deserved it], but you don't know me, and you don't know my brother.

> **Detective**: Within 2 days of your brother's death, seven people were picked up. One woman gave us a name [of a suspect] and he was picked up, but no one ID'd [identified] him in a line-up. I have talked to other detectives, but we are having trouble turning up more leads.

And the matter was largely dropped after this exchange, and again east side residents, in contrast to their more effective counterparts to the West, never moved their problem-solving efforts beyond the mode of complaint, question, and informational response. East Traxton participants never attempted, as west side residents almost certainly would have, to ascertain whether that corner is the site of recurring problems (it is) and push for sustained action to enhance its security.

During the months between November 1996 and February 1997, then, West Side residents dominated the community policing process of Traxton in the sense that problems they raised received much more airtime in meetings, sustained attention from meeting to meeting, and follow through action on the part of police, city agencies, political officials, and the residents themselves. During this period, then, the formal deliberative institutions of community policing did not yield outcomes that were fair to both well heeled and disadvantaged, west and east side residents respectively, participants. The peculiar mechanism of domination in effect in Traxton over this period is, however, worth examining in a bit more detail. It is peculiar for three reasons.

First, domination was not the intent or plan of West side residents, but rather an unintended consequence of a laissez-faire, first-come-first served style of discussion in which the most assertive and well-spoken participants guide proceedings. In no instance were there heated arguments between East Siders and West Siders or police officers about what counted as a problem, or whether some course of action should or should not be taken. To the contrary, in two instances described above and several others observed during the field research, police and west side residents tried to draw out problems brought up by east siders, but failed in that no further discussion about additional dimensions of the problem or solutions to it followed.

Second, domination in Traxton did not operate according to conventional mechanisms commonly deployed to describe the operation of power, conflict, and subjection. Consider the common typology of decision power that distinguishes between three "faces"—or modes—in which a stronger party can steer group decisions in its own interests, over the colliding interests of a weaker party. One party may dominate another through (i) victory in outright conflict, (ii) controlling the agenda of decision-making, or (iii) subject the consciousness of the weaker to the

degree he does not even recognize, and therefore cannot press, his own interests (Bachrach and

Baratz 1962). None of these mechanisms, however, accurately describe the discussion and

decision processes that engaged East and West Traxton residents over the November 1996 to

February 1997 period. Considering the three faces of domination in reverse order, East Traxton

residents had subjective interests in conflict with west siders, and so were not so subjugated that

they accepted West Traxton's interests as their own. They repeatedly raised issues of particular

concern to those who lived on their side of the tracks—such as police harassment, gun violence

on the east side, and police inaction on east side crimes. Neither were East Traxton residents

unable to place their items on the agenda, as they often spoke during the "new business" section

of meetings, and west siders appeared to listen. Finally, it is not as if east siders lost discursive

battles in meetings to those who lived west of the tracks or to the police officers who are

supposed to serve them. Far from attempting to quash their contributions, west side residents

sometimes attempted to elicit elaboration on various issues from East siders.

Not well described by the three faces of power, domination and the corollary failure of

deliberation resulted from yet a fourth, straightforward but so far as I know untheorized

mechanism. Residents from the west side were able, even without trying, to dominate

community policing deliberative proceedings because east side residents were unable to follow-

through with the complaints that they raised. When different east side residents raised problems

of murder and firearm violence, for example, they failed to (i) articulate that these problems

constituted systemic or recurrent patterns that warrant preventative attention and action, or (ii)

offer proposals to address these problems. When another resident raised the problem of police

harassment, others questioned the factual basis of the allegations, and no one took the

straightforward steps necessary to offer dispositive evidence or generated other proposals for solving the problem.

The institutional and normative theory of Street Level Democracy offered in Part II above describes this failure on both the level of individual participants (chapter 7) and deliberative group process (chapter 8). At the level of the citizen, east side residents either lacked or failed to exercise their deliberative capacities of *practical reason* and *public justification*. Recall that an important component of practical reason is the ability to offer solutions to problems; east siders for the most part did not make such proposals. Furthermore, east side participants did not justify why west siders and police should expend resources on these problems by offering additional evidence or by arguing that individual incidents were parts of larger criminal patterns or recurrent social disturbances. The deliberative group considered as a whole—including residents from both sides of the tracks and police officers—failed to implement the first step of SLD's five-step deliberative process: the identification and prioritization of problems (7.1). Rather than self-consciously inventorying problems and then weighing their relative severity and urgency against one another, discussions proceeded in a town-meeting format in which individuals raised issues in a serial, first-come, first-served basis. As a result, the group accorded its attention to the most aggressive, articulate, and persistent individuals. If the group had been asked to rank the various problems raised—the shootings, murder, harassment, noise pollution at the diner, street peddling, and traffic—and distribute their energy according to urgency, the discursive processes *might* have generated more fair outcomes.

Given this peculiar mechanism of domination—deliberative failures of east side residents and of the group as a whole—the third notable aspect of domination in Traxton Beat from

November 1996 until February 1997 is its apparent fragility. Since the domination was for the most part unintended and operated according to a mechanism that seems much less robust than the more common and entrenchable "three faces of power" mentioned above, one might think that small perturbations of the discursive process might have transformed it into the kind of deliberation that would have yielded more fair outcomes. Minor failures of the imagination and lack of persistence, rather than deep structural or psychological constraints, prevented east siders from offering modest proposals or additional evidence to articulate their complaints into fuller demands for collective action. The difficult part of this counterfactual, of course, is whether West Traxton residents would have continued abide by the deliberative rules of the game—in particular by exercising their the moral capacity to restrain the pursuit of their own self-interest, as discussed in chapter 6, when those rules would have required them to accede to the redeployment of public safety resources toward East Traxton problems. The data presented thus far cannot address this question. If east siders had offered better arguments or proposals for action, west siders might well have used their greater numbers, resources, and education to perpetuate their domination of the proceedings through more common techniques, such as victory in open conflict or control of the agenda. Alternatively, they might have been guided by the deliberative norms of reasonableness even in situations where those norms required them to modify or sacrifice their own interests. Fortunately, the second period of observation in Traxton Beat, from March 1997 until August 1997, offered additional evidence and opportunities to asses the deliberative and moral capacities of Traxton Beat community policing participants.

13.3. Structured Deliberation in Traxton Beat: March 1997 – August 1997

At the beginning of every year, Traxton Beat elects one of its residents to serve "Beat

Facilitator" who takes responsibility for preparing agendas, conducting beat meeting discussions,

and ensuring continuity from one meeting to the next.[15]

The baton of beat facilitation moved from Leonard Jones to Emily Crenshaw at the beginning of

1997. While Jones had been a local civic leader active in several Traxton community

organizations, he had no prior training in community policing prior to his participation in

Traxton Beat meetings. Emily Crenshaw, by contrast, had worked for the Chicago Alliance for

Neighborhood Safety (CANS) as a Joint Community-Police Training Program (J.C.P.T.) trainer

over the prior year and half. Recall from the discussion of J.C.P.T. in chapters 5 and 8 that these

trainers—from both civilian and police backgrounds—roved throughout Chicago to organize

residents around community policing issues and teach them the techniques of participatory

community policing. Out of this experience, Crenshaw enjoyed greater familiarity with both the

distinctive procedures of the deliberative problem solving, substantive issues in public safety,

and the particular difficulties that residents often encountered in working with police officers.

Though Crenshaw lived on the west side of Traxton, she had normative social and racial

justice commitments that impelled her to mobilize greater participation from east side residents.

She felt, concurring with the analysis above, that those living on the east side needed community

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[15] In this simple process, candidates are nominated prior to the December meeting. Nomination requires only one vote, so in practice anyone who wants to stand for election may do so (he or could simply nominate himself). Elections are held in the December meeting, and the winner is the candidate who receives the plurality of votes. This process is distinctive to Traxton Beat. As of this writing, not all beats have designated facilitators, and those that do have each devised their own selection procedures. Some facilitators are appointed by their police District Commanders, others are volunteers who serve by the assent of the rest of the participants.

policing more than west-siders, but were gaining little from the existing process. When she

began her tenure as Beat Facilitator, she independently started to organize East side residents to

turn out to beat meetings through phone calls and a few visits to houses and commercial

businesses of East Traxton. Beginning in February, these low-level efforts began to bear fruit,

and the proportion of African-American, East Traxton residents expanded dramatically as shown

in figure 13.3. below:

Figure 13.3. Traxton Beat Community Policing Meeting Attendance
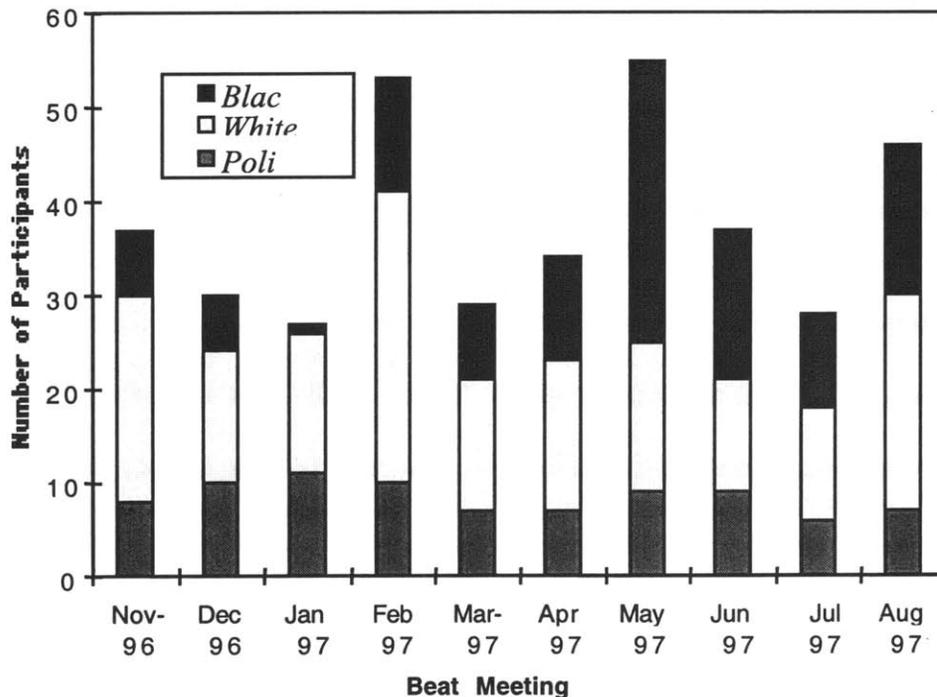
In the March 1997 meeting, Crenshaw shifted the meeting style from the laissez-fair,

town-hall style described in the previous section to one that more closely followed the structured

five-step problem solving procedure of SLD.[16] The proximate cause of this transformation of

discursive style was a Chicago Police Department (CPD) administrative decree on community

policing. Some months earlier, the CPD issued a general order to all police beat teams directing

them to produce "beat plans"[17] containing a prioritized list of public safety problems and

strategies to amelioate those problems. As a community activist, Crenshaw felt strongly that

residents, not police alone, should determine the ordered list of priority problems. At the March

beat meeting, therefore, Crenshaw started the discussion of problems by announcing that:

> We have got to put together a beat plan. This will give the [Police] Commander some
> sense of what the top problems [are]. Remember that a problem is something that is
> ongoing, affects more than one person, and that we have the resources to deal with. Why
> don't we start by making a list of all the problems.

Asked to rank Traxton's problems, a white male west side resident quickly raised the

alleged crack/Gangster Disciples operation run by "Spike" as the Beat's greatest priority.

Whether or not these allegations are true, his house, located at 14th and Quincy (see map in

Figure 13.1 above) is the center of gravity of criminal violence in Traxton. Two of the three

murders in 1995 occurred within one block of his house, as did the murder of December 1996

that was heatedly discussed in the February 1997 beat meeting.

> **White Male West Traxton Resident**: Is [Spike] still operating? That would be the
> number one problem.

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[16] See Chapter 7.1.
[17] See 7.2 for the description of beat plans and Fung (1997c).

Emily Crenshaw: Yes he is. For those of you who don't know, he lives at _____ South Quincy. Does everyone agree that he is a priority problem?

With quick assent and without further debate, everyone in the room—black and white, east and west side—agreed that criminal activity around Spike's house was the beat's number one problem. East Traxton residents and police testified in this meeting and others that Spike and his colleagues caused trouble. One woman reported that:

> When I got home at 9pm, there were about 20 of them standing there [blocking my path]. This was at [14th and Quincy]. When I came back out to my car, they had 'fuck the police,' and gang signs [written] on the car.

Despite the fact that the previous months of community policing had been largely silent on this problem, everyone agreed immediately when asked to name *the* most important issue. It would have been difficult indeed to publicly justify any other problem as a higher priority.

After settling Spike's operation as the highest priority, participants discussed and finally settled on four additional problems:[18] loitering and harassment of passers-by at the Metra Station on the east side, late night noise and fighting at the pancake diner, drug and firearms activity around the corner of 11th and Quincy, and teenage drinking in the forest preserve on Traxton's north side. The table below shows the order of urgency as established by residents in the left column, and the actions taken to address these problems in the right hand column. As with the previous table of problem priorities, East Traxton issues are shown in bold face:

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[18] Refer to the map of Traxton in Figure 13.1 to locate these problems.

Table 13.3. Problems in Traxton Beat: March 1997 – August 1997

ID#	Problem Raised	Strategies and Actions Taken
2.1	**Spike's Drug Area**	Arrests around house, residents show themselves in relevant Court cases.
2.2	**Burglaries and other disturbances at stores on 18th and Commercial**	Increased patrols, police work with (African-American) store owners to increase responsiveness.
2.3	Residential burglaries	Major perpetrator caught, prevention workshops for residents held.
2.4	**Loitering and harassment at Metra Station**	Increased police visibility.
2.5	Noise at Pancake House	Increase police patrols; negotiations with owner over operations changes to reduce disturbances.

Contrasting Table 13.3 with Table 13.2 above, the first major difference between this

second phase (March 1997 – August 1997) and the first phase (November 1996 – February

1997) of community policing in Traxton is that the body as a whole explicitly agreed that the

beat's most urgent problems lay on the east side. At the level of agenda setting, the second phase

was more fair than the first. Good intentions, however, in no way imply fair outcomes. The same

disadvantages that crippled east side residents during agenda-setting discussions in the first phase

might hamper the development and implementation of strategies even given an equitable

schedule of priority problems. Did east side residents enjoy better community policing outcomes

after securing a fair list of problems? Consider the strategies taken in response to each problem

and its outcomes in turn.

On the major problem of Spike's drug house and its surrounding blocks, the group

implemented two strategies. First, police increased presence in that small area of the beat through

more frequent patrols, the use of a controversial (but legal) technique called "field interviews" in

which suspicious persons or persons in suspicious areas are stopped, questioned, and sometimes

searched on the street. This technique resulted in several arrests for Possession of Controlled

Substances (PCS), and in this case the substance was crack cocaine or marijuana. Second,

residents and police tracked relevant cases through its Court Watch committee. The assumption,

widely accepted as true among Chicago community activists, behind this strategy is that judges

and juries will issue harsher sentences when residents affected by suspects' activities present

themselves in court proceedings or otherwise declare their perspective. In addition to its effect on

court decisions, these Court Watch groups monitor the prison and parole status of people whom

they consider threats to the neighborhood. They convey this information to beat meeting

participants and other neighborhood residents. Police worked with residents to use Court

advocacy to target particular individuals associated with Spike's operation:

> **Police**: [Last week, between Commercial and Quincy] we arrested [Jerry Anderson]. This
> is his first arrest [he is only 13]. Another one for the Court Watch is [Spike's brother].
> [Third and fourth suspects for Court Watch are] "Yummie," the guy who did a bunch of
> their shootings, who is under arrest, and so is Washington T.
>
> **Crenshaw**: "You can't really show up because he is a minor, only 13 [and so
> proceedings are closed]. The best we can do is send a letter. We can call court advocacy
> and get them to send a letter. We should attend the rest of the hearings, though.

At a later meeting, an East Traxton woman active in Court Watch told the group that:

> I have been going to the Court Watch, the judges have really been cooperative with the
> court watch cases. They would like more people to attend. When is a crime is

committed on a block, [I know that] the people from there don't like to go to that trial, because then they [those arrested] will pick on you, but it is important.

Did these measures yield progress on the crime and physical threats around the corner of 14th and Quincy? During this period, Spike himself was not arrested for PCS, and so continued to live there throughout the observation period.[19] However, the actions did elicit a reaction; Spike himself attended the June beat Traxton meeting along with two associates. He offered a brief statement denying any criminal activity; "[I] came here to say that I don't run nothing, don't do nothing. Everybody is saying that I am a big dope dealer, but I am not doing anything." East Traxton residents who lived near him were present at this meeting, but remained curiously silent in the face of this denial. After the meeting, residents said that they had been somewhat intimidated by his presence, and others speculated that he came precisely to spark such feelings. However, both East Traxton residents and police reported enormous progress in abating the fear and threat from Spike's alleged criminal operation, though both agreed that serious problems remained. At the May meeting, a tactical police officer reported that, "In the past three weeks, there hasn't been anyone out at [14th and Quincy]. We seem to have moved that problem away from there for now." At the June meeting, a resident who lives near Spike said that "Sunday night, at 3 or 4 in the morning, I have heard shots fired around [Spike's corner]. But that is about it [in terms of disturbing activity there]. You guys are doing great work, and please keep up the good work."

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[19] By way of epilogue, Spike was arrested in 1998 for attempting to sell crack cocaine to an undercover police officer in a sting operation.

The second priority problem (2.2) was commercial burglaries in the various stores that line Commercial Avenue, but especially on the corner of Commercial and 18th Street. The corner is a busy one, with foot traffic from several stores and from the several major bus lines that stop on the corner. In addition to the normal flow of pedestrians from busy stores, school-age children frequently visit the stores and wait for public transportation there in the afternoons. Store operators suspect that thieves come from both groups. The major strategy for dealing with commercial burglaries was straightforward. East Traxton residents asked police to patrol the area more frequently, to show greater presence, and to walk into the stores on foot from time to time. Police complied with all of these requests, and obvious measure seems to have worked. In the May meeting, one East Traxton resident reported with satisfaction that, "Since the last meeting, the visibility has been up 100%, and the boys are no longer on the corner of [14th and Commercial]." As with Spike's drug house, however, this strategy did not eliminate the problem; according to other residents and store owners, the burglaries still continue, though less frequently.

In order to deal more systematically with this problem and others, several East Traxton residents and small business owners formed the East Side Business Association[20] in March 1997. Participation in just a few beat meetings and talking with other participants had made them more acutely aware of the crime problems on Commercial and of the possibility of reducing those problems. Those who formed the association also realized that the east side had low participation and organization at beat meetings. The members therefore scheduled their monthly meetings to

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[20] The name of this association has been changed to preserve anonymity.

occur one week before the beat meetings, so that the group could offer its issues and proposals at the beat meeting. The elevated east-side and African American participation in Traxton community policing meetings after February 1997 is probably due to the efforts of this group as much as, or more than, those of the beat facilitator Emily Crenshaw. In this instance, the existence of the community policing institutions and the resources it offers to community residents and organizations itself led to the creation of a new civic organization. This increase in associative capacity is an example of SLD's "civic engagement" mechanism described in chapter 8 above.[21]

Residential burglaries have been a long-standing problem in West Traxton. It is no secret that the area has many wealthy residents with nicely furnished houses, and those disposed to theft are often drawn from poorer areas. The most frequent kind of residential theft is the garage break-in, in which tools or lawn equipment is stolen, due to its low risk. Somewhat less commonly, thieves have broken into West Traxton homes to steal jewelry or other portable valuables, most often late at night or during the work day. A string of garage break-ins in West Traxton occurred in February and March of 1997, and residents raised this problem to priority status in the March beat meeting. Though less intense, this crime is in some ways more difficult to combat that the geographically focused drug-house and commercial burglaries discussed earlier. In response to resident concerns, police deployed addition detective capacity to investigate the problem, and eventually arrested one particularly active burglar who had preyed on West Traxton houses repeatedly. Additionally, the group organized a workshop on preventing

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[21] We shall see this mechanism of community policing activity causing the formation of new civic gps again, and in more detail, in the creation of Southtown Park association in Chapter 16.

and deterring burglaries for themselves and other Traxton residents. Not surprisingly, for such strategies are not obvious, they did not develop proposals to more systematically reduce burglaries in the future. One West Traxton resident, however, did suppose that this West side problem was intimately connected to more serious East side problems, and that reducing the latter would ameliorate the former. He asked the group whether, "you think that most of the burglaries on this map are people trying to get money for the drugs. Makes sense that if we get rid of the drug houses [on the east side], then many of the burglaries will stop as well."

The fourth priority problem revolved around the Metra Station on the tracks that separate the East and West sides of Traxton (see map in figure 13.1). The station itself and its parking lot are located on the East side, and residents who use the station and those who live near it allege that young people congregate around the area, drink, and harass passers by. The compact exchange that established the problem as a priority at the March meeting illustrates how a problem can be quickly identified as a priority, how the open discussion transmits detailed information about the problem, and how mutual commitments to act on the problem can build trust between parties—in this case police, West side residents, and new East side participants—unaccustomed to working with one another:

> **Black Female**: The Metra parking lot gets pretty good monitoring in the mornings, but the path between the green and white house and the empty school is still attracting a lot of unwanted traffic. The gang members come and drink and hang out. As it gets warmer, it will become an even worse problem.
>
> **Emily Crenshaw**: What time does this happen?
>
> **Black Female**: [It is worse around] 5pm or so, but happens at all times.
>
> **Police Officer**: Where do you live?

Black Female: I live at [15th and Langdon] across the street, but I think that it centers at 16th street.

Police Officer: Have you called the police when they come?

Black Female: I have called the police, and I have gone out and talked to them directly.

Crenshaw: If we agree to work on it [the problem around the Metra Station] this month, will you come back next month to help?

Black Female: Yes, yes.

Like the commercial burglary problem directly to the East, residents proposed, and police implemented, the straightforward solution of increased police presence at times of the day that they identified as most problematic. According to field observations and residents who live near the area, the action substantially reduced the harassment after just a few weeks. One resident said, "thank you for patrolling [15th and Langdon], I think that the [foot] traffic has gone down. I just want to say thanks... It is dangerous in the lots, and the fields, and they shouldn't be there."

Noise and occasional fighting at the pancake house was the fifth priority problem. Notably, this was the only issue to be listed as a priority in both the first and second phases of observation (compare tables 13.2 and 13.3). Several participants thought that the issue should not be treated as a priority for the beat group because of its localized character, lack of urgency, and the substantial resources that had already been devoted to it in the past. Nevertheless, participants agreed to list the problem as a priority and to act on it as such. Their strategies were discussed above and resulted in a number of operating changes that substantially reduced the late-night noise and loitering activity about which neighbors complained.

The fairness of community policing decisions and their effectiveness for East side

residents was clearly greater in the months between March 1997 and August 1997 than in the

earlier period from November 1996 until February 1997. This improvement was due to the shift

from a laissez-faire, town-meeting, free-form mode of meeting discussion to one in which

participants were asked explicitly to rank problems according their severity, and then to

distribute their problem solving energies accordingly, as in the problem solving procedure of

Street Level Democracy specified in chapter 7. When asked to do so, Traxton residents did not

self-interestedly list as most urgent those problems that lay most near them. Instead, they agreed

on a consensus ordering despite differences in their "objective" interests and lack of shared

histories or culture. This ordering of problems, furthermore, was one which an outside observer

neutral to both parties might herself generate if asked to rank Traxton's public safety problems

on the dimension of urgency. In the remaining sections of this chapter, we step away from these

case details and consider deliberations in Traxton Beat during our observation period according

to the hypotheses and normative questions presented in chapter 13.

13.4. Realizing Democratic Values in Traxton Beat

Did Street Level Democracy in the form of community policing institutional reforms

advance the core values of democracy—effectiveness, equity, autonomy, deliberation, and

solidarity—in the case of Traxton Beat? Recall that we developed a framework that interprets

this question in three ways in chapter 13: (i) how well do SLD institutions advance these values

under different sets of initial conditions; (ii) how much, if at all, do SLD institutions advance

these values beyond the levels reached under the previous institutional set; and (iii) to the extent

that SLD advances these values, does it do so according to the mechanisms specified in its

normative theory and laid out in chapters 9 and 10?

13.4.1. High Realization of Core Democratic Values in Traxton Beat

Fully answering the first question requires an evaluation of the relative democratic

performance under SLD of our six cases. Since Traxton Beat comes first in our narrative

sequence, inter-case comparisons must wait until we have more qualitative data. However, the

periodization of community policing in Traxton into an initial phase of meetings dominated by

West side residents followed by a period of more fair deliberation allows us to explore

contrasting democratic outcomes under SLD institutions within the single case of Traxton.

Elaborating on what the discussion immediately above generally established, democratic values

were realized to a much higher degree in the second period of observation (14.3) than in the first

(14.2).

Recall from chapter 2 that our first core democratic value is that public institutions ought

to *effectively* secure the ends that citizens desire. An effective set of community policing

institutions is, then, one that dramatically abates the crime, public safety, and disorder problems

that citizens have. In both the dominated and deliberative phases of our observation, residents

and police quite effectively developed and implemented strategies to solve problems (see Tables

14.2 and 14.3 above). Indeed, as we shall see in the following chapters, Traxton Beat ranks

among the most effective neighborhood-level groups in our series of six case studies. The group,

counting both residents and police, was able to focus its attention on priority problems over time

and develop strategies to significantly reduce the severity of all the problems on which it

focused. As a rough and ready assessment, therefore, we say that the community policing group in Traxton beat realized the democratic value of effectiveness to a high degree in both the first and second periods of observation.

The principle difference between the first and second phase, of course, is that outcomes in the first phase benefited primarily west side residents despite the relatively benign character of their problems, while priorities, strategies, and outcomes in the second phase served both east and west side residents more equitably. In so far as it is possible to construct an objective list of urgent public safety problems in Traxton during the observation period, that list would probably resemble the actual list of problems that residents themselves generated, shown in Table 13.3 above. One objection to this characterization of deliberation in the second period as fair is that some voices were excluded from the process. Notably, both police and neighbors ignored the claims of Spike and his associates, and certainly did not incorporate his priorities into those of the group. Does this exclusion problematically reduce the fairness of community policing deliberations in Traxton? Certainly, an institutional context in which others took Spike's concerns more serious, in which it would be legal to act as a group on those concerns, in which he supported his opinions and proposals with verifiable evidence, in which his proposals are reconcilable with those of other residents, and in which other participants did not feel intimidated in his very presence would rank more highly in terms of its fairness than did Traxton Beat. Developing such an institutional vision that is at the same time plausible is a non-trivial matter of institutional design, and lies far outside the scope of the present project. Admitting that some perspectives and interests were excluded even at the high point of deliberation in Traxton Beat

and that fairness was not *perfectly* realized, we nevertheless rank Traxton Beat quite highly on the dimension of fairness in the second period, but quite low in the first.

Since both fairness and effectiveness for east side residents in the second period resulted from the persuasive injection of their own voices and perspectives into Traxton Beat discussions, it is unsurprising that our assessment of this case on the dimensions of autonomy and deliberation tracks that of fairness. As with fairness, we say that the values of autonomy and deliberation were highly realized in the second period but largely unrealized, at least for east side residents, in the initial period. Recall that autonomy in the Kantian sense and deliberation are closely related democratic values. Roughly, they are together realized when our actions are guided by our own internal ethics, morals, and interests (autonomy) and when our fate is governed by our collective will as manifest in open discussion rather than by chance or external power (deliberation). Heuristically, one might think of *effectiveness* and *fairness* as characteristics of the "outputs" or consumable benefits generated by democratic institutions, while *autonomy* and *deliberation* describe the integrity with which "inputs" or popular voice drives them. The core democratic values of autonomy and deliberation were realized to a fairly high degree in the second phase of Traxton's community policing proceedings because those residents asserted their priorities to the larger group and participated in the development and implementation of strategies to address those problems. Autonomy and deliberation for them was realized to a much lower degree in the first period because their voices were largely absent, and because collective decisions and actions failed to incorporate them when they appeared.

It is much more difficult to assess the realization of the fifth core democratic value of solidarity in Traxton, for those connections between citizens typically develop over spans of time

that greatly exceed the duration of my observations. Nevertheless, SLD institutions of community policing in Traxton served as handmaiden to the early development of two kinds of solidarity in Traxton. First, it is difficult to imagine how the cooperation, consensus, and group action between west and east side residents, documented in 13.3, would have developed in the absence of bridging institutions such as SLD. East and west side residents hardly spoke to one another prior to these community policing reforms; indeed, west siders had spent much collective energy barricading their neighborhood on all sides in order to minimize the opportunities for interaction with the less wealthy neighbors that surround them. Second, community policing institutions drove east side residents to greater levels of organization—as manifest in the formation of the East Traxton Business Association and the informal self-mobilization of east side residents to participate in the beat meetings. An explicit motive of this community and social organization was to capture and direct the public safety resources for east side problems, just as the "civic engagement" hypothesis described in chapter 9 predicts. While the temporally compressed observations about Traxton Beat cannot reveal whether these new solidarities that bridge east and west side residents and tie east siders closer together are durable, these auspicious beginnings are the only data we available, and so lead us to rank Traxton in the later period highly on the dimension of solidarity.

13.4.2. Explaining Traxton's Peculiar Democratic Outcomes

Bifurcated outcomes in Traxton Beat—high democratic performance in the second period and low in the first—make it difficult to explain its democratic success with any simple theory. In particular, contrasting democratic outcomes rule out explanations that rely upon various kinds

of initial conditions (wealth, social unity, etc.) that remained static throughout the observation

period. Recall from chapter 12 that the initial conditions of Traxton Beat—high interest

dispersion and great inequality—led us to assign this case rather low democratic expectations.

This assignment was in turn based on a predictive consensus among five critical, theoretical

perspectives developed in chapter 11: the rational choice, strong egalitarian, social unity, cultural

difference, and elite-technocratic views. Had our observations of Traxton Beat been limited to

the months from November 1996 until February 1997, our data would have supported both the

low expectations and the first four of the critical perspectives. However, the positive democratic

outcomes observed in the second period (March 1997 until August 1997) greatly reduce the

accuracy of the prediction and the persuasiveness of the critical perspectives. How, then, do we

explain the peculiar pattern of democratic failure followed by success in Traxton Beat?

The explanation, already suggested above, is that the SLD prescription was more

completely implemented in the second period than in the first. In particular, the first period might

be characterized as decentralization without deliberation, while the second, more democratic,

phase incorporated both critical elements of Street Level Democracy. In both periods, policing

activity was decentralized in that substantial operating autonomy devolved to the level of

individual beats. However, as described in 13.2, discussions in beat meetings were not properly

deliberative in the first phase; to the contrary, discussions were laissez-faire, town-hall affairs in

which the most outspoken and articulate voices dominated. Against the unfavorable initial

background conditions of material inequality and interest dispersion, this discursive style

resulted in the domination of worse off east side residents by better off west-siders, and the

consequent low realization of democratic values. This domination occurred according to just

those dynamics specified by the four critical perspectives of rational choice, strong

egalitarianism, social unity, and cultural difference. In the second period, however, group

processes more closely and self-consciously followed the deliberative procedure, and more

democratic outcomes resulted. Once implemented, the mechanisms and norms of deliberation

overran the dynamics, pathological from the perspective of SLD, operating in phase I and so

well described by the critical perspectives.

The strong rational choice perspective (11.2) predicts that participants will use SLD's

processes to advance their selfish, narrow, and given interests and that they will be unwilling to

voluntarily sacrifice the maximization of these interests for the sake of, for example, norms of

restraint or reasonableness. The character of participation bore out these expectations in the first

period. As a result of power and interest differentials, concerns such as street peddling received

more "airtime" and action than seeming more serious concerns like gun violence and random

shootings. In the second period, however, participants were asked explicitly to rank

neighborhood problems in order of severity in order to appropriately deploy shared policing and

community action resources. This request implicitly asked them to adopt, in their own minds, a

view toward the good of the whole neighborhood—East and West—rather than to pursue their

own selfish ends. Especially given the vast differences of interest revealed in discussion during

phase I, the rational choice theorist predicts that participants will offer up the same kinds of

problems as urgent—east siders pushing east side problems and west siders pushing for maximal

attention for their side of the tracks.

As we saw in 13.3, however, precisely the opposite transpired. Diverse participants from

both the East and West sides quickly agreed on a single list of priorities, beginning with a West

side resident who suggested that an East side drug house ought to be the beat's top priority. The data that we have show, therefore, that Traxton's west side residents did act according to deliberative norms, in particular they displayed the moral capacity to restrain the pursuit of their own self interest according to the demands of reason (chapter 6) *when asked to do so*. In the laissez-faire discussions of the initial period, no one suggested, either implicitly or explicitly, that such norms ought to be followed. In the second period, however, these norms were implied in the process of prioritizing neighborhood problems. The data, therefore, support SLD's contention that citizens will act as reasonable pragmatic citizens[22] when situated in SLD's institutional context. Therefore, they also disappoint the strong rational choice expectation that individuals will use SLD contexts to maximize their narrowly construed self-interest. Before proceeding, however, an limitations in this discursive data ought to be noted. We have no way of knowing whether west siders would have continued to be reasonable even if they faced more severe crime problems. If there had been a crack house in West Traxton, for example, would those who lived around it demand that all police resource be devoted to that problem, or would they have continued to reasonably allocate these scarce resources. The strong rational choice perspective may well have enjoyed more predictive accuracy if there were an even greater difference of interest between East and West, but this case data did not offer that extreme variation.

Similarly, the first period of Traxton Beat observation seems to bear out strong egalitarian expectations about SLD, only to have them turned on their head in the second phase. Recall that strong egalitarianism is simply the view that rough resource inequality is a necessary

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[22] See Chapters 6-7.

background condition for fair democratic deliberation. Therefore, the strong egalitarian thinks

that the extreme resource inequality makes positive democratic outcomes in Traxton beat very

unlikely because the better-off will use their resources to dominate the worse-off and because the

worse off may lack the capacities—such as skills and time—necessary to deliberate effectively.

While these predictions were very accurately fulfilled between November 1996 and February

1997, the shift to structured deliberation in March 1997 created cooperation and partnership

between east and west side residents that harnessed some of the resources and energies of west

side residents toward east side problems. While east side residents did seem to lack the

argumentative force to press their issues onto the agenda in the laissez-faire discursive mode,

they had no problem doing so under dramatically different context of structured deliberation. In

this case, then, deliberation fulfilled its promise as a mode of decision where the only power is

the power of a better argument, and the power of money and numbers count for little.[23]

Just as the west side enjoyed more material wealth than the east side, they also enjoyed

much higher levels of social organization as manifest in its rich texture of associations. The

social unity perspective might expect this social capital to translate into capacities to control

community policing proceedings and to dominate East side residents. High west side social

capital manifested itself in high meeting turnout and in cohesive committee action during the

first phase of observation. In the second phase of Traxton observations, however, east side

residents showed up in large numbers and participated effectively in community policing sub-

groups despite the absence a rich associational history and thick social networks. Low levels of

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[23] For a discussion of deliberation as a central mechanism of fairness in SLD, see Chapter 11.

social capital did not, therefore, prevent them from participating effectively, even on a par with, socially advantaged West side residents in the second phase of observation.

Now the shift in Traxton Beat from low realization of core democratic values to a more deliberative mode with much better democratic outcomes may seem to rest on the improbable rise of a skilled facilitator with substantial social justice commitments in the person of Emily Crenshaw. On one interpretation of this case narrative, the shift to structured deliberation and the subsequent gains for democratic values in Traxton's community policing process depends upon her conjunctural election to beat facilitator and her idiosyncratic combination of personal capacities and political inclinations. Without her, one might think, west siders might have been able to continue to assert their priorities over east side residents indefinitely because the decision process would have remained a discursive free-for-all. Is SLD so fragile that it depends upon such uncommon personalities for its success?

The first response to this contention is that the operation of any institutions—including markets, bureaucracies, and political parties—depends upon competent individuals who understand how those institutions ought to function and possess the capacities to work and lead within them. That such individuals can be found in our case studies is not an embarrassment for SLD, but rather a point in its favor. Emily Crenshaw was this kind of person. Without denying her substantial skills as a facilitator and social leader, her critical actions in moving Traxton to structured deliberation were <u>fully prescribed by the rules and institutions of community policing and not extraordinary actions of maverick leadership</u>. The move to prioritize problems rather than merely discussing them as they come up is an explicit part of the five step problem solving

procedure described in chapter 7 above and suggested by the official Chicago community

policing materials. Furthermore, she suggested the prioritization procedure in order to generate

group decisions that would fulfill her responsibility of helping to construct the "beat plan"

required by the District office. None of this is to say, however, that community policing

participants as familiar with its norms and procedures as Emily Crenshaw can be easily found in

Chicago. The institutions are still relatively young, she has participated in them almost since

their inception, and the procedures have developed so quickly that their requirements are

sometimes ambiguous even to those quite close to the process. In these early stages of the

development of a complex institution, one might expect wide variation in outcomes such as we

observed above due to large differences in participants' familiarity with prescribed procedures.

As this institutional reform matures and if it continues to develop along the lines laid out by the

theory of Street Level Democracy, we can expect to see many more participants gain the levels

of knowledge and skill that Crenshaw exhibited.

A second response to the problem of over-dependence on personality is that the

institutional design of SLD, and Chicago's community policing program to the extent that it

approximates that design, attempts to reinforce the kinds of deliberative procedures and

motivations that make phase two more attractive than the earlier period. Again, the structured

deliberation that led to the generation of a fair agenda and collective action is not an accident of

individual whim, but rather it is the fundamental, constituting, group decision process of SLD as

described in chapter 7. While the implementation of this deliberative architecture may have come

via the leadership of the beat facilitator in Traxton, many other mechanisms transmit the

deliberative structure to SLD's component "communities of inquiry," including the materials that

organize these groups and elements of the "supportive center" that provide training and

ameliorative functions in case of "deliberative break-down" (see chapter 8.1). The institutional

design of SLD attempts to generate the human capital—people with knowledge of its procedures

and commitment to its norms—necessary for its successful operation. While the existence of

seemingly extraordinary leadership that transformed Traxton Beat from discussion to

deliberation is definitely a condition for the success of SLD, SLD itself attempts to produce just

these kinds of participants.

13.5. SLD Versus Command-and-Control in Traxton Beat

Having argued that community policing SLD processes in Traxton generated high levels

of democratic success on five core values, we now move to the more complex question of

comparative institutional assessment. Were democratic outcomes in the arena of policing in

Traxton superior under SLD than under the prior institutional context which we have

characterized as "Command-and-Control?" In chapter 9, we argued that SLD is more effective

than command-and-control institutions because its offers five mechanisms unavailable to

bureaucratically directed and insulated public institutions: directed discretion, institutionalized

learning, coordination amid complexity, studied trust, and civic engagement. In this final section,

we explore whether these mechanisms came into play and whether they made policing more fair

and effective under community policing reforms.

The question is much more difficult to answer for the west side of Traxton than for the

east because west siders already enjoyed very articulated social and political networks that

connect them to one another, to local businesses, and to external political powers. For those on

the west side, community policing adds one institutional avenue to their already rich panoply of

options for social and political action. Some community policing participation from West

Traxton residents, therefore, probably substitutes for or displaces other kinds of social action and

engagement. In other words, West Traxton problems that were dealt with through community

policing might well have been solved through other channels if community policing had not

existed. Because those residents chose community policing channels to solve those problems,

however, suggests that this option was either more promising or less costly than other

alternatives.

Even so, it is clear that West Traxton residents had developed informal versions to most

of the five mechanisms that chapter 9 described as distinctive to SLD and unavailable to

command and control arrangements. For example, SLD's mechanism of *civic engagement* was

not very pertinent to West Traxton residents because most of West side community policing

participants were already involved in neighborhood organizations such as churches, the school,

or local improvement associations. Through these organizations, many residents had developed

connections with police officers that allowed them to *direct the discretion* of police actions

toward problems that these residents considered more important. Out of these working

partnerships with police, residents and police had gained healthy levels of both trust and accurate

skepticism about the motives and capacities of the others, and so the mechanism of *studied trust*

was operating even without SLD reforms. Finally, the effective and venerable associations of

West Traxton had practiced the mechanisms of *institutional learning* and gained the ability to

coordinate complex transactions among different parties in the public, private, and community

sectors—for instance in orchestrating the commercial redevelopment of the commercial corridor

that lies on the beat's southern edge—many years before the advent Chicago community

policing reforms. Since informal versions of all of these mechanisms existed in the absence of

SLD reforms, we say cannot say that community policing reforms resulted in dramatic

democratic gains for West Traxton.

The operation of these mechanisms through the formal and public institutions of Street

Level Democratic community policing offers two important advantages over these informal,

associative mechanisms, however. First, the use of these mechanisms through the open meetings

and other processes of SLD is likely to be more accessible and fair to all residents than their

relatively more hidden operation in civic organizations or private associations. Under the

informal, associative version of directed discretion for example, those who happen to know

particular officer enjoy the ability to focus otherwise discretionary police power. Under SLD,

however, decisions about where and how to focus police power are made in open, public

meetings. Second, the informal versions of these mechanisms operates sometimes in opposition

to, sometimes independently from, the logic of command-and-control institutions. Since SLD

changes the central operating logics of these public institutions in ways that thoroughly

incorporate the five mechanisms, those mechanisms are likely to be much more effective under

SLD than when they are informally generated. Consider again the example of directed discretion.

When asked by a resident to pay special attention to a particular area or to particular suspicious

persons, for example, an officer may rightly feel equivocal about doing special favors for a

private friend and might indeed be punished for ethical violations if this interaction became

public. When this request comes through an open community policing meeting and when

meetings are organized precisely to elicit such requests, as in SLD, they move from the gray

borders of policing to its center stage.

The gains that SLD brought to East Traxton residents through these five mechanisms is

both greater and more clear. Since they lacked the associations, connections, and history of

cooperation of their neighbors to the west, they also lacked the networks with which to construct

these mechanisms. During the second, more successful, period of observation, however, we saw

East Traxton residents together with police and other residents use several of the mechanisms of

SLD's effectiveness.

By far the simplest and most commonly used mechanism during the observation period

was *directed discretion*. Prior to community policing, east side resident lacked working

connections with police and so police power was distributed according to the logics of random

patrol and emergency call response. Though the community policing process, east side residents

gained the power to direct police attention to problems that they considered priorities. They

focused police attention all three of the east side priority problems shown in Table 13.3 above,

and in all three cases residents report this increased presence and police activity was effective.

SLD also set into motion the second mechanism of increased *civic engagement* in East

Traxton. After hearing about opportunities to affect and deploy police action, East Traxton

residents organized themselves to participate in the community policing process. This increased

participation, in turn, made possible east side resident contributions[24] to problem solving

strategies such as advocacy in the Court Watch program. As mentioned above, SLD in Traxton

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[24] For related notions of citizen co-production of public goods, see Schneider (1987).

also catalyzed the formation of the East Traxton Business Association. Though this association was too nascent to bear substantial fruit during our observation period, it is the only business association in East Traxton.

In terms of gains over the prior institutional context of command-and-control policing, then, SLD generated small but substantial gains for West Traxton and much more dramatic gains for East Traxton. This result belies the common expectation, characterized as Strong Egalitarianism in chapter 11, that decentralizing schemes such as SLD primarily benefit the already well off while leaving the worst off behind.

While we cannot confidently generalize from the experience of one small neighborhood over a short span of ten months' time, community policing in Traxton Beat does offer some basis for optimism about the potential for Street Level Democracy. Traxton Beat's initial conditions of great resource inequality and high interest dispersion led us to assign it low expected democratic outcomes. These predictions, however, turned out to be far too pessimistic. For six of ten months of the observation period, the community policing process in Traxton beat scored high marks on all five core democratic values of effectiveness, fairness, autonomy, deliberation, and solidarity.

One critical response to this neighborhood's experience as evidence to support SLD as a democratic reform proposal is that Traxton Beat is not really such a hard case. Though the west side is much wealthier than the east, the east side is far from poor by Chicago standards. Therefore Traxton does not test the hypothesis that SLD cannot function well under material poverty. Another critic might argue, following Matthew Crenson's (1983) contention, that material inequality actually favors neighborhood collective action and so Traxton is actually an

easy case rather than a hard one. In the rest of these case study chapters, we respond to these

critics by continuing to explore the operation of SLD at various points in the two dimensional

space of material endowments and interest dispersion. In the following two chapters, we examine

SLD under conditions of severe poverty.

Chapter 14:

Street Level Democracy in Two Poor Neighborhoods

14.1. Introduction

We turn now from the relatively wealthy neighborhood of Traxton beat to cases of

SLD—one in school governance and one in community policing—in two very poor

neighborhoods: Southtown Elementary and Central Beat. These two neighborhoods and their

implementations of Street Level Democracy differ on many dimensions. The former is a

kindergarten through eighth grade elementary school and the later is a police beat. One is located

on the far south side of the city and the other sits squarely in its south-central region. The

neighborhood of Southtown Elementary is rapidly changing its racial complexion from

predominantly African-American to a racial mix that includes blacks and Hispanics in roughly

equal proportions, while Central Beat is located in a stable historically poor and black central

city Community Area called Englewood. Despite these sharp differences, these two experiments

share in common two background features that lead us to expect SLD institutions to yield similar

outcomes in both cases. The citizens in both cases are quite poor, and in each case the parties to

SLD governance seem to enjoy a relatively high degree of similarity in interests. These two cases

are therefore situated in the lower left hand section of figure 12.3 in chapter 12 above. In this

chapter, we examine Southtown Elementary and Central Beat in some detail to see whether

parties were able to use SLD institutions to their advantage and to see whether those institutions

discernibly advanced core democratic values despite the obstacle posed by poverty.

In sharp contrast to Traxton Beat (discussed in the previous chapter), extreme poverty is

the first "initial condition" common to both Southtown Elementary and Central Beat. The former

neighborhood has a median household income of $14,074 and the figure for the latter's

neighborhood is $15,192. These figures stand at roughly one-half of the median value for the

City of Chicago as a whole, and easily place both in the lowest quintile of Chicago

neighborhoods in terms of household income. How do poverty conditions constrain the operation

of Street Level Democratic institutions? Three of the critical perspectives laid out in chapter 12

above—Strong Egalitarianism, Social Unity, and Technocratic Expertise—predict that this

dearth of material resources will frustrate SLD's ability to advance core democratic values such

as fairness, effectiveness, and deliberation.

Recall that the Strong Egalitarian is skeptical about SLD's prospects under two kinds of

background conditions. As discussed and explored in Traxton Beat, the Strong Egalitarian thinks

that resource inequality violates a necessary condition of fair deliberation. Beyond this very local

inequality, however, the Strong Egalitarian also sees the vast inequality between neighborhoods

in a city like Chicago as infertile ground for participatory democratic proposals such as SLD. He

expects that rich neighborhoods will excel while poor ones flounder. To counter one aspect of

this claim, data in chapter 11 falsified the Strong Egalitarian expectation that participation rates

in poor neighborhoods will be lower than in wealthy ones. At the finer resolution of democratic

procedure, the Strong Egalitarian might nevertheless expect that poor citizens will lack the

necessary *human capital* to use the institutions of SLD to advance democratic values. Poor

citizens may lack the skills, education, and background knowledge required to participate

effectively in Street Level Democratic settings. As a result of these deficiencies, they may use

the public power granted by SLD reforms to make unwise, ill-informed decisions. In conditions

of poverty, then, the Strong Egalitarian expects that SLD will fail to advance a prime core

democratic value of effectiveness. If residents of poor neighborhoods cannot generate effective

outcomes while those in wealthier neighborhoods can, then the system of SLD overall yields

unfair outcomes across neighborhoods, and consequently it fails to advance the second core

democratic value of fairness. Recall also that the advance of solidarity, another important

democratic value, depends upon SLD's ability to generate effective outcomes; participants'

respect and valuation of other parties increases because each realizes that she benefits from the

participatory procedure. If the procedure fails to deliver desired outcomes, however, it will also

fail to enhance democratic sentiments of solidarity.

To the extent that the absence of secondary associations and social networks often

accompanies areas of material deprivation, the theorist of Social Unity, or Social Capital, will

also entertain rather low expectations for SLD's outcomes in poor areas. As we shall see below,

both Central Beat and Southtown Elementary instantiated the general correlation between low

material and social resources. The Social Unity critic predicts that this absence of *social capital*

will hamper the ability of participants to engage in the kinds of collective, group action that

advances democratic values in SLD. Since they lack a shared history of trust and cooperation,

participants will find it more difficult to deliberate with one another, to accept arguments and

proposals of strangers at face value, and to constrain the pursuit of their own self interest as the

deliberative procedure of SLD requires. If deliberation breaks down[1] in the absence of sufficient

social capital, SLD will also fail to advance the other democratic values of effectiveness,

fairness, autonomy, and solidarity.

Finally, the Elite-Technocratic theorist also expects SLD to perform poorly under

conditions of poverty. Impoverished residents will be particularly ill-equipped to participate on

an equal footing with educational or policing professionals in deliberative decision making

procedures. Thus they will also be less likely to hold them accountable. Poor residents may lack

the self-confidence and assertiveness of wealthier residents who are accustomed to commanding

and managing in their work lives, and they may lack the skills, education, and habits of learning

discussed under the heading of human capital above. As seen in the previous chapter, the

relatively well off residents of Traxton Beat had little difficulty engaging with police

professionals, but we may expect poorer residents of Southtown and Central to fare less well in

interactions with their so-called "public servants." If experts typically dominate SLD

proceedings in poor areas, these alternative institutions will not advance the core democratic

values of deliberation, autonomy, and solidarity very far, for the advance of those values depends

upon active lay participation. If the interests of experts and residents generally converge, as they

seemed to do in both Southtown Elementary and Central beat, however, SLD may nevertheless

advance the core democratic value of effectiveness. Absent deep citizen participation, SLD

amounts to deliberative problem-solving by professionals as in, say, site-based school

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[1] See 8.1 above.

management. Such systems, while falling short on many democratic criteria, may nevertheless be more effective than command and control schemes.

While poverty may make SLD less likely to generate desirable democratic outcomes in both Central Beat and Southtown Elementary than in Traxton Beat, the two cases discussed in this chapter enjoy advantages over Traxton's prospects on the second initial condition of interest dispersion. Unlike Traxton, in which parties faced each other across lines of class, race, and space, parties in both Central Beat and Southtown Elementary operated in much less conflicted environments. Residents of Central Beat are uniformly African-American, as are the children who attend Southtown Elementary and their parents. Neither case had histories of protracted conflicts between residents. Both groups for the most part are uniformly low-income, though naturally some residents and parents are poorer than others. Finally, in each case, professionals (educators, police) and citizens agreed on relevant fundamental issues: all parties shared a commitment to improving public safety or educational outcomes, residents respected and were grateful for the work of professionals, and professionals viewed themselves as accountable to citizens and respected their particular knowledge and expertise. These dimensions of interest agreement render SLD in Southtown Elementary and Central Beat somewhat less susceptible to criticisms from the Strong Rational Choice and Politics of Difference[2] perspectives than Traxton Beat. One general objection of the Strong Rational Choice perspective to SLD generally is that parties will fail to constrain the pursuit of their own self interest according to the deliberative

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[2] See Chapter 11.

demands of reasonableness. The similarity of interests, however, greatly reduces this tension

between rationality and reasonableness. Similarly, since parties in each case—both residents and

professionals—shared roughly the same lower to lower-middle class, mid-western, urban, and

African-American culture, the usual objections from the perspective of the Politics of

Difference—that parties will be unable to address one another fairly due to differences in world-

view or modes of expression—do not apply in Central Beat or Southtown Elementary.

By way of summary preview, we shall see that the two cases presented in this chapter

offer evidence that is ambiguous between supporting the normative prescription of SLD and

skeptical critics of its democratic potential. Though the data offer some support for the critical

perspectives of Strong Egalitarianism, Social Unity, and Technocratic Expertise, SLD managed

in both instances to substantially advance core democratic values. In Southtown Elementary, the

team of school professionals constituted an effective, systematic deliberative problem solving

team that used the accountable autonomy granted by the 1988 Local School Council (LSC)

reforms to implement major school-level changes that promise to deliver improved educational

outcomes. While it is arguable that educational outcomes have improved somewhat in recent

years, no clear quantitative trend is yet visible. Offering some support for the Technocratic

Expertise thesis, the major democratic defect of SLD at Southtown Elementary is that the parents

and community members who sat on its LSC participated in only limited ways. They frequently

banded together to support and implement the reforms developed by the professional educational

team and they effectively monitored the actions of school professionals in areas such as school

budgeting and resource use, but these non-professionals played little role in developing new

initiatives. While a deeper level of participation would no doubt have better vindicated SLD's normative theory and further advanced core democratic values, we nevertheless offer two arguments about why this lay participation—as co-producers and monitors but not as agenda-setting innovators—is not as democratically damaging as it may seem.

First, non-professionals and paid educators at Southtown Elementary seemed to agree throughout both on the broader goals of the school and on the wisdom of individual actions to reach those goals; the principle enjoyed quite broad and popular support, and parents felt that they were lucky to have a man of such energy and talent. Therefore, domination did not result from the fact that professionals set the agenda of school governance because all parties seems to share a similar agenda. To determine whether or not professionals had the power to dominate Southtown School, we would have had to observe the outcomes of a conflict[3] in which the interests of parents and/or community members conflicted with that of school professionals. Such a situation did not arise and so we were unable to determine whether or not the relatively unenergetic participation of parents and community members would have continued even in the presence of disagreement, or whether on the other hand parents and community members would have been able to effectively respond to school professionals.

Second, SLD responds to the Strong Egalitarian objection that poor citizens lack the human capital to participate effectively in democratic institutions by providing explicitly for training, technical assistance, and other resources that might enhance the quality and depth of participation (see chapter 8 on the Supportive Center). While the central office of the Chicago

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[3] Either explicit or implicit, corresponding to the first and second face of power.

Public Schools did provide training to the LSC members of Southtown School, as it does to all

LSC members, the quality of that training was rather low. It is an open question whether or not

better training would have resulted in more robust lay-participation. However, the "supportive

center" clearly failed to implement an effective training program in the case of Southtown

School. We therefore could not assess whether more effective training and technical assistance

would have overcome the human capital handicaps that accompany resource poverty because of

the low quality of the administrative measures that were taken.

In contrast to Southtown Elementary, residents participated, even drove, problem solving

SLD processes of community policing in Central Beat. As with Southtown Elementary, the

interests of professionals and citizens aligned with one another; they shared a common

perception of the public safety problem in Central Beat, about the roles of police and citizens in

addressing that problem, and about the particular steps necessary to address that problem.

Citizens raised issues that seemed urgent to them, and police were for the most part quite

responsive. Problem-solving deliberations were often unsystematic. They lacked the persistent

experimentalist elements of trial-and-error-and-re-trail prescribed in SLD's deliberative process

(7.1) and effected in both Traxton Beat and Southtown Elementary. Therefore, solutions to

public safety problems were not as effective as they might have been in the presence of more

systematic efforts, and solutions required more time. As with Southtown Elementary, this

observation lends some support to the Strong Egalitarian and Social Unity predictions that

impoverished participants will not deliberate as effectively as better off citizens. However, two

mitigating points apply. First, despite the unsystematic nature of problem-solving efforts in

Central Beat, police were more responsive and problem-solving more effective than under the

prior command and control system. While it could no doubt have been more effective than it turned out to be by being more systematic, SLD in Central Beat was nevertheless superior to that which preceded it. Second, part of the responsibility for systematizing problem solving falls to the supportive central authority in SLD's grand design. In Traxton Beat, we saw that function executed by the beat facilitator Emily Crenshaw. Unfortunately, there was no equivalent implementing agent in Central Beat during our observation period, and so we cannot determine whether the absence of systematicity in SLD proceedings there was a necessary result of the initial condition of poverty (as the Strong Egalitarian might hold), or whether it resulted from the contingent and remediable failure of the Chicago Police Department or some other body to provide appropriate guidance and support for systematic deliberation.

14.2. Southtown Elementary/Harambee Academy

The demographic profile of Southtown Elementary is quite typical for very low-income, African-American schools in the city of Chicago.[4] In 1996, 697 students were enrolled in the 9 grades (K-8) at Southtown Elementary. Two of those students were Hispanic, and the rest were African-American. Approximately 88 percent of these students came from low-income families—those who lived in families that received public aid, in institutions for neglected or delinquent children, were supported in foster homes with public funds, or eligible to receive free or reduced-price lunches. The figure for Southtown Elementary is only slightly higher than that for Chicago as a whole, where 83.2 percent of elementary school students qualify as "low-

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[4] Data in this paragraph was taken from the Chicago Public Schools (1996).

income." Educational efforts were hampered by the school's unusually high mobility rate—defined as the percentage of students who enroll or leave in an academic year—of 52.4 percent in 1996, whereas the average Chicago elementary school mobility rate was 29.0 percent in that year.

Despite these difficult—but by no means extraordinary—inner-city conditions, Southtown Elementary maintains respectable measures of school atmosphere and performance. Its chronic truancy rate—defined as the number of students absent for 10% or more of the last 180 school days—was 0.5 percent, compared with a Chicago-wide average of 4.7 percent. Average class size for most grades at Southtown Elementary was comparable to other Chicago elementary schools in 1996: the average kindergarten class at Southtown had 26.3 children; Southtown's average first grade class had 19.8 students while the Chicago average was 23.6; 19.1 students were in the average third grade class at Southtown while Chicago schools as a whole averaged 22.2 students; sixth grade figures were 21.6 students per class at Southtown and 23.0 for Chicago; and there were 25.6 eighth graders in the average Southtown class but only 23.5 students in eighth grade classes system-wide.

Test scores at Southtown Elementary would seem to indicate a competent, but not stellar, local school administration. Slightly lower than the system-wide average, student scores roughly track the more difficult demographic conditions of the students that attend Southtown compared to Chicago as a whole. According to the standardized tests of the Iowa Goals Assessment Program (IGAP), 1996 Southtown student reading and writing scores as measured in the third, sixth, and eighth grades roughly match the Chicago Public Schools average. IGAP Math, Science, and Social Science scores, however, fall substantially behind citywide averages in all

tested grades. The following table shows 1996 IGAP test scores for Southtown Elementary

compared to average scores for all Chicago Public Schools. Tests for Reading, Math Science,

and Social Science are measured on a scale from 0-500, while the writing test is scored from 6-

32 (Chicago Public Schools 1996).

Table 14.1. Southtown Elementary IGAP Scores vs. Chicago Averages

Test	Southtown Elementary Average	All Chicago Average
Reading		
Third Grade	175	178
Sixth Grade	126	182
Eighth Grade	166	187
Math		
Third Grade	199	221
Sixth Grade	157	214
Eighth Grade	171	218
Writing		
Third Grade	14.7	15.9
Sixth Grade	19.3	20.5
Eighth Grade	23.7	22.4
Science		
Fourth Grade	137	172
Seventh Grade	158	193
Social Science		
Fourth Grade	150	179
Seventh Grade	152	190

The Iowa Test of Basic Skills (ITBS) is the other major standardized test used in the Chicago

Public Schools. According to 1997 ITBS tests, only 18 percent of Southtown Elementary

students met or exceeded national norms for reading and 20 percent met or exceeded national

norms for mathematics.[5] These percentages place Southtown Elementary in the fourth (second to

lowest) quintile of Chicago Public Elementary Schools. In the system as a whole, 30.3 percent of

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[5] See Spielman and Lawrence (1998). School-level ITBS test data downloaded from Chicago Sun Times
web site in the electronic version of news article.

Elementary School students exceeded national ITBS norms in reading and 35.9 percent beat the national norms in math.

This statistical profile describes the terrain against which parent, community, and professional participants in the Street Level Democratic processes of Local School Council governance attempt to use the powers granted them by the 1988 school reform law to attempt to improve educational outcomes at their school and tailor other aspects of its operation to their needs. During the period of my observation in 1996-97 school year, the Southtown community was fortunate to have a principal—call him Jerry Bradford—who was a strong and competent administrator that embodied the African-American culture and perspective of others in the school community. He served as a role model who enjoyed broad and deep trusting support from his staff and involved parents and community members.

This unity of perception and interest between the school staff, community, and its principal resulted in a governance dynamic which utilized many of SLD's opportunities, but did so in ways that fell short of SLD's vision of equal participation between professionals and citizens. Principal Bradford and his staff took the lead in formulating school proposals and developing strategies to implement them, and then sought the approval and sometimes active contribution of lay participants to execute those strategies. Though these proposals were innovative and remain quite promising, lay participants served primarily as monitors and supporters rather than as fully equal innovators. In an environment of mutual trust and agreement on ends, it is perfectly understandable that the difficult intellectual work of developing school governance proposals would be left to paid professionals, and systematically generating that that

trust and agreement would be a substantial achievement for any institutional reform.

Nevertheless, the relative deficit in lay-participation is a disappointment to SLD's hyper-

participatory expectations despite many other gains developed by the Southtown Elementary

professional team under the opportunities provided by Street Level Democratic school reform.

14.2.1. Innovative Responses to Local Conditions

Perhaps the most impressive feature of the team of school professionals—the principal,

teachers who serve on the LSC, and others in the school staff—who have taken the mantle of

school governance at Southtown Elementary was their capacity to select controversial

educational strategies that seem well suited to Southtown's context. Despite the fact that

educational scholars and practitioners disagree vehemently about the merit of those strategies,

the Southtown team implemented them persistently and always with an eye to extension and

correction. In this section, we recount two such educational strategies: transforming the school

from its standardized generic environment to one that revolved around Afro-centric themes and

the adoption and implementation of Direct Instruction pedagogical methods.

In 1995, Principal Bradford constructed a fairly radical proposal with this staff and

several of the more involved parent and community members. Under the 1988 school reform

laws, each school was directed to develop for itself a distinctive vision, mission, and philosophy

which would be supported by all manner of school programs. What if they took this latitude

seriously by changing the generic "Southtown Elementary" into an Afro-centric environment?

The specific changes to school programs, pedagogical methods, and curriculum entailed by this

change would have to be worked out, but the general hope was that such a transformation would

make the school more engaging and learning-conducive for the uniformly African-American

student body. Parents, community members, and school professionals alike immediately found

the idea attractive. One community-LSC member put it this way:

> For centuries, the white man has [been putting us down]. Why pledge allegiance to the white man's America, and why educate our children in the schools designed by and for them? Once he [Principal Bradford] put the idea before us, it just got approved. [Two of the new teachers], one in Kindergarten and on in first grade, are both very good and they are both white. They have no problem at all with the Afro-centric curriculum. We are not talking about teaching Eubonics[6] instead of English or anything crazy like that, but it does help [build] respect.

In 1996, the school officially changed its name from Southtown Elementary to Harambee

Academy[7] to reflect a new Afro-centric focus. In seeking CPS approval for the name change and

justifying it, Southtown/Harambee's 1997 School Improvement Plan explained that:

> [Harambee Academy], formerly known as [Southtown Elementary School] is a Pre/Kdgn-8th grade service center located... on Chicago's South Side.
>
> The name change reflects the school's present Black population as well as a new direction in the search for Academic excellence.
>
> [Harambee] was one of three great African Empires of the 15th through 16th century, located in northwest Africa. Because of its enduring legacy and glorious past, the school will implement an Afro-centric curriculum in 1997. In conjunction with the Afro-centric curriculum, which we believe will enhance reading scores, various other activities will be implemented....

The principal and LSC have transformed the school atmosphere to convey pride in the scholarly

accomplishments of ancient Africa and to build African-American identity generally. For

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[6] An alternative to Standard American English discussed in the Oakland, CA school system.

example, art and décor in the school celebrate ancient and modern African and African-American accomplishments, many of the school materials have been selected for Afro-centric subject relevance. In one LSC meeting during my observation period, the Council changed the name of their athletic teams to the "Harambee Scholars" and changed their mascot from a scorpion to mortarboard and scroll to reflect the general notion, in line with Afro-centric education, that athletics is not an end in itself but rather part of a well-rounded education. It is too early to tell whether this cultural transformation of the school will elevate the ultimate indicators of school productivity such as student test scores or graduates' future educational or employment performance, or whether the shift to Afro-centrism is merely wishful window-dressing. Encouraging such risky innovation is, however, one central goal of Street Level Democracy as a experimentalist regime. When there are no sure-fire paths to improvement in a difficult arena such as urban schooling, one promising strategy is to create the space to test ambitious innovations such as Afro-centricity.

In a second, less exotic but perhaps more controversial reform, the principal and staff at Harambee decided to employ "Direct Instruction," (DI) methods to teach reading at the lower grade levels in 1994. Of the educational theorists who have an opinion on such matters, "behavioralists" generally support DI methods of rote learning, practice, and memorization while other cognitive psychologists support so called "Progressive, whole-language" institutional techniques that use situated learning techniques that derive lessons from engaging activities. Many major educational associations oppose DI on the grounds that it is class biased—typically

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[7] Both of these names are fictitious in order to conceal the identity of the case. The school in this case, however, did have a rather generic name which it changed in 1996 to an Afro-centric name.

deployed in low income environments. Barbara Bowman of the Erikson Institute for Advanced

Study in Child Development opposed DI because it is premised on the view that "they're poor,

so they can't learn the same way middle-class kids learn." Karen Smith, associate director of the

National Council of English Teachers writes that, "It goes against everything we think;" and

Larry Schweinart of the High Scope/Perry Research Project in Ypsilanti, Michigan has

commented that DI is "extremely authoritarian." In typical command-and-control fashion, the

California State Board of Education eliminated the most prominent DI program from its

approved list of reading programs on the grounds that its stories had no literary merit.[8]

Despite these objections, Harambee adopted DI methods to teach reading in 1994 to its

younger grades and then expanded the program to encompass the upper grades in 1996. School

staff explicitly adopted DI curriculum because they feel that their students, given high mobility

and low levels of educational preparedness, respond more readily to DI than to progressive,

whole language strategies. Given the prior discussion of Afro-centric transformation and

substantial efforts to develop black pride and self-respect, it is unlikely that school staff adopted

DI out of colonial, classist, or racist assumptions, as many national educational experts fear.

Rather, school staff claim that they adopted DI as a promising strategy for reading improvement

in light of local constraints. Though these programs are unlikely to generate immediate benefits,

reading test scores have risen since adoption of the program, and school staff attribute this rise to

the adoption of DI. As with Afro-centric transformation, it is unclear whether adoption of DI

methods will generate the desired educational outcomes. Again, however, SLD's decentralized

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[8] Comments against DI in this paragraph come from Druffin (1996).

experimentalism is designed to accommodate just this kind of uncertainty by devolving authority to make such decisions to the ground-level actors who are most familiar with local conditions and best situated to evaluate program outcomes.

14.2.2. Civic Engagement and Administrative Redistribution: Innovations in Resource Acquisition and Deployment

Partially as a result of its thrifty school administration, Harambee Academy is thankfully free from the worst symptoms of severe resource deprivation that can be found in many accounts of inner-city schools (Kozol 1991). The physical structure itself is quite well maintained, and is kept nearly immaculate. While there is no great surplus of books and other teaching materials, neither is there a severe shortage. So, for example, the school had sufficient resources to implement the two rather major changes—to Afro-centrism and to Direct Instruction—described in the previous section. Despite this adequate, if not abundant, funding access, Principal Bradford and others on the LSC have developed a systematic capacity to acquire substantial new resources from the central administration of the Chicago Public Schools. More and more, CPS allocates discretionary funds—for new educational programs, physical plant, capital equipment, etc.—through contests akin to foundation grants or other requests-for-proposals. Whereas prior to the 1988 reforms, these monies were allocated on bureaucratic criteria such as centrally-determined need or waiting list position, school personnel must increasingly win funds by demonstrating their ability to use additional monies effectively and imaginatively as well as showing strict need. The dangers in such a scheme are as evident as its advantages. CPS administration gains some confidence that its grants will not simply be wasted through

incompetence or graft, but the most needy schools may never develop the organizational

capacities necessary to acquire additional funds under these arrangements. For better or for

worse, Harambee personnel have been able to use this developing resource allocation system to

their advantage by developing the expertise to assemble persuasive and innovative plans, by

engaging the help of willing community members with specific expertise in, for example,

architecture and computer networks, and by nurturing connections with key CPS personnel. In

1995, they persuaded CPS to build a new permanent addition to school structure, and in 1997

they acquired some $250,000 in additional capital monies from the central administration to

install a school-wide computer network with workstations in every classroom and full Internet

connectivity.

Though Harambee Academy was not particularly overcrowded, Principal Bradford and

others expand school activities by adding a pre-Kindergarten program and additional classroom

space. Since central school administration allocates building expansion funds principally on the

basis of overcrowding, Harambee group in charge of school expansion had to develop alternative

justifications and a particularly persuasive proposal to receive necessary funding. They

developed two complementary arguments for the addition. First, existing school District pre-

Kindergarten facilities were located far away from the students' homes, and the long walk

subjected children to the dangers of crime and harsh inclement winter weather. Beyond this, a

properly designed addition to the school would allow safer and better use of the entire school

space by creating a new school office that would (i) monitor entry and exit points and (ii)

monitor hall traffic so as to reduce truancy and time out of class. The group then worked with

independent and school board architects to design a suitable addition. The group rejected the

Board architect's original plans because, according to one member of the group, they themselves

had seen additions at other Chicago schools with "much nicer structures— two stories, ADA

[Americans with Disabilities Act] compliant, atriums, secure labs, and the rest." After several

rounds of dialog between these members of the local school community and professional

architects, parties agreed on a design to meet their needs. The LSC tapped one of its members

who had substantial "downtown connections" to bring this set of plans to the school board. He

reported that "I knew who I had to talk to, and the rest of the LSC just let me deal with it… It

took only 30-60 days to put the deal together, and the addition itself was built between the Fall of

1995 and Spring 1996." During my observations, the addition operated just as envisioned, and

school staff and parents expressed great satisfaction with it.

In addition to the basic need for additional school space, Harambee staff felt that

improving the school required substantial additional technological capabilities. They accepted

the now commonplace wisdom that children at the K-8 level need to become familiar and

comfortable with computer hardware and software in order to compete effectively in educational

and work life. This need is especially pressing in low income communities where children are

much less likely to gain exposure to such modern technology at home. Responding to this need

requires substantial monies to be spent on workstations and desktop computers, network

hardware, system software, instructional software, maintenance, and staff training. In the 1996-7

school year, school staff formed a "Technology Team" of eight teaching staff. In an effort that

paralleled the school building addition, the team worked with local technology professionals to

develop a comprehensive, quite persuasive technology plan. This plan[9] provided for: five

computers in each of twenty classroom, an additional computer lab of thirty computers, a

network connecting all of these to one another in a Local Area Network (LAN) and to the

Chicago Public Schools Wide Area Network (WAN), evaluation of educational software by site

visits to Chicago schools with exemplary technology programs, training for all teachers, and

incorporation of all technology into existing instructional programs. The total projected cost of

implementing this technology plan was estimated at $228,000. Impressed with both the school's

need and the thoughtfulness of the proposal, the CPS Board awarded Harambee the necessary

funds in 1997.

14.2.3. Studied Trust: Lay Participation as Monitoring, not Direct Innovation

Now these four innovations at Harambee Academy were made possible by decentralizing

reforms and incentives of the 1988 School Reform Legislation. The devolution of decision

authority to individual schools while nevertheless demanding justifications for the use of that

authority enabled the LSC to change shift to the Afro-Centric mode and choose Direct

Instruction pedagogical methods. At the same time, it created the incentives for them to acquire

additional resources by developing persuasive, competent programs such as the school addition

and the technology plan. These data are consistent with the kind of Institutional Innovation and

Civic Engagement envisioned by Street Level Democracy (see chapter 9). In a departure from

SLD's expectations, however, these innovations were developed by the professional

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[9] The Harambee Technology Plan is on file with the author.

staff—largely at the lead of Principal Bradford—for the most part without the creative input of non-professional members of the LSC or elsewhere in the school community. So for example, the Technology Plan discussed above was developed primarily by a Technology Committee consisting exclusively of school administrators and teachers. The Harambee 1996-7 School Improvement Plan[10] lists Principal Bradshaw, his assistant principal, the school's reading and math coordinators, six teachers, but no parents or community members, under the heading of "Individuals who helped to develop the SIP." Non professionals did not participate as equals with professionals, then, in the sense that professionals, not community members or parents, dreamed up the important innovations at Harambee. Parents and community members, however, did exercise the important function of monitoring and offering active support for all of these major school initiatives, and of school operations generally.

The first reason for the relative passivity of non-professionals is that they saw themselves, perhaps reasonably, as supporters and monitors, not as developers, of specialized programs such as school curriculum. One Harambee LSC member offered this remarkably lucid argument for why the LSC should act as a monitor, and not creator, of curriculum:

> I don't think that the LSC should touch textbook decisions or curriculum change. Suppose that you are a fourth-grade teacher, and I as LSC member say that you can teach best with [Textbook X] but you say that you can teach best with [Textbook Y], and I over-ride you. Then suppose that that fourth-grade class goes down. There is nothing that I can do to hold you accountable once I have over-ridden you. The best I can do, as an LSC member, is to say to the Principal or the teacher, "You got what you want, now you better deliver." I have been a school-house volunteer for decades, but what do I know about curriculum?

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[10] The School Improvement Plan (SIP) is a long term planning document which each school must revise and submit every year to the CPS central office. See chapter 7.3 for a discussion of SIPs.

Second and complimentarily, non-professionals might not have felt the need to take a more active role because an effective monitoring mechanism gave them confidence that school staff were acting effectively in the best interest of the school as a whole. School governance operated with a high level of transparency. Large decisions such as the school budget, allocation of discretionary monies, the School Improvement Plan (SIP), and the Technology Plan were all submitted for small group discussion in the LSC, as were small decisions such as the name of the athletic team, its colors, and the disposition of unused computers. In addition, the LSC regularly discussed indicators of school performance such as test scores, staff development, and attendance rates. When particular school practices were questioned, school staff offered reasonable answers. For example, consider the following exchange about the possible negative effect of standardized testing practices on school instruction:

Female Parent: I understand that the IGAP [Illinois Goals Assessment Program] tests kids in grades 3, 6, and 9. I understand that there are board reasons to focus on grades 3, 6, and 8, but I think that if we put a little more attention earlier, we could nip this problem in the bud [while kids are still young]."

LSC Community Member: We do focus on many other grades. We just started a Direct Instruction reading program for our pre-school kids. We fought hard against the [CPS] Board to be able to do this.

LSC Teacher: Though the IGAP does test in grades 3, 6, and 9, we have strong learning objectives for every grade, and they all fit together.

Female Parent: But there are no after school programs. What is there to do to address children with special needs and problems.

Principal Bradford: We don't have after-school learning for kids because of safety issues, but what we have done is split up the academically depressed class-rooms and put those kids with special needs and problems in smaller classes. They gave us two extra psychologists - we have acquired additional staff for many kids since September because they need the service. Our special education group is enlarging, and they told us to slow

down, but we responded that these kids need these services. There is movement, even if it is small, to help the children at these lower grades. You should come and check these programs out by talking to Ms. _____ [Instructor] and our new psychologist.

Unlike Traxton Beat, where police professionals failed to actively identify and solve problems and residents took more initiative, the school professionals at Harambee Academy seem to have ably advanced the general interests of the school community. Though this monitoring mechanism of observing school staff actions and inferring benevolent motives, parents and community members may have felt less need to act positively because they developed a studied trust of professionals.

A less sanguine explanation, shared in particular by the Strong Egalitarian and the theorist of Technocratic Expertise, is that non-professionals lacked the capacity to participate as equals with educational professionals. Because of the lack of skills and knowledge that often accompanies poverty (the Strong Egalitarian) or because of the nature of specialization (Technocratic Expertise), lay participants in Harmabee school governance might have lacked the power to oppose the principal and his staff *even if monitoring had revealed a conflict of interest.* The events of this case did not offer evidence to adjudicate between this less sanguine explanation and the account of benevolent studied trust; throughout the observation period, all of the proposed innovations enjoyed a consensus of support from school professionals, parents, and community alike. The next chapter, however, examines two cases of SLD in poor communities in which the interests of parties conflicts. As we shall see shortly, poverty did not result in the silence of non-professionals.

Even if non-professional passivity did not indicate a susceptibility to professional domination, SLD nevertheless maintains that the procedure would have been more fair and more

effective if parents and community members had taken a more active role beyond monitoring. Furthermore, SLD concedes to the Strong Egalitarian that poor participants often have lower participatory capacities than wealthy ones. It proposes to ameliorate this deficit through direct training measures to enhance the deliberative capacities of less well off participants.[11] In the area of school reform, this supportive measure manifests itself in the form of mandatory training for LSC members. As part of the requirements for eligibility, each LSC member must undergo a total eighteen hours of training, provided by the CPS Board, in areas such as School Improvement Planning, school budgeting, and principal selection. Though the Harambee LSC members did undergo LSC training during the observation period, the training seemed quite ineffective in its attempt to impart the skills of school planning and problem solving.[12]

One training session, for example, took place over six hours at Harambee school on a cold Saturday in November 1996. The session was attended by the entire LSC. It consisted of a trainer whose main function was to introduce three video taped lectures, each about ninety minutes in length. LSC trainees felt that the videos were tedious, of limited relevance, and even off-putting. One LSC member commented that "It pisses me off that there are only white people on this tape." The CPS trainer herself commented that not all of the taped-material was relevant to actual practice, and that "they should have consulted with us in the field [in making the video], but it [the video] has some useful stuff in it anyway." While the taped-lectures held the attention of trainees for roughly the first half of the first tape, a few private conversations and jokes could be heard in its second half. By the middle of the second tape, no one at all seemed to be paying

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[11] See chapter 8 on the role of the Supportive Center.

attention to the video; some had left the room to make telephone calls, and the rest just drifted

into unrelated discussions. Beyond this, there were no additional exercises beyond the video-

tape; notably, no actual or simulated school budget accompanied the lecture on school budgeting.

Ironically, the LSC training program developed by the Chicago Public School central office was

singularly ineffective as a teaching instrument in Harambee Academy. Because the developed

training instruments were deficient in so many dimensions, we have no way of judging whether

more effective training methods would have imparted skills an knowledge that in turn would

have made non-professional LSC members more active in formulating school governance

initiatives.

14.2.4. Beyond Command-and-Control: Advancing Core Democratic Values at Harambee Academy

This ambiguous evidence makes our assessment of whether SLD advanced core

democratic values at Harambee Academy more difficult than in the previous discussion of

Traxton Beat. Nevertheless, our overall assessment is that, despite the deficits in lay

participation, local school governance at Harambee did advance the core democratic values of

effectiveness, deliberation, autonomy, and solidarity. The value of fairness has little meaning if

we are correct in our observation that parties at Harambee have largely convergent interests.

Consider the other four values in turn.

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[12] This contrasts with the analogous J.C.P.T. training program in Chicago community policing, which
seemed quite effective. See chapters 5 and 8 for a discussion of J.C.P.T.

Standardized test scores are the most obvious and common, if not uncontroversial, measure of school effectiveness. Both reading and math scores have risen at Harambee over the last two years, but only slightly and no more than in the Chicago Public School system as a whole. Though test scores do not offer evidence of particularly effective governance at Harambee, we expect these measures to respond rather slowly to changes in school programs (Bryk, Thum, et. al. 1998), and so they are a highly imperfect instrument with which to measure the effectiveness of school governance. The primary evidence for the effectiveness of Harambee's governance group consists in its ability to formulate and implement bold initiatives in the school's educational programs and in resource acquisition. Its ability to select, implement, and evaluate the results of a Direct Instructional program and to design and install a sophisticated computer network together with associated instructional materials, for example, reveal a systemic innovative capacity that promises, though it cannot assure, improved educational outcomes. The development of this systematic capacity leads us to rank Harambee rather highly on the scale of effectiveness compared against other implementations of SLD in schools, and certainly more highly than Harambee as governed by the command-and-control regulations that preceded the 1988 school reforms.

The second core democratic value of deliberation was advanced only slightly beyond the level realized by command-and-control institutions. School staff used the latitude created by the 1988 school reforms to create deliberative problem solving groups—such as the SIP committee, the Technology Team, and the school expansion group—composed almost exclusively of school staff. The reforms brought a kind of deliberative workplace democracy to Harambee. We say that the reforms advance the value of deliberation because school professionals engage in a kind of

problem-solving and agenda setting deliberation that was not available to them before LSC reforms. However, this deliberation for the most part excluded non-professionals, and so the value of deliberation is less fully realized than in situations such as Traxton Beat that included both professionals and non-professionals.

More straightforwardly, the shift to Afro-centrism at Harambee shows rather crisply how Harambee personnel used the space opened by decentralizing school reform to advance a fourth democratic value of autonomy. In their own self understandings and in the account given above, LSC empowerment provided the opportunity for those involved with Harambee to break out of the generic school atmosphere established many years ago by white administrators, and to set a new tone of Afro-centrism more fitting to its demographics and the urgent concerns of students, parents, community members, and staff.

Finally, practices of monitoring and studied trust seem to have generated a rudimentary solidarity between community members, parents, and the school staff. Parents and community members trust Principal Bradshaw and his staff and feel that the school is well run. The practice of monitoring school innovations, spending, and educational outcomes reinforces this solidarity and builds confidence among non-professionals that they have indeed correctly assessed the motives of school staff. School staff, for their part, appreciate the contributions of parents and community members to advancing school programs such as the building expansion. Solidarity at Harambee is therefore based upon mutual interest and continued, verifiable performance rather than fellow-feeling, common culture, or tradition.

14.3. Central Beat: Non-Systematic Problem Solving

We move now to from school governance to community policing in the case of Central Beat. Located in the south-central part of the city rather than the far south side, the six by eight block area of Central Beat is in many respects quite similar to Southtown. Central lies in the heart of Chicago's South Side, and fits with many of our stereotypes about the rough inner city. The neighborhood's population is exclusively African-American, most of the residents were quite poor—some 42% of the population lived below the poverty line, and about 58% of the families were headed by a female. 1990 census figures show that roughly one-quarter of the civilian population was unemployed. Like Southtown, Central sits firmly in the poorest quintile of Chicago neighborhoods. We therefore classify it on the dimension of resource dimension of initial conditions as "poor."[13]

Also like Southtown School/Harambee Academy, there were no active interest cleavages in the community policing process. The neighborhood of Central Beat was racially homogenous and there were no obvious geographic barriers. Two implicit cleavages that did not surface in observed community policing meetings, however, ought to be noted. The first factor, roughly correlated to class position, that differentiates owners from one another was home ownership. This differential manifested itself in beat meeting attendance; the most consistent participants at beat meetings owned their houses, had lived in their neighborhood for some time, and were comparatively well off (though still quite poor by the city's standards). One or two consistent participants in community policing hailed from the very poorest blocks of the neighborhood, but

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[13] See chapter 12, figure 12.3.

their voices were less articulate and less frequently heard. A second implicit cleavage, also

evident in Traxton Beat, was the divide that separates those who obey the law from those who

are tied and loyal to the narcotic trafficking sub-culture. Activists in Central's community

policing activities have been threatened, and their houses fire-bombed, and so this cleavage was

far from imaginary. Unlike in Traxton, those who don't like the police did not bother to

participate in community policing processes during my observation period. Though these

divisions of interest were significant, active community policing participants nevertheless shared

enough explicit agreement on the goals and tasks of policing that we classify the case here as

having a low dispersion of interests on that initial condition dimension.

As the initial condition of high inner city poverty might suggest, Central faces a very high

crime rate and other urban decay problems. In 1996, the beat had an annual personal crime rate

of 126 crimes per 1000 residents. This figure is approximately 50% greater than that for the city

overall and places Central beat in the most violent quintile of Chicago police beats. Nine

homicides occurred in the very small area of Central Beat in 1995 and 1996. All of the victims

were between 18 and 40 years of age, and all but one died from gunshot wounds. The ninth was

stabbed to death.[14] In addition to this violent crime, police and residents cite narcotics

trafficking, burglaries, and gang activity—principally by the Gangster Disciples (GDs)—as

severe neighborhood concerns. In addition to these strictly criminal problems, residents also

complain about the large number of dangerous abandoned buildings and abandoned lots in the

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[14] 1996 murder descriptions taken from Chicago Tribune web site; web package on 1996 murders in Chicago.

area. The following figure maps these abandoned buildings, approximate homicide locations, and other notable terrain features of Central Beat:

Figure 14.1: Map of Central Beat[15]
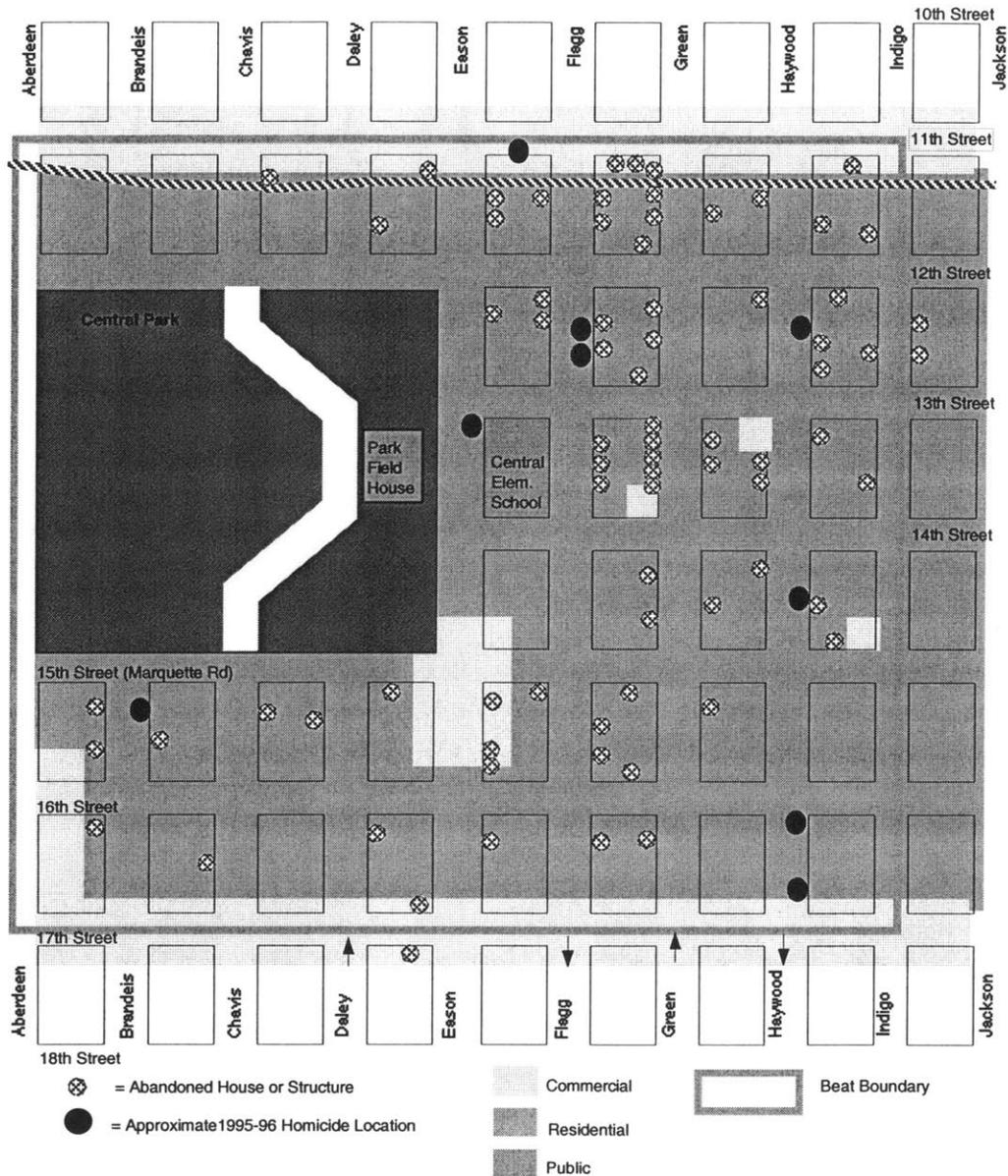
Though Central Beat resembles Southtown Elementary in its initial conditions of poverty and unified interests, and the problems in both cases are quite severe, Street Level Democratic problem solving processes exhibited very different strengths and weaknesses. Whereas non-

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[15] Street names on this map have been changed to conceal this neighborhood's location.

professional participation was for the most part limited to monitoring in Southtown Elementary, we shall see that ordinary residents played a much greater role in the identification and solution of problems in Central Beat. Whereas the problem solving innovations and efforts in both Southtown Elementary and Traxton Beat were quite systematic, however, we shall see that Central Beat's deliberative problem-solving was somewhat more haphazard.

14.3.1. Complex Coordination to Tackle Two Tales of Hot Spots

During the period of my observation of Central Beat, from November 1996 until December 1997, the community policing group engaged in two sustained problem solving efforts. As is quite common with Chicago Community policing targets, both of these efforts were raised by neighbors complaining of crime and social disorder in nearby buildings. Furthermore, both problem solving efforts exemplify the kind of civic engagement and complex coordination between police, other city agencies, and community action that SLD supposedly makes possible. Because these problems are typical of those found in Chicago's hard pressed communities, and because Central Beat's police and residents developed rather impressive solutions to them, we recount these efforts in some detail below.

The first problem was brought to the attention of Beat participants my Maria Wilson, an long time resident and home-owner who lives on the north side of Central Beat, on the 1100 block of Daley Street. Though her block is one of the cleanest and most well-kept in the beat—there is only one abandoned house—the house adjacent to her had been owned by an absentee landlord named Denvers for the past fifteen years. According to Wilson, Denvers has

rented the building to a seemingly endless series of problem tenants, mostly poor women on public aid, who have caused various kinds of criminal and social disturbances. Over a decade and half, Wilson's complaints include the exploitation of poor tenants by Denvers, several fires that have occurred in the building, unsanitary conditions, occasional fights, and flying appliances. More seriously, the alleys around the house sometime serve as an open-air drug market. She reflects upon these various events in an interview:

> [Denvers] talks to these ADC [recipients of Aid to Families with Dependent Children] women like they are dogs [and he is extorting money from them through scams like inflated gas prices]...

> Since I have been around, there have been five fires in that building. Two on the 2nd floor, two on the 1st floor, and one in the basement...

> I got inspectors to come down to check out water in the basement. They found that there was no gas and rats. One time they found a rat in bed with a baby down there...

> Once, there was a guy who played his radio out a second floor window. One time a scale flew out his window and broke mine. I took him to court. I am not used to this kind of thing. ..

> A while back, there were two women who moved into the second floor, and they put up garbage bags over the windows. That is a gang thing you know. This was around Christmas...

> [Starting] at nine a.m. in the summers, the men would come out and drink on the porch. They have so many kids, one woman had four and the other five.... There is traffic all night long, buying drugs, and it is heavy in the summer. They got so bold that they would stand in the alley and [there was] traffic both ways, dealing.

> Over the past few months, there have been five or six different sets of people. Two on the first floor. One in the basement [was] selling [narcotics], and some troublemakers on the second floor.

Disturbances around this house that motivated Mrs. Wilson to join the Central Beat's

community policing efforts in June 1996. After she brought the house to the attention of the

group, they employed a number of strategies over the next ten months to attack this nuisance

problem. First, residents and police developed routines of *directed discretion*[16] to increase the

effectiveness of police patrol around the problem house. To direct police efforts even further,

residents organized a phone tree and block watch to monitor activities around the problem house

and call for police when they saw suspicious activity. This intensified surveillance resulted in

several Possession of Control Substance (PCS) arrests around the problem building. Second,

instantiating the mechanism of *complex capacity coordination*, residents deployed city lawyers

to act against Denvers under the city Nuisance Abatement Law[17] and city building inspectors

against the structure itself. The inspectors issued numerous citations and lawyers brought

Denvers to building court. In an example of *civic engagement*, residents themselves formed a

Court Advocacy committee to show to the judge that the Denvers' property was a blight on the

neighborhood. Wilson reports that in Court Advocacy, "When they call the address [for Court

hearing], everyone [in the advocacy group] stands up and this makes a huge difference. The

judge asks us to introduce ourselves and say something about why we are there."

This sustained effort brought Denvers to housing court several times. The judge ordered

him to make numerous repairs to the building and held him responsible for the criminal activity

in it. When Denvers failed to make the repairs and control the problems, the judge issued a series

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[16] See the discussion of directed discretion, coordination amid complexity, and civic engagement in chapter 9 above.

of increasing fines, and then finally imprisoned him for several weeks. These punitive measures

produced results; in an interview some ten months after these strategies began, Wilson reports

that Denvers had installed new electrical and gas systems in the house, had evicted the previous

tenants and began renting to neighbors that seemed, from all outward appearances, to be law-

abiding.

Whereas Mrs. Wilson lived on a block in which only one house was self-evidently

involved in narcotics activity and the rest of the houses were "clean," Central's second sustained

effort involves precisely the opposite situation. According to the testimony of both residents and

police, just about all of the residents who live on the 1600 block of Chavis Street are involved in

narcotics and/or gang activity. Arrest records for PCS offenses offer some circumstantial

evidence to support this view. Mrs. Ann Rivers, another long time resident of Central who lives

on this block and publicly criticizes this criminal activity, is the exception to this alleged

pattern.[18] Like Mrs. Wilson, Rivers had felt victimized by occasionally quite violent criminal

activity for years before the advent of Chicago community policing:

> I have lived in this house for twenty years. Many years ago, I used to see an ice cream
> truck parked across the street for hours at a time, and lines of people coming to buy from
> it. I didn't know what it was until my husband explained that they were dealing drugs out
> of it.

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[17] See the discussion of this ordinance and the Corporation Counsel program in chapter 8's discussion of
the administrative center's role in creating background conditions conducive to successful problem
solving.
[18] Residents of this block had seen the author in the company of both police officers and Mrs. Rivers, and
so considerations of personal safety prevented first-hand verification of these allegations of narcotics and
gang activity.

I couldn't let my kids hang out there, because they would just get bullied [by the older gang members]. When he was young, my son got cut up real bad, on his face and arms because he wouldn't join [the gang]. My daughter got beat up too. [Despite all this] they never joined.

On my block, I have seen stabbings and shootings. We have gotten shot at, and I figure it is a kind of warning.

A couple of years ago, they [the neighbors] had put gasoline all around our house and were going to light it up. For some reason, they left for while, maybe to get a lighter, and my husband came home and saw the gas. He called the police and they responded before they were able to light the gas up.

Last year, they [the neighbors] threw a firebomb through our window.[19] This is what made us really get involved [in community policing].

Following the firebombing incident, Mrs. Rivers and her husband became regular participants in Central Beat's community policing activities. In its regular meetings, police and residents agreed that Rivers' block should receive sustained problem solving attention. In order to attack the problem, police beat officers intensified patrol around the area. Additionally, tactical police officers executed several search warrants on what they perceived to be key centers of drug activity. During these searches, they seized substantial quantities of crack cocaine and firearms and made several arrests. In order to demonstrate their disapproval of gang and drug activity, community policing participants from Central and several surrounding beats have organized "take back the streets" marches which always pass through Mrs. Rivers' block. At the end of my observation period, there was still substantial drug and gang activity on her block, but Mrs. Rivers remained certain that it had become much less violent.

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[19] Discussions with police later revealed that this firebomb was a Molotov cocktail incendiary device.

Perhaps as significantly, Rivers transformed herself from a shy victim of ambient crime into a serious and outspoken community policing activist over the course of developing and implementing these strategies. Before her involvement in community policing, Rivers reports that she was not involved in any neighborhood groups or other associations. For the first few month of our acquaintance, she was so shy that she refused to be interviewed. When she did finally agree to an interview, I asked her why she had delayed for so long, and she responded that:

> It took me a while to get the confidence to speak [to you]. I have learned from [other community policing activists] how to speak up. I used to be afraid of everything, because I didn't know what to do in many situations, but I am not afraid any more… I feel like I am giving back to the community now [with my community policing work].

By the end of the observation period, Mrs. Rivers had become one of the most active community policing participants in Central. The rest of the group elected her to the position of beat facilitator, and she joined several other area community organizations.

14.3.2. Nonsystematic Directed Discretion: Laissez-Faire Discussion and Police Response

Beyond these two sustained efforts, each of which enjoyed the attention of a champion in Mrs. Wilson and Mrs. Rivers, police and citizens for the most part fell into the mode of laissez-faire discussion observed in the first observation period of Traxton Beat:[20] citizens raise problems as they come to mind—such as drug dealing on a particular corner, burglaries, or

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[20] See chapter 13.

traffic problems—and police use familiar methods to respond to those problems. Unlike Traxton, there was no systematic inequality of resources or conflict of interest in Central Beat, so this mode of laissez-faire discussion did not result in the consistent unfairness evident in Traxton Beat. Nevertheless, more systematic deliberation would have improved Central Beat's problem solving efforts in three ways.

First, individual problems would have benefited from more sustained attention. For example, residents frequently raised complaints about narcotics activity at various addresses throughout the beat, and police responded by temporarily deploying uniformed and plainclothes officers to make drug arrests at those location. In the laissez-faire mode, the problems were then dropped. Under the more sustained deliberative problem solving process discussed in chapter 7 and illustrated in the case of Traxton Beat, participants might have moved beyond short term deployment of police for drug arrests to more enduring measures that addressed the factors that made those spots attractive to illicit activity such as: the configuration of physical space (lights, traffic, abandoned houses), nearby "drug houses," and traffic access points.

Second, structured deliberation might have resulted in more imaginative community policing strategies that utilized the energies of citizens and city agencies beyond the police department. The two sustained problem solving efforts led by Mrs. Wilson and Mrs. Waters, did use an array of innovative strategies, but police responded to problems raised in the laissez-faire mode of discussion—drugs, burglaries, traffic, etc,—with their familiar array of strategies such as intensified patrol, citation, and occasionally plainclothes surveillance. Had these problems been the subject of more sustained discussion and problem solving deliberation, rather than simply noted down by police in community beat meetings, the group might have developed more

innovative strategies to deal with them. As we have seen in both Traxton and Central Beats,

structured deliberation does yield a more diverse, innovative set of problem solving strategies.

Third, and perhaps critically, more structured and sustained deliberation might have led

the group to self-consciously prioritize problems and allocate their problem solving energies

according to a schedule of urgency. In the first-come, first-served laissez-faire style of town

meeting discussion, problems receive an implicit prioritization based upon the order and force

with which they are raised. In first observation period of Traxton beat,[21] background inequalities

of assertiveness and skill, in turn rooted in resource inequalities, led to community policing

outputs biased in favor of the well off. Since residents of Central were more uniformly poor and

lacked the historical divisions visible in Traxton, laissez-faire discussion did not generate

severely socio-economically biased outcomes. The problems that they did target through laissez-

faire discussion, however, reflected somewhat random contingencies such as whether residents

from particular blocks attended meetings. It is therefore unsurprising that the laissez-faire mode

of discussion did not generate a schedule of problems that corresponded to an objective list of

urgent problems that might be generated by felony crime reports or 911 calls. Without doubt, the

problem properties next to the houses of Mrs. Wilson and Mrs. Rivers were severe problems that

deserved community policing attention. Beyond these problems, however, beat discussions and

subsequent police responses focused around problem such as burglaries and narcotics activity in

the central portion of the beats, traffic and illegal truck garaging in the beat's southwest area.

According to narcotics and homicide reports and the testimony of individual police officers,

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[21] See chapter 13 above.

however, the west side of the beat, in particular Haywood Street (See Figure 14.1 above), has a

number of drug house "hot spots" that are centers of gravity for violent crime. Because no one

raised these issues in the open discussions of beat meetings, they did not receive attention from

the community policing group. Because structured problem solving deliberation would have

involved an explicit discussion of problem urgency, perhaps including police testimony and the

use of readily available crime maps, it might well have directed attention toward these neglected

regions of the beat.

What explains the failure of Central Beat to adopt structured deliberation over laissez-

faire discussion in its community policing SLD process? The Strong Egalitarian critic of SLD

might offer this skeptical materialist account. Structured deliberation demands greater capacities

of participation, analysis, and persistence than laissez-faire discussion. These capacities often

correlate with income and other access to resources, and since Central residents are poor, they

lacked these resources and therefore the skills necessary for structured deliberation. According to

the Strong Egalitarian, Central Beat is only one instance of the quite insurmountable obstacles

that SLD will encounter in poor communities.

A supporter of SLD would agree with the facts of the matter—that laissez-faire

discussion accurately characterized community policing in Central and that structured

deliberation would have been better—but offers a more optimistic account of Central Beat's

deliberative prospects that are based on two observations. First, several individuals in the Central

beat, specifically Mrs. Wilson and Mrs. Rivers, possessed and exercised just those capacities

thought to be necessary for structured deliberation: they led the group in the development of

innovative and effective strategies that abated two rather serious and persistent public safety

problems. The very existence of these individuals weighs against the thesis that poor

circumstances do not generate citizens capable of structured deliberation. The second

observation explains why these two individuals' limited deliberative problem-solving did not

translate to a broader group practice of structured deliberation. Though structured deliberative

problem-solving is an explicit part of the institutional design of community policing (see chapter

8, cite general orders), neither the Chicago Police Department nor other authorities have devoted

substantial energy to propagating the practice, or even the notion, down to the beat level. As we

saw in Traxton Beat, the peculiar conjunction between the institutional design and the existence

of a beat facilitator familiar with structured-deliberative procedures moved the group from

laissez-faire discussion to this more disciplined mode. One salient difference between Central

and Traxton Beats, then, is that no such agent familiar with and committed to the institutional

design stepped forward to facilitate Central's decision processes. A supporter of SLD would

contend, then, that structured deliberation is very unlikely to arise without conscious

understanding and effort, and no one from either the community or the police department rose to

the task. With greater effort to impart and implement structured deliberation—perhaps in the

form of face-to-face training of community participants or police or wider distribution of

instructional materials—Central might have moved from laissez-faire discussion to structured

deliberation. Whether these efforts would have been able to overcome the skill deficits that

accompany poverty—the Strong Egalitarian contends that they would not—remains open to

speculation. As with Southtown Elementary, the absence of serious effort to train citizens in the

expectations of Street Level Democratic institutions prevents us from assessing whether such an

effort would have yielded improved deliberative outcomes despite the obstacle of poverty.

14.3.3. Gauging the Realization of Democratic Values in Central Beat

Despite the absence of systematic deliberation, we nevertheless assess SLD processes in Central Beat as relatively successful in advancing the democratic values of effectiveness and solidarity. Though group actions to advance public safety would have been even more effective with structured deliberation, even the mode of laissez-faire problem selection and response was more effective than policing in the prior command-and-control mode and fairly effective in its own terms. Recall that the main methods of police action prior to SLD community policing reforms were preventative patrol and emergency response (see chapter 5). This practice failed, literally for years, to address narcotics hot spots around the residences of Mrs. Wilson and Mrs. Rivers. Community policing reforms created opportunities for these women and other residents to direct police power, increase the efficacy of their own self-organization, and leverage the powers of other city agencies to successfully address their concerns. Even the mode of laissez-faire discussion and police response—a partial failure by the lights of SLD—generated more effective results than traditional policing by facilitating interaction between residents and police and generating flows of information and action, limited as it was to using traditional police strategies, where it otherwise would not have occurred.

Partially as a consequence of its effectiveness, SLD community policing has also advanced a second core democratic value of autonomy in Central Beat. Though the area is by no means a safe and narcotics trafficking and more violent crime still pervades, residents exercised, and felt that they exercised, slightly more control over the shape and level of safety in their immediate neighborhood. Over the short period of my observation, residents addressed two

serious "hot spots" and directed police activity in more limited fashion on other problems such as

abandoned buildings, corners known for narcotics activity, and systemic burglaries. One

participant expresses the enhanced autonomy this way:

> I know that things will get better on my block. Things move quicker now, and I have
> already seen some arrests. I have already seen that since I have gotten involved [in
> community policing] others are joining in as well—two more on my block alone. I don't
> want to be a police [officer], but I do want to be a part of the family [of the community].

Similarly, the mechanism of studied trust has generated mutual sentiments of solidarity

between police and the residents that have gotten involved. Mrs. Wilson put it this way:

> I know that sometimes you have to push the police. [Their attitude is] "If you don't care,
> I don't. If you don't know, then I don't." You have to keep at them. [But] they [the
> police] really work with us and we really appreciate it. I don't know what we would do
> without them.

As we shall see in the discussion of Southtown Beat in the next chapter, police officers in many

beats are skeptical about the motives, knowledge, and commitment of residents. In Central Beat,

however, police respect the dedication of residents and accept their superior local knowledge. In

several discussions with police officers, I asked whether they thought that residents exaggerated

their claims about crimes around their blocks in order to dramatize or motivate greater police

response. Invariably, the officers responded that residents usually know crime situations better

than police, that often police surveillance revealed that resident complaints were accurate, and

that they were glad to have this kind of help.

Chapter 15:

Deliberative Breakdown and the Critical Center:

SLD in Conflicted Low-Income Contexts

15.1. Introduction

Having considered the operation of SLD institutions in the context of severe resource deprivation, we now ratchet the adversity of background conditions upward by adding interest conflict. Though poor, the parties to SLD deliberation in Central Beat and Harambee Academy largely agreed on the goals of governance and acknowledged one another as partners in a common effort to secure those goals. In this chapter, we revisit the two impoverished neighborhoods discussed above in our examination of Central School and Southtown Beat. As one might expect from their proximity to the cases of the previous chapter, poverty also characterizes these cases. However, the parties to deliberation in the cases below share histories of mutual suspicion and animosity. In both Central School and Southtown Beat, neighborhood residents were divided against themselves into conflicting factions and professionals—police and school staff respectively—were at various times divided against resident groups. In this chapter, then, we use two cases to explore the operation of SLD institutions that under the doubly difficult initial conditions of "resource poverty" and "high interest dispersion," depicted in the lower right hand sector of Figure 12.3 (chapter 12).

The five critical perspectives developed in chapter 11 focus our intuitions about why poverty and conflict in Central School and Southtown Beat constitute particularly hard cases for SLD, and indeed for any configuration of democratic institutions. We developed the poverty-based criticisms of the Strong Egalitarian and Social Unity theorist in the previous chapter, and those same criticisms apply to the two cases below. The added dimension of interest diversity, however, adds several voices to this skeptical chorus. In contrast to the broad agreement on interests and intentions that we found in the cases of the previous chapter, deep conflicts between parties here leads the Strong Rational Choice to be skeptical about the possibility for fair deliberation in Central Beat and Southtown School. Parties in both of these cases have histories of mutual conflict and suspicion that pre-date community policing and local school governance reforms in Chicago, and the Rational Choice critic expects that those conflicts will continue under the new institutional regime of SLD. Indeed the heart of the disagreement between this critic and the proponent of SLD lies in the disbelief of the former that a mere institutional change could induce parties to operate deliberatively by constraining the pursuit of their self interest. Instead, this critic expects that warring factions will continue their battles using SLD's spaces as just another gladiatorial arena. The second critic, the Strong Egalitarian, will offer at least two skeptical arguments against SLD's prospects in Central School and Southtown Beat. Since they live in the same two neighborhoods examined in the previous chapter, residents who participate in the SLD processes of Central School and Southtown Beat are similarly poor, and so for that reason may lack the human and material resources—education, money, skills, etc.—necessary for effective deliberation. The two cases of the previous chapter illustrated moderately successful deliberation despite poverty, however, and residents in the two cases below displayed similar

abilities to deliberate despite their poverty. Conflict between professionals and residents, however, poses an additional, especially acute threat to the integrity of deliberation under conditions of poverty. The unavoidable advantages of time and expertise (they are paid and trained for their public work) that agency professionals enjoy in their adversarial encounters with ordinary citizens are multiplied when those citizens are poor (Handler 1988). Therefore, both the Strong Egalitarian and Technocratic Expert critics might argue, SLD will likely yield domination of residents by professionals under the initial conditions of poverty and conflict. Finally, a critic who emphasizes the Politics of Difference will find the prospects for deliberative democracy particularly bleak when interest diversity stems from deep cultural differences, as it does in Southtown Beat, a mixed African-American and Hispanic Community.

We shall see shortly that experiences of those serving and participating in the local governance institutions of Southtown Beat and Central School validate some of these criticisms. Due to both material poverty and entrenched conflict, effective problem solving and fair deliberation occurred in fits and starts in both of these cases. Nevertheless, similar to Traxton Beat in chapter 12, both cases also exhibited periods of substantial fair and effective deliberative problem solving in addition to less laudable phases. In the former, deliberative institutions of school governance and community policing did seem to advance the realization of core democratic values laid out in chapter 2. The existence of these high-points for SLD even under the adverse conditions of rather severe poverty and entrenched conflict, however, offers some support for SLD proponents against these critical perspectives. By describing the causes that separate the periods of failure in these cases from moments of more successful deliberation, we argue below that the failure is principally due neither to the initial conditions, as difficult as they

are, nor to the institutional design of SLD, but rather to failures of implementation. In particular,

both cases illustrate how deliberative success and failure rests largely on the ability of the

"Supportive Center" (chapter 8) to foster the problem-solving processes of poor, conflicted

neighborhoods by performing adjudicative, facilitative, and supportive functions.

15.2. Translation and Trust: The Center Between Two Cultures

Southtown Beat, located on Chicago' far south side, is a low income area of some forty

square blocks that is home to Hispanics—many of them Spanish-speaking only—and African-

Americans. According to 1990 census figures, approximately one fifth of the households in the

area were ethnic Hispanics, and the remaining 80% were black. Though there were no

impenetrable physical fences that separate these two groups as in Traxton Beat, residents

considered various blocks on the beat either "Black" or "Hispanics." The later group lived for the

most part in the northeast portion, with its rough boundary defined the railroad tracks that run

northwest and southeast through the beat (see Figure 15.1 below). Though there were many

exceptions to this pattern, most of the blocks that lie to the south of these tracks were inhabited

by African-Americans.

Residents of the beat do share, however, great vulnerability to criminal victimization.

Southtown Beat's personal crime rate in 1996 was 111 crimes per 1000 persons, slightly lower

than that for Central Beat (see chapter 14), but almost 50% greater than the citywide rate and

high enough to place it in the most violent quintile of Chicago police beats. There were a total of

ten homicides in Southtown Beat between 1995 and 1996. One female victim died in domestic

violence, and the other nine were young males between the ages of 15 and 40 who were shot

down either in the street or in automobiles. The most dramatic threats to personal safety, then, come from gunfire in the occasional flaring of youth violence. In 1994, for example, sniper fire from suspected Latin Kings disrupted a basketball game between blacks in Southtown Park, the neighborhood green space (see Figure 15.1 below). Violence also occurred on 50th Street because it coincides with a territorial boundary between the Black Gangster Disciples (north of 50th) and Latin Kings (south of 50th) street gangs. Over the past few years, several retaliatory shootings have occurred back and fourth along this boundary. In 1994, a black man was shot by Hispanic youth just north of 50th on Adams, and in retaliation two Hispanics were shot by black assailants on Adams and 51st street. In 1995, a black man was shot and killed in an alley on Jefferson Ave. just north of 50th street. In addition to these sites of gun violence, there are a number of crack houses on the beat, two of them located on 55th Place between Adams and S. Quincy. Street walking prostitutes solicit customers on the run-down commercial strip on Jefferson Avenue, and then take them to alleys, the abandoned buildings, or Southtown Park to complete their transactions. Finally, there have been several spates of serial abduction-and-sexual assaults of grammar school aged girls.

15.2.1. The Contours of Poverty and Interest Dispersion in Southtown Beat

As our classification of Southtown Beat in the space of initial conditions as both "poor" and subject to internecine conflict due to great "interest dispersion" suggests, the residents of Southtown Beat face severe barriers to launching the kinds of self help efforts which might help them deal with these problems. Poverty is the most obvious of these barriers. As Table 12.1 (chapter 12) shows, the average household income in Southtown Beat was $14,074 according to

1990 census statistics, easily placing it in the poorest quintile of Chicago beats. In that same

year, 38.6 percent of the families in the beat received some sort of public aid, and one third of the

beat's households that had children were headed by a female. The 1990 unemployment rate for

residents living in the beat was 24%, about two and half times the city-wide rate. The physical

condition of the neighborhood's housing stock and commercial real estate mirrored these

statistical measures of neighborhood poverty. Approximately one-third of the commercial lots

that line the once-thriving Jefferson Avenue and 50th Street commercial boulevards lay vacant

(see Figure 15.1 below). Some of these lots were simply empty, the buildings that once stood

there having been demolished. Unoccupied, boarded-up, and decaying buildings, however, still

stood on much of this commercial strip during the observation period. Most of the residential

interior was better maintained, but there were still substantial quantities of abandoned and

boarded-up single and multi-unit housing on this block. Even by the lowered metrics of urban-

America, Southtown Beat was a poor area.

Figure 15.1. Map of Southtown Beat[1]

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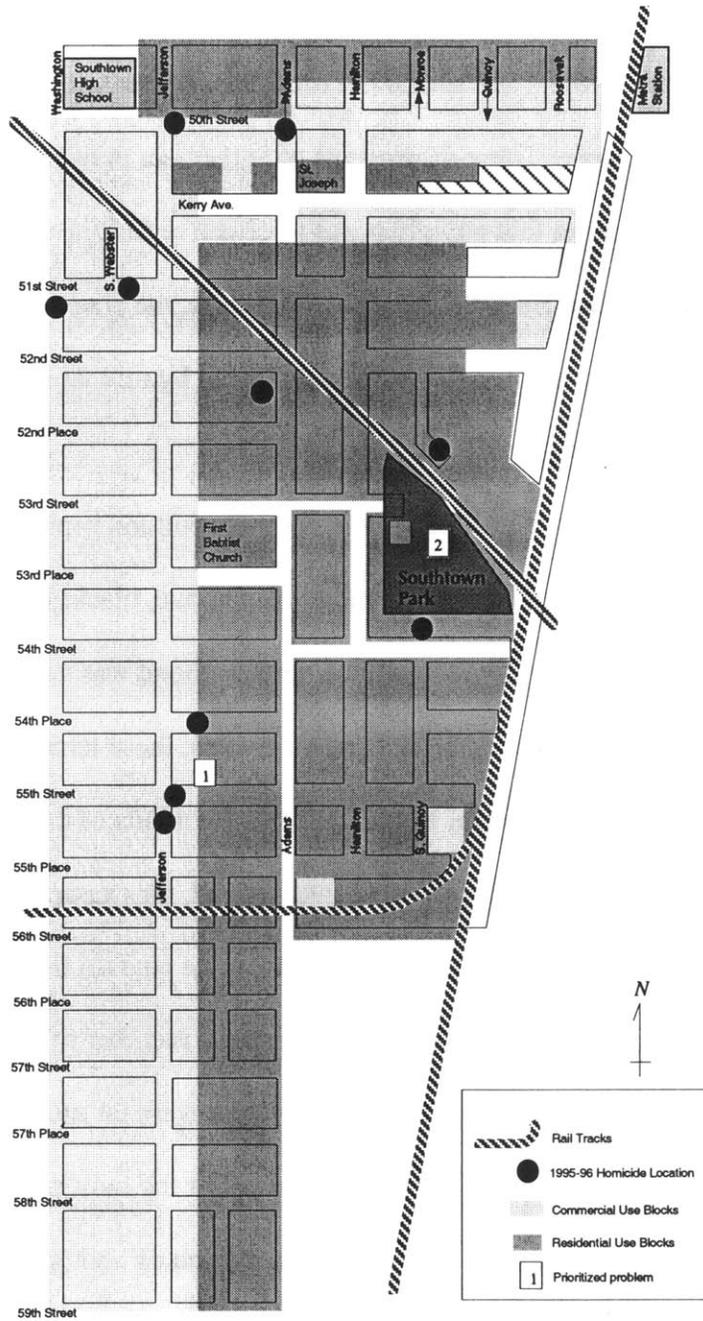
[1] Street names have been changed to conceal the location of this case.

In the two previous cases, we saw moderately effective deliberative problem solving despite similar levels of poverty. In both of those cases, however, the professional and resident participants shared common goals and seemed to trust one another with respect to community policing and school governance. These dimensions of agreement may have allowed them to overcome the substantial barrier that poverty poses to effective SLD. By contrast, the parties to SLD deliberation in Southtown Beat, the African-Americans, the Hispanics, and the police, had histories of isolation from one another that were reproduced by mutual suspicion and occasional overt conflicts.

Space, language, and civic institutions maintain the cultural separation of African-Americans from Hispanics in Southtown. As mentioned above, blacks and Hispanics for the most part lived in separate blocks even though the neighborhood was very small. Though plenty of African-Americans live in Hispanic blocks and vice versa, these territorial designations nevertheless constituted rather powerful mental maps in the minds of those who live in the neighborhood. Many of the Hispanic residents I interviewed, for example, considered the area south of the railroad tracks to be "Black" and hence not to be crossed lightly or alone. Though most of the Hispanic households in the area had at least one member of the family who was fluent in English, many more spoke Spanish exclusively or were far more comfortable in that first language. Finally, African Americans and Hispanics for the most part participated in separate and parallel civic institutions. Though a large faction of both groups held deep Christian religious commitments, Spanish speaking residents for the most part attended a neighborhood

church called St. Joseph,[2] while the African Americans went to First Baptist Church.[3]

Educationally, St. Joseph's operated an excellent parochial school attended by many Hispanic

children, while the majority of African-American families sent their children to one of two

nearby public schools, one of which was Harambee Academy discussed above. Since many other

social activities grow out of block, church, or school affiliations, these anchors of neighborhood

life effectively segregated civic life along ethnic fissures in Southtown Beat.

This spatial and cultural segregation for the most part led residents to hold live-and-let-

live policies of non-interference and non-cooperation and to perceive that they held quite

separate interests from their ethnically different neighbors. For the most part, these two groups

saw little common ground, but neither was there much basis for outright conflict. However,

suspicions of the ethnic other sometimes broke through this apathy. When ethnic gangs, the Latin

Kings or the (black) Gangster Disciples) shot at one another or across public areas populated

with bystanders, African-Americans often commented that it was the "Mexicans shooting again"

and vice versa. Prior to community policing, there were several attempts to form bi-racial

neighborhood coalitions. According to one long time activist in the neighborhood, "they all

fizzled out" due to suspicions that various leaders were using these efforts to advance individual

or racial agendas.

During my observation period, relations between police and residents were far less

congenial than between citizens themselves. Both Hispanic and African-American residents held

rather low opinions about the effectiveness of police methods and the willingness of police to

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[2] Name of church changed to preserve anonymity.
[3] Name changed.

engage in cooperative partnerships with those whom they supposedly served. One Hispanic

resident, active in the community policing effort, offered this critical observation:

> CAPS [Chicago Alternative Policing Strategy] is disappointing in our neighborhood right
> now because it is top-down [and the people at the top are giving the wrong message]. For
> a while we had two officers who both spoke Spanish and would come out of their cars
> and talk to people in the neighborhood about what was going on. The kids knew them;
> they extended themselves into the community. They left about six months ago, and things
> have gone back to the old ways. The police stay in their cars now and the only time I see
> them is at the beat meetings. At the [community policing beat] meetings, I asked about
> this, about whether the officers can get out of their cars some more [and get to know us
> and what is going on]. One of the officers said that we should stop them when they drive
> by if we have something to say. But community policing is about taking the time to stop
> and say "hi." Officer _____ said that this would be too hard, and that different Officers
> have different styles. But I know that in an organization, it comes from the top. We need
> to break through the [standard] police officer mentality [if community policing is going
> to work]. Commander _____ needs to set a better tone for the community policing
> style.

In contrast to Traxton Beat (see chapter 13) where residents had officers' pager numbers, and the

mutually trusting relations between police and residents in Central Beat (see chapter 14),

Southtown residents wanted simply to open *some* relationships with their police officers. At one

beat meeting, for example, an African-American resident asked rather despairingly but

diplomatically, "Do you [officers] have cards, because the majority of us don't know you, and

we want to start building a working relationship." The officers responded that they did not have

cards (much less pagers), but did provide their first names. A female Hispanic resident of

Southtown, commented at one beat meeting that, "We only see you when there are shots fired. I

called in an incident several nights ago when shots were fired, and within 2 minutes 15 cars

appeared. But the only time we see you is when shots are fired. Can we have a little more

preventative policing—walk the streets and know the names of the kids?"

For their part, police officers seemed to recognize that citizens could contribute

effectively to public safety efforts, but did not recognize them as equals in this endeavor. They

were surprisingly ignorant of residents' suspicions and resentments against them and had no

specific strategies to build more cooperative relationships. The sergeant in command of the

Southtown Beat Team offered the following assessment of civilian (resident) contributions:

"They can be helpful in things like Court processes, but you have to tell them where they are

effective, and then they can be even more effective than the police." In contrast to the opinions

of most involved residents, another sergeant who works with Southtown Beat thought that

police-resident relations were quite good and had few firm ideas (unlike the residents quoted

above) about how to improve them:

> **Author**: What can you do to improve relations between the officers and residents?

> **Sargent**: For the most part, our officers are really good already. One solution is to ask
> people [police] which beats they want to work [in], and this naturally works pretty well.

As we shall see below (15.2.3), police-civilian relations were as congenial as this officer

depicted due in large part to unilateral and arrogant police decisions.

15.2.2. The Mediating Center: Disembedded Deliberation

The prospects for effective Street Level Democracy in Southtown Beat seem rather dim

given these multiple axes of isolation, conflict, and the absence of supposed conditions (e.g.

trust, wealth, agreement) for fair deliberation. To the surprise of both residents and this observer,

the community policing problem-solving process there was both fair and quite effective during

the initial period of my exploration, from August 1996 until December 1996. We call it

successful because it included, for the first time ever in Southtown, both African-American and

Hispanics in concerted group action. Over this period, furthermore, police cooperated with

residents and provided indispensable problem-solving resources. Most importantly, this diverse

group solved two important, long-standing neighborhood public safety problems.

As with Traxton Beat, the strategic intervention of a skillful facilitator contributed

enormously to this success. Unlike in Traxton Beat, however, the facilitator and other helpful

actors were dispatched from the Chicago Police Department headquarters to perform functions

gathered under the heading of the "supportive center" in chapter 8. These individuals, called

community policing trainers and organizers, operated in Southtown between August and

November 1996 under the Joint Community-Police Training (JCPT) Program described in

chapter 5. Recall that under this program, the City subcontracted the Chicago Alliance for

Neighborhood Safety (CANS) to organize residents and police to turn out and participate

effectively in community policing. Under the program, CANS dispatched roving teams of three

or four individuals—one or two community organizers, one civilian trainer, and one police

trainer—to various beats in the city. Due to resource constraints at the city-wide level, each team

remained in a beat for only three or four months, hoping that they would build self-sustaining

interest in community policing and impart effective problem-solving methods in that short time.

The J.C.P.T team performed three important functions that were especially critical in

light of Southtown's adverse initial conditions. Its leader was civilian trainer Roger Sanchez.[4] A

highly skilled, bi-lingual facilitator, Sanchez was able to bring African-American and Hispanic

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[4] Name changed.

residents together in conjoint civic action. Residents from both groups found him inviting and

fair. In the presence of this intermediary, Hispanic residents, African-Americans, and police who

lack a prior history of cooperation, avoided the deliberative breakdown (8.1) which would likely

have occurred without him. When asked why community policing seemed to spark a bi-racial

effort when nothing else had done so, one long time neighborhood resident responded that,

"CANS bi-lingual staffing helped a lot. We tried to get some community safety efforts going a

couple of years ago, but it didn't work out because it lacked leadership ability and this skill."

Second, trainers from J.C.P.T. and CANS provided residents with deliberative problem

solving skills and made them aware of opportunities for directing police power under Chicago's

community policing reforms. Several Southtown residents cited problem-solving skills training

as a distinctive and critical feature of community policing in their area. One Hispanic resident,

who had been active several city-wide and neighborhood efforts including the Chicago

Empowerment Zone and a well known Community Development Corporation, commented that:

> CAPS is the first time that I have seen a program empower people. CANS instructors
> were especially important in this. No one ever came out and taught us a whole process
> before. This is quite different from the Empowerment Zone, which was a war between
> different agencies.

An African-American Southtown Beat participant commented that:

> None of this [successful problem solving] would have happened without CANS and the
> changes in the Chicago Police Department. The doors [to neighborhood improvement]
> would not have opened, as they are starting to do now. They helped bridge the African-
> American communities, and this an unprecedented alliance. CANS training showed us
> what resources and talent exist in the community, and we never saw that before.

Third, the presence of J.C.P.T. trainers induced beat level police officers in Southtown to cooperate in problem solving efforts. The first two factors of bi-lingual facilitation and skills training forged a unified voice with particular problem solving plans. Police officers were largely content to fulfill the roles assigned to them by these largely resident-devised plans because they saw the J.C.P.T. program as a legitimate authority associated with the police headquarters. After all, one member of the training team was a sworn officer.

Recall from chapter 5 that the J.C.P.T. program calls for a kind of situated training. Instructors teach community policing skills and procedures by guiding resident and police trainees through the five steps (see chapter 7) of deliberative problem solving as applied to actual neighborhood concerns. J.C.P.T. training in Southtown began at a beat meeting, held in St. Peter's Church, in early September 1996. Though participation in community policing had been quite low prior to that, J.C.P.T. organizers mobilized residents for this event through posters and door-to-door canvassing. As a result, 112 residents attended the meeting, split about equally between African-Americans and Hispanics. They used the session, conducted with simultaneous bi-lingual translation by Mr. Sanchez, to develop a list of the priority problems on the beat and to select one for group attention over the next several meetings. Though residents raised several very serious problems such as shootings Southtown Park and along the northern and western commercial strips, they eventually settled on what some might consider a relatively minor issue: unsanitary, loud, and occasionally violent residents who owned a house in the beat. Participants reported that they selected this house as a first target problem not because they thought it the most severe problem on the beat, though it was not trivial, but rather because they lacked

confidence in their own abilities. They wanted to begin their bi-racial community policing

efforts, to cut-their-teeth, with an issue that they considered manageable.

The targeted problem consisted of two brothers, call them the Stilps[5] and their house at

55th Street and Jefferson (marked as "1" in Figure 15.1 above). Neighbors had long complained

about conditions in and around the house. They reported that foul, almost noxious, odors issued

from the house and complained that human feces and other raw sewage often lay in the front and

back yards. Reports from city inspectors later validated these claims. Neighbors also reported

that the Stilps owned a large number of immobile automobiles that obstructed traffic and

rendered the block unsightly. Another frequent complaint was that loud music came from the

Stilps' house at all hours. Further still, the Stilps owned two rottweiler dogs who occasionally

roamed without leashes and frightened the neighbors. Perhaps coincidentally and certainly

circumstantially, three of the nine non-domestic homicides in Southtown between 1995 and 1996

occurred within one block of the Stilps' house (see Figure 15.1). Several neighbors tried for

years to make the Stilps more neighborly, but nothing worked. Mr. Marley[6] was the most active,

annoyed, and outspoken of these. He reported trying many avenues—including dealing directly

with the Stilps, calling the police, and contacting various city agencies—all to no avail.

When the Stilp's house became the community policing group's first target, however,

actions became more strategic, persistent, and forceful. Following the next four steps of the

problem solving process (problem analysis, strategy development, implementation, and re-

evaluation), the group developed several simultaneous approaches to address the Stilp house and

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[5] Name changed.
[6] Name changed.

assigned these steps to various participants. This multiple-approach strategy instanced the

mechanism of complex coordination whereby resident groups orchestrate the actions of multiple

bureaucracies to solve quite local problems.[7] They invited the Stilps to discuss the problem, but

received no response. They asked police officers to issue citations against the immobilized

vehicles (It is illegal in Chicago to park such cars on public streets). They invited representatives

from the Sanitation Department to attend one of the group's meetings so that residents could

learn about pertinent city regulations and possible courses of legal action. Initially, the

Department of Streets and Sanitation did not respond. After several petitions, however, the

Department finally sent an inspector who issued multiple citations to the Stilps after examining

their property. Animal control officials were contacts about the rottweiler dogs, but they failed to

respond. Finally, the group requested that housing inspectors visit the building, and these city

agents eventually brought the Stilps to housing court for code violations.

The area around the Stilps' house improved gradually as a result of these actions, and the

Stilps themselves were eventually evicted. Visible progress began when the broken-down cars

were towed away and noise violations ceased as a result of police citations. Citations from

housing and sanitation inspectors brought the Stilps to Housing Court. There, perhaps because

some two dozen residents had organized themselves to testify about the property's blighting

effect, the Judge ordered the Stilps to desist from unsanitary practices and to implement building

repairs rather rapidly. The Stilps failed to respond to these court orders, and the judge eventually

evicted them from their own house. Neighbors report that the area has greatly improved since

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[7] See chapter 9 above on complex coordination.

their departure, and neighborhood residents generally view cleaning up the Stilps' property as a quite substantial neighborhood victory.

At first blush, this problem solving example may seem to illustrate the potential of populist, deliberative schemes like SLD to impose community norms in violation of individual rights. Upon reflection, however, readers will note that the sequence of events the culminated in the eviction of the Stilps complied with deliberative norms, existing law, and the pedestrian notions of reasonableness. The Stilps were invited repeatedly, first in community policing meetings then in housing court, to offer arguments as to why others ought to accept their behavior or proposals to make such behavior more acceptable. Again and again, they failed to do so and thus forfeited opportunities to deliberate. Had they chosen to participate, it is doubtful whether they—or anyone—could have formulated reasonable arguments to justify their actions. One might respond that they should not have to justify their actions to their neighbors because those actions fall within the sphere of their personal or property rights and so, like one's religious choices, do not require public acceptance. Since the actions of the Stilps had such severe negative externalities, however, a conception of rights that protected their actions would be indefensibly expansive. Finally, it should be noted that they were only allowed to inhabit the house as long as they did due to lax enforcement of existing building and sanitary regulations, and therefore the eviction itself was perfectly legal. In this case, the deliberative efforts of the Southtown community policing group *directed the existing legal discretion* of city agents to target a situation that they deemed problematic.[8]

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[8] See chapter 9 on Directed Discretion.

Whether or not it was wrong, it might have been overkill to direct the community policing attention and resources of the entire beat to one smelly house. Solving this problem, however, was part of a self-reflective strategy to develop just these community policing capacities. In a very real sense, residents had no collective capacity to address public problems such as this one prior to targeting the Stilps' house. African-American and Hispanics had never acted together on any neighborhood problems. Efforts within each of these communities had consisted almost exclusively of individual calls to the police. Police themselves for the most part kept aloof from particular resident concerns. Organization and joint action around the Stilps' house developed residents and police collective capacities in several important respects. African-Americans and Hispanics began not only communicating with one another on common concerns, which by itself would have been novel, but also developing and implementing strategies together. This is a first step in building the *studied trust* (see chapter 10) that SLD supposedly provides. Following the guidance of J.C.P.T. trainers, residents gained familiarity with the straightforward, but not obvious, five-step deliberative problem solving procedure. Additionally, they learned from these trainers first that it is possible, through persistent demands, even for poor people to solicit action from city agencies and they learned some of the methods (calling, letters signed by dozens of residents, invitations to public meetings) to summon such action. Finally, perhaps more trivially, they learned that collective action on neighborhood problems works. The Stilps house had posed a widely recognized but seemingly insoluble neighborhood problem for years. In the span of three short months, residents used the opportunities and techniques of community policing to eliminate it.

By late September 1996, clear signs of progress had appeared on the Stilps property.

Residents of the community policing group, which at this time numbered some 80 regular

participants, turned their energies to a larger neighborhood problem: violence around Southtown

Park. As the map in Figure 15.1 above shows, Southtown Park was the neighborhood's primary

public green space. The Park's grounds were rather small, amounting to about two city blocks.

Its facilities included two asphalt basketball courts, a multi-use natural grass athletic field, and a

modest field house. In past years, staff from the Chicago Parks Department used the field house

to teach various crafts and sports classes to children, working age adults, and elderly

neighborhood residents.

Public spaces in many inner city neighborhoods are sites of violence as well as liesure,

and Southtown Park did not escape that pattern. In 1994, several children playing in the Park

were wounded by sniper bullets allegedly fired by Hispanic gang members. In response, the Park

District decided to defend the Park by closing it down. The closure did not prevent residents

from using the open space for basketball and other sports, but staff were pulled from the field

house. But neither did the closure eliminate violence in and around the Park. Police and

neighbors alleged that there was substantial narcotics trafficking in the Park. Furthermore, of the

three homicides in this beat in 1995, two of them occurred within one block of Southtown Park

(see map above). In March of 1995, 30 year old Troy Bell was shot and killed in his automobile

at 52nd Place and Qunicy. In May of the same year, 32 year old James Jones was shot in his

truck at 54th and Monroe.

In response to this continued violence, the community policing group selected Southtown

Park as its second priority problem. Some Hispanic participants initially objected to prioritizing

Southtown Park on the grounds that this space, which lies to the south of the railroad tracks that informally segregate Hispanics from African-Americans, was primarily a "Black" problem, and that solving it would principally benefit African-American residents. Black participants responded first that the Park lay on the border between the two groups, and should therefore be a public space for both groups despite its past use patterns. Beyond this, they argued, the Park was objectively one of the neighborhood's most urgent crime and safety "hot spots." Finally, black participants promised, and later delivered on this commitment, that they would devote energies to making the Park accessible to Hispanics if their efforts to make it safer succeeded. These arguments persuaded Hispanic participants, and the group as a whole agreed that the Park should be listed as a priority problem.

Residents and police selected two strategies to address the Park problem. First, they would increase police visibility and patrol around the area. Officers agreed to visit the Park more often and more carefully on their various shifts. Furthermore, the police District[9] had a "Park Car" devoted exclusively to patrol its many parks, and police arranged to have this car patrol Southtown's Park more frequently. Both police and residents report reduced narcotics activity and fewer arrests after implementing this patrol-based strategy. As the group's second strategy, they decided to make the Park safe by turning it into a lively, oft-used, public space. Criminal and violent individuals, they reasoned, prefer to conduct their activities in the shadows, and so taking the Park out of the shadows would make it safer. This strategy was led by residents rather than police. Residents organized a committee to meet with the non-profit group "Friends of the

Parks" to learn about how others in Chicago had dealt with dangerous parks. The committee

petitioned several officials from the Parks District and organized large resident turnouts to

several Park District hearings to impress upon officials there the importance of opening the Park.

Only one month after this initiative began, Parks District officials decided that they would open

the Park. Southtown residents mark the turning point in this campaign to open the Park at a Park

District hearing in which a nine year old Hispanic boy from Southtown testified to city officials

about the difference that open green space would make in his life.

The Park officially opened at the end of October 1996. Shortly thereafter, the community

policing group spun off a portion of itself as the Southtown Park Council, charged with handling

governance and public safety issues concerning the Park.[10] Staying true to the initial commitment

to make the Park accessible to Hispanic as well as African-American residents, the Council used

new Park funds to hire two full time staff members, one Spanish speaking and the other African-

American. In a continuing effort to make the Park a safe space, Council members petitioned the

Alderman for physical improvements such as out-door field lighting and new paving. More

routinely, the Council has also served as a funnel to channel resident requests to Park officials

for specific craft classes and after-school programs. After the Park opened and officials began to

staff it on a full time basis, residents reported that both narcotics activity and violence dropped

off.

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[9] Recall from chapter 4 that Chicago Police administrative areas are composed of beats, which are then aggregated into Districts. The City as a whole contains 24 police Districts, each with between nine and fifteen beats.

[10] Though far less elaborate, the Parks District offers neighborhood governance opportunities that roughly parallel those of community policing and school governance; if a neighborhood has the wherewithal to organize a local Parks Council, officials in charge of administering the Park will follow their direction in programming, operations, and some staffing decisions.

15.2.3. The Retreat of the Center and Deliberative Breakdown

Just as Southtown Beat participants were enjoying these victories, the J.C.P.T. team was about to conclude its assigned period in Southtown Beat and move on to other neighborhoods. Designers of the program would have preferred that training teams remain in each beat for more than just three months and that they continue to provide substantial technical assistance services even after their departure. However, funding constraints limited each team to just a few trainers, short stays in each beat, and prevented them from offering ongoing assistance after their primary assignments. These program limitations were particularly unfortunate in the case of Southtown Beat. Because several of the collective and deliberative competencies that training set out to provide were not yet in place, the J.C.P.T. team's departure severely crippled Southtown Beat's problem solving process. There were two quite prominent symptoms of this breakdown. First, participation generally, but Hispanic participation in particular, dropped off precipitously. Between August and November, the period of J.C.P.T. presence, community policing meetings numbered between 60 and 120 persons each, and in each case participation was approximately evenly divided between African-Americans and Hispanics. After November, resident meeting participation ranged between 20 and 30 persons, and in each meeting less that half a dozen of them were Hispanic. Second, cooperative relations and attitudes between police and citizens dropped off precipitously, and in particular the police began to make unilateral decisions and did not treat residents as equals in the deliberative process.

The J.C.P.T. team contributed to substantial Hispanic turnout in three main ways. First, Roger Sanchez, the team leader, was an effective bi-lingual facilitator who made Hispanic

participants feel welcome and included at every step of the community policing process. He

knew that he would operate in Southtown for only a few months, and so hoped to have trained in

that time local leadership capable of tying together this bi-lingual coalition. Specifically, he had

selected two very active and enthusiastic residents, one African-American man and the other a

Hispanic woman—call her Ms. Martinez, to continue on as beat facilitators after his departure.

Shortly after Sanchez left, Martinez decided to pursue community organizing opportunities in

other parts of Chicago and her Southtown contributions ended. No remaining participant

possessed both the bi-lingual facilitation skills and procedural knowledge necessary to connect

residents in the Hispanic community to community policing in the way that they had found both

inviting and promising before.

Such an individual might have eventually turned up were it not for a second loss

associated with the departure of J.C.P.T.: its community organizer. Aside from training,

J.C.P.T.'s second function was straightforward mobilization of community residents to attend

community policing events. In Southtown Beat, much of this phone calling and door-to-door

organizing activity had been directed toward the Hispanic population. Judging by the high

Hispanic turnout between August and November, this mobilization effort was quite successful.

With the team's departure, the Beat lost the "push" of a very active effort to mobilize Hispanics

as well as the "pull" of effective Hispanic community policing leadership.

A third factor, related to the prior two, is that none of the most energetic actors tried to

maintain high levels of Hispanic participation after J.C.P.T. staff left. As any community

organizer will testify, a thousand small decisions make the difference between high and low

participation. J.C.P.T. staff took deliberate and concrete steps to increase Hispanic participation.

Meetings were held at St. Peter's church, a central Hispanic neighborhood institution, they were facilitated in both English and Spanish simultaneously, and special effort (follow up calls, home visits, etc.) was directed toward sustaining Hispanic participation. Mr. Sanchez paid attention to these details, and hoped that Ms. Martinez would continue to do so after his departure. Since she too left the process, the remaining energetic actors were the police and a handful of African-American residents. The police viewed their responsibility as administering community policing at a minimal level rather than mobilizing residents—attending meetings, scheduling them, and selecting locations. In this ostensibly neutral role, they made decisions which had the unintended consequence of reducing Hispanic participation. In particular, some officers felt that the St. Peter's location was inappropriately religious for public meetings, and so they moved it to the Southtown Park field house. As mentioned above, many Hispanics felt uncomfortable and unsafe in this part of the neighborhood because it was located in the "black" section. The active African-Americans, for their part, felt that they had their hands full maintaining mobilization in their own community and trying to develop workable relationships with the police. When asked what he planned to do about the drop off in Hispanic participation, one black activist responded that "We have to consolidate the involvement of our own community, and then we [will] reach out to the Hispanics again."

The second major aspect of deliberative breakdown was the erosion of cooperation between police and those residents who continued to participate in the community policing process. In the prior period, residents identified quite specific problems and strategies with the help of facilitation and suggestions injected by J.C.P.T. trainers who kept them on track with

respect to the five step problem solving process. Each of these strategies featured specific roles

for police action which officers themselves willingly fulfilled. When the trainers left, resident

activists had not yet acquired the deliberative capacities[11] to formulate precise, feasible proposals

for dealing with sundry neighborhood public safety concerns and to assert such proposals with

confidence. Police officers similarly lacked the skill and imagination to develop the complex,

novel strategies evident in the first period. They too had not undergone training in deliberative

problem solving methods prescribed in Chicago Police Doctrine and laid out in chapter 7. When

asked how he came to learn the techniques of community policing, the sergeant in charge of the

Southtown Beat officers responded that "I didn't get any formal training. I just sort of read the

general order to get the story on what to do."

With participants not yet inculcated into this problem-solving discipline, the previously

deliberative process devolved into the kind of laissez-faire discussion that we observed for a time

in Traxton Beat and also in Central Beat. Unlike those two cases, in which residents exercised

control or at least dealt on a par with police, Southtown officers frequently asserted themselves

over residents and, more out of bureaucratic habit and arrogance rather than self-conscious

design, made decisions for the group that truncated effective problem solving. Residents, lacking

confidence in their own abilities and authority, often accepted these decisions when they should

have questioned them. In the first such decision, already mentioned, police decided to move

regular meetings from St. Peter's Church to the Park field house. Residents accepted this

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[11] Discussed as "limited practical reason" in Chapter 6 above.

decision first because they saw it as within the purview of police authority and second because

they did not foresee that it would severely depress Hispanic participation.

In a second destructive decision, a police offer announced at the February 1997 beat

meeting that "We don't want to discuss drug houses like we have in the past, because you never

know who is at the meeting." They reasoned that gang members might attend these public beat

meetings to gather intelligence on which residents were making trouble, and then target those

residents for retaliatory action. Instead, alleged drug houses would be reported on a form, filled

out by citizens and collected by police, and police would deal with the problem properties with

their own methods and on their own recognizance. While it is true that many residents feared

criminal retaliation and a few had even suffered intimidation for their participation in community

policing activities, there was no evidence that gang members or others involved in narcotics

trafficking had attended Southtown beat meetings. More importantly, a flat prohibition on

discussion of drug houses erects a major barrier on problem-solving deliberation. During the

period of observation, there were at least two active crack houses in Southtown, and residents

had from time to time brought these up as potential priority problems. By submitting the location

of these areas to police rather than themselves devising solutions, residents would be unable to

monitor police progress or indeed whether the police had exerted any effort at all. Beyond this,

as we saw with the drug house strategies in Traxton and Central Beats, police are unlikely to

develop the full range of effective strategies on their own. Finally, many measures would have

protected citizens from retaliation while still allowing group discussion and strategizing; for

instance, they could have decided that all drug house problems would be handled by volunteer

committees. Unfortunately, residents accepted the gag-rule without comment as a reasonable

measure that fell within the decision scope of police facilitators.

Aside from setting these procedural constraints on deliberation, the tone and cooperative

character of problem-solving itself turned downward after November 1996. Police answered

some resident calls for action with narrow police solutions—most often by increasing patrol—at

the same time that they offered excuses to justify inaction on other problems rather than

developing innovative strategies. Residents, on the other hand, recognized the limitations in

police responses but also failed to offer constructive proposals. An exchange that occurred at the

March 1997 beat meeting illustrates the missed opportunities to develop joint solutions:

> **Black Female**: On [Jefferson and 54th Street], I understand that there was a shootout and
> one person was shot. Why wasn't our community informed about this?
>
> **Police Officer**: We can't inform everyone about every crime. It's doesn't show up on
> this sheet[12] because the guy didn't dies. He was shot in the buttocks.
>
> **Black Female**: There have been approximately five shootouts and two homicides [near
> that address]. It seems like the police should be more involved. Its getting warm now.
> Those same people are still living there.
>
> **Police Officer**: There were shots fired yesterday. We are aware that there is a problem
> there and we are dealing with it with [increased] presence.

Had they been more experienced or better trained in the Chicago style of community policing,

either the police or residents might have offered strategies that have become quite common in

various beats—described in previous chapters—that beat groups have developed to combat such

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[12] The officer is referring to a list of most frequent crimes on the Beat that is passed out at each beat
meeting.

problem properties: search warrants, titles searches to identify owners, the nuisance abatement

ordinance, city inspections, and housing court. Unfortunately, no one proposed such strategies.

The tension between police and residents, and the unwillingness of the police to propose

constructive solutions, is again illustrated in the following three beat meeting exchanges between

police and residents:

> **Black Female**: A while ago, there was a black man in a house [near mine], and a group
> of Latin Kings surrounded the house [and trapped him in there]. This was a month ago. I
> called 911, and a sergeant drove by in a truck, but he just kept going.
>
> **Police Officer**: In that situation there is no complainant and there is nothing that we can
> do.
>
> **Black Female**: If you could listen to what I am saying, he should not make a complaint.
> I am looking at this out the window, and describing every detail to 911. The man could
> not call in because there was no phone in the house.

And:

> **Black Female**: They want my daughter to join a gang. They pulled a gun on her, and I
> don't know what to do about this. She doesn't want to call it in because she thinks that
> they will kill her.
>
> **Police Officer**: There is nothing we can do unless there is a call. You have to take care
> of this yourself.

Finally:

> **Black Female**: [At 51st and Hamilton, there is] a little store on the corner seems to be a
> meeting place for gang bangers. They hang out there, throw rocks at [passing] cars.
>
> **Police Officer**: The Tact[ical] team [undercover officers] made six arrests on this corner
> about five days ago. If people will sign the complaints, we will take them out.
>
> **Black Female**: We will file complaints. When my daughter was walking home, they
> tried to jump her out in front of that store.

Tactical Officer: We are aware of the problem at the store. There have been numerous complaints about rocks at cars, ...

Neighborhood Relations: You can thank the ACLU [American Civil Liberties Union] for repealing a gang law [that would have empowered us to act on this]

But of course there were many possible strategies for both police and residents for dealing with the problem liquor store and the alleged gang members, beginning with negotiations with the owner, as in the pancake house problem of Traxton Beat (chapter 13). Unfortunately, neither police not residents offered these strategies.

The height of police arrogance and unilateral action in this period occurred when the District Commander cancelled the July and August 1997 beat meetings in Southtown over the vocal objection of several active participants. According to one frustrated activist:

Three weeks ago, I met with the Commander for an hour and half. He said that the meetings would be cancelled, partly because many officers were on furlough. He himself could not come because he was pretty busy. He would not move on this... So I am looking at a dictator type Commander, a snide and unresponsive alderman, and I am wonder, 'is my effort really going down in flames?' I am stuck in a gear that I can't get out of here.

Last week, there was a drive by shooting, on Sunday, at a house a block form mine. The house returned fire, and a woman's house who was in between had her windows shot out. On Monday, the car came back for retaliation.

Lest these relations seem more dismal than they actually were, it should be noted that the police did respond and act effectively to resident complaints when such actions fell within the core of the tactics and routines to which they were accustomed and therefore did not require creativity or concerted action with residents. For example, on one public corner where residents

allegedly that men dealt narcotics and harassed passers by, police deployed additional patrols and plainclothes officers arrested several of the perpetrators. At a later meeting, one resident observed to police that: "I know that you guys are doing a great job on the corner of ____ Street and _____ Ave. Those guys … are not there right now [and have not been lately]." Another problem concerned prostitution on the far south side of the beat. At the February 1997 meeting, residents and police exchanged the following information:

> **Black Male**: We live at _____, by shrimp and tire place. Seems like the prostitutes and dope dealers hang out there. They come out behind our garages. You have to go out there and say "hey, what are you doing?"
>
> **Police Officers**: Is there a particular time frame?
>
> **Black Male**: Usually at night. The girls leave when you come out.

Police deployed both patrol cars and specialized units over the following weeks, and reported in the March 1997 beat meeting that:

> **Police Officer**: We have had special units up and down Michigan Ave. We have made 100+ arrests…
>
> **Black Male**: Are the Johns arrested?
>
> **Tactical Officer**: No, because most of the women are arrested for soliciting rides.

And residents acknowledged in later meetings that the prostitution in the targeted portion of the beat had virtually disappeared.

15.2.4. Awkward Advance of Democratic Values in Southtown Beat

Like Traxton Beat, the two phases of success and relative failure of deliberation in Southtown Beat make it somewhat difficult to evaluate the degree to which Street Level Democracy advanced the core democratic values of effectiveness, fairness, deliberation, autonomy, and solidarity there. This brief evaluative section makes two claims with respect to the realization of these values. First, the initial period of observation, between August and November 1996, saw the rather extensive realization of each of these values. Despite the initial conditions of poverty and conflict, SLD in Southtown Beat during this period, performed as well as it did in Traxton Beat (chapter 13) and better than in either Southtown School or Central Beat and certainly better than the command-and-control policing arrangements in Southtown Beat itself prior to community policing reforms. Second, the latter period of deliberative problem solving in Southtown, marked by the departure of the J.C.P.T. training team, was less successful in advancing democratic values than SLD as implemented in each of the previous three cases examined thus far. Measured according to its own value criteria, therefore, the reform was something of a failure in Southtown Beat during the latter period. Nevertheless, even during this period of relative failure, the values of effectiveness, autonomy, and deliberation were better realized than under Southtown's prior command-and-control regime. Solidarity and fairness, furthermore, suffered little if at all.

Consider the first core democratic value of *effectiveness*. In four short months, residents and police acting in the context of SLD community policing managed to solve two enduring problems that had plagued the neighborhood for years: they cleaned up the Stilps house and they dramatically reduced crime and violence (as far as we can tell) by re-opening Southtown Park.

Many of SLD's mechanisms of effectiveness, described in chapter 9—directed discretion,
institutional innovation, complex coordination, and studied trust—came into play in the
implementation of these problem solving strategies. We thus rank the first period of SLD
problem solving highly effective. Though the second period was far less so—residents and police
failed to develop innovative strategies—the mechanism of *directed discretion*—the capacity of
the residents to direct the attention and energy of police—remained intact and community
policing meetings provided ongoing opportunities for residents to monitor police activity. This
resulted in police attention to particular problems—e.g. narcotics sales on particular corners and
areas of dense prostitution. Police, especially if they relied on their traditional strategies of
emergency response and preventative patrol (see chapter 5)—might well have remained
oblivious to, or otherwise ignored, these problems. We therefore count the relatively ineffectual
problem-solving activity of Southtown Beat during the second observation period as nevertheless
more effective than pre-reform policing.

SLD procedures in the initial observation period advanced the second core democratic
value of *fairness* by directing the public safety energies of police and residents according to a
deliberative procedure that includes the prioritization of problems. Whereas in the prior regime,
police energies were directed according to the random logic of preventative patrol and
emergency response, residents—both Hispanic and Black—and police agreed on particular
priorities after full discussion and selected the Stilps house and Southtown Park. The fairness of
community policing in the second observation period is more difficult to gauge. On one hand,
the lack of Hispanic participation in the process suggests that African-Americans would be able
to unfairly monopolize policing resources and deploy them exclusively on their own concerns.

On the other hand, African-Americans participants in the process affected the deployment of police resources quite marginally; they increase patrol here and there, but that is all. It is clear that African-American residents were slightly better off in the second period of observation compared to the prior command-and-control regime because they were able to steer, in a limited way to be sure, the use of police powers. It is not clear, however, that Hispanic residents fared less well under the low period of SLD than prior to the reforms because they received similar levels of patrolling and emergency response service.

We say that core democratic values of deliberation and autonomy were substantially advanced in the first observation period because Hispanic and African-American residents and police officers participated robustly in problem solving discussions and acted in good faith to implement the results of those deliberations. In the second period, Hispanic participation fell off substantially and the quality of deliberation between African-Americans and police decreased. Nevertheless, even in the second period, communication and highly constrained discussions between residents and police continued under SLD whereas the prior regime of command-and-control policing provides for no such formalized interaction. We therefore say, more tentatively, that both autonomy and deliberation were marginally better realized in the second observation period of Southtown Beat than under the prior policing regime.

Does this drop-off in Hispanic participation validate the perspective of the Theorist of Difference (see chapter 11) who doubts that constructive deliberation can occur in culturally diverse contexts. Two considerations weigh against this skepticism. First, there was successful deliberation that included both cultural groups in the first period, and so difference itself does not preclude deliberation. The Theorist of Difference might respond that this success was only

fleeting, and that cross-cultural coalitions of that sort cannot be maintained over time. The proponent of SLD, might respond to this objection by arguing, as I did above, that the retreat of centralized facilitation and training resources—the incomplete implementation of SLD's "Supportive Center"—explains the Hispanics drop-off, not some inevitable decline of cooperation. This proponent would argue counterfactually that, had the J.C.P.T. team or some similar group remained in the neighborhood, diverse participation would have continued. Unfortunately, since the supportive center did retreat in the case of Southtown beat, the available data do not allow us to adjudicate between these two contending views.

Consider finally the value of solidarity. The first period brought Hispanic and African American residents together in unprecedented cooperation that generated the kind of mutual respect and appreciation that constitutes solidarity, and so that value well realized, just as the normative theory of SLD predicts. In the second period, however, the isolation of Hispanic from African-American residents returned when the former group stopped participating in the community policing process. Aside from the enduring construction of a multi-cultural public space in Southtown Park, solidarity between the two groups returned to its low, pre-community policing levels. In the second period, we might say that the solidarity between African-Americans and police suffered under SLD institutions. When thrown together in supposedly cooperative setting, police often offered excuses and acted non-constructively, and residents resented them for these attitudes. Under the command-and-control mode, such dispositions might have remained latent and therefore residents might have entertained more generous perceptions of their police officers. It would be a mistake to call these good feelings true solidarity, however,

for a worthwhile solidarity must be grounded on accurate assessments;[13] an unexplored and

untested trust does not count as solidarity at all.

15.3. The Discipline of Self-Reflection: Central Elementary Under Probation

15.3.1. Poverty, Conflict, and Paralysis in Central Elementary

We move across city now, from the far southern edge of Chicago to the heart of its

historic South Side. Central School is located in the middle of the neighborhood of Central

discussed in chapter 14 and depicted in Figure 14.1. Like the Harambee (chapter 14) and Traxton

(chapter 16) Schools, Central School serves children from Kindergarten through eighth grade.

The school's total enrollment in the 1995-6 school year was 727 students.[14] Reflecting the

neighborhood in which it sits, the school's student body is quite poor, slightly more so than those

at Harambee: 92.4 percent of the students come from low-income backgrounds and 100% of

them are black. The mobility rate of students in 1996, however, was a high 44.6 percent, slightly

lower than that of Harambee. In that same year, class sizes were substantially larger than

Chicago averages:[15] Central Kindergarten classes averaged 28.2 students, first grade classes

averaged 29.6 students, the average third grade class had 29.3 students, and there were 27.3

students in Central's average sixth grade class.

Since the children who attend Central and their parents are homogeneously African-

American, the area lacks Southtown Beat's ethnic cleavages. Unfortunately, this racial

uniformity has not translated into the unified interest in effective school governance that we saw

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[13] See the discussion of studied trust in Chapter 9.
[14] Statistics in this paragraph were drawn from Chicago Public Schools (1996).

at Harambee. Instead, factions of Central's parents and community members have contended

quite vigorously with one another and against school administrators in recent years over a

number of fundamental school issues such as principal selection and the use of discretionary

school funds. As we shall see, these conflicts prevented not only the concerted deliberative

action for school improvement at which SLD aims, but even honest communication between

parents, staff, and the school principal. These paralyzing conflicts are somewhat surprising in

light of a widely read 1993 report of the Chicago Consortium on School Research (Bryk, Easton,

et. al. 1993) that praised Southtown School for the unity and effectiveness of its school

governance community. That report cited Central as "one of the most actively restructuring

schools in Chicago," and attributed the success of the school largely to its Local School Council:

> The Local School Councils in [Central and the other five actively restructuring schools]
> are vital institutions. They are definitely an important part of the ongoing discussion
> about the improvement of the school community, and they help out where they can… In
> the past, both groups [teachers and parents] often had been alienated from the local
> school. They had little reason to believe that they could make a difference or that anyone
> would really care if they tried. Now, … principals [of the six schools] are engaged in a
> conscious, sustained effort to convince parents and teachers that "together we can make a
> difference." (27-8)

In my own interviews, Central's community and staff school governance participants

seconded this report's glowing assessments of Central School, but they added that relations

between various school actors had since turned sour. Between 1984 and 1994, Central School

enjoyed the extremely popular principalship of Marcy Gilson.[16] According to participants who

were active in that period, she used her skills as a facilitative leader and the freedom brought by

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[15] See 14.2 above for citywide average class sizes in these grades.
[16] Name changed.

the 1988 school decentralization reforms to lead problem solving experiments that improved

critical aspects of school operation and academic performance in just the ways prescribed by

SLD. Central initiated volunteer programs, incentivized with monetary stipends, to increase the

involvement of parents in the supervision and discipline of students. The school participated in a

U.S. Department of Housing and Urban Development (HUD) program that brought them college

educated teaching aids. In 1993, it joined a partnership with education experts at Northwestern

University in what was then called the Total Schools Program. This effort applied business

principles such as basic statistical quality control to various aspects of school performance such

as test scores, attendance, and classroom discipline. Though the causes of school improvement

are difficult to determine, many in the school thought that these and other efforts produced better

educational outcomes. Then LSC Chair Nathan Bowles[17] recalls that "1992 was the highest year

[of student test scores], and we thought that we had turned the corner [of school improvement]."

One year later, the Consortium report mentioned above ranked Central as one of the city's most

promising schools.

Marcy Gilson's retirement for health and other personal reasons in 1994, however, cut

short this experiment and marked the beginning of a downward slide in relations between various

factions of the school community. With Gilson's departure, the Local School Council faced the

difficult decision of selecting another principal. Like some University tenure decisions, the

discussion over this choice was heated, some say duplicitous, and many of those involved

continued to bear grudges for years afterward. The LSC began its search process by forming a

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[17] Name changed.

committee, composed of 12 teachers and 18 parents and community members, that reviewed applications over a six week period. Beginning as deliberative problem solving should (chapter 7), the group first agreed on three selection criteria: the next principal should (i) be an expert in reading instruction, (ii) have charisma that can unify the diverse school community and provide a social model to students, and (iii) demonstrate proficiency in administration. Three top candidates—call them A, B, and C—were ranked on a series of questions based on these criteria.

Candidate A was a reading expert and disciplinarian. However, she angered some staff by stating in her interview that if hired, teachers would have to pursue additional training. Candidate B had been a principal at another Chicago school, and had received her training in social work. Though the criteria were on their face neutral between interests of parents and teachers, teachers as a group ranked B above A and parents generated the opposite ranking. Some parent and community committee members suspected that teachers objected to Candidate A because they feared her harsh management style, but this point was never voiced in public deliberation. As further evidence that unstated interests rather than justified arguments guided the process—and thus that it was not an earnest deliberative process—one participant notes that behind it all there was "Lot of personal stuff. One teacher's son had gotten busted for having a gun by [Candidate C], but this didn't come out in the discussion. None of their reasons came out in the discussion - [they just said] 'We just don't like her [Candidate A].'" Candidate B prevailed in the final vote, with all of the teachers and two parents supporting her. Since Candidate B, call her Principal Krauss, became principal of Central in 1994, many of the best teachers at the school have left. One long time LSC member who continued to oppose Ms. Krauss's candidacy,

noted with pyrrhic satisfaction in 1996 that, "I personally know... a lot of teachers on the [search] committee now think that they made a mistake."

When I began observations of Central School in November 1996, the parties to school governance—active parents, community members, teachers, and Principal Krauss—were still divided along the factions that formed during the 1994 principal selection decision. To some extent, these rifts had reproduced themselves as older participants transmitted particular biases to newer ones, but many of those who joined in the 1994 decision were still active and bore hard feelings over the conflict. As a consequence, the energies of the LSC between 1994 and 1996 seem to have been consumed with bureaucratic infighting and attempts by all sides to build complex alliances between the principal and various teachers: the principal with one section of the parent representatives, while one stable section of the community representatives tried to build alliances with parts of the school staff and with parents against Principal Krauss.

Though the primary axis of contention was whether Krauss ought to continue principal of Central, no faction had attempted to explicitly remove Krauss between 1994 and the beginning of my observation period. Instead, factions fought over many other school decisions and as a result, staff and LSC morale were driven to very low levels. For the first three months of observation, between November 1996 and January 1997, decision-making was far from deliberative. All sides were suspicious of untoward maneuvering on the part of the others—changing committee meeting times to restrict attendance, using minute rules to move agenda items from full LSC meetings into closed executive sessions or to remove them from the agenda entirely, and withholding information. Much of the LSC discussion revolved around these procedural issues rather than upon the substantive difficulties of governance or school

improvement and so conflict paralyzed the body. Consequently, the school as a whole, while

they may not have been harmed by any particular LSC actions, certainly did not benefit from

concerted action on the part of its legal governors in this period.

Unlike the unified LSC and school community at Harambee Academy, the self-conflicted

paralysis at Central School had prevented the school from embarking upon any major systemic

innovations since the departure of Principal Gilson in 1994. Many dimensions of the school's

operation—including academic performance, discipline, and the condition of the

grounds—seems to have suffered from this collective inaction.

The most visible signs of this decay came from the building itself. Unlike the well-lit,

clean halls and rooms of Harambee, Central's rooms and halls were ill-kempt and often dark.

Though the building itself was over-crowded, the failure to repair water damage rendered three

classrooms unusable and thus further exacerbated class size limitations. Insufficient resources do

not explain this inattention to the physical infrastructure of the school, because Harambee and

Central received comparable levels of per-pupil funding in their school budgets. Beyond this, as

we saw in Harambee, a coherent Local School Council can leverage financing from various

sources to improve its physical plant. Beyond this, the school also suffered from rather high

chronic truancy rates; in 1996, six percent of its students missed more than 10% of the school

days without excuse (Chicago Public School 1996).[18] Teachers and other school staff complain

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[18] The Chicago wide chronic truancy rate in that year was 4.7%, and the rate at Haramabee Academy
(Chapter 14) was 3%.

about being unable to discipline those children who attended class. At the end of 1996, many

classes were loud and unruly, and children often roamed the halls without supervision.

As a result of being placed on probation, discussed in the next section, a team of external

educational auditors from the Chicago Public Schools at the Department of School Intervention

visited the school in October 1996 to assess its strengths and weaknesses. The report[19] listed

many more weaknesses than strengths, including:

(vi)Poor LSC budgeting decisions.

(vii)Polarization and school politics interferes with implementation of instructional program.

(viii)Teachers need intensive monitoring.

(ix)School staff not effectively utilized.

(x) Lack of effective teaching strategies.

(xi)Instructional techniques not keyed to learning styles of students.

(xii)Teachers not trained to use existing technology.

(xiii)Staff sometimes loiter in halls when they should be in class.

(xiv)Poor classroom management.

(xv)Poor housekeeping.

(xvi)Student work often not graded.

(xvii)Funded but vacant teacher positions.

(xviii)Poor physical plant.

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[19] Office Of Accountability, Department of School Intervention, Chicago Public Schools. "School Report" Dated October 30, 1996. Document on file with author.

Perhaps the most damning and consequential indicators of non-performance, however, were the low standardized test scores of Central's students. In 1996, only 14.6 percent of students there met or exceeded national reading norms according to the Iowa Test of Basic Skills (ITBS), and only 13.4 percent of Central students met or exceeded math norms on that test in that year. According to this standardized test, Central falls within the lowest decile of worst-performing Chicago schools in math and reading. While the significance of test scores, even ones as low as Central's, is a hotly contested matter among educational scholars, these scores brought grave consequences for the school's governance. The Office of Accountability at the Chicago Public Schools (CPS) central office used aggregate school test scores to assess whether or not to intervene in a school's internal governance and administration. Beginning in 1996, it placed all city schools in which fewer than fifteen percent of the students failed to meet national norms as measured by the ITBS on a special probation status (Catalyst Staff 1998). Central fell easily into the group of 71 elementary schools that CPS placed on probation.

15.3.2. Probation as Supervised Deliberation

In the fall of 1996, school governance participants at Central, and indeed knowledgeable observers of educational reform throughout the city, were unsure how this new program of academic probation would be applied. Many feared it as a thrust by central office administrators to take back much of the autonomy that had been given to the LSCs under the 1988 law (see chapter 4). This shift of power from individual failing schools back to CPS central authorities was the obvious interpretation of probation. How else would a team dispatched from the "Office of Accountability" at CPS headquarters put a failing school back on track other than by putting it

in a kind of centralized receivership? To the surprise of Central LSC members, the next few

months under probation did not involve giving up power to external authorities. Instead, the

probation team forced LSC members and others in the school community to break through their

entrenched lines of conflict into more serious deliberations about strategies that might improve

the school. Over the months from October 1996 until the end of my observation period in June

1997, the probation team performed two urgent functions attributed to the "supportive center" in

chapter 8 above. First, facilitators from the team recognized the *deliberative breakdown* (8.1) in

Central's LSC. Much like Roger Sanchez's J.C.P.T. team in Southtown Beat, they were

perceived as a legitimate and neutral third party that helped school participants work through

their entrenched conflicts. At least as importantly, they approximated the function of *networking*

inquiry (8.3) by appraising Central LSC members and school staff of administrative and

classroom techniques developed in other, more successful Chicago schools so that Central might

incorporate these practices into its own strategies.

When the probation team, consisting of several education and school governance experts

from CPS headquarters and an outside consultant hired as "Probation Manager," began its

intervention in September, they quickly observed that constructive deliberations within the LSC

had completely broken down. Of the many contentious issues in the LSC at the time, the

continuation of parent stipends was the most controversial and heated. As mentioned above,

Marcy Gilson had under her principalship established a practice of paying small stipends to

parents who volunteered to work as hall monitors, disciplinarians, and escorts at the school. By

1995, the amount of money devoted to paying these parent stipends had grown to consume

$70,000, a substantial portion of the school's discretionary budget. Members of the LSC were

bitterly divided over whether or not they should continued to fund the stipend program.

Opponents saw the program as a hand-out to low income community members who contributed

little to the school environment. They suspected that those on the LSC who supported the

program had close friends or relatives who benefited financially from it, and so raised the issue

of corruption. Supporters of the program, on the other hand, argued that it forged critical links

between school and community and that the school could certainly use the help given the

demonstrated inability of its staff to control students. Furthermore, stipend supporters suspected

that its opponents' real, unarticulated, objections to the program had more to do with protecting

teacher job areas from volunteer encroachment and insulating the school from community

monitoring than with their professed interest in school improvement.

In its October assessment of Central, the probation team sided with the opponents of

parent stipends by stating that the "LSC approved funds for exorbitant ($70,000) parent

stipend[s]." Stipend supporters feared that this authoritative statement dictated the end of the

program. In a February meeting at Central, an LSC member who supported the program asked

the supervisor of the probation team whether this report was a command to end the program. In

an articulate and unequivocal declaration that probation's purpose was not to direct school

practices in command-and-control fashion, but rather to force the LSC to self-consciously

deliberate about best school improvement strategies, the team supervisor responded that:

> I understand that some [in the Central community] were offended by the statement that
> the amount allocated to parent stipends was exorbitant. We have to call it like we see it.
> We normally see less than $10,000 in parent stipends [at the schools we visit]...
> [Discretionary school funds] are supposed to be used for the kids best interest. That same
> $70,000 could buy a summer school, grade and homework retrieval system, or an
> enrichment program. I am not saying that the $70,000 is being wasted, but I am asking

whether you can spend it on something more effective. What you did in the past, and what worked in the past, may not be the best strategy now. You are supposed to see this [probation assessment] report as a suggestion and use it for self-reflection. If you don't agree with it after self-reflection, then discard it.

Each of us needs to examine what we have always done and see whether we can do something that is more effective. If you don't do things differently, you can't expect better outcomes. We have plenty of schools that move from 5 to 30% improvement [in terms of percent of students meeting national testing norms] and you should look at what they are doing. If you look and reject, then fine. But at least you will be doing so from and intelligent and informed perspective.

With the help of the probation manager's facilitation and knowledge of best practices at other Chicago schools, several LSC members and school staff formed a committee to develop a "Probation Corrective Action Plan," analogous to but more immediate than the School Improvement Plans discussed in chapters 4 and 8, to consider the issue of parent stipends and school strategies more generally. Stipend proponents eventually accepted arguments that the funds could be used more effectively, and went on to work with previously opposed factions to develop a number of new strategies in their Corrective Action Plan.[20] Some of these strategies responded to the weaknesses identified in the probation team's assessment report, while other addressed issues that those inside the school knew to be problems but went unnoticed by the outside evaluators. Everyone at Central, including the staff themselves, realized that teachers there varied enormously in their quality. The first goal, then, was to improve the classroom performance of teachers. Strategies including monitoring the performance of teachers by comparing the test scores of their students across time and across teachers within Central, summertime professional development training for teachers, and formation of teacher teams to

discuss lesson plans and teaching strategies. In the area of curriculum reform, teachers would

concentrate on improving reading by adopting thematic teaching units, new instructional

materials, and by experimenting with the popular computer based "Writing to Read" program.

To reduce chronic truancy, the LSC decided to create and fund a new position of "Attendance

Coordinator" visit the homes of truant students and to coordinate with social service agencies. To

increase school and classroom discipline, they decided to implement a hall monitoring program,

develop more clear in school suspension procedures, and direct teachers to formulate and post

clear rules for acceptable classroom behavior. Despite the severe factionization that had poisoned

collective governance over the two years prior to probation, the Corrective Action Plan received

wide endorsement—all sides viewed its strategies as promising avenues to building a more

effective school—and it was eventually adopted into Central's School Improvement Plan without

objection.

The cooperative experience of forming a Corrective Action Plan warmed relations among

previously warring factions. Each began to recognize that the other was not simply interested in

parochial gain or obstructionism, but had a common interest in improving the school. The ice

broke in the following humorous, but indicative, March 1997 LSC meeting exchange between

the leader of the faction opposed to Principal Krauss, a black man, and a black woman who was

one of her principal supporters.

> **Male**: We need some training on teamwork, and we can get training for free from [a
> Chicago non-profit organization]. We aren't going to get much done unless we are a
> team.

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[20] On file with author.

Female: What did you say?

Male: I said that we aren't going to get much done unless we are a team.

Female: Repeat that two more times and put it in the minutes.

By June 1997, LSC members seemed to have transcended their histories of conflict. They began to behave cordially to one another and, more importantly, to deliberate substantively on school improvement issues rather than using meetings as occasions for gaining political position. In the last Central LSC meeting of that academic year, the agenda contained two potentially incendiary items: allocation of discretionary funds and appropriate indicators of school progress. All of the LSC members participated in a reasonable discussion of school needs, and reached a consensus on allocations that would, among other items, fund capital improvements to increase classroom space by repairing damaged rooms and to install fans in classrooms without them, fill shortages of instructional materials, extend the school's computer network, and to purchase additional equipment for the science lab. Whereas a discussion of indicators of school progress such as test scores would have likely drawn accusations and defensive responses only six months earlier, LSC members used the June meeting as an occasion for thoughtful reflection on the school's weak grades—the third grade turned out to need the most attention—and need to better identify the particular grades that posed truancy and mobility problems. Finally, prior meetings of the principal selection committee had agreed to renew Principal Krauss's contract for another three years. This committee decision was unanimous approved—even by those who had bitterly fought her—by the entire LSC.

15.3.3. Democratic Values and Educational Outcomes at Central School

Without the probation team's successful effort to induce Central LSC members to question their own practical positions on school strategies and to refocus their attention to the broader, common, goal of school improvement, however, the congenial relations that make deliberation possible would probably not have developed when they did. Like Southtown Beat, then, the intervention of a "Supportive Center" transformed initial conditions of conflict into effective problem-solving deliberation. How do these two periods of Street Level Democracy—the deadlocked months prior to the intervention of the probation team and the more deliberative period that follow—rank on the scales of our five core democratic values?

On the first dimension of effectiveness, it seems that command-and-control arrangements would have performed better than Central's LSC governance when it was deadlocked, but not as well as the LSC after the probation team helped to reinstate the deliberative process. In the former period, changes to school operations were largely paralyzed by conflict. Under the command-and-control mode, the principal would have been able to act unilaterally on at least some issues of curriculum change. In the latter period, however, the LSC began to use the authority devolved to it under the SLD reforms of local school governance to develop and implement creative and thoughtful strategies for school improvement. Though observations of Central School were too brief to reveal whether these changes would yield measurable improvements in test scores, truancy, graduation, or life prospects, they seem prospectively quite promising because they address obvious and urgent problems at the school.

Both the paralyzed and deliberative moments of Central's local school governance realized the values of autonomy and fairness to a greater degree than decisions under the

command-and-control arrangements would have been. Even during the long months when LSC members were bitterly divided against one another, all sides expressed legitimate concerns about which they simply could not reach collective agreement. Command-and-control administrative arrangements would have allowed the principal to make some of these decisions unilaterally over many objections. While this may have resulted in more effective educational outcomes, they would have advanced autonomy and fairness even less well than non-decisions resulting from a paralyzed collectivity. Less controversially, it seems that outcomes under the more deliberative later moment were clearly more fair and autonomous than those that would have been generated under command and control arrangements because they resulted from a consensus distilled from broad input of school staff, parents, and community representatives as well as the principal.

School governance processes in the period after the intervention of the probation team advanced the value of deliberation by setting into motion a processes of effective group problem solving and action. The prior period of internecine conflict, however, did not realize the value of deliberation at all because parties failed to offer or receive earnest reasons and proposals, and because they failed to act with common direction at all. With respect to the fifth core democratic value of solidarity, it was not realized at all in the early period of conflict—parties held great animosity toward one another. At the end of the observation period, however, parties had begun to build solidarity through the slow and painful process of cooperation and studied trust.

15.4. Beyond Decentralization: The Pivotal Center

The two cases discussed above clearly illustrate the difference between Street Level Democracy and more common proposals for administrative or political decentralization. They

show that decentralization *simpliciter* in the context of poverty and conflict can result in substantial exclusion and paralysis that ills serves our core democratic values. Good fortune can overcome such exclusion and paralysis. For example, Central School luckily enjoyed, for a time, the leadership of a principal as talented and popular as Marcy Gilson. Counterfactually, Southtown Beat might have been able to develop a bi-racial community policing coalition even without the J.C.P.T. team if a bi-lingual, committed, activist familiar with community policing procedures had lived in the neighborhood. Absent these salubrious accidents, however, decentralization alone can yield quite dismal outcomes under unfavorable neighborhood conditions.

The design of Street Level Democracy, however, moves beyond simple decentralization by prescribing the construction of a supportive administrative center (chapter 8) that can provide assistance when assistance is needed. Residents of poor neighborhoods will likely benefit from the training and specific policy knowledge that such centralized resources can provide. Since contexts of high conflict are almost by definition more subject to deliberative breakdown, citizens there can benefit from the facilitation and guidance that a supportive center might provide. This institutional design recognizes the intuitions that drive the Strong Egalitarian concern that residents of poor areas will lack the material wherewithal to deliberate effectively, the Technocratic concern that inescapable differences in applied knowledge make deliberation between poor residents and their street level bureaucrats untenable, the Strong Rational Choice expectation that reasonable norms will not constrain self-interest, the worry of the Theorist of Difference that deliberation across cultures will yield domination or confusion. Rather than accepting the ultimately skeptical conclusions of these views, however, Street Level Democracy

offers the institutional mechanism of a supportive center to ameliorate inequities and conciliate

differences. This mechanism was partially instantiated by CPS's probation teams and the CPD's

Joint Community-Police Training teams. In the cases of both Central School and Southtown

Beat, the interventions of these groups transformed situations of conflict and exclusion into fair

and effective deliberative problem-solving.

Chapter 16:

All the Right Stuff: Traxton Elementary School

16.1. Wealth and Embedded Agreement at Traxton School

The sixth and last in our series of ground level examinations of Street Level Democracy

moves from the quite troubled neighborhoods of Central and Southtown back to the relatively

advantaged Traxton area introduced in chapter 13. While Traxton Beat threw together the

residents from two previously segregated neighborhoods in a joint community policing

discussion that bridged gulfs of race and class, Traxton School—the subject of this

chapter—operates in an environment that is more wealthy and less conflicted than Traxton Beat.

It is a small elementary school; its total 1996 enrollment of 310 students (Chicago Public

Schools 1996) was less than half that of either Harambee Academy or Central School.

Approximately eighty percent of these students are drawn from the wealthier, west side of

Traxton (See Figure 13.1) and adjacent well off areas, and twenty percent of the students are

bussed in from other Chicago neighborhoods. In 1996, less than 20% of the students came from

low-income families. By this metric, Traxton's student body ranks easily in the top five percent

of Chicago's most wealthy schools. Beyond this, the student body is rather stable. Traxton's

mobility rate[1] since 1990 has ranged between four percent and eight percent, compared to a

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[1] Recall from Chapter 14 that a school's mobility rate is given by the percentage of students who enter or leave a school during the school year.

citywide rate of between 30% and 35%. Recall that the mobility rates for Central and Southtown

Schools in 1996 were 44.6 and 52.4 percent, respectively. Traxton school, like the neighborhood

itself, is quite racially integrated. In 1996, 57% of the students were black, 37% were white, and

the remainder were evenly divided between Hispanics and Asians. Black students are over-

represented at Traxton compared to the racial profile of the adult population due to two factors:

more black children than white are bussed to the school and many white parents who live in the

neighborhood send their children to private schools. Because both the residents of Traxton's

neighborhood and the families of its students are extremely wealthy by Chicago's urban

standards, we classify this case being "more wealthy" on the resource dimension of initial

conditions discussed in chapter 12 (See Figure 12.3).

With respect to the second initial condition dimension of interest dispersion, Traxton

School, over the course of my observations from September 1996 until June 1997, seemed to

exhibit rather extreme agreement on many fundamental issues of school improvement.

Disagreements usually concerned strategic matters and were always discussed in an open,

cordial, and deliberative manner. Unlike Traxton and Southtown Beats, racial difference never

crystallized into a salient political fissure; racially diverse governance took on a integrated

character and school policies seemed to advance the interests of all of its students. Relations

between the non-professionals on the LSC more generally were quite cooperative throughout.

Traxton School's principal, Molly Sorenson,[2] no doubt deserves much of the credit for this

coherent style of school governance. She had worked at Traxton School, first as teacher and then

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[2] Name changed.

as its principal, since the early 1960s. Over that long period, she developed an excellent

relationship with active parents and community members, school staff, and local political

notables. Though many individuals in each of these communities were quite active in school

affairs, they all trusted and respected Principal Sorenson. She felt that Traxton's LSC, unlike

that of Central School, treated her as the school's leader:

> They are very helpful and say to me; they ask me what I need to do a better job, and they
> say, "We feel like you are the chairman of the board, and call us in when you need us."

Like a corporate board chairman, however, trust and faith in Sorenson is premised on good

performance. One long time school activist seconded, but qualified, the Principal's

characterization of her role:

> With education and curriculum, there is nothing to complain about because we are one of
> the top schools in the city. We on the LSC handle other kinds of problems, the [Chicago
> Public School Headquarters] Board, physical plant, etc. We also handle problems many
> of the other parents complaints about particular programs or school policies. But the
> curriculum is great. [Sorenson and her staff] see every child for her own needs, whether
> she is learning disabled, gifted, or whatever.

The existence of these deep agreements and the ample reservoirs of good will with which to

work out occasional conflicts leads us to classify Traxton School as a case of low interest

dispersion in the space of initial conditions depicted in Figure 12.3 above.

As one might expect from all of these advantages inside the school building and outside

of it, the students of Traxton School compare extremely well to other Chicago elementary

schools on all educational performance measures. In the 1995-6 school year, none of its students

were chronically truant and its drop out rate was zero. On ITBS standardized exams, all grades

consistently tested at one or two grades *above* their chronological level; the average third grader

at Traxton in 1995 tested at 4.4 median grade equivalents in math, the average sixth grader at 7.9 grade equivalents in reading, etc. Whereas less than 15% of Central School's students met or exceeded national norms in both reading and math in 1995, the figures for Traxton students were characteristically high at 75 percent for reading and 76.7 percent for math. These ITBS test scores easily placed Traxton in the best-testing five percent of Chicago elementary schools.

Given these initial conditions and excellent track record, Traxton School presents something of an easy case for Street Level Democracy. If the proposal is at all promising, then it should do well under the favorable conditions of wealth and consensus. It is the single case in our collection of six in which the expectations of the proponent of Street Level Democracy do not depart much from those of its critics. Consider the five critical perspectives presented in chapter 11. On this case, the Strong Rational Choice view bases its critique largely on the corrosive effects of disagreement on deliberation; the broad consensus of Traxton Beat therefore offers no particular grounds for skepticism. Since the residents in the Traxton School area enjoyed the material wealth that the Strong Egalitarian holds as a pre-condition of successful Street Level Democracy, this second view also expects SLD to fare rather well in Traxton School. Similarly, West Traxton itself (see discussion in chapter 13) was rich in just the kinds of networks, norms, and associations that sustain civil society and the smooth operation of democratic institutions in the view of the Social Unity theorist, and so he too might expect the radical democratic reform to fare well here. Fourth, the fissures that so often separate different races have not surfaced as political or social conflict in the case of Traxton School for decades, and so this criticism joins the others in falling largely silent in the case of Traxton School. The remaining critical perspective, that of Technocratic Expertise, focuses on the inescapable

distinction between professional education and lay citizen. The edge of even this criticism,

however, is blunted by the fact that most of the parents and community members of Traxton

School were themselves professionals in other fields, and so they should have been able to deal

on a more equal footing with school professionals than residents of less advantaged

neighborhoods.

The process of Street Level Democratic school governance that I observed in Traxton in

the 1996-7 school year largely confirmed these optimistic expectations. The remainder of this

chapter clarifies the operation of SLD by describing how the mechanisms that make Street Level

Democracy effective and fair—deliberation, civic engagement, directed discretion, studied trust,

complex coordination, and institutionalized innovation—came into play over that period. These

observations lead to two assessments. The first is unsurprising—all five core democratic values

were realized to a rather high degree here. The second assessment is less obvious. Like the west

side of Traxton Beat (see chapter 13), Traxton School has for decades enjoyed rather close and

sophisticated working relationships between parents, other residents, and school professionals.

Many of these mechanisms had already been set into motion through informal networks,

associations, and volunteer efforts before the SLD school reforms of 1988. The school reform

law, in the words of one resident, merely formalized arrangements that already existed.

Therefore, it is not clear how much Traxton School gained in terms of the realization of

democratic values from the 1988 reform laws; they were doing well before them, and they did

fine afterward. By contrast, the previous five cases showed rather clearly how SLD benefited

both professionals and residents compared to the baseline of governance under the prior

command-and-control institutional regime. Counter-intuitively (especially from the Strong

Egalitarian perspective), then, these six cases support the contention that SLD reforms benefit

poor, conflicted, and unequal areas more than ones which enjoy the favorable conditions of

consensus and wealth.

16.2. Leveraging Civic Engagement into School Improvement

Deep consensus in Traxton School's LSC gave rise to a distinct species of the general

five step deliberative problem solving process described in chapter 7. In contrast to Traxton Beat,

the agenda setting process of problem identification and prioritization was typically quite

compressed because LSC members quickly agreed on the urgency of various problems once they

were raised. Subsequently, a simple and implicit division of labor determined whether

responsibility for developing and implementing strategies would fall to Principal Sorenson and

her staff or whether parents and community members would take the lead. If the problem

concerned narrow academic issues such as test scores, curriculum, pedagogy, or school

discipline, school professionals would develop strategies, implement them, and report back to the

larger group on progress. If, on the other hand, the problem dealt with issues that fell outside of

this narrow professional expertise, responsibility for strategy development and implementation

typically fell to parents and community members. The 1995-6, priority problems in the later

category included classroom overcrowding, inadequate heating, aging and dangerous wiring, the

need for school library and technology issues, the need to improve grounds, and the need to

establish information pooling and collaborative networks with nearby schools. Each of these

problems is arguably as important to the quality of education as more traditional concerns such

as textbook selection or pedagogical method. For each of them, the parent and/or community

members of the LSC and others in the non-professional school community developed plans to

fund and implement solutions.

Many of Traxton's non-academic priority problems, and therefore the energies of much

of its LSC, concerned the poor quality of the physical environment. Traxton's school building is

among the oldest in the city, and one CPS study assessed it as one of the half dozen school

buildings that would be cheaper to build from the ground up than to repair. The CPS head office

did not, however, offer to build a new building for Traxton School. Physical plant problems are

compounded by the unpredictable bureaucratic environment of the CPS. In order to improve

services and save funds, the CPS privatized building and grounds maintenance by subcontracting

to a private company that would provide these services to the entire school system.

Unfortunately, this company has proven quite unresponsive to requests from Traxton staff and its

LSC. Despite its enviable connections to the CPS hierarchy, Traxton has proven unable to secure

substantial capital improvement funds from that source. Finally, Traxton School is too poor to

fund these improvements out from its own discretionary sources. Despite, or more precisely

because of, the wealth of the families of Traxton School students, Traxton's per-pupil budget is

substantially smaller than those of other schools in Chicago. The CPS system determines school

budgets by allocating a fixed amount per-pupil, and then supplementing this amount from state

and federal sources according to the percentage of low-income students at the school. As a result

of this formula, Traxton School's per pupil budget was approximates $4,500 compared to a

figure of approximately $5,500 for Central School and Harambee Academy. All of these factors

confound the seemingly straightforward problem of building improvement.

The grounds around the school itself constituted another major problem. Years ago, the entire area had been paved with asphalt which the harsh Chicago weather had broken up over the years. By 1990, according to one LSC member, the area around the school was, "a horrible mess. When my kids were there it was called Lake [Traxton] because the asphalt would not drain. We tried to get the [CPS] Board to do something for a while, but finally realized that we had to act on our own." After designating the issue as a priority, the LSC formed a grounds committee to solve the problem. They developed a plan in 1993 to transform the dilapidated asphalt area into a grassed playground. They identified a local architect to develop the plans on a *pro bono* basis, and then raised funds from parents and local foundations totaling $50,000 to implement the plan. Contractors removed the asphalt in 1993 and the final landscaping was completed in 1996.

Traxton's LSC addressed two other problems through persistent diplomacy rather than raw fundraising ability. The school building and its grounds had fallen into disrepair because the private contractor, chosen and mandated by CPS, performed sub-standard work and failed to respond to repeated work requests from school staff. Principal Sorenson raised this issue at the November 1996 LSC meeting, others quickly agreed that it was a priority, and one LSC parent volunteered to resolve the issue. After negotiations with both the contractor's personnel and their manager failed, the Traxton parent finally reached a CPS official. After a series of extended discussions, the contractor was finally persuaded to assign a more capable grounds crew to Traxton.

More critically, a building inspection in 1996 revealed that the fire alarm system had failed, and that the design did not comply with building regulations. Combined with the building's antiquated electrical system, LSC members felt that the building constituted a fire

hazard. The school lacked discretionary funds to update either of these systems and felt that the

matter was too urgent to await time consuming fundraising, it decided to petition the CPS. Using

its authority as the official school governance body, the LSC wrote a harshly worded letter to

Paul Vallas, the Chief Executive Officer of the CPS. One fundamental plank of Vallas'

management philosophy had been to hold schools accountable for responsible performance, and

Traxton School hoped to hold Vallas similarly accountable. In part, that letter read:[3]

> Dear Mr. Vallas,
>
> This letter is to inform you of what we, the [Traxton] Local School Council, consider to
> be serious structural and safety hazards existing in our building. We are also requesting
> your assistance in resolving these issues as quickly as possible...
>
> The present fire alarm system is dangerously inadequate... this is a building code
> violation which has been consistently ignored by the Compliance Board. We are outraged
> that the only steps taken to alleviate this problem is to repeatedly request that this issue be
> continued to a later meeting date... This system must be replaced <u>immediately</u>...
>
> The electrical system of [Traxton] is at best, antiquated... all circuits are full,
> necessitating installation of new panels and increased riser ampacity... All wiring is
> substandard and the system is so obsolete it is no longer manufactured, nor are proper
> parts available... This system has met code requirements due to a "Grandfather
> Clause"...
>
> [This] Negligence cannot be tolerated if we are to follow through on the delivery of
> instruction as outlined in our School Improvement Plan...

This letter was carbon copied to the Mayor, the Alderman, and several other highly placed

school officials. Furthermore, the letter itself was backed by the implicit but credible and

understood threat of mobilizing substantial political opposition from the various neighborhood

and civic associations in Traxton (see chapter 13 for discussion of this civic history). By the next

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[3] Letter on file with author.

LSC meeting, CPS CEO Paul Vallas had spoken to several of the LSC members and one of them reported to the group that, "Vallas wants to give us whatever we need to repair this building because of that letter." Not long afterwards, they received the necessary funding and support for a new alarm system from CPS capital improvement coffers.

In addition to these physical improvements, parents and community members contributed to two capital-intensive additions that integrate more directly into the schools educational program: a technology lab and a multi-center facility for area teachers to share classroom methods, materials, and other kinds of information. By early 1996, the LSC had decided that improving the sophistication of the school's computational equipment and integrating that technology into the pedagogy of more traditional subjects was a top priority. They formed an *ad hoc* Technology Committee, again composed of school staff and non-professionals, to develop and implement a strategy to meet this need. They began work in 1996 by examining the computer labs of top schools around the city. One lab, located at a technically oriented junior high school, stood above the others, and so the committee designed a proposal for a Technology Lab around the hardware and educational software of this preferred model. Both the larger LSC and the school staff voted to approve the plan. In May, they began to lobby the Board of Education for funds to implement the program. In June, the Board announced that they would devote $125,000 to the program. By October 1996, computers, network hardware, and educational and applications software had been purchased and installed. By 1997, the school network included three computers in every classroom and a central lab cluster with a dozen

workstations. The most technologically literate teachers began incorporating this new capacity into their classes immediately, while others began training to gain the new teaching skills.

Principal Sorenson and two or three others on the LSC have made it a practice of tracking grant opportunities from local and national foundations that might bring them additional resources to expand and deepen their educational program. Also in 1996, a major foundation devoted to educational goals offered a grant to Chicago schools who proposed innovative partnerships with outside agencies. Traxton School applied for a grant in conjunction with a local civic organization, the Traxton Area Planning Association.[4] Using focus groups of their own teachers and those from nearby schools, the grant committee determined that teachers felt quite isolated from one another, and that one their major unmet needs was to share techniques and ideas. One LSC member who worked on the grant recalls that, "We conducted focus groups of teachers organized according to the subjects that they taught. The same thing kept popping up in group after group. It really came out that teachers felt like they needed to talk to one another." Out of this finding, the grant committee developed proposed to establish a small resource center with minimal capabilities such as fax, photocopy machine, and space for meetings and seminars, in which teachers from area schools could communicate with one another. They received a one year planning grant of $28,000 to develop this idea, and were elaborating it at the end of my observation period.

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[4] Name changed.

Taken on its own merits, these achievements may seem remarkable only to those in the hierarchical school bureaucracy whose routines could not accomplish them. It is fortunate, one might say, that a school should enjoy such energetic—and astute—staff, parents, and community members. A surfeit of volunteer spirit or associational enthusiasm might account for one or two of these projects. What one overlooks in considering them one at a time, however, is the systemic collective process—distinct from both the logics of random volunteerism and command-and-control administration—that led to the selection of these particular projects and motivated those on the LSC and others to follow through on every single one of them. That process is just the deliberative problem solving procedure of selecting the school's top problems in a consensus fashion that establishes those issues group priorities and then, as a matter of public responsibility and common commitment, developing and implementing the strategies that promise to address those priorities.

16.3. Vigilant Monitoring and Systematic Adjustment

Though the governance of Traxton School exhibits extraordinary teamwork, its politics is not without heated conflict. Both this teamwork and conflict, however, are grounded in the same deep commitment to improving the educational environment. One expression of that commitment is the energetic cooperation to implement novel programs and remedies described in the previous section. In a second manifestation of this commitment, however, parents and residents exercise great vigilance in monitoring the school's daily performance by listening to the students there, tracking performance indicators such as standardized test scores, and by participating in more general discussions about school reform. This watchfulness occasionally

reveals shortcomings in the school's programs or educational practices—an absence of such

discoveries would probably indicate dereliction—which in turn gives rise to sometimes vigorous

conflict and criticism. Those who issue the criticisms, therefore, almost always temper them in

the understanding that school improvement inevitably involves making choices that hindsight

reveals to be poor, and they make them with the confidence that flaws, once pointed out, will be

earnestly corrected. Those who receive the criticisms, usually the school staff or Principal

Sorenson, understand that it comes not with recrimination, but rather as valuable feedback on the

degree of program success. This process of monitoring—error detection, then criticism, then

correction—is a more robust form of the same mechanism that we saw at work in Harambee

School (14.2). Even in the highly cooperative environment of Traxton School, then, relations are

not characterized by simple blind trust, but by the more practical and reflective policy of "trust,

but verify."

Sometimes inquiring criticisms reflect incomplete knowledge of school activities and can

be resolved easily by providing full information. At one LSC meeting, for example, a parent in

the audience complained that:

> I just want to say that I am proud of our school, but I am pretty worried about that we are
> getting overcrowded. The building has always been full, but one class in the fifth grade is
> up to forty students now. I also know that some people have been working on trying to
> get a building addition, but we need to do something in the meantime to deal with this
> overcrowding.

Principal Sorenson responded first by recounting efforts to expand available classroom space and

second by explaining several instructional responses to the problem of overcrowding. On the

former, several LSC members had been working with an architect, again on a *pro bono* basis, to

design a school addition and had been exploring funding avenues with the CPS Board.

Unfortunately, however, near term prospects for funding this addition did not seem bright. As an

additional measure, Sorenson had requested several mobile classroom units that could

temporarily relieve student crowding from the CPS Board. The Board rejected this request as

well. Unable to obtain relief from these external sources, school staff then responded by

modifying developing programs to insure that the most needy students did not get left behind in

large classes. The program, called "pullout" in reading and math, surveyed teachers of large

classes to identify those students most in need of additional attention and then pulled those

students out for small group instruction. "I do these surveys all the time to make sure that no one

falls through the cracks. .. In the biggest classes, we have to make sure that no one is falling

behind... Because of this pull-out program, fifth grade classes are very seldom full." She then

provided (from memory) a breakdown of the size of every class according to grade and teacher.

Impressed with this extended explanation, the parent who launched the initial query responded

that, "It's good to have this breakdown, because we didn't know [what was being done about

crowding]; it looks like we came to the right place."

Beyond simply making these existing school processes more transparent, criticisms often

identify real operational flaws and induce corrective adjustments. The discovery and efforts to

address problems in the Spanish program illustrate this feedback loop. In response to strong

parent desire to initiate a foreign language program, school staff hired a part time Spanish

teacher and adopted a well-regarded set of instructional materials in 1993. After two years'

experience with the program, students showed only limited interest in the program and parents

began to express some doubt about the quality of instruction based upon their children's

comments. In response to these complaints, the LSC moved to restructure the language program

by establishing a regime in which concerned parents and school staff could together design a

new effort and more closely monitor its implementation. They began by surveying concerned

parents about weaknesses in the existing program and holding several open meetings to discuss

the issue. This communication resulted in 1996-7 school year changes including selection of new

language materials, a new instructor, and shifting the class to an early morning slot that would

allow those most interested to attend. They also established mid-year and end-of-year public

evaluation points for the new program. During my observations, parents reported greater

satisfaction, but were reserving their judgement pending the scheduled evaluations.

School uniforms have proven to be a more protracted and contentious issue at Traxton

has been the issue of school uniforms. Unlike many other Chicago schools in which discipline

and security are paramount concerns, a substantial fraction of parents of Traxton students

opposed a mandatory uniform policy.[5] In typically democratic fashion, consideration of whether

to adopt such a policy began in 1995 with a survey of parents. Most of those who responded

favored such a policy and voiced common reasons for doing so—it would make the school more

orderly and decrease fashion competition among students. The minority who opposed the policy

offered equally common and speculative justifications—that such a policy would impose a

stultifying sense of conformity and cramp an important dimension of students' self-expression.

Since factions were not likely to reach a consensus position on this issue, the LSC was faced

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[5] Note that both Harambee Academy and Central School had mandatory uniform policies. In both of those cases, in contrast to Traxton School, LSC members and others in the school community seemed to unanimously favor this measure, and so it was not in either case a contentious matter that required deliberation.

with the difficult choice of siding with one or the other. They reverted to settlement by voting, and as a result the LSC approved a uniform policy to be effective at the beginning of the 1996-7 school year. That summer, a letter was sent from the LSC to parents informing them that they should purchase uniforms for their children because their children would be required to wear them in the upcoming school year. In what experience later revealed to be problematic wording, however, the letter told parents that wearing uniforms would be strongly encouraged by optional, though the LSC had adopted a mandatory uniform policy. Principal Sorenson, who favored the policy, was now charged with enforcing it, but parents were given the impression that compliance was optional.

When many students habitually failed to wear their uniforms in the winter of 1996, Sorenson favored stricter enforcement. As representatives and functional intermediaries between parents and school staff, however, some on the LSC—though they favored the policy generally—saw that this strict and surprising enforcement would poison relations with parents who objected to the policy. Therefore maintaining procedural integrity by adhering to the letter's word was more important than immediate enforcement. In the following exchange, Sorenson was persuaded by this argument and changed her approach:

> **Sorenson:** A lot of the kids are getting pressure from their friends not to wear the uniforms. According to the [CPS] Board, if the LSC passes it, it is a rule. For discipline, it is like any other school policy. [We write] a letter to parents for no uniform. Three letters means detention. This is a school policy, and I need the LSC support on this issue. I get stuff back from parents saying that I should not send any more notes. My letter said: "I hope that in the spirit of unity, you will change your mind about this. But if you don't, then [we will enforce it]

> **LSC Parent 1:** The first letter was encouraging, but not forceful enough. It was not clear at the beginning that it was a hard and fast rule.

Sorenson: The word "optional" was a mistake.

LSC Parent 2: It should be harder rule, but you can't change on people in mid-stream. Maybe next year we should phase it in.

LSC Community Member: We should make it clear that next year uniforms will be mandatory.

LSC Parent 3: It does seem unfair that punitive measures should kick in at mid-stream.

LSC Parent 2: My suggestion is that we announce that it is a real LSC policy that will be enforced in the Fall.

LSC Parent 4: We should write a clarification letter. Encouragement this year, and enforcement for next year. Letters for non-compliance this year will be kind of an FYI [for your information] about the upcoming policy for parents.

Sorenson: I agree that "optional" should stick for the rest of this year.

In this way, the LSC detected a potentially harmful choice—the sudden enforcement of a

uniform policy—and developed a new policy that averted unnecessary resentment and division.

When the uniform policy is finally implemented, it may be that those who oppose the policy

come to realize that many of their fears were unjustified.[6] Sorenson remarks that this has been

the experience at other schools: "Talking to other principals, the pattern seems to be that the first

year 10-20% don't wear, 2nd year 95% compliance, and by the 3rd year everyone wants it."

Conversely, it may turn out that continued resistance to the policy destroys the very harmony and

order that motivates mandatory uniforms in the first place, and that LSC members come

therefore to reverse the policy. If past processes indicate the quality of future governance, then

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[6] This would be an example of the pragmatic capacity of ironic revision, discussed in 6.1.

we have good reason to believe that the Traxton School LSC will soberly recognize and respond

effectively to these prospectively uncertain developments.

16.4. How Much More Democratic?

Local school governance at Traxton school illustrates that SLD can advance the

realization of our five core democratic values (see chapter 2) very far indeed. The discussion

above describes how the Traxton LSC created an *effective* system of deliberative problem

solving that not only identified and addressed both existing problems in curriculum and physical

plant, but developed solutions to problems barely perceptible in most other Chicago schools such

as the isolation of teachers from one another. Beyond this, the LSC took great pains to insure that

the formation and implementation of school policy *fairly* accounted for all points of view, as in

the difficult advancement of the uniform policy. Through practical measures such as the uniform

code, pressing demands upon the CPS Board, and establishing joint resources with nearby

schools, the Traxton LSC developed specific goals and took decisive steps to realize those goals,

thereby realizing the core democratic value of *autonomy*. Finally, this high degree of mutually

verifiable cooperation and its successes generated a high degree of *solidarity* between

community, parent, and professional members of the Traxton community. Not surprisingly,

given its extremely favorable initial conditions of wealth and deep agreement, Traxton School

arguably realized these core democratic values to a greater degree than the other five cases of

Street Level Democracy. This assessment matches the rough hypothesis of SLD performance

depicted in Figure 12.2.

It is more difficult, however, to make the comparative institutional assessment of whether democratic values were better served by Street Level Democratic governance or by the prior institutions of Command-and-Control bureaucratic schooling. There is substantial evidence to support the view that civic associations and regular volunteers had been performing monitoring and resource acquisition functions prior to the 1988 school reform law. In particular, one venerable group called the Traxton Area Planning Association had an education group that had been securing foundation grants, providing technical assistance, and building networks between Traxton and other areas schools for decades. When the Local School Councils were first implemented in 1988, for example, they were the first group in the city, even before the CPS, to provide training in school management and budgeting to Traxton's newly elected LSC members. Beyond this, many in the Traxton School governance group had been involved in the school affairs as volunteers, parent advisors, or Parent Teacher Association (PTA) members for decades, since the 1970s, and saw their election to the Local School Council as something of a nominal and formal change rather than a substantive one. One LSC member whose sent three of her children to Traxton school and is now a community representative recalls the citywide popular movement demanding local school governance (see chapter 5) that resulted in the 1988 reform law:

> We didn't really feel the need to get involved in the citywide campaign. At [Traxton School], there has always been a lot of parental involvement, and the LSCs just validated that. [Molly Sorenson] has been principal since 1986, and things didn't really change much after [the 1988 reform law].

Sorenson herself recalls that, "This is my 9th year as principal, and 27th year at [Traxton School]. There has always been lots of parental involvement. Before the LSC it was the PTA and many

other organizations." Though it is difficult to assess levels of informal contributions to school

governance that occurred a decade ago, this testimony suggests that the benefits accruing to

Traxton School from SLD reform may not be as substantial as a synchronic assessment of its

process might suggest. This finding, combined with a similar assessment of informal

mechanisms that existed in West Traxton Beat prior to community policing (see chapter 13)

indicate that relatively advantaged areas do well with SLD institutions, but that they also fare

rather well without them. In our less advantaged contexts of Southtown, Central, and East

Traxton beat, however, SLD reform seemed to bring more dramatic democratic gains because

those areas lacked the machinery of voice, political power, and deliberative problem solving that

constitute Street Level Democracy.

Chapter 17:

Conclusion

This volume opened with a simple question: how can we better realize our core democratic values and thereby overcome some of the disappointments of democracy as we know it? In the intervening pages, I have offered Street Level Democracy (SLD) as a proposal that takes a step toward that goal by weaving participatory democracy and political pragmatism into an institutional form that can meet two formidable challenges that have stymied many democratic impulses. The complexity of modern public action constitutes the first major challenge. Even the most basic tasks set to modern states—such as maintaining the safety of a neighborhood or educating its children—involve a bewildering thicket of intertwining variables, technologies, and actors. How can ordinary citizens hope to understand desirable course of action under these circumstances, much less author such strategies themselves? SLD answers this challenge by developing a set of generative institutions—a decentralized deliberative problem solving process and supportive center that connects those local units together and holds them accountable—that tie ordinary citizens to experts (e.g. police, educators) in partnerships that reinforce the efforts of each. America's social conflict, inequality, and outright material poverty poses the second major challenge. How can anyone expect fair public deliberation to occur under such inhospitable circumstances? Theoretically, SLD institutions solve this problem by constructing mechanisms in which deliberation is above all a practical method of advancing the urgent interests of citizens who live under such circumstances, such as better schools and

safer neighborhoods. Empirically, Part III examined the real-world operation of SLD and found

that the institutions do perform largely as specified even in very unfavorable contexts.

While the arguments presented in favor of the proposal are quite substantial, they are in

many senses incomplete. Indeed, the notion of a complete argument for SLD would violate this

project's own self-understanding that the much of democratic theory should consist in the

progressive search for institutions that better and better advance our core public values (chapter

2). We have offered SLD as one advancing step and built its theoretical and empirical

foundations, but no more than that. The main ambition of the project has not been to establish

this political form as an optimal ideal, but rather to invite theorists, empiricists, and practitioners

to devote more of their energy to search incessantly for better forms of democracy. In that vein,

we conclude this study with a review of the accomplishments and the limitations of the

arguments presented above in the hope that an inventory of its shortcomings will serve as an

invitation to further research and ease the already straightforward path for critics.

17.1 Historical Redux

In Part I, chapters 3 to 5, we offered an institutional history of the emergence of Street

Level Democracy first in stylized abstraction, and then in the concrete cases of school

governance and community policing in Chicago. This account stressed four points. First, the

existing hierarchical bureaucracies that were providing these public services had, in the eyes of

both the professionals within them and the public at large, severe performance deficiencies. In

the extreme, many in Chicago considered their school and police bureaucracies to have broken

down by the mid-1980s. Second, this breakdown created a moment of historic opportunity for

democratic reform (3.3). Bureaucracies have justified their insulation from popular control as the

price of effective administration. The perceived decline in the effectiveness of this organizational

form opened the space for institutional reform proposals that could combine both efficiency and

democracy.

Thus far, this story of the breakdown of command-and-control municipal agencies

describes many cities. At the third critical juncture of this narrative, however, the events in

Chicago become distinctive. In debates around school governance (4.3) and the organization of

policing (5.4) in Chicago, political alliances that joined community organizers of the New Left

style, administrative professionals, and businesspeople pushed for reform packages built upon

the decentralizing notions of traditional participatory democracy. Independently from one

another, school reformers sought a democratic localism (Bryk et. al. 1998) that would devolve

major decision authority to local councils composed of parents, community members, teachers,

and the principal of each school while police reformers sought to bring neighborhood residents

and the officers of individual beats together to conduct joint problem solving around public

safety concerns. With both school reform and community policing, reformers successfully used

the window of opportunity occasioned by bureaucratic break down to remake their respective

agencies—the CPS and CPD—along these participatory lines. The contingent presence of these

alliances, then, constitutes the third major point of the narrative. Without them and their

participatory democratic proposals, Chicago school reform and community policing certainly

would not have turned toward Street Level Democracy.

The fourth point in this history of SLD's emergence in Chicago follows the practical

realization of administrators and citizens that participatory democratic forms would be

insufficient to cope with the complex tasks of improving schools and making neighborhoods safer. Some local units were flourishing at problem-solving and functional neighborhood governance while others seemed to make no progress at all. Rather than follow the pendulum swing from decentralized to more centralized organizational forms, however, reformers broke through this mental dichotomy and constructed a third organizational alternative. Rather than simply eviscerating the center or re-aggregating directive authority to it, they rebuilt central power in a supportive configuration (4.4, 5.4, chapter 8). The main functions of this new center would not be to determine the tasks of local units and enforce the execution of these programs, but rather to support local units in their problem solving activities and to hold them accountable to these self-directed strategies. This fourth step completes the institutional history of how SLD can be constructed in the ideal and was actually constructed in the cases of school governance and community policing in Chicago.

Even with successful arguments in favor of these points, however, at least two important issues related to this history remain open: the problems of generalization and political stability. On the former, can SLD be applied to other areas in addition to community policing and school governance in Chicago? The ideal history (chapter 3) and institutional architecture (chapters 6-10) of SLD addressed defects and remedies to bureaucracies generally without particular reference to educational or policing systems. The more detailed discussions of the CPS and CPD were then described as two instances of a more general developmental and reform trajectory. Due to limitations of this project's scope and focus, we did not then go on to address either the conditions of such generalization or the additional policy areas in which SLD organization might

be fruitfully applied.[1] Our more abstract framework (chapters 3, 6-10), however, does suggest

that the historical situation of a hierarchical bureaucracies must meet three conditions to qualify

as candidates for SLD reform.

First, does the agency in question suffer a legitimation crisis based upon its inability to

generate satisfactory outcomes? Reforms to both the CPS and CPD responded to such

performance anxieties, and it is reasonable to suppose that these kinds crises create demands and

opportunities required for SLD transitions. Second, is there sufficient political will to install an

institutional program that follows SLD's design? In the histories of both CPS and CPD (chapters

4 and 5), powerful reform alliances possessed two indispensable components of this political

will: they had a positive vision of reform that followed participatory democratic impulses and

they wielded the power necessary to actually implement that model in two very large scale

bureaucracies. Third, can SLD's deliberative problem solving and experimental generative

methods meet the challenges that agency faces? In chapter 9, we offered a series of general

arguments that SLD will perform better than hierarchical bureaucracies in dynamic and complex

problem environments because its architecture facilitates learning from feedback, the utilization

of local judgement, innovation, and closer state-society relations in ways that bureaucracies do

not. Not all problem environments are complex and fluid in this sense, but the argument above

justifies SLD only under these conditions. The degree to which SLD can be generalized beyond

Chicago policing and school governance then, is given by the number of bureaucracies that

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[1] For a discussion of many other policy areas that might benefit from a quite related program of democratic experimentalist reform, see Dorf and Sabel (1998).

answer these three questions affirmatively. Each case must be taken on its own merits, and we leave such investigations to further research.

Beyond this issue of generalization, the institutional history also left open the question of the degree to which the Chicago reforms are political stable. Just as political alliances were required to install SLD programs, so political support is required for their reproduction and expansion. Will the CPS and CPD continue to evolve along their present SLD trajectories, or will they be overturned by politicians, jealous administrators, or simple popular exhaustion? Since this work focused on developing a novel institutional conception of democracy and understanding its concrete operation, we have left this important and intricate question of political stability for further research. We set the stage for that work, however, with somewhat speculative observations concerning three potential bases of political support for SLD. First, community policing and school reform can build popular support from the neighborhood residents who participate in it and benefit from its outcomes through the mechanisms of solidarity and civic engagement (chapter 9). Second, elected officials might advertise SLD to their constituents as their own innovative good government public policies; this is how Mayor Richard Daley, not particularly known for his radical democratic commitments, in fact sold the Chicago Alternative Policing Strategy in the early 1990s. Finally, administrators themselves might favor SLD and transform it from a maverick reform proposal into a major contender in policing and educational best practices. Agency factions in both the CPS and CPD created SLD-type reforms and have since worked hard at extending and improving these programs. The

efforts of these professionals, as well as scholars who study their work,[2] might successfully

transform the common expert wisdom to one that supports SLD, just as they created "cults of

efficiency" that favored hierarchical, insulated bureaucracies in the first part of this century

(chapters 4, 5). SLD, after all, does not deny the importance of expertise but rather attempts build

mutually beneficial and respectful linkages between experts and ordinary citizens.

17.2. Institutional Redux

In the theoretical institutional discussion of Part II above, I hope to have accomplished

five goals. Chapter 6 constructed a conception of pragmatic political personality that imagines

citizens first and foremost as public problem solvers. This discussion emphasizes and formalizes

an central aspect of individual activity which many other images of citizenship: it recognizes the

limits of cognition, plasticity of goals, and power of moral restraint in ways rational choice

theorists do not; it emphasizes social interdependence and public life more than many liberal

views; and it grounds the notion of community upon a mutually beneficial political process

rather than upon shared traditions, values, or habits. The second accomplishment of this part,

executed in chapter 7, was to bring deliberation down to earth. Much of the recent work on

deliberative democracy has concerned itself with discussion in either elite—Supreme Court

justices and Congressmen—chambers or the highly abstract medium of civil society. In its five

step problem solving process (7.1), SLD adds to these ideas a conception of deliberation that is

more pedestrian in two senses: ordinary citizens and low-level public servants do the deliberating

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[2] See Skogan and Chicago Community Policing Evaluation Consortium (various years) on police reform
and Bryk (various years) on local school governance.

and the subject of deliberation is neither legislation (see Rawls, Dworkin) nor general public policies (see Habermas), but rather what to do about particular urgent problems such as school improvement or neighborhood safety.

The third conceptual accomplishment, quietly paralleled by actual institutional developments, was to break through the seemingly intractable dichotomy between centralized and decentralized authority. With a conception of local units as deliberative problem solvers in hand, chapter 8 went on to specify the design of a "supportive center" whose main objectives were to facilitate the problem solving efforts of local units and hold them accountable to deliberative norms rather than to direct the minutiae of their activity.

The fourth accomplishment of this theoretical discussion was to offer SLD—this system of pragmatic citizens, local problem solving units, and a supportive center—as an institutional configuration with an operational logic that could generate policy outcomes both more fair and effective than those of bureaucratic arrangements.[3] This set of arguments, speculative to be sure, points the way out of the "Weberian dilemma" that forces us to choose between systems of government that are either democratically accountable or effective, but not both. Fifth, part II showed that this institutional architecture was feasible and not purely fanciful by demonstrating how many, though certainly not all, of its important elements had been institutionalized in reforms to the CPS and CPD.

Despite these substantial forward steps in the theoretical construction of Street Level Democracy, this discussion left open at least two important considerations which we pose as

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[3] See discussion of complexity in 2.3 and discussions of SLD's effectiveness (chapter 9) and fairness (chapter 10).

issues for further research. First, how many citizens can participate in SLD's pragmatic

deliberations? A very small percentage of the total body politic participates in any particular

instance—say community policing or school reform in Chicago—of SLD. The proliferation of

opportunities direct pragmatic citizenship therefore depends upon the question of generalization,

raised in 17.1 above. In a maximal variant, many public institutions and services—not just

policing and primary education but perhaps also other kinds of education and training, social

service provision, workplace and environmental regulation—would be organized in SLD

fashion. Citizens would have many opportunities to engage in this directly deliberative

democracy. In this marble-cake scheme of political participation, no citizen would exercise voice

over every public decisions, but each would exercise voice over some such areas. In a

contrasting minimal variant, SLD is limited to just a few cases and only a small percentage of the

citizenry can exercise directly deliberative voice at any given moment. Because the important

question of institutional generalization must be left to further investigation, so must this question

about the accessibility and scope of pragmatic citizenship.

A second open issue, only touched upon in the text above, concerns the ultimate

relationship of SLD to the received democratic institutions of legislatures, courts, and

hierarchical public agencies. As empowered governance institutions, SLD inevitably reduces the

scope of authority of these other bodies. As of this writing, the traditional institutions of

government in Chicago have ceded power more or less willingly to SLD. Even in this early stage

of institutional development, however, there have been border skirmishes on issues such as civil

and property rights (chapters 4, 5, 6.3) and budget and staffing issues (5.4). It is not difficult to

imagine these conflicts might intensify as SLD matures. Since it was not necessary for the

development of the core proposal and since little empirical guidance exists, we refrained from speculating on the most desirable or probable configuration of intergovernmental relations between SLD and the three branches of government. Consider two possible outcomes, however, as further investigative directions. Dorf and Sabel (1998) have offered an ambitious proposal in which these traditional arms of government would be transformed into parts of a fully experimentalist state, and SLD would certainly welcome such a trajectory. Another possibility is a kind of institutional détente in which SLD opens limited additional opportunities for political participation and transforms specific agencies, but in which the other institutions continue to operate according to their existing routines. In this less optimistic scenario, the contending logics of techno-bureaucratic administration and deliberative democracy would result in clashes between SLD and other agencies, legislatures, and courts on issues of jurisdiction, the interpretation of rights, and questions of legitimacy. A determination of the likelihood and implications of these possible worlds lies beyond the scope of the present work, and we note it here only as one additional uncertainty.

17.3. Empirical Redux

The two main accomplishments of Part III, on the empirical reality of SLD, were to present empirical data sufficient to dismiss several serious first-blush objections to the proposal and then to explore the empirical operations of these deliberative institutions in six concrete cases. Using city-wide data on local school governance and community policing gathered from both primary and secondary sources, chapter 12 established several important facts about participation patterns in actually existing Street Level Democracy. Easing concerns about free-

rider problems, both local school governance and community policing have drawn participation

levels that are sufficiently high to sustain deliberative problem solving. Contrary to expectations

derived from the observed biases in other modes of political participation, residents of low

income, black, and Hispanic neighborhoods participate in SLD at rates equal to or greater than

those of well-heeled white neighborhoods. With Chicago community policing, for example, poor

neighborhoods exhibit higher participation rates than wealthy ones. Addressing some of the

expectations of feminist critics that deliberative institutions will advantage male speakers or male

styles of speaking, it turns out that women participate at disproportionately high rates compared

to men in both community policing and school reform. Finally, though the data here was less

certain, other studies found no correlation between neighborhood levels of "social

capital"—shared norms, networks, and habits of civic participation—and the success of LSC

governance or Chicago community policing.

Moving beyond this city-wide aggregate data, chapters 12 through 16 presented a series

of six case studies of SLD in action, as it were, across a variety of socio-economic conditions

(see chapter 12). The summary figure 17.1 below schematically depicts the observed democratic

performance of each case under both SLD and the prior command and control regime:

Figure 17.1. Observed Case Level Democratic Performance
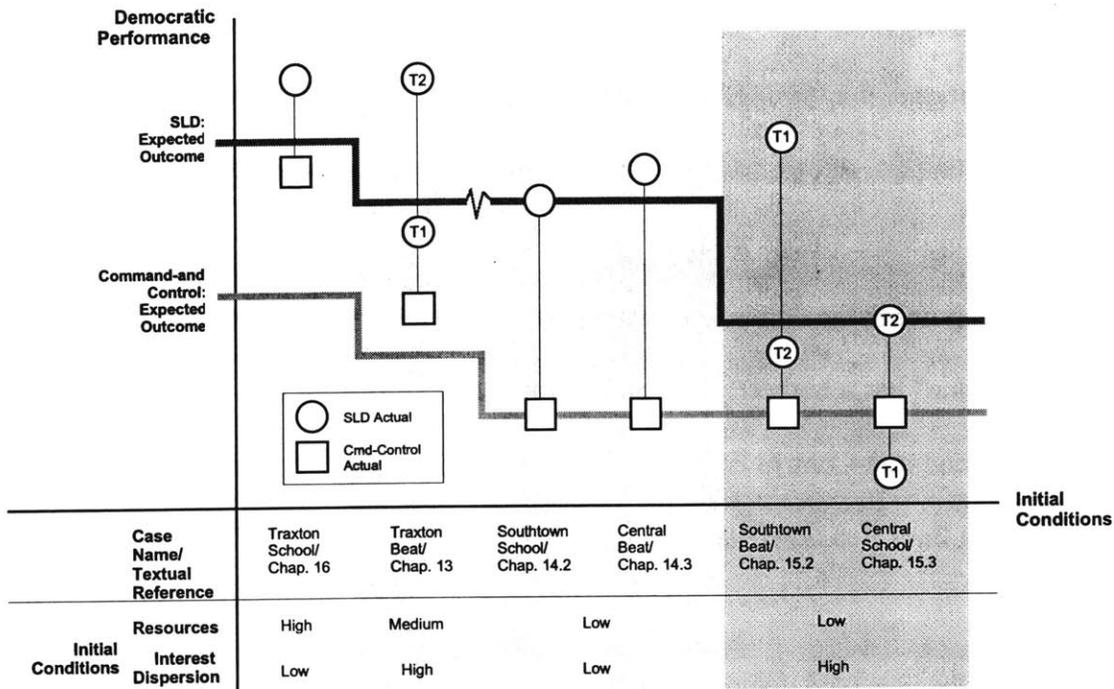
Estimations of democratic performance in any particular instance cannot be but a heroic, approximate exercise, and the data points on the figure above reflect only rough positions as justified by the discussions of each case in the chapters above. With that caveat, an explanation of this complex figure is in order. The horizontal axis shows various initial conditions; each of the six columns summarizes the data for a single case. The vertical axis plots a summary estimate of democratic performance understood as the realization of the five core democratic values in chapter 2—effectiveness, fairness, autonomy, deliberation, and solidarity. As we move from left to right, the initial conditions for democracy become more and more difficult. Traxton School on the far left had wealth and little conflict, while Central School on the far left was both poor and conflicted.

The two solid lines show step functions for expected democratic outcomes of governance under a command-and-control regime versus a Street Level Democratic regime. We chose to represent in this figure the "strong, pro-SLD" hypothesis that was discussed in chapter 12 and depicted in Figure 12.4. Recall that this institutional performance hypothesis predicted that the realization of democratic values would be higher under SLD than under command and control regimes for any point in the domain of initial conditions. Hence, the darker line labeled "SLD Expected Outcome" has a higher "y" value (democratic performance) than the lighter line labeled "Command-and-Control Expected Outcome" for every point on the "x" axis of initial conditions. Both lines step downward from left to right as the initial conditions become more and more difficult.

Finally, the observed democratic performance outcomes are plotted as hollow squares and circles in Figure 17.1. For each case, the (heroically approximated) level of its achievement of democratic values under the command and control regime is plotted as a square and its level under SLD as a circle. Traxton Beat, Southtown Beat, and Central School each featured two distinct operational periods under SLD with different outcomes. These distinct periods are plotted separately, with "T1" representing the first chronological period and "T2" marking the latter. Though the case specific chapters contain detailed explanations for the placement of these squares and circles, we review that reasoning briefly here. Traxton School's performance under command-and-control is higher than expected because parents at the school had developed informal mechanisms to conduct much of the problem solving that SLD reforms would later implement. Nevertheless, Traxton School's circular mark appears slightly higher under SLD

because the formalization of the process resulted in more systemic and accessible deliberative problem-solving.

Similarly, residents of the west side of Traxton Beat had developed informal mechanisms to communicate with the police even prior to CAPS reforms, but these mechanisms were not available to east side residents. We therefore mark Traxton Beat under command-and-control only slightly higher than the expected value. Traxton Beat's first period of deliberation marginalized disadvantaged African-American participants from the east side of the beat, and so we mark it as sub-par. In the second period of deliberation, however, problem-solving displayed on a remarkably fair, effective, and systematic tone despite cultural and class differences, and so we rate Traxton Beat's "T2" quite highly on the scale of democratic performance.

From the perspective of SLD's prescriptive theory, the two cases of low resources and low interest diversity held few surprises. In both, SLD yielded strong gains for core democratic values over the previous command and control regime, but it is easy to believe that outcomes would have been even better had the neighborhood not been so poor. Therefore, we mark both the command-and-control and SLD outcomes close to their expected positions. We judge the outcomes at Southtown School/Harambee Academy slightly lower than that for Central Beat because non-professional participants in the former played a somewhat passive role as monitors rather than innovators in school programming.

Finally, Southtown Beat and Central School, shown in the two rightmost columns of figure 17.1, fall into our most difficult category of initial conditions: low resources and high interest diversity. Available evidence suggests that the police and school bureaucracies performed as they should have in the pre-reform period, yielding predictably low outcomes, and

so the squares indicating command-and-control performance are placed in the expected locations. The fairness and effectiveness of deliberative problem solving for Southtown Beat was quite high in the first period of observation under the assistance and facilitation of the J.C.P.T. team; African-Americans and Hispanics worked together systematically to eliminate a problem house and to re-open a neighborhood park. After this team left, however, Hispanics dropped out of the process and police officers became markedly more arrogant, so we mark a performance drop from "T1" to "T2" for Southtown Beat. Even in "T2," however, police were still more responsive to residents than under the command-and-control regime. This temporal sequence of intervention and high performance was reversed in Central School, however. The first period of that case was marked by such paralysis and conflict that it is easy to believe that a command-and-control regime would have been more effective, if not fair. Therefore, we mark "T1" for the case as lower even than the command-and-control democratic performance. Under "T2," however, a CPS probation team facilitated discussions that yielded a promising "Corrective Action Plan" and also generated seeds of solidarity. We therefore mark "T2" for Central School relatively highly.

Though findings from these case studies must remain tentative because there were only six of them and because the interpretation of cases seldom escapes controversy, these data suggest four conclusions. First, initial conditions bear importantly upon democratic performance. Participants at Traxton School, our most highly advantaged neighborhood with low interest diversity and extreme wealth, implemented the institutions of Street Level Democracy more

easily than the other five cases. SLD processes and outcomes seemed especially fragile in the two hardest cases of Southtown Beat and Central School.

Second, SLD operates well when its critical components are implemented even in the most trying of circumstances. Each of the case studies enjoyed periods of fair and effective deliberation. Beyond this, the periods of failure were explained by incomplete implementation of either SLD's problem solving procedure or the failure of the "supportive center" to perform critical functions. These first two findings, then, offer support for a weak egalitarian contention that SLD would operate more democratically given a more equal distribution of resources across neighborhoods, but rejects the strong egalitarian contention that SLD *requires* such redistribution and is not a worthwhile reform without it.

Third, with respect to institutional choice, the democratic outcomes in all of the cases[4] were higher under SLD than under command-and-control arrangements. These six cases, then, support the strong pro-SLD hypothesis that its institutional form will yield better democratic outcomes than command-and-control arrangements under all sets of initial conditions (chapter 12, Figure 12.4). The fourth empirical finding is that the fairness and effectiveness of deliberation depends upon the actions or inaction of the "supportive center" discussed in chapter 8, especially under difficult initial conditions. In the early developmental stages of these institutions, street level participants such as residents and line-level public servants may fail to grasp the basic procedures, concepts, and skills of deliberative problem solving without guidance and training. Furthermore, situations of high interest diversity will likely degenerate into

ordinary factional competition and conflict absent such understandings of deliberation. We

repeatedly saw the power of a supportive center to ameliorate these sorts of problems by re-

establishing fair deliberation in the case studies. In Traxton Beat, we saw how a beat facilitator

trained by the supportive center transformed laissez-faire discussions into structured deliberation.

In Southtown Beat, the J.C.P.T. team brought African-Americans and Hispanics together in joint

cooperative action and consequently they were able to tame police arrogance. Finally, we saw

how a CPS probation team induced ironic reflection that transformed factional conflict into

serious cooperative re-evaluation of school priorities in Central School. Far from a mere

theoretical embellishment, these case studies show that the supportive center described in chapter

8 plays an indispensable role in the advance of democratic values under SLD.

Despite these substantial accomplishments, these six case studies do little more than point

the way to more edifying research due to several inherent limitations. First, there are only six

data points. So few cases and such a thinly sampled space make it difficult to state our findings

with much confidence. More cases might easily reverse the patterns with respect to democratic

performance and institutional choice that we observed. Therefore, local school governance,

community policing, and other emergent reforms that resemble SLD merit more comprehensive

case level examination. Relatedly, our ability to conduct only a handful of case studies limited

our examination to only two dimensions of initial conditions: resources and interest diversity.

We selected cases that exhibited both extreme poverty and diversity, and found that SLD could

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[4] Central School may be counted as an exception, but even there the full implementation of SLD yielded superior outcomes to command-and-control. As Erik Wright pointed out in his comments, the contention

operate well under this substantial range of contextual variation. There may be other unexplored conditions under which SLD cannot function as the normative theory specifies. However, it is difficult to imagine what those conditions might be, as we have examined SLD in a few of the poorest and most conflicted neighborhoods in urban America. Nevertheless, the possibility of unexplored preemptory conditions cannot be ruled out at this early stage of research.

The third limitation in this empirical investigation stems from the relatively short time period of our observation and the youth of SLD reforms in school governance and community policing. Since we observed each case for less than a year, it was difficult to gauge the degree to which these institutions realize values that develop over longer time spans. In particular, the foundations for new solidarities were laid and individuals began to develop into more capable pragmatic participants, but we could not say with any certainty whether these seedlings would flourish. Beyond this, we could not say whether the cases in which there were more and less successful deliberative moments—Traxton Beat, Southtown Beat, and Central School—would stabilize into one phase or the other. Just as we did not examine the political stability of SLD reforms to the CPS and CPD *systems* (17.1) in any detail, our short observation period prevented the exploration of SLD's stability in particular neighborhoods. Similarly, the short time spans involved prevented this study from employing conventional metrics of institutional performance such as changes in test scores and crime rates to evaluate the success of SLD reforms. Based on the arguments above, the success of groups that implement deliberative problem solving processes should be visible in rising tests scores and decreasing crime rates with school reform

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is that SLD beats command and control when fully implemented, not under any level of implementation.

and community policing respectively. However, it is difficult to isolate the impact of institutional factors on these metrics and we expect changes due to deliberate policies to appear over longer time spans. Though SLD's prescriptive theory would no doubt predict improvements in these standard measures of educational performance and neighborhood safety, the search for such evidence must await further research efforts.

This catalog of what I hope to have accomplished and know that I have not outlines a small step forward in democratic theory. It is of course the reader's privilege to estimate the size of this step. As ever, the significance of that which remains to be done dwarfs what has been completed. In this unfinished project, there are many untraveled steps indeed. One might pursue the task of generalization by exploring the potential of remaking other policy areas along the directly democratic lines of SLD. Another might seek additional empirical evidence to refine or deny the model presented above. Yet a third might find SLD wholly unpromising and thus develop superior proposals that advance our core democratic values. Some who are practically disposed might have found some clarifying ideas useful for extending their own efforts. It is also the reader's privilege to choose which, if any, of these steps to take.

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