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ABSTRACT

This paper seeks to answer the following questions: How is the criterion of inclusion being met in real public deliberations? How are gross inequities in knowledge and political power affecting patterns of domination and subordination? Are attempts at implementing public deliberation strengthening or challenging the status quo? and How can public deliberations be organized in such a way as to encourage the meaningful inclusion of unequally empowered social groups? Based on a 2-year case study of a public deliberation process in a Colorado school district, the paper focuses on the agenda-setting (or issue-framing) portion of the process and describes two important aspects of the process: (1) the silencing of less powerful participants early in the process and (2) the strategies used by three Latina participants to collectively (and successfully) negotiate the process and be more fully included. Based on the data presented, conclusions are drawn about three issues: political equality in deliberative democracy, subaltern counter-publics, and group representation. The paper concludes by discussing more specifically the potential benefits of public deliberation for the education policy arena. It argues that deliberative theory would be better served if the public sphere is re-envisioned as a multiplicity of competing publics rather than as a single public that brings together unequally empowered social groups. Includes 4 notes. Contains a 16-item bibliography. (BT)

**(Un)Silenced Voices:
A Case Study of Three Latinas'
Successful Negotiation of Public Deliberations about Education**

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Introduction

As the concept of deliberative democracy spreads beyond the walls of academia, there has been a remarkable proliferation of organizations that are attempting to put theory into practice and encourage public deliberation in communities all across the United States. Through the joint efforts of the Kettering Foundation, the Civic Participation Network, Public Agenda and other organizations, thousands of community-based groups nationwide are engaged in public deliberation about political. The National Issues Forums organized by the Kettering Foundation not only include thousands of citizens in weekend-long national deliberative forums, but also serve as a model for longer-term "deliberative processes" in various communities grappling with difficult and divisive political issues.

Considering the central role of political equality and inclusion in theoretical discussions about public deliberation, a red flag must inevitably be raised here. How is the criterion of inclusion being met in real public deliberations? How are gross inequities in knowledge and political power affecting patterns of domination and subordination? Are attempts at implementing public deliberation strengthening or challenging the status quo? How can public deliberations be organized in such a way as to encourage the meaningful inclusion of unequally empowered social groups?

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This paper attempts to provide some answers to these questions. Based on a two-year case study of a public deliberation process in a Colorado school district, the paper focuses on the agenda-setting (or issue-framing) portion of the process and describes two important aspects of the process: a) the silencing of less powerful participants early in the process and b) the strategies used by three Latina participants to collectively, and successfully, negotiate the process and be more fully included. Based on the data presented, I will go on to draw theoretical conclusions about three theoretical issues: political equality in deliberative democracy, subaltern counter-publics and group representation. I will then conclude by discussing the potential benefits of public deliberation for the education policy arena more specifically.

Deliberative Democracy in Theory

Deliberative democratic theory has garnered much attention from political theorists in recent years and has become an area of intense theoretical debate about the foundations and legitimacy of democratic institutions and decision-making. A growing number of democratic theorists have argued that reasoned deliberation among free and equal citizens in the public sphere is at the heart of strong and legitimate democracies (Cohen 1997, Fishkin 1997, Mansbridge 1980, Bohman 1996, Benhabib 1996). Deliberative theorists argue that when citizens meet face to face in the public sphere and exchange ideas and arguments through the use of public reason, the result is more rational and inclusive public opinion formation, as well as more legitimate and fair decision-making. By encouraging citizens to appeal to common interests in persuading

others, by encouraging them to listen to others' opinions and critically examine their own, public deliberation transforms citizens' preferences rather than simply aggregating them, allowing for the discursive creation of a "generalizable will" (Habermas 1996; Cohen 1997).

In developing their arguments about the importance of public deliberation, deliberative theorists invariably appeal to the criterion of political equality, both formal and substantive, as a condition for legitimate public discourse. Habermas, for example, discusses a procedural ideal by which to judge the legitimacy of public discourse. This ideal stipulates that: a) all competent citizens must be included in discourse; b) any citizen can introduce an idea, question an idea and express attitudes, feelings, needs or desires; and c) no citizen can be prevented, through any form of coercion, from exercising these rights and contributing to the public discourse (Habermas 1996, Chambers 1995). Habermas argues that the more a real-world discourse approximates the procedural ideal, the more legitimate it is and the more successful is public deliberation.

In a similar vein, Joshua Cohen argues that substantive equality, in addition to formal equality, is a vital condition for public discourse and goes on to define substantive equality in the following terms: "[t]he participants are substantively equal in that the existing distribution of power and resources does not shape their chances to contribute at any stage of the deliberative process, nor does the distribution play any authoritative role in their deliberation" (Cohen 1989: 33). Other theorists have developed similar criteria for political equality, many of them similar in nature to Habermas and Cohen (Bohman 1996; Johnson and Knight 1997), and regardless of slight differences, all deliberative

theorists stress the importance of meaningful inclusion¹ for the legitimacy of public deliberation. As James Bohman (1996) argues, the idea of “free and equal citizens” striving for rational consensus in the public sphere is central to the legitimacy claims of deliberative theorists, and therefore the claims of deliberative democracy rest largely on the feasibility of citizens being formally included in deliberation as well as “free and equal” when entering the public sphere.

Considering the pluralism and significant social inequality that characterizes most modern democracies, the criterion of meaningful inclusion in deliberation is deeply problematic for deliberative concepts of democracy. Without meaningful inclusion, the legitimacy of deliberations is in question, and yet meaningful inclusion is exceedingly difficult to achieve, if it is possible at all. I will certainly not be the first to criticize deliberative theorists for glossing over the exclusion, economic inequity, inequity of capacity and inequity of political power that inevitably characterize political interactions in the public sphere (see Johnson and Knight 1997, Bohman 1996 for good discussions). Deliberative theorists point to the importance of meaningful inclusion for deliberation but do not adequately describe *how* meaningful inclusion might be achieved in modern, pluralist democracies characterized by significant socioeconomic inequality.

This critique has been taken one step further by some feminist theorists who have argued that the deficiency of traditional conceptions of deliberative democracy lies not only in the insufficient discussion of *how* meaningful inclusion can realistically be achieved, but also in mistaken assumptions about public deliberation that result in the continued exclusion of traditionally disempowered groups in society. In this vein, feminist theorists have questioned several assumptions central to deliberative democracy:

¹ I use meaningful inclusion to mean *both* formal and substantive equality.

that social inequality can be bracketed in the public sphere to allow citizens to “deliberate *as if* they were social equals” (Fraser 1992); that discourse in the public sphere should be concerned only with the common good, and with issues of “public” concern (Fraser 1992, Mansbridge 1990; Young 1996); that citizens should enter the public sphere as individuals and strive to leave group differences and “particular” interests behind (Young 1989); that impartiality is an important ideal for deliberation (Young 1987). Feminist theorists critique these central assumption on the grounds that they serve to reinforce the socioeconomic status quo and further disadvantage traditionally disempowered groups in public deliberation. As Nancy Fraser argues, formal inclusion is insufficient to guarantee meaningful inclusion in public deliberation because inequalities are not eliminated and thus deliberation “serves as a mask for domination” (Fraser 1992: 117). Fraser argues further that “unequally empowered social groups tend to develop unequally valued cultural styles which results in powerful informal pressures that marginalize the contributions of members of subordinated groups” (Fraser 1992: 120). Since social inequality is not likely to be eliminated in modern democracies, Fraser and Young both conclude that a multiplicity of publics allows subordinated groups to strengthen group positions and identities and therefore more closely approximates the ideal of meaningful inclusion. Young goes a step further and convincingly argues that the “ideal of universal citizenship” is unrealistic and therefore meaningful inclusion in deliberation requires the conscious acknowledgment of group differences and of the impossibility of the ideal of impartiality and symmetrical reciprocity in dialogue (Young 1989,1996).

Feminist critiques of deliberative theory are extremely convincing and serve to contribute to a more substantive discussion of meaningful inclusion in political

deliberation. Both Fraser and Young rightly focus our attention on the naiveté of deliberative theorists in assuming that social inequality can be bracketed from political discourse and that the condition of “free and equal” citizens is more unproblematic than it is.

Thus, the contributions of feminist theorists serve to redirect the conversation regarding meaningful inclusion in public deliberation and lay the groundwork for addressing one of the central questions aptly identified by Jon Elster: “does the unequal distribution of education, information and commitment pose a threat to deliberative democracy?” (Elster 1998:16). In highlighting more robust ways of striving for meaningful inclusion, the contributions of feminist theorists go a long way towards defending deliberative conceptions of democracy from the threat of sociopolitical inequality. When taken as a whole, feminist theories serve to shift the focus of deliberative democracy away from the idea of rational argumentation about common goods among free and equal individuals in a single public sphere to a more complex picture characterized by the following: a multiplicity of publics where marginalized groups can develop and strengthen group identity and position; group representation for marginalized groups in the larger public sphere; a broadening of acceptable communication styles from simple argumentation to other forms of communication such as story-telling and rhetoric ²; a broadening of acceptable topics for public discussion from the “common good” to any issues that affect individuals or groups; an acknowledgment of the impossibility of transcending positionality and therefore a debunking of the myth of impartiality.

² This idea is what Iris Young refers to as communicative democracy.

With the theoretical groundwork laid for more robust concepts of meaningful inclusion, the following questions remain: how can feminist theory inform practice and encourage more robust inclusion in real-world discourse? What might feminist-informed meaningful inclusion look like in real deliberative situations? How do the ideas of theorists such as Fraser and Young translate into practical solutions in the implementation of deliberative processes in real communities?

The Case Study: Description and Methods

In February of 1999 the Boulder Valley School Board, in Boulder, Colorado, decided to initiate a yearlong process of public deliberations about school choice, equity and resource allocation in the district. This decision was spurred by the board's realization that the political climate in the district, fueled by competition and school choice, had become increasingly antagonistic. For the past five years, school choice policies³ have led to the increasing proliferation of charter schools, focus schools and strand schools in the district. The unintended outcome of this proliferation has been a devastating divisiveness, increasing factionalism and a breakdown of communication in the community. School board meetings, editorials in the local newspapers and various public forums have exemplified the name-calling, distrust, and anger that have come to characterize education politics in the district. At the heart of this negative political climate lies the issue of inequity stemming from school choice policies. Many

³ In the case of this district, school choice policies consist of open enrollment, focus schools (choice schools with a specific focus such as the arts, alternative curricula etc), strands within schools and charter schools.

community members are outraged that school choice has been used as a vehicle for racism and elitism in public education, while others are passionate about their right to seek advantages for their children while remaining in the public school system (Howe and Eisenhart, in progress).

Although the board has long been aware of the negative political climate in the district, a specific incident served as a catalyst for their decision to initiate the deliberative process. The incident involved a heated and emotional outcry from the community when the board announced its decision in the spring of 1998 to close certain schools in an attempt to better manage school choice in the district. The top-down nature of this decision-making led to considerable anger and resentment from a community that felt excluded from decision-making and powerless to shape its own public schools. Faced with this public outcry, some board members realized that the traditional model of interest group politics and top-down decision-making had long been contributing to the community's sense of alienation, and that a new model was needed that would involve the community more fully and give voice to traditionally silenced groups.

The board hired a team of mediators to organize and moderate a yearlong public dialogue consisting of focus groups, study circles and town meetings concerning school choice and school closings. According to the consultant who mediated this process, the goals of this dialogue were the following: to bring the public voice back into education; to allow the public choice to inform decision-making; to encourage citizens to better understand the issues and each other's choices; to help citizens feel they have a say in decision-making and to encourage support for public schools; and to encourage the

inclusion of diverse choices and voices in decision-making about education (Jane Urschel: presentation to the school board, December 1998).

Boulder Valley School District's deliberative process was divided into two phases: issue-framing and community deliberation. During the issue-framing phase, an advisory committee of 36 community members was convened and asked to accomplish two goals: a) define the issue that would be the focus of later community deliberations and b) create an "issue booklet" describing the issue, the different "choices" of positions on the issue, and the pros and cons of each choice. The issue booklet would then be used to guide deliberations in study circles, or small group discussions, later in the process. The committee that was convened consisted of a diverse group of community members representing the following organizations and communities in the district: the city council, the chamber of commerce, the local teacher's union, the district parent's council, the district principal's council, the district student's council, a local organization supporting school choice, the league of women voters, the Latino community, the Asian community, and several school improvement teams from various schools throughout the district. The committee also included several individuals with no connection to specific organizations or schools in the district. The committee was thus comprised of community members representing both mainstream and traditionally marginalized communities, as well as more and less knowledgeable community members.

The advisory committee met approximately every two weeks from April 1999 through January 2000, with the exception of the summer months (June, July and August). This paper focuses on this committee's deliberations and decision-making throughout the period described above. Data collection for this study consisted primarily of participant

observation during committee meetings and ethnographic interviews with committee members. In all, fourteen meetings took place, all of which I attended. Of the thirty-six original committee members, only twenty were consistently present at committee meetings. Of these twenty, I interviewed fifteen. Additional data for this study consisted of relevant documents and newspaper articles collected throughout the duration of the study.

Findings

As I mentioned earlier, the advisory committee to Boulder Valley school district's deliberative process met bi-monthly from April 1999 to January 2000 with the exception of June, July and August 1999. Throughout the first five meetings in the spring of 1999, a clear pattern of domination and subordination emerged among committee members. Three powerful and knowledgeable white men quickly emerged as the most vocal and influential committee members, exerting a disproportionate influence on the content of meetings as well as on the content of the "issue booklet" that was being drafted. Although meeting facilitators were committed to inclusion and to "hearing from all voices", the content of discussions invariably revolved around the concerns, needs and interests of this small group of powerful players.

During the first meeting of the advisory committee, three Latina committee members (Hanna, Marta and Elena*) had confidently expressed the desire to represent the Latino community's concerns and "be the voice of the Latino community:"

Marta said: "I don't feel that our schools are progressing with our growing population. I want to be the voice of the Latino community."

Hanna: "Choice and opportunity are good, but the problem is that choice is not accessible to all, not equitably distributed."

Marta: "For people of color, there is the fear that the people in the community don't like the fact that schools are getting diverse. Are people afraid of diversity? And are they hiding behind school choice to avoid diversity? I'm not going to say things that sound nice. I'm going to make people [on this committee] uncomfortable."

Despite the desire to represent the Latino community confidently, and even aggressively, each committee meeting revolved more obviously around the concerns and needs of several powerful white men. With each successive meeting, the Latina members became progressively more silent, less confident and less able to affect the agenda of meetings or the content of the "issue booklet." Despite repeated attempts early in the process to voice concerns about equity, bilingual education and programs for language minority students and families, the Latina committee members were not heard and their concerns excluded from the issue booklet. As the booklet took shape, four "choices" were elaborated and drafted: expand school choice policies, limit school choice policies, close underutilized schools, and avoid closing schools. These four choices would serve as the starting point for later discussions in community study circles. Nowhere in these four choices, however, was there mention of the concerns and issues repeatedly expressed by the three Latina committee members.

While increasingly powerless to affect the agenda, the Latina committee members chose to continue attending meetings and trying to have a voice in the agenda-setting portion of the deliberative process. Unlike the Latinas on the committee, however, a Hmong woman asked to represent the Hmong and Asian communities in the district

* All names are pseudonyms used to protect the confidentiality of participants in this research.

decided early on in the issue-framing process that committee meetings were alienating and intimidating. Coming to the process with little familiarity with school choice issues or with the school closings debate, Tema was suddenly thrown into committee meetings dominated by community members with a very sophisticated understanding of the issues at hand. After only several meetings, Tema felt that she knew too little to effectively contribute to the process:

Tema: I was like, why did they invite me? Because I don't... I'm not an expert in that field... whatever they're talking about. So that's kind of why I'm thinking I'll go there more to listen and to learn, um... although I don't know if that's what they're looking for. I think something like this, they should look for someone who has a lot of experience in it, who has a lot of knowledge about the topic and can really contribute to what they're doing.

[...] some other people who were there like Barbara, she's very familiar with the issue and the topic and the school system and how it works, and then there's teachers there who knows... so I was thinking, ... 'Ok, who would there be in the Asian community that would know enough about the school system that would benefit from this, that would be a better representative for the Asian community than myself. [...] I think with me it's like, OK, if I'm really going to go through with this, I would have to learn a lot about the school policy, and do a lot of research on my own, something I don't know if I have the time to do.

SAH: do you think it would be helpful to the Asian community, to some of the groups that you work with, to know more about these issues?

Tema: yes, definitely. And I think it's really important that we have an Asian representative. So that's kind of why I'm iffy about pulling out, because if I pull out and we can't find anyone to go in... Most likely I'm going to have to do some research, and, that's, I don't know... that's just going to take a... it's a whole new story: take more time... and I'm already pretty burned out. So if anything, I can go, listen, contribute anything I have, and then get the information back to the parents so that they know. I figure that at the least we can do that.

Despite her expressed desire to continue representing the Asian community, Tema resigned from the committee. Following her resignation, process facilitators made no effort to ensure the continued representation of the Asian community. The perspectives of the Asian community were absent throughout the remainder of the process.

By the fall of 1999, the issue booklet was nearing completion and continued to reflect the needs and concern of traditionally empowered communities, to the exclusion of marginalized communities. Faced with this increasingly exclusive process, the three

Latina committee members decided to meet separately from the larger committee to discuss the issues they were concerned about and strategies for being heard at committee meetings. Soon after the second fall meeting, they invited a small group of committee members to join them in their discussion. This group included a county youth corps coordinator; a self-selected advocate for the Latino community in one area of the school district (although not Latino himself), and a parent at a bilingual elementary school in Boulder. In explaining the need to convene a sub-group of the committee, one Latina committee members, Hanna, explained that she, Marta and Elena (two other Latina committee members) had been trying to bring their communities' concerns to the table for months and that it had become increasingly difficult to do so. In a personal phone interview, she explained that the Latinas on the committee were "tired of bringing up issues without really being hear." They were disheartened by the content of the issue booklet and felt that their community was being shortchanged and excluded. Hanna explained that she felt that concerns about Latino students and other underserved students had come up repeatedly in numerous small group discussions in the early part of the process. Despite this recurring theme, however, these issues were still not represented in the issue booklet:

Hanna: "In all small group discussions at committee meetings that issue (lack of adequate resources and drop-outs in Latino community) came up. But it seemed like at the end there was nothing related to the issue. Four or five of us got together and figured out how to get it back on the table because it had never materialized." (Phone interview with Hanna, 11.99)

At a study circle for Latino parents much later in the process, Elena described their struggle to be heard in the following way:

Elena : “Hanna and I fought hard to have this choice included in the issue booklet. For months and months, no one seemed to hear us and we fought harder and succeeded in getting this choice included so that the Latino community could be heard.”
(SC Latino parents 2.29.00)

Thus, as Elena and Hanna both described, the Latinas on the advisory committee felt that their voices were not being heard. In order to face the problem rather than dropping out and being formally as well as substantively excluded, Hanna, Marta and Elena chose to convene a small group of allies and discuss strategies for getting the issue “back on the table.”

The small group met on September 10th and discussed issues related to the Latino community. The small sub-group of advisory committee members discussed the following issues: the problem of dropouts and the numerous challenges faced by Latino families in negotiating the public school system; the needs of all non-English speaking students; the need for expanding bilingual education; the importance of adult literacy programs and other support programs for parents with children in public schools. In sum, they discussed the numerous needs of non-English speaking children and families in the public school system and ways in which resources could be channeled to more adequately meet those needs. After extensive discussion, the group concluded that the issue of bilingual education was at the heart of their concerns, but that the broader issue of services for language minority students and their families was related and deserved mention as well.

The result of these discussions was a written proposal for a fifth “choice” to be added to the existing four in the issue booklet. The fifth choice read as follows:

Choice # 5

Expect achievement from all students: Focus resources to meet the needs of different significant populations in the schools

There are a growing number of students in Boulder Valley school district who do not speak English as their native language. People who share this perspective think that increasingly the needs of these students are not being met. In this scenario, more schools would become total bilingual academies, providing more educational opportunities for bilingual students in kindergarten through twelfth grade. They believe that many more bilingual teachers should be hired throughout the district and current staff needs to be better trained to respect and understand the diverse backgrounds of their students. They believe that orientation programs for parents would be enhanced and expanded. Many supporters of this scenario believe that the district could do a much better job of connecting parents and students to necessary services in the community. And others believe the district itself could provide more intervention programs for "at-risk" students.

Armed with the above proposal for a fifth "choice" for the booklet, this small group of Latinas and their allies came to the next advisory committee meeting ready to work as a group and convince the committee to include this fifth choice in the booklet. Despite initial resistance, the Latinas and their allies forcefully made their case, working together to convince other committee members of the importance of broadening to conversation to include the concerns of their community:

Marta: "because the population has grown so much, and the district is not keeping up with programs, if this issue isn't discussed the thinking will be that it's not important. It belongs here because when we meet with our parents, it's a big issue. If it doesn't affect you, it may not be to you, but I think it should be here. That's just my perspective, my opinion. (...)I think this is a hot item. This is where I'm coming from. I think to avoid it, we're not serving our people, we're not doing what we came here to do. I feel that to eliminate it would be a disservice. That's just my opinion. I know we won't all agree, but I think this is important. That's just my perspective."

Elena moved forward to the edge of her seat. She spoke for the first time in many meetings, her face red and her voice quivering, hesitating slightly: "Our parents, they don't have the tools to stand in front of you and tell you what their kids need. You notice that I don't say anything at these meetings. I'm afraid to. You have the titles, the degrees. But I'm here. I'm here because I want my kids, my parents to be represented. That's why I'm here, that's why Marta is here. Our parents, they don't have the tools. And *you*, you have the tools to do it, so we need to have this perspective in this process. That's all I'm going to say."

Marta and Elena's voices were joined by the voices of their allies and by the voices of other committee members who were slowly convinced by their arguments and

entreaties. When a vote was finally taken, the committee voted unanimously to include the fifth choice in the issue booklet.

Until the Latina committee members successfully brought the issue of language minority students to the table, the issue-framing process was dominated by a few powerful voices that represented mainstream, privileged communities in the district. Hanna, Marta and Elena, however, were successful in being heard and having the concerns of a traditionally marginalized community included in the booklet. By enlisting the help of several allies, by meeting separately to strengthen their position and their recommendations, and by working as a group rather than as individuals, the Latinas on the committee successfully surmounted considerable obstacles to their inclusion in the issue-framing process. The result of their success was that deliberation in committee meetings, as well as later deliberations in community study circles, were broadened to include an important equity issue regarding language minority students.

Theoretical implications

A. Power inequities: an inevitable barrier to meaningful inclusion

Deliberative theorists define a deliberative conception of democracy as one that rests on “free public reasoning among equals” (Cohen 1998). The deliberative view, therefore “is not exclusively a form of politics: it is a framework of social and institutional arrangements that facilitate free reasoning among equal citizens by providing, for example, favorable conditions for expression, association, and

participation, while ensuring that citizens are treated as free and equal in that discussion” (Cohen 1998: 186). Cohen goes on to elaborate on the condition of equality, arguing that the idea of citizens as moral equals is built into democratic governments. In other words, citizens are equal under the law and are equal in terms of political and civil rights. In the public sphere, therefore, citizens should recognize each other as moral equals, and individuals’ rights should be safeguarded to ensure equal treatment.

Other deliberative theorists (Bohman 1996, Benhabib 1996, Knight and Johnson 1997) have further fleshed out what it might mean for public deliberations to meet the conditions of political equality. Based on these theorists’ contributions, I define meaningful inclusion in the following way:

- All affected actors (or communities) are formally included in deliberations.
- Inequality of power and resources does not affect any actor’s opportunity to contribute to discussions, introduce topics, affect the agenda, influence others and affect the outcome of deliberations.
- All actors in a deliberative situation have ample opportunity to become informed and to develop informed and uncoerced opinions about issues affecting them.

Thus if we bring together the contributions of deliberative theorists such as Joshua Cohen and the contributions of theorists specifically interested in the issue of equality and inclusion, we can conclude that: a deliberative conception of democracy rests on the condition of political equality; this condition requires that the above conditions for

meaningful inclusion be met; deliberative theorists believe this condition can be met through the recognition of citizens as moral equals and by encouraging citizens to respect moral equality in the public sphere.

The evaluation of Boulder Valley's deliberative process sheds considerable doubt on these central assumptions of deliberative theory. Inequality of resources, power and knowledge had a profound impact on participants' opportunities to contribute to discussions, to influence the agenda, to formulate authentic preferences, and to persuade others of their opinions. In organizing the deliberative process, facilitators from the Colorado Association of School boards invited 36 diverse citizens to join an advisory committee to set the agenda and steer the process. These thirty-six citizens came together in a facilitated public space where moderators stressed the importance of listening to others and hearing from all voices. In other words, the citizens in question came together in public space moderated by people who believed strongly in allowing all voices to be heard and treating all participants as equals. Despite this auspicious beginning, however, considerable inequities of power, influence, knowledge and resources strongly influenced participants' opportunity to be meaningfully included in deliberations. Disparities in background information, language ability, and social power led to a hierarchy of empowerment that gave voice to a small minority of traditionally empowered participants. Very early on in the process, several powerful voices took control of the agenda and exerted a disproportionate influence on the content and outcome of meetings. Traditionally marginalized voices rapidly lost their opportunity to influence the outcome of meetings, became increasingly silenced and felt powerless to bring their concerns to the agenda.

Facilitators for Boulder Valley’s deliberative process expressed a commitment to including diverse voices and marginalized perspectives in this public process. They seemed confident that moderation stemming from such a commitment would allow a diverse group of citizens to come together *as if* they were equals. What they failed to foresee, however, was the extent to which social inequality would affect participants’ chances to contribute equally. Despite the best of intentions, a small minority nevertheless waylaid the process and played a significant role in silencing representatives of marginalized perspectives as well as less powerful mainstream participants. Thus, it seems clear that critics of deliberative theory are justified in questioning the assumption that social inequality can somehow be bracketed when citizens deliberate in the public sphere. Recognition of moral and legal equality is insufficient to ensure that all participants are meaningfully included. Social inequality strongly influences the content and nature of discussions in the public sphere and serves to empower some at the expense of others. Thus, the idea of reasoned deliberation among free and equal citizens is in question when the public sphere is envisioned as a single public space that brings together unequal citizens without specific mechanisms in place to ensure meaningful inclusion of less empowered perspectives. Without such mechanisms in place, the outcome of deliberation in the public sphere may well be (and probably is) the result of the powerful subordinating the less powerful. Thus, the legitimacy of deliberation, and the legitimacy of democratic decisions based upon deliberation, are strongly in question. “Free public reasoning among equals,” as Cohen and other deliberative theorists envision it, may often lead to the subordination of marginalized perspective by the most powerful participants. As Fraser (1992) argues,

therefore, the idea of free and equal deliberation in the public sphere may well be as a “mask for domination”, serving to further disadvantage marginalized perspectives. In the case of the advisory committee’s deliberations, for example, district staff could argue that diverse voices were included in the process while in reality the traditionally power hierarchy in play during early committee meetings served to further disempower already disadvantaged participants.

B. The power of subaltern publics

As I discussed above, the early stages of the issue-framing process in Boulder Valley were characterized by the increasing domination of a small group of powerful white men and by an overly theoretical and alienating approach on the part of facilitators. The combination of these two characteristics resulted in the progressive silencing of traditionally marginalized perspectives. In the more extreme case, a representative of the Asian community chose to drop out of the process altogether. In the less extreme case, the three representatives of the Latino community became increasingly less outspoken and felt increasingly silenced and powerless to affect the agenda.

However, the three Latino representatives to the advisory committee decided to take an alternative approach to successfully negotiating the deliberative process. Rather than dropping out of the process and being completely excluded, they chose to meet separately with several allies. The purpose of their separate meeting was to strengthen their position and decide upon ways to more successfully negotiate large group meetings. The outcome was that this small group not only affected the agenda of

advisory committee meetings, but also successfully convinced the committee to include their concerns in the issue booklet that later guided community deliberation.

The success of the three Latinas in this process offers an excellent practical example of the power of a “subaltern public.” Just as Nancy Fraser (1992) argues, the Latinas’ participation in a large and unequally empowered group, or public sphere, led to their silencing by more empowered participants. Fraser argues that

(...) It is not possible to insulate special discursive arenas from the effects of societal inequality and where societal inequality persists, deliberative processes in public sphere will tend to operate to the advantage of dominant groups and to the disadvantage of subordinates.... (...) These effects will be exacerbated where there is only a single comprehensive public sphere. In that case, members of subordinated groups would have no arenas for deliberation among themselves about their needs, objectives and strategies. They would have no venues in which to undertake communicative processes that were not, as it were, under the supervision of dominant groups. (Fraser 1992: 122-123)

Fraser goes on to argue that subordinated social groups would therefore be more likely to effectively negotiate larger public sphere if they also deliberate among themselves in competing publics, or subaltern counter publics. This point is aptly illustrated by the success of the Latina advisory committee members in successfully negotiating the deliberative process once they met separately in a less intimidating environment and strengthened their political position. Having done so, they came to the larger group prepared with both documents and arguments that successfully affected both the agenda and the content of the issue booklet. Their success led to the inclusion of the issue of language minority students, to extensive discussions regarding this issue, to learning on the part of other advisory committee members and to significant attention being given to an issue that would otherwise not have been included in the process. The profound

effect that the Latinas' success had on the rest of the deliberative process is therefore an excellent testament to the power of subaltern publics in encouraging the meaningful inclusion of unequally empowered groups in public deliberation.

Based on this research, I would therefore argue that deliberative theory would be better served, and more easily defended, if the public sphere is re-envisioned as a multiplicity of competing publics rather than as a single public that brings together unequally empowered social groups. Although it is crucial that diverse perspectives come together to deliberate about issues of common concern, that coming together is more likely to encourage the meaningful inclusion of all voices if less empowered groups can retreat into competing public arenas to strengthen political identity and position.

C. Group representation: broadening the conversation

The idea of group representation has played a significant role in debates about democratic theory, and deliberative democracy more specifically. Deliberative theories of democracy attempt to save liberal democratic theory from charges of elitism and homogenizing of difference. Deliberative democrats claim that the centrality of deliberation in their vision of democracy allows for the recognition of difference and plurality while allowing for a more participatory and transformational ideal of democratic decision-making (Williams 1996; Bohman 1996; Phillips 1996). That said, however, deliberative democrats have come under attack for failing to go far enough in acknowledging power inequities in the public sphere and safeguarding minority rights in public deliberations. Numerous theorists have argued for the importance of group

representation in the public sphere, and for the exclusive potential of the deliberative ideal of impartiality (Young 1989; Young 1996; Young 1990; Phillips 1996; Williams 2000). Despite subtle differences, these theorists agree that inclusion in deliberation requires the representation of marginalized groups in the public sphere, not simply the representation of the *ideas* of marginalized groups. Young argues that the ideal of symmetrical reciprocity, or the ability to fully “put oneself in another’s shoes,” fails to recognize the importance of positionality in fully understanding a life experience, especially an experience that stems from a marginalized position (Young 1995). Disagreeing with Young, theorists just as Anne Phillips (1996) argue that it is a mistake to rely either on a “politics of ideas” or a “politics of presence”. Phillips argues that proponents of the “politics of presence” run the risk of essentializing difference, while proponents of the “politics of ideas” run the risk of denying the importance of diversity for inclusive policy-making. The conclusion, according to Phillips, is mechanisms that ensure inclusion without essentializing difference.

I agree wholeheartedly with Phillips’ more nuanced treatment of group representation. Based on my evaluation of Boulder Valley’s deliberative process, however, I would go one step further and broaden the discussion of group representation to include the *nature* of group representation rather than simply its broader importance. Let me begin by recalling the differing experiences of two marginalized groups in Boulder’s agenda-setting process. Tema, a Hmong community activist was asked to represent the Asian community on the advisory committee to the deliberative process. After only three meetings, Tema resigned from the advisory committee, citing lack of background information and confusing discussions during

committee meetings. Tema came to the process with little background information about the issues at hand and was quickly alienated by committee meetings. Tema's resignation resulted in the complete exclusion of the Asian community throughout the remainder of the process.

In contrast, the Latino community was represented by three advisory committee member rather than just one. As I have discussed above, the three Latina advisory committee members fared very differently than did Tema. Despite feeling alienated and excluded by an overly theoretical approach, and being silenced by more powerful committee members, Marta, Elena and Hanna were ultimately successful in negotiating the process and being more fully included. That success, however, depended largely on their being able to work as a group rather than as individuals. The Latina committee members worked as a group to create a subaltern public, a space where they could discuss their concerns and strengthen their position. They also came together as a group to negotiate committee meetings, speaking for each other when language barriers precluded full inclusion. They worked together to organize study circles in their community and to bring the results back to the district. Throughout the entire process, therefore, Hanna, Marta and Elena negotiated the process, and worked to represent their community, *as a group* rather than as individuals. Their success, therefore, depended on a *collective* negotiation of a deliberative process that clearly advantaged more empowered groups.

The experience and success of this collective negotiation pushes us to draw a tentative conclusion regarding group representation: that marginalized groups may be more successfully included in public deliberations if they are not only represented in

the public sphere, but even more importantly if they are represented by a *group* in the public sphere. Isolated individuals, especially when they represent marginalized communities, are far less likely to successfully negotiate a public arena dominated by more powerful groups. A group of individuals, however, has far more resources at its disposal and can more successfully negotiate potentially hostile and alienating public arenas. The empowering potential of this type of “group representation” (meaning the representation of groups by a group) lies in two elements. First, it allows for a crucial element of moral and political support among members of marginalized groups. Second it allows for deliberation, and therefore a more cohesive and rational position, among members of marginalized groups. As deliberative theorists have effectively argued, political preferences and positions are more rational when they stem from deliberation rather than from thought in isolation. That also applies in this case to the preferences and positions of marginalized groups within a larger public sphere.

This research is based on a single case study of a single deliberative process. The tentative conclusions regarding group representations, however, offer an important issue for further research and debate. While the “politics of presence” powerfully implies the need for group representation, this research points to the importance of broadening the idea of group representation to include the “politics of group presence.”

Conclusion

Inclusive public deliberations have particular significance for the education policy arena. In the past decade, public education has been profoundly affected by “school choice” policies. School districts nation-wide have implemented a wide variety of policies that encourage competition and parental choice. These policies include voucher programs, charter schools, focus schools and public school choice. These policies and programs have in many cases further stratified and segregated school districts by race and socioeconomic status, thereby significantly jeopardizing equity and equal educational opportunity. The competition that these policies engender has also led to the development of more hostile and competitive political climates that endanger community cohesion and collaboration. In Boulder, Colorado, for example, a decade of public school choice policies have negatively affected the school district in several ways: the racial and economic stratification of schools has increased markedly; and the political climate in the district has increasingly been characterized by competition, hostility and ideological intolerance. Thus, not only have school choice policies led to considerable equity concerns, but they have also encouraged individuals to put their own needs and concerns above the needs and concerns of the community as a whole, and especially above the needs of traditionally marginalized communities.

Boulder Valley’s deliberative process, while exhibiting significant shortcomings, created a space where the perspectives of a traditionally marginalized community could be included in a community-wide discussion about values, policy preferences and funding priorities. The success of three Latina committee members in collectively

negotiating the issue-framing process resulted in an important equity issue receiving both attention and support from the mainstream white community in the district. Unlike a “politics as usual” model of educational decision-making, the public deliberation process encouraged genuine deliberations and a departure from the self-centered and exclusive attitudes that have come to characterize the education policy arena in the district. Despite its limitation and potential for exclusion, the potential of deliberation for creating community and encouraging meaningful inclusion is too powerful to ignore. In a current educational climate that encourages self-centered decision-making, democratic deliberation could be a powerful tool for creating community, encouraging inclusion, and focusing on equity. As long as the pitfalls of exclusion are realistically addressed, democratic deliberation may well be one of the keys for reversing the tide of consumerism, stratification and exclusion that have washed over public education in the wake of school choice policies.

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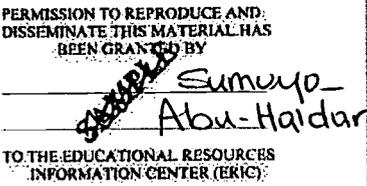
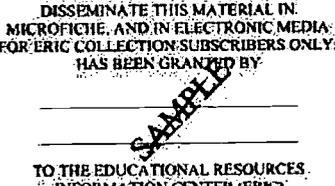
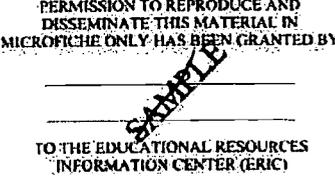
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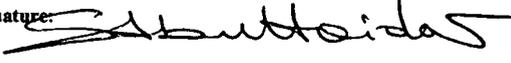
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