

**Comparing Deliberative Systems:
An Assessment of 12 Countries in Latin America**

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The now quite long and consolidated theory of deliberative democracy was initially grounded on the idea of legitimacy. The procedural aspect of deliberation aimed at ensuring that reasoning and justification among free and equal citizens would yield decisions oriented to the common good, which could be consensually agreed on by those who were then converted into their simultaneous authors and addressees (Habermas 1996, Cohen 1996, Gutmann and Thompson 1996). As the field reached its “coming of age” and began to include studies of the empirical processes of deliberation along with the problems of feasibility and institutionalization they entail (Bohman 1998), deliberative democracy made clear its vocation for problem solving. The very first wave of case studies has already shown how deliberation can be suited to identifying and handling public problems, especially at the local level, empowering citizens and deepening democracy (Fung and Wright 2003). Minipublics soon became the most examined type of deliberative forum, and also one that some deemed most suitable to ensure both the equality of participation and the quality of deliberation envisaged by political theorists (Fung 2003, Warren 2008, Smith 2009). Connecting the nodes of the many and diverse experiences that began to spread all over the map, the systemic approach (Parkinson and Mansbridge, 2012) has recently freed deliberative democracy theory from space and time boundaries, showing how separate parts become more meaningful (and both contradictory and complementary) when seen as interacting and integrating a whole.

Throughout these three stages – procedural, empirical, and systemic – deliberative democracy theory has become more and more able to combine normative concerns with an orientation towards empirical experiences and problems. The concept of deliberation has also evolved. The proceduralistic, Habermasian notion of an ideal speech situation where rational justification and the force of the better argument would lead to consensus has evolved to include more pluralist ideals and more flexible forms of discourse and communication ranging from the media to story-telling (Bächtiger et al 2010, Mansbridge 2015). This systemic turn validated the diversity of existing forms and sites of deliberation, and recognized the necessity of moving from individual case studies to the analysis of the interactions among many deliberative institutions and processes (Mansbridge et al 2012). This has been an enormous step. However, while it allows a much desired departure from analyses of individual cases that take place mostly at the local level, the systemic approach has not yet offered a comparative perspective.

In this paper, I will complement the systemic approach to deliberative democracy with such a comparative perspective. I will argue that the study of deliberative systems requires, in part, both country and cross-country analyses. Most existing research has been so far based on minipublic experiments at the local level, and only a few studies have addressed the impact of these experiments on concrete political decisions. Moreover, no one has yet looked at the big picture, showing how deliberative systems operate as ‘wholes’ at the country level, and how they may thus impact democracy at the macro level.

The paper has two parts. The first part proposes a comparative approach to deliberative democracy. I will claim that country and cross-country analyses should take into account variables related to the context, the institutional design, and the impact of deliberative institutions. The analytic framework I suggest to compare and assess democratic innovations distinguishes among the different *means* of participation, as well as among the different *ends* sought by the diverse institutional designs. This framework allows one to differentiate deliberative innovations from other participatory institutions, single out particular features in deliberative systems at the country-level, and assess the potential of the new institutional designs to impact the *quality of democracy*, an important current perspective in comparative politics.

The second part of the paper applies this framework to the study of deliberative systems in Latin America. The analysis focuses on twelve countries (Argentina, Brazil, Bolivia, Colombia, Costa Rica, Ecuador, El Salvador, Honduras, Mexico, Peru, Uruguay, and Venezuela) during a twenty-five-year time frame (1990-2015). It compares deliberation to other means of participation, and indicates how it currently enjoys primacy in the region among participatory innovations, although some countries are more or less “deliberative” than others. I will link these differences to some contextual factors that explain the creation of deliberative innovations in Latin America, and show how the innovations evolve across time while adjusting to the specific context of each country. Finally, I will

relate the many ends sought by deliberative innovations to the most frequent policy issues deliberated in these new institutional designs, indicating some potentials and limits to deliberation as a means to improve the quality of democracy in Latin America.

The data discussed in the paper originate from an entirely new dataset, which I have named LATINNO (Innovations for Democracy in Latin America). LATINNO is the result of a two-year effort to assess quantitatively and qualitatively all documented institutional designs for citizen participation created in 20 countries of Latin America between 1990 and 2016. LATINNO assesses cases based on 42 variables related to the context, institutional design, and impact of the democratic innovations. This paper will rely primarily on the part of the dataset concerning innovations that employ deliberation as their main means of participation, and will limit its analysis to very few variables.¹

In addition to proposing a comparative perspective to complement the systemic approach to deliberative democracy, I hope to contribute to democratic theory by showing that a means-ends framework allows one to assess how different institutional designs for citizen participation may be more or less suitable for affecting different *qualities* of democracy. I hope to contribute to comparative politics by showing how non-electoral forms of participation, especially deliberation, need be considered in measurements and assessments of democracy. I hope to contribute to the field of Latin American politics by showing how closely democratic innovations are connected to the democratization process, with citizen deliberation becoming an important form of mediation between civil society and the state.

Moving from a Systemic to a Comparative Approach to Deliberative Democracy

While the systemic approach to deliberative democracy proposes an integrated appraisal of the relation among diverse deliberative instances, it does not provide conceptual tools for the comparison among individual cases within a single system, and, most importantly, it does not acknowledge that a system can only be fully understood as a 'whole' if it is differentiated from other systems. The claim that "the system should be judged as a whole in addition to the parts being judged independently" (Mansbridge et al 2012:5) can apply to wholes such as universities or towns, but it becomes particularly interesting if countries are taken as the whole to which the different deliberative parts relate. Such a move implies more than examining the interaction of individual deliberative institutions and processes within a same deliberative system; it requires investigating their similarities and differences among countries.

The systemic turn took an essential step toward addressing the persisting problem of scale that led scholars to struggle over the trade-off between mass participation and high quality deliberation (Fung and Cohen 2004, Dryzek 2008, Fishkin 2009), and over explanations of how deliberation may scale up to the national level (Pogrebinschi 2013) and impact democracy at the macro level (Pogrebinschi and Samuels 2014). However, the systemic approach does not itself show how deliberative innovations can affect political decisions at the national, macro level. To do so requires conceiving the whole as an individual country, considered in all of its levels (national, regional, and local), and differentiated from other systems (that is, countries). The next step in the systemic approach should be to address country studies and cross-country analyses.

A *comparative approach to deliberative democracy* thus seeks to understand deliberative systems in the broader context of countries and regions. This kind of analysis requires, first, *considering individual countries as the whole in which the many parts of the deliberative system interact*. Second, it requires *differentiating one deliberative system from others, i.e. comparing one country to others*. This paper cannot look at the entire deliberative system in any country, which would include deliberation in parliaments, political parties, private foundations, and many other venues, but will confine itself to data on participatory innovations. Not all participatory institutions are deliberative. This analysis will therefore *differentiate deliberative institutions from other participatory institutions*.

¹ More information on the LATINNO Project, in particular regarding its conceptual framework and the method used for data collection and evaluation, can be found at <http://www.latinno.net>.

To study systems as dynamic, and not static or immutable, one needs to incorporate *time* as an important comparative dimension. *Deliberative institutions must be compared across time*. If possible, the parts of many deliberative systems should be compared over time. Deliberative practices and institutions are created for different reasons in different periods. The role these innovations play in the system may change accordingly. Moreover, *deliberative institutions and practices must be examined in relation to each country's context*, taking into account each country's history, politics, institutions, and culture. Although deliberative theory has begun in recent years to reach out to democratization studies (Dryzek 2009, Warren 2009), and to understand the role of deliberative cultures (Sass and Dryzek 2014), this analysis begins to combine those efforts in a comparative approach that goes beyond comparing particular deliberative institutions (Ryan and Smith 2012, Touchton and Wampler 2014, Pogrebinschi and Ryan 2014, Font, Pasadas del Amo and Smith 2016).

A comparative approach also allows one to *assess both the parts and the whole of deliberative systems as mattering for the quality of democracy*, one main concern of comparativists today. This analysis thus focuses on some dimensions of the quality of democracy (Diamond and Morlino 2005, Morlino 2011), such as accountability, responsiveness, political inclusion, social equality, and the rule of law. Those categories enable a more comparative appraisal of the impact of deliberative innovations.

Finally, a comparative analysis looks closely at the *context, institutional design, and impact* of deliberative innovations.

Context: Country-specific history, politics, society, and culture should be taken into consideration, as well as variations over time.

Institutional Design: Not all participatory institutions are deliberative. To enable comparisons, deliberative innovations must be distinguished from non-deliberative versions like e-participation, direct vote or citizen representation.

Impact: A comparative analysis will assess the effectiveness of deliberative systems, or their capacity to affect policy at the macro level, in connection with the quality of democracy, using its several dimensions as standards to gauge impact.

An Analytical Framework for a Comparative Approach

This analysis will try first to *make institutional designs comparable* across countries and regions, and second to *make outcomes comparable*, that is, assess the impact of similar institutional designs based on indicators of the quality of democracy.

I propose an analytical framework based on two notions that relate to one another: means and ends. I identify four different *means of participation*: deliberation, direct voting, e-participation, and citizen representation. I also identify five different *ends that participation is intended to achieve*: accountability, responsiveness, rule of law, political inclusion, and social equality.

These four means and five ends are broad enough to subsume most of the current research on participatory institutions that focuses on effects other than the development of the citizens themselves. The aim is to provide a framework for making existing studies more comparable, contributing to a common knowledge regarding democratic innovations. These categories have oriented the coding of cases in the LATINNO Dataset, and have been refined and redrafted based on patterns discovered through the accumulation of cases in different countries.

The Means

The four main *means* of participation in democratic innovations combine in different ways, and are often interrelated. Two or more are often present in a single democratic innovation. Although the different means combine, their meanings are distinguishable, and democratic innovations can be differentiated based on their *primary means* and how this primary means combines with other, *secondary means* (see Table 1).

Deliberation: *Deliberative innovations* as a subset of participatory innovations are democratic innovations in which the primary means is deliberation among citizens themselves, and among citizens and state officials or private stakeholders. These include all forms of interaction in which participants have the chance to voice their positions and hear the position of others. The institutional design usually allows participants to express their opinions, preferences and demands, as well as listen to those of other participants. Deliberative innovations are thus not only about voicing opinions or demands; they also require interaction and exchange. Interaction among participants – which often involves different stakeholders, public and private – often creates forms of communicative exchange that make possible eventual changes of positions and preferences. Deliberative innovations may involve activities as varied as problem identification and handling, definition of priorities and management of resources, opinion formation and advising, the making and the implementation of decisions, as well as oversight of institutional performance and evaluation of policies. Deliberation can be combined with e-participation, direct voting, and citizen representation, the other three means of participatory innovations. Deliberation may precede some forms of direct voting, and often involves digital innovations. When it takes place online, deliberation requires a design that allows for mutual interaction (a give-and-take of positions, and not only the isolated voicing of demands). In many institutional designs, deliberation and citizen representation come together, deliberation being precisely the way through which citizens represent others. In Latin America, the most frequent institutional designs that involve deliberation as a primary means are deliberative councils, management councils, participatory budgets, participatory planning, multi-level policymaking processes, and previous consultations.

Direct Voting: Democratic innovations in which the primary means are *direct voting* are not all fully innovative, but they depart from the standard forms of electoral representation. These innovations include the traditional instruments of direct democracy, namely plebiscite, referenda, and citizens' initiatives. These may be initiated or implemented by either governments or civil society. In addition to those more classical forms, *direct innovations* include various forms of consultation (to citizens, groups, neighborhoods, affected populations, etc.) in which a single manifestation of opinion or will is required, and is accessed using an aggregative method, most often weighed by some form of majority rule. Usually those consultations address substantive issues on which participants express approval or rejection by casting a ballot. Consultations often aim at solving local problems that affect specific groups or areas, or preventing future problems by letting those who might be affected by a change (a policy, a construction, a large-scale project, etc.) express their preferences. In Latin America some countries have also adopted the popular recall, a process that involves a citizens' initiative to remove an elected official from office, and which, when successful, is frequently followed by a popular consultation.

E-Participation: In some democratic innovations, the primary means of participation involve tools of information and communication technology (ICT). Citizens use computers and tablets with access to the internet as well as mobile devices such as cell phones, which can be both analog and digital. Analog cell phones allow the expression of opinions and preferences through phone calls or short message services (SMS, or simply "text messages" have been used for voting in innovations like participatory budget and other consultations). Digital mobile phones offer a range of possibilities of participation using the internet. New forms of application software and programs have been designed, particularly through smartphones, with a recent upsurge of new designs for e-participation. Democratic innovations that have e-participation as a primary means facilitate deliberation, direct voting, or both (as secondary means). To count as participatory innovations, they must involve some sort of citizen engagement, and not simply open access to data or information. The most recurrent digital innovations in Latin America include crowdsourcing legislation, collaborative policymaking, collaborative administration, interactive policy platforms, and online and multi-channel participatory budget.

Citizen Representation: Democratic innovations that involve citizen representation have three main, but not exclusive, formats. The first most typical format consists of governmental bodies or co-governance institutions and practices where citizens or civil society organizations (CSOs) have a seat or other formal role in the policy process (which may or may not involve decision making). The

selection of these citizens or CSOs can work through invitation, appointment, election among a pool of pre-qualified candidates, or an open vote. In these bodies the selected citizens or groups “speak for others” or on behalf of others. The second most typical format involves such citizens or civil society organizations being self-selected to speak on behalf of specific interests (e.g. the environment), groups (e.g. minorities) or localities (e.g. neighborhoods). Here too citizens and groups “speak for or on behalf of others”. While in the first format the participation of citizen and CSOs mostly results from an “invitation” from the state, in the second format citizens and CSOs organize and self-select themselves. The third most typical format usually comprises self-organized initiatives, sometimes supported by the state, where citizens get together with others in order to perform tasks, undertake activities, and even implement policies, *doing* things for others and sometimes also with them. In these cases, the citizens “act with others.” All three formats usually reproduce in some way the traditional institutions and procedures of electoral representation, such as election of representatives, delegation by appointment, voting, and decisions based on the majority principle. Citizen representation is typically combined with deliberation. Institutional designs vary widely according to how they combine the primary and secondary means of participation. In Latin America, the democratic innovations that involve citizen representation include representative councils, management councils, oversight bodies, and participatory implementation processes.

Table 1: Means of Participation in Democratic Innovations: Main Designs and Relevant Cases

Innovation (Primary Means)	Main Institutional Designs	Exemplary Cases
Deliberation	Deliberative Councils, Management Councils, Participatory Budgets, Participatory Plans, Multi-level Policymaking, and Conflict Resolution Mechanisms	Council for Rural and Sustainable Development (Mexico) National Planning Council (Colombia) Negotiation Table for Fighting Poverty (Peru) National Dialogues (Bolivia, Uruguay) Five-Year Development Plan (El Salvador) National Public Policy Conferences (Brazil) Previous Consultations (Colombia, Bolivia)
Direct Vote	Referendum, Plebiscite, Citizens’ Initiative, Popular Consultations, and Recall	Water Plebiscite 2004 (Uruguay) Popular Consultation on Water in Cochabamba (Bolivia) Citizens’ Initiative “Law 3 of 3” (Mexico) Constitutional Referendum (Ecuador) Recall Referendum (Peru)
E-participation	Crowdsourcing Legislation, Collaborative Policymaking, Collaborative Administration, Interactive Policy Platforms, and Online and Multi-channel Participatory Budget	Civil Rights Framework for the Internet Crowdsourced Law (Brazil) Virtual Parliament (Peru) Make Yourself Heard (Costa Rica) For My Neighborhood (Uruguay) La Plata Multi-Channel Participatory Budget (Argentina)
Citizen Representation	Representative Councils, Management Councils, Oversight Bodies, and Participatory Implementation Processes	National Councils for Equality (Ecuador) National Youth Institute (Uruguay) Citizens Inspectorships (Colombia) Neighborhood Boards (Bolivia)

The Ends

Democratic theory has made strong contributions to the institutional design of deliberation, and specifically of minipublics (Fung 2006 and 2015). The possible and desirable impact different designs could and should achieve has been also examined, though to a much lesser extent and with limited empirical evidence to substantiate it (Goodin and Dryzek 2006). In general, concerns revolved around about the same set of functions the systemic approach attributed to deliberative systems, namely epistemic, ethical and democratic (Mansbridge et al 2012). In what concerns the democratic functions of deliberation, beyond the major question of legitimacy, several arguments have been made around the more general claim that it deepens democracy. Deliberation has been claimed, for example, to enable better-informed decisions, improve civic capacities, promote trust and inclusion, generate just public policy and effective public action, and expand representation (Fung 2006, Warren 2008, Smith 2009, to mention only a few). Each of these achievements can be considered positive outcomes for democracy.

Regarding standards, Smith (2009) proposes that innovations should be assessed on how they realize the four “democratic goods” of inclusiveness, popular control, considered judgment and transparency and the two “practical goods” of efficiency and transferability. Fung, writing of “functional consequences” (2006) and “democratic values” (2015), argues that citizen participation may advance the three major values of legitimacy, justice, and effective governance. A comparative approach to deliberative democracy requires, however, standards that allow assessments of impact of innovations at the macro, country level.

I will borrow for the assessment of “ends” the categories now standard in assessments of the “quality of democracy” among comparativists. The framework below is inspired by Morlino’s (2011) work on the quality of democracy, but adapts and expands his categories to the design of democratic innovations. These adaptations derive from the empirical cases of the LATINNO Dataset. As with the four *means* of participation, the five *ends* of accountability, responsiveness, rule of law, political inclusion, and social equality are not mutually exclusive and are often combined.

Accountability: Democratic innovations whose main end is to achieve accountability comprise all non-electoral forms of rendering governments, institutions, elected officials and representatives accountable, i.e. answerable and responsible for their actions and inactions. Democratic innovations aiming at enhancing accountability may carry out activities as diverse as the monitoring of institutional performance, the disclosure of public information, the sanctioning of public agents, and the oversight of public services delivery. Deliberation plays a key role in the act of reporting, which may be written or oral, and is quite frequent in innovations whose end is responsiveness.

Responsiveness: When responsiveness is the main end of a democratic innovation, the latter will mainly deal with forms of emission of signals from citizens regarding their policy preferences, as well as their general demands, opinions, and wishes. Likewise, those innovations deal with forms through which those signals can be received by governments and considered in their decisions. Some institutional designs focus on the emission from citizens, some on the reception by governments, but in all cases they expand and multiply channels beyond elections. Deliberation is a crucial means for the voicing of citizens and the hearing by governments.

Rule of Law: The main end of many democratic innovations is to secure, enforce or strengthen the rule of law. This can be done through diverse forms of enacting and enforcing laws and rights, securing both individual and public security, preventing and controlling crime, restraining potential abuses of state power, ensuring an independent administration of justice, resolving conflicts, and providing access to justice. Several democratic innovations that fall in this category are concerned with the assurance and protection of human rights, in particular political rights and civil liberties. Deliberation is an important means for declaring, stating and fighting for these rights, as well as for articulating with state and non-state actors to ensure they are respected.

Political Inclusion: Democratic innovations whose main end is political inclusion seek more than simply increasing the volume of citizens involved in political decisions; they target those who

are consistently and historically excluded from the political process. Those may be in many cases social, cultural or ethnic minorities, as well as any other underrepresented groups regardless of their size (like women). Groups of people that share a common trait (like the elderly and the youth), have a special need (like persons with disabilities), or are affected by one same situation (like migrants) may be recognized as collective identities to be included by democratic innovations. The notions of recognition and empowerment are central for political inclusion, and they may relate to individuals, groups, or entire communities. Deliberation is a vital means for raising the voices of those who are underrepresented, discriminated or marginalized.

Social Equality: When social equality is the end of a democratic innovation it mostly deals with the improvement of life conditions, wellbeing, and capabilities of individuals, groups, and communities. Those innovations provide spaces or mechanisms for the advantage of those who are in socially or economically disadvantaged situations. They may address social and economic policies, as well as basic rights and goods. Redistribution is a key idea here, as those innovations seek to correct social injustices derived from the political and economic systems. Deliberation is a valuable means for achieving those ends, while it allows problems to be identified, solutions to be settled, and changes to be prioritized.

A Comparative Assessment of Deliberative Innovations in Latin America

I will now apply this means-ends framework to Latin America, focusing specifically on deliberative innovations. My comparison of the twelve countries in my dataset will follow four steps. First, I will compare deliberative innovations to other institutional designs, and show how they stand out as the main means of participation in the region. Second, I will briefly explain the main political, social and cultural conditions that surround the creation of deliberative institutions in Latin America. Third, I will show how deliberative innovations evolve over time, pointing to similarities and differences in countries' deliberative systems. Fourth and finally, I will identify the ends that most Latin American countries aim at achieving through their deliberative institutions, relating those ends to different dimensions of the quality of democracy.

The set of 1100 deliberative innovations under analysis may not comprise all existing deliberative institutions and practices that exist in each of the twelve countries, but it does comprise all or almost all of the documented institutions and practices that have been created since 1990 with the aim of using deliberation as a primary or secondary means of participation. In these institutions, deliberation is their main motor. Without it they cannot fulfill their ends.

The Primacy of Deliberation

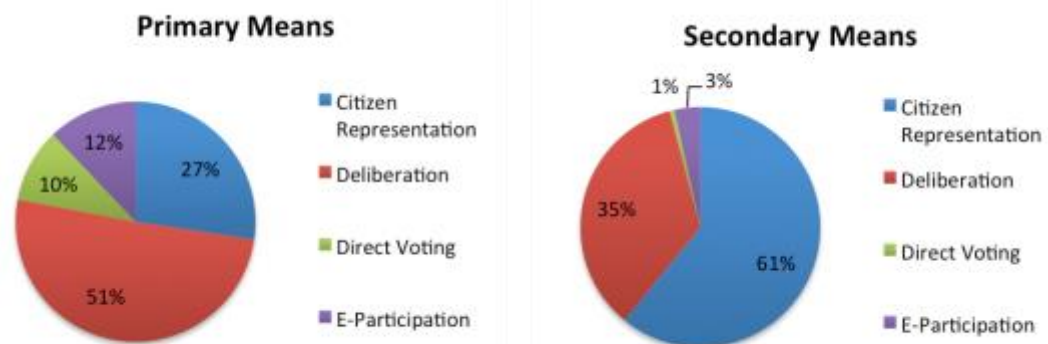
The LATINNO Dataset comprises 1557 participatory innovations for the twelve countries under analysis since 1990. Out of these 1557 institutional designs, 788 use deliberation as a primary means of participation (51%) and 312 as a secondary means of participation (35%). Taken together, the innovations that use deliberation as primary or secondary means of participation make a total of 1100 cases, or 70,6% of all participatory innovations in Latin America.²

When one compares the primary means of participation, deliberation exceed even the sum of the other three means that define the institutional design of innovations: citizen representation is the primary means of 426 innovations, responding for 27% of the universe, followed by e-participation with a share of 12% (188 cases), and direct vote with only 10% of the total (155 cases). Figure 1 indicates the frequency of deliberative innovations, in contrast to these other means of participation. Instruments of direct voting play important roles in few countries, but they are not as diffuse as some have claimed (Barczak 2001, Zovatto 2008). Comparatively, direct voting innovations

² In the analysis that follows in the next pages I will consider both innovations that use deliberation as primary and as secondary ends as *deliberative* innovations. The universe of analysis has therefore 1100 cases.

are the least common primary means of participation (10% of all participatory innovations).³ Digital innovations have disseminated more broadly than one could expect suggest (12 percent of all participatory innovations). This kind of innovations began to be implemented only at the turn of the century, and has increased significantly over the last few years. The main problems are that first, the ways in which one can participate online are more restricted than those offline, and second, there is a large and salient social digital divide although smartphones have been rapidly reducing that barrier. Citizen representation is the primary means of participation in 27% of the cases, confirming that in Latin America, at least, “participatory institutions are less *participatory* than they are *representative*” (Warren 2008: 56). But they are also certainly more deliberative than anything else.

Figure 1: The Four Means of Participation in Democratic Innovations (N=1157)



While all twelve countries under analysis have implemented expressive numbers of democratic innovations between 1990 and 2015, some of them are certainly more deliberative than others, as Figure 2 indicates. Brazil is by far the country with the higher number of deliberative innovations, meaning the higher number of different institutional designs that employ deliberation as their primary or secondary means. Out of the 200 democratic innovations the LATINNO Dataset has recorded for Brazil, 182 are of deliberative nature, 92% of the total. This can be explained by the fact that the two most important institutional designs, the Councils and the National Public Policy Conferences have been greatly institutionalized in all three levels of government, besides being expanded through many different policy areas.⁴ There are 37 different types of councils at the national level, 22 at the regional level, and 24 at the local level comprising a total of 12 distinct policy areas. The institutional variation among the National Public Policy Conferences is also large, given that they have been implemented in 44 different policy areas over the last twenty-five years.

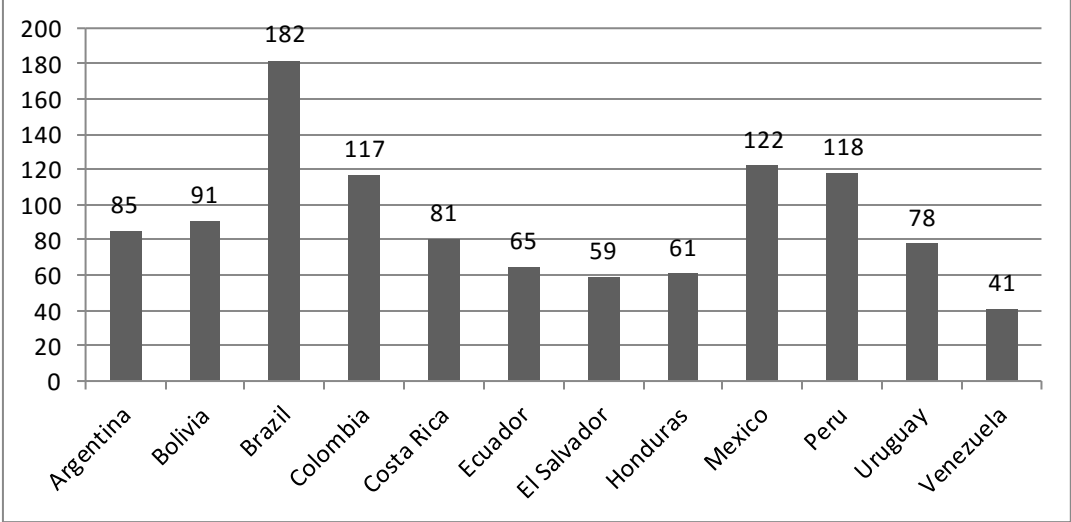
The least deliberative of all countries in the sample is the one that several scholars (e.g. Mainwaring 2012). consider the least democratic in Latin America: Venezuela Less than half of all democratic innovations (49%) implemented there are of deliberative nature, a total of 41 institutional designs in twenty-five years. Venezuela is also one of the countries in Latin America where forms of direct vote, especially plebiscites, are more often used, what explains in part the lower proportion of deliberative designs for participation. Most of the cases from Venezuela involve citizen representation as primary means, but just about half of them employ deliberation as a secondary means. When one looks to the variation of institutional designs, most cases of citizen

³ Although the unit of analysis of the LATINNO Dataset is the democratic innovation itself, meaning each institutional design, and not each instance/occurrence of such institutional design, plebiscites, referenda, and consultations that deal with different matters are registered separately, counting as different cases/designs. Only cases that deal with the very same issue (for example, consultations about creation of municipalities in Colombia), or designs which take place dozen, hundreds or even thousands of times (like the previous consultations in Colombia and the recall referendum in Peru) are coded as a single entry. The LATINNO data for direct democracy, therefore, reflect variation and diversity of institutional designs, as well as eventual variation and diversity on the implementation of similar designs.

⁴ The LATINNO Dataset counts each National Policy Conference as one and single case, no matter how many stages have been held at the regional and local level. The process is aimed to be national (*national* conferences), meaning that intermediate stages are parts of a single and same process.

representation in Venezuela have apparently the same format as cases of deliberation in other countries, like, councils and committees. However, in Venezuela those innovations are mostly about promoting self-governance, i.e. providing citizens or groups with an active place in the policy process, where they *act for* others or *do with* others, more than they speak on behalf of them. Unlike other countries like Peru or Colombia, innovations in Venezuela were less about settling social unrest and hearing civil society, and more about organizing civil society and making citizens more autonomous. Citizens were granted roles in processes of territorial planning and brought into the management of all sort of public goods and services, as well as being charged with the implementation of policies they co-decided along with the governments. Although not much deliberation was involved in much of these activities, the most widespread of all democratic innovations in Venezuela, involving the greatest number of citizens, is deliberative: the community councils. Although they are contested and criticized for different reasons (García-Guadilla 2008, Maya 2008, Hawkins 2010), a survey done in 1138 community councils in 2008 indicates that 68% of these councils hold a permanent dialogue with their communities, and 63% employ forms of dialogues, meetings, assemblies, and seek consensus to solve their problems (Machado 2008).

Figure 2: Number of Deliberative Innovations per Country (N=1100)



Different reasons explain why some countries are more deliberative than others, in the sense of having created a larger or smaller number of deliberative innovations when compared to their neighbors. In the next section, I will highlight the main factors that explain why and how deliberative institutions have been created in Latin America, and in the section after that I will show how those factors have played a major role in certain periods of time during the last twenty-five years, and how this has affected some countries in particular in contrast to others that have experienced different processes at the same time.

Origins of Deliberative Innovations

At least six factors that cross over social, political, and cultural aspects explain how deliberation became an important feature of Latin America’s democracy, and why deliberative innovations have been created and have spread across the region: democratization, constitutionalization, decentralization, development, the left turn, and ethnical and cultural diversity (Pogrebinschi 2016).

Democratization: During the process of political liberalization, Latin America has undergone a strong surge of associativism. Numerous neighborhoods committees, civic associations, social movements, and NGOs have organized to claim access to rights and public goods. Such a quantitative and qualitative increase in associative life gave rise to a new type of politics organized around demands for rights and accountability (Peruzzotti and Smulovitz 2006, 12). This strong collective

action opened up a space for popular participation, leading to the emergence of “mechanisms of face-to-face deliberation, free expression, and association” (Avritzer 2002, 7). The progressive institutionalization of these societal practices has produced many instances where non-electoral citizen engagement on public issues has taken a deliberative form.

Constitutionalization: As a result of their transitions, most Latin-American countries underwent a process of constitutional reform, and some of them enacted new constitutions. Social and political actors urged that the new legal order ensure comprehensive rights, and designed institutions to make them effective. Social claims for more participation and deliberation became in several countries a legal mandate. Deliberation has been inscribed both as a principle and as an institutional design feature of several new legal orders. Countries as varied as Brazil, Bolivia, Colombia, Chile, El Salvador, Ecuador, and Paraguay have enacted legislation promoting citizen participation and institutionalizing deliberative practices and bodies. The result is a high number of deliberative bodies implemented by the State, and which often take place with and/or within its institutions.

Decentralization: Nearly all Latin-American countries implemented decentralization reforms after their transitions. In most countries, decentralization has opened the doors for citizen participation at the local level and has prompted the design of new, deliberative institutions. As the responsibility over major public services has been transferred to local governments, novel ways of holding officials accountable have been designed. Local deliberative institutions have become responsible for managing social policies and monitoring the delivery of public goods. A variety of policy management bodies have been created at the local level: Health Councils in Brazil, Vicinity Boards in Bolivia, and Boards of Community Action in Colombia are just a few of the many new arenas of deliberation. Not only has the decision-making power of local governments been augmented, but the state capacity to implement decisions and ensure concrete results has also expanded considerably after the decentralization reforms.

Development: International development organizations are a major player when it comes to disseminating deliberation in Latin America. Many of the local deliberative bodies institutionalized by national governments have been promoted by international organizations, especially during the 1990's. Virtually all international organizations have supported deliberative projects in Latin America, offering governments funds under the condition that they adopt, advance and institutionalize participation and deliberation. In their efforts to fight poverty and inequality, those organizations assume that participation and deliberation can make governments more accountable and policies more effective. Such strategies involve mechanisms like participatory budgeting, citizen report cards, community scorecards, social audits, public hearings, and citizens' juries. Although these practices entail deliberation in different ways, they do certainly play a role in the deliberative system.

Left Turn: The left-leaning parties that from 1998 onwards slowly took over two-thirds of national governments in Latin America have brought deliberation to the national scale, incorporating it in the decision-making process in new participatory institutions and revitalizing existing ones. Deliberative practices have been embraced by political parties at both ends of the ideological spectrum as means to restore trust and reinstate links with voters. Nonetheless, left-leaning parties have deeper commitments to deliberation, and some have institutionalized it as a method of government, as in the new constitutions of Bolivia, Ecuador and Venezuela. Some of the new left parties were born out of social movements and trade unions, and have brought to government their ties with grass-roots organizations. This background has contributed to the design of more deliberative channels of communication between State and civil society.

Ethnic and Cultural Diversity: Indigenous peoples in Ecuador and Bolivia have a long tradition of holding deliberative assemblies, where common issues are discussed and decided, often by consensus. This communitarian conception of democracy shared by peasants and indigenous communities has been somewhat integrated in political institutions in the Andean countries. In other countries, new deliberative spaces addressing other ethnic and cultural minorities have been also created. The most frequent forms are policy councils, which provide a space to cultural minorities like women, children, youth, elderly, and LGBT to voice their particular needs and preferences. Those

deliberative councils that seek to include minority groups exist in countries like Brazil, Ecuador and Mexico, usually at the national level, but sometimes also at the regional or local levels.

Where representative institutions were expected to consolidate in Latin America, deliberative innovations have subtly started to grow. Faced with high levels of social inequality, political exclusion and cultural diversity, governments ended up experimenting with new ways of making representation combine with deliberation and participation. In the next section, I will show with more detail how those six factors relate to one another.

Evolution over Time

Deliberative innovations are in continuous increase in Latin America since 1990. Between this year and 2000, an average of 22 new institutional designs for deliberation have been created each year in the region.⁵ Three main factors explain the expansion of deliberative innovations in that decade. First, some Latin American countries were getting over their authoritarian past and implementing new constitutions and decentralization laws, important pillars of the participatory and deliberative architecture that followed. Brazil is one of those countries. The new and democratic 1988 Constitution opened the path to institutionalized participation by combining strong decentralization measures with a robust set of social, political, and civil rights. As a result, during the 1990's an impressive number of deliberative councils have been implemented at the national, regional and local levels.⁶ Many important councils have been created in those years, among them those addressing education, environment, social assistance, rights of children and adolescents, rights of elderly people, and rights of persons with disabilities. In addition to that, 1990 saw the enactment of the two laws that regulated the councils and conferences on health policy, two of the most institutionalized and diffuse deliberative institutions in Brazil. National Public Policy Conferences have been also held for the first time in areas other than health during the 1990's, including social assistance, human rights, and food and nutritional security.

Second, the 1990's were also years that witnessed a high presence and investment of international development organizations, which have been welcomed by neoliberal governments in several countries, and have supported the creation of deliberative mechanisms to ensure the effectiveness of their development policies. Bolivia fits this scenario in an interesting way. The neoliberal government of Gonzalo Sánchez de Lozada, on the one hand, allowed the presence of several international organizations that promoted notable deliberative mechanisms, while, on the other hand, it created the political space out of which strong social movements emerged and were later empowered (Haarstadt and Andersson 2009). Among the deliberative innovations supported by international organizations there are noteworthy cases, like the first edition of the National Dialogue (1997), a multi-level deliberative process that engaged hundreds of social organizations and government representatives in the discussion of long-term policies and priorities under the auspices of the United Nations Development Programme (UNDP) and the Inter-American Development Bank (IDB). Another case worth mentioning is the Cycle of Municipal Participatory Administration, financed by the United States Agency for International Development (USAID), which involved a significant number of social organizations in a sequence of deliberative processes in about 165 cities.

Third, some countries have undergone an intense institutional innovation as a response to their own, internal contexts. Colombia, for example, has responded to the worsening of its political crisis and the escalation of conflicts and violence in the 1980's with a new, plural and very

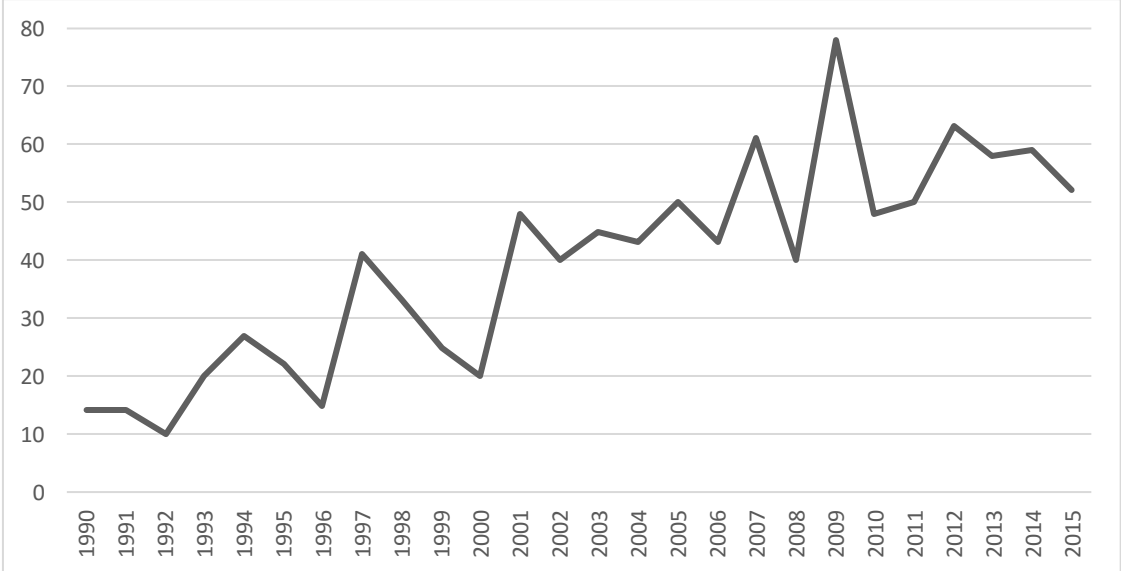
⁵ Not all deliberative innovations that comprise the sample under analysis are still active today, they may have lasted different amounts of time (from one single day to many years) and came to an end at a specific point. But all of them have come to existence at some moment, meaning they have been effectively created. Dates of creation varies, implying innovations with quite different durations within the sample. Nonetheless, only in very few cases the institutional design of specific innovations has changed substantively over time. Cases with substantive changes on institutional design over time are coded by LATINNO as new, different cases.

⁶ As mentioned previously, the LATINNO Dataset counts each of these councils as a single case (one unit), no matter in how many regions or municipalities they have been implemented, provided they have the same institutional design and deal with the same policy area.

participatory Constitution in 1991. Not less than 65 out of the 380 articles of the new charter specify a participatory mechanism (Giraldo 2011), most of them deliberative institutions like councils, committees, and commissions. Throughout the 1990's a series of supplementary laws have further contributed to build a highly institutionalized participatory and deliberative system, at the national, regional and local levels. More than 30 different new participatory institutions have been created by those laws (Velásquez and González, 2003: 21), addressing a range of policy areas like education, competitiveness, social security, rural development, culture, disabilities, and youth. Only in 1997, 20 different deliberative councils have been created in Colombia with the aim of formulating, implementing, and evaluating just those three latter policy areas. The institutionalization of deliberation was a strategy to promote inclusion and settle conflicts.

From 2001 onwards there has been a further and very exponential increase on deliberative innovations. As Figure 3 shows, a total of 48 new institutional designs have been created in that year, and from then on not a single year had witnessed the creation of less than 40 new deliberative innovations. The high average of 52 new cases per year between 2001 and 2015 can be mostly explained by the left turn. The newly elected left-leaning governments of Brazil, Bolivia, Ecuador, El Salvador, Uruguay and Venezuela have been responsible for the implementation of a remarkable number of deliberative innovations throughout those years, at both national and local levels. The intense institutional innovation of the left reached its peak in 2009, when most of the 78 deliberative innovations have been created by the national governments of Brazil, Bolivia, Ecuador and El Salvador. In Brazil, Lula's government hold in that year important national conferences in groundbreaking areas like communications and public security. In Bolivia, the government of Evo Morales created a multitude of deliberative designs to enforce healthcare. Assemblies, councils, committees, and dialogue tables on charge of defining, implementing, and evaluating health policies were instituted at the local, regional and national levels. Also in 2009 Ecuador inaugurated under Rafael Correa some of the chief innovations that combine deliberation and citizen representation, including councils and commissions for gender equality at all levels of government. With presidents emerging from the grassroots, it sounds almost natural that deliberation had been the preferred means to enable the participation of civil society in their governments.

Figure 3: Evolution over Time



Nonetheless, left-leaning governments cannot take all the credit alone. In countries like Colombia, Mexico and Peru, right-leaning parties have been on charge of impressive processes of institutional innovation. The elevated number of deliberative innovations created in 2001 (see Figure 3) is itself largely due to Peru, which responded to a major political crisis and the end of the Fujimori era with a prolific process of institutional innovation. Deliberation has proven to be a tool to reconcile civil society, reconstitute the political system, and make plans and policies for the future.

Several dialogue tables (*mesas de diálogo*) have been implemented, as well as advisory councils, and other innovations seeking to protect social rights and minority groups. A very interesting multi-level deliberative process, the “Negotiated Development Plans” (*planes de desarrollo concertado*), has also been initiated in that year by the newly elected center-right government of Alejandro Toledo. Government officials and diverse sectors of civil society got together in several rounds of deliberation at the local and regional levels, aiming at reaching binding decisions regarding new policy priorities. Another relevant deliberative innovation created in Peru in 2001 is the Negotiating Table for Fighting Poverty (*Mesa de concertación para la lucha contra la pobreza*). This deliberative institution is still active today, and has inaugurated a type of institutional design that has been largely replicated throughout the coming years: a combination of deliberation and citizen representation in spaces of coordination and negotiation between government officials and civil society’s representatives. This model will also make its way from the national to the local level after the enactment of Peru’s decentralization law in that same year, consolidating the strong process of mobilization of social movements and civil society organizations that had actually began at the local level in 2001.

The Ends of Deliberation

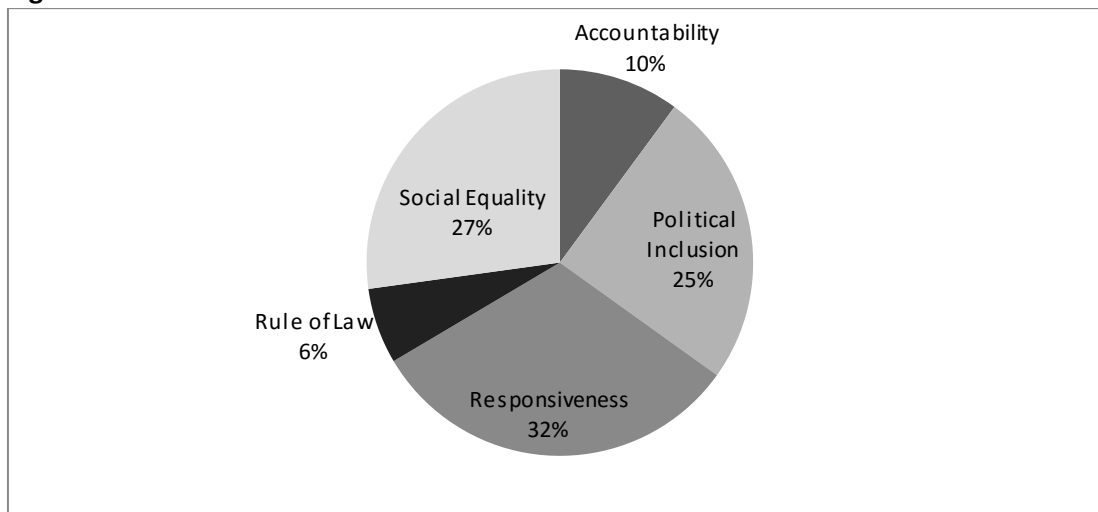
The way deliberation has evolved over time in each country and the historical reasons associated to it can well explain why in some countries and in certain moments deliberative innovations aim at different ends. If democratic innovations have evolved as a result of the crisis of representation and aim at matching democratic deficits, then they must not simply augment the number of citizens involved in political decisions. They must also aim at addressing the specific problems and larger deficits of the context where they arise. Likewise, if democratic innovations are supposed to enhance the quality of democracy, it is reasonable to expect that their institutional designs will aim at addressing those qualities which are more weakened in each country or region.

The aggregated data for all 12 countries in Figure 4 show us that a little more than half of all deliberative innovations created in the 25-years period deal with some kind of inequality, social or political. That 27% of the 1089 different deliberative institutional designs aim at handling social equality and 25% seek to increase political inclusion is a picture that matches well the major historical problem of Latin America. While since 1990 the overall Gini coefficient of Latin America has declined about 3 to 4 points (Tsounta and Osueke 2014), all 12 countries under analysis remain among the 50 most unequal countries in the world (and 5 of them among the 25 most unequal ones). Given the very high levels of income inequality throughout the region, it should come as no surprise that over one fourth of the deliberative innovations deal with social and redistributive policies. Indeed, when one looks into the policy issues deliberated at those institutions, one sees that no less than 40% were related to social policies (Figure 5). Among those were mostly redistributive policies concerning health, education, housing, and food security, in addition to other basic social rights and goods.

As social and political exclusion are often connected, and particularly in Latin America, it could be expected that in a region with a strong slavery background and significant number of indigenous populations deliberative innovations would seek to include minorities in the political process. In fact, 222 different institutional designs address minority groups, 19% of which specifically target indigenous populations and 7% afro-descendants. Among the innovations that deliberate social policies, significant numbers address particularly women and the youth, what shows both the connection of social and political exclusion, and the need that democratic innovations provide space for the underrepresented and marginalized. When one compares these data on deliberative innovations with the entire LATINNO Dataset, that is, comprising all other means of participation (citizen representation, direct vote, and e-participation), one sees that deliberation seems to be indeed the most appropriate means to handle issues related to social equality and political inclusion. Deliberation is the primary means of no less than 67% of all democratic innovations that have social equality as their primary end, and of 50% of those whose primary end is political inclusion. What is at stake is not simply involving more citizens in the political process, but rather let them have a say

about ways to improve their own lives and wellbeing, as well as give voice to those who have been long unheard.

Figure 4: Ends of Deliberative Innovations



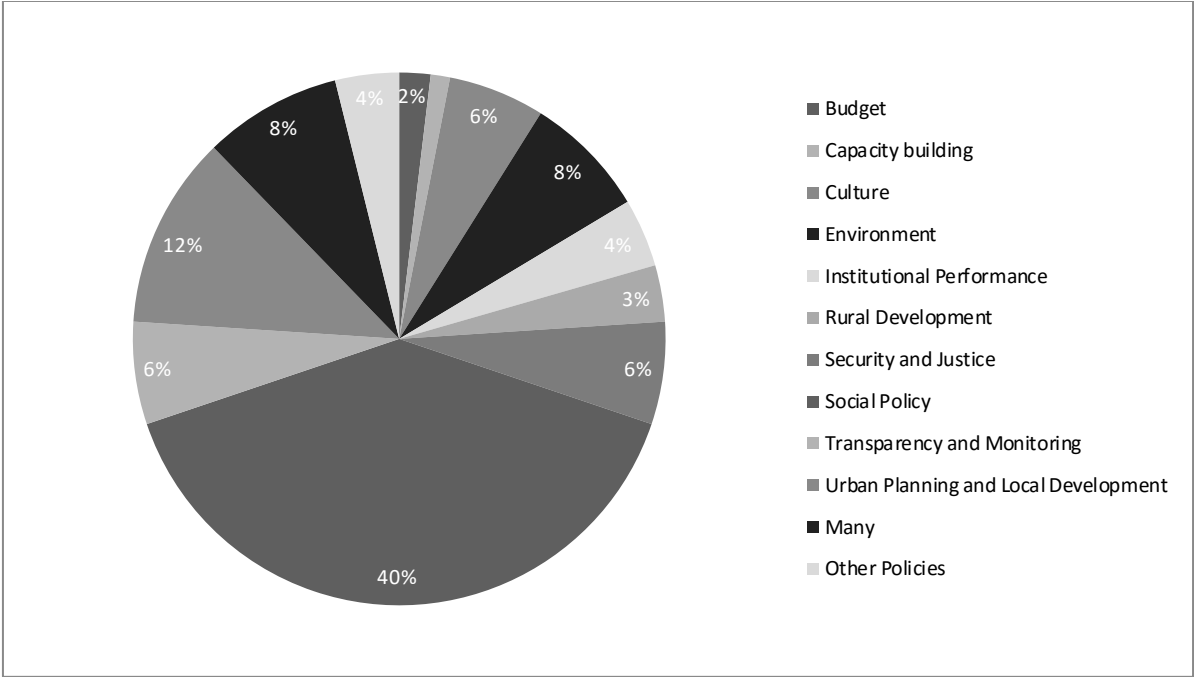
One could also argue that the acknowledged success of the participatory budget in achieving redistributive and inclusive outcomes has encouraged governments to adopt deliberative mechanisms to target social and political inequality. Despite the fact that the participatory budget has been tremendously spread across all countries, what the LATINNO Dataset demonstrates is that a very significant number of institutional designs different than budget also tackle redistributive and inclusive policies. As Figure 5 shows, budgetary issues correspond to only 2% of the policy areas deliberated in innovations. Although such a low value is to be expected in a Dataset that counts institutional designs as cases and not every single implementation of it, what is relevant to notice here is precisely the rich variation of new institutions other than the participatory budget that also employ deliberation with the aim of improving social equality and political inclusion.⁷ Management councils, deliberative councils, participatory implementation processes, and participatory plans are some of the most relevant institutional designs when it comes to address social equality, while representative councils and conflict resolution mechanisms play an important role in addressing political inclusion.

In addition to the huge historical and structural problem of equality, another important trigger of democratic innovations in Latin America is the aim to correct “defects” of representative institutions, i.e. fix problems that prevent democratic consolidation (Pogrebinschi 2013). Figure 4 indicates how the other half of deliberative innovations evolved in Latin America since 1990 have aimed precisely at this, by targeting responsiveness (32%), accountability (10%), and rule of law (6%). First thing to notice here, is that those three figures are somewhat lower than those the LATINNO Dataset found for democratic innovations in general, i.e. considering all four means of participation, and not only deliberation. As important as noting how much each of these ends matter for Latin America is noticing the extent to which deliberation suits those ends, when compared to other means of participation. Definitely is deliberation a very relevant means to achieve responsiveness, even when all other means of participation are considered. That 32% of deliberative innovations have responsiveness as their primary end, and 33% of all democratic innovations taken together have this same end is a strong indicator that deliberation is the most suitable means for letting citizens manifest their preferences and opinions, and making sure governments will hear them.

⁷ The LATINNO Dataset does not count every single implementation of the participatory budgeting (PB) as a case. Usually three cases of PB may be considered per country: face-to-face PB, online PB, and multi-channel PB. Based on available information, LATINNO registers also how many of each of these three institutional designs have existed or are active in each country, and in which cities they have been implemented. Thematic PBs, as well as those addressing specific groups (e.g. youth, women), are also coded separately, as they imply specific institutional designs.

When one looks into the policy issues most typically deliberated when deliberative innovations aim at responsiveness, questions related to urban planning and local development, environment, and culture are among those that score higher, besides social policies.

Figure 5: Policy Issues Deliberated



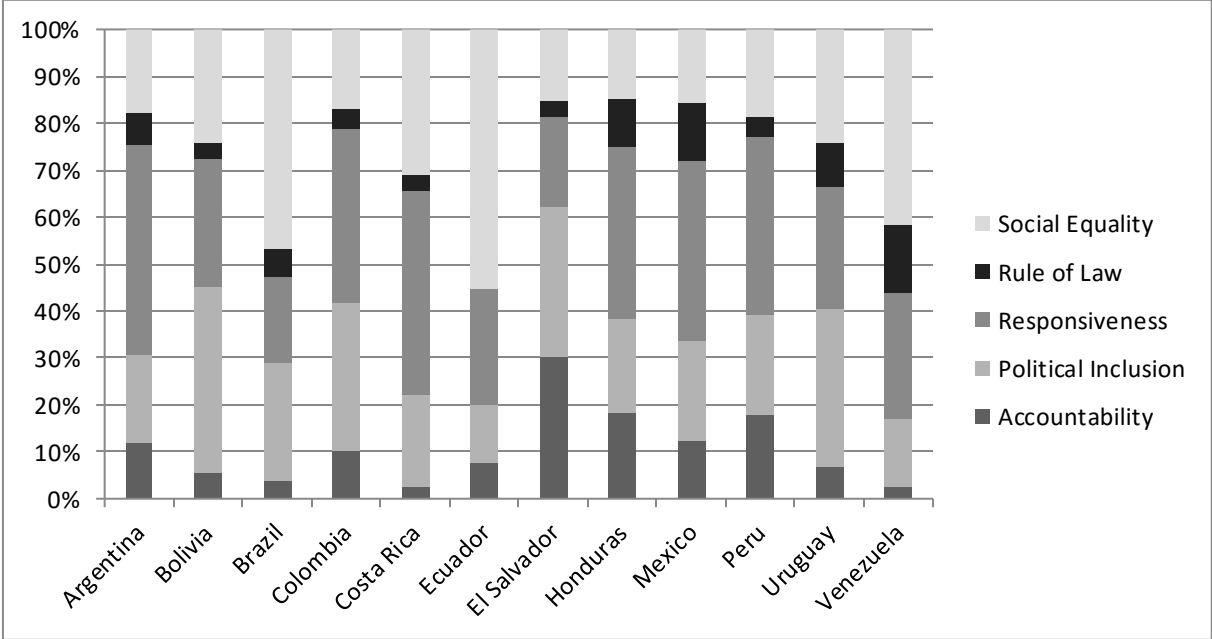
Accountability and rule of law are the two ends less covered by deliberative innovations, but, when compared with the entire LATINNO Dataset for all means of participation, they are also the two ends with lower number of cases. Deliberation is actually employed in 40% of innovations whose ends are rule of law. Conflict resolution mechanisms are the typical institutional design that displays such combination, where deliberation proves to be an appropriate way to reach agreements and seek consensual solutions. While a larger number of deliberative innovations aim at enhancing accountability than those that aim at strengthening the rule of law, a comparison with the aggregated data of the LATINNO Dataset reveals that e-participation and citizen representation are usually considered more suitable means to seek accountability. Although some ‘voicing’ and ‘expressing’ are involved in the task of ‘reporting’ that is frequently present in innovations whose primary ends is accountability (e.g. reports from citizens pointing failures of governments, and reports from governments justifying those failures), deliberation is more suitable to address other dimensions of the quality of democracy.

However, when one looks each of the countries under analysis separately, these general trends may be slightly altered (see Figure 6). In El Salvador, for example, deliberation has been a very important means to address accountability, while in Costa Rica and Venezuela it is almost irrelevant. On the other hand, social equality is by far the most important end addressed by deliberation in Venezuela, while in El Salvador it does not play a very significant role. Other major differences from the general trends can be found in Argentina and Costa Rica, where deliberative innovations especially target responsiveness, and in Ecuador where social equality is the end sought for more than half of the deliberative institutional designs. It is also worth noticing that the volume of deliberative innovations that aim at political inclusion in Bolivia are quite beyond the Latin American average, just like it happens in Brazil in what concerns social equality.

The relevance of these data can be assessed from different perspectives that go beyond the analysis of deliberative systems in Latin America. On one side, if deliberation does indeed matter for enhancing the quality of democracy, then it is important to know which of its dimensions or qualities can benefit more from it. Or to put it another way, the empirical data provides knowledge on how deliberation can be a more or less suitable means to address certain qualities of democracy, as well

as some policy issues related to it. On other side, if deliberation is indeed a means for addressing democratic deficits – meaning, if it is indeed a means to solve not only specific local problems of communities, but also major structural problems of societies –, then one has to look whether it is actually tackling such problems where they exist, and how they do exist. It is noteworthy, for example, that in a country like Colombia, where violence and social conflicts are so central and peace is so desired, that only a few of the many deliberative innovations evolved there seek to strengthen the rule of law. Nonetheless, deliberation proves to be a very suitable means for conflict resolution, as most of the new institutional designs for conflict resolution employ deliberation, and have been extensively replicated in various countries.

Figure 6: Ends per Country



Conclusion

The attempt to undertake a comparative assessment of deliberative systems in twelve countries over a large period of time has revealed points that may be of interest to both democratic theory and comparative politics, and in particular to Latin America studies. I believe to have disclosed how a general picture of democratic innovations indicates the prominent place of deliberation among other means of participation like direct vote, e-participation, and citizen representation. Such picture has also revealed how those different means combine, and how this implies an enormous variation of institutional designs. Light has also been thrown in the ends of deliberation, an analytical category that allows one to assess whether democratic innovations do indeed address democratic deficits and the major weaknesses of particular countries, paving its way to concrete future analyses of impact on the quality of democracy.

In what concerns Latin America, the paper has shown that among all forms of citizen participation in democratic innovations created in the region over the last twenty-five years, deliberation is the most frequent one. More than half of the new institutional designs have a deliberative nature. I have also shown that deliberation has strong connections with citizen representation, and that most of the times that deliberation takes place citizen representatives are involved. In what concerns the evolution of deliberative innovations over time, I have shown that two upsurges can be discerned. The first one, in the 1990's, was linked to both the constitutionalization that followed democratic transitions and the presence of international development organizations in several countries. The second, after 2001, was highly influenced by the so-called left turn. I have however argued that the left turn alone does not explain the surge of deliberative innovations, by showing how in countries governed by right-leaning parties like

Colombia and Peru there have been intense institutional innovation, and deliberative institutions have been a response to settle political crisis and recompose civil society.

Finally, the paper has also tackled the relevant question of whether democratic innovations do indeed have the potential to match democratic deficits and improve the quality of democracy. Although no attempts to validate hypotheses or make causal inferences have been made here, the very examination of the ends addressed by deliberative innovations allows one to speculate on how they may indeed match the major weaknesses of each country. Regarding Latin America, it became clear how, on the one hand, about half of deliberative designs aim at addressing the major structural problem of the region, which is its interrelated social inequality and political exclusion. On the other hand, while the other half seeks to correct the “deficiencies” of representative institutions that have been striving to consolidate since the third wave of democratization hit the region, much more investment is necessary if the new deliberative institutional designs are to enhance accountability and rule of law, two major institutional problems in a region where things like corruption, crime, abuse of rights and lack of law enforcement shadow all the beauty that institutional innovation and democratic experimentalism have to offer.

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