

## Inclusion and Representation in Democratic Deliberations: Lessons from Canada's Romanow Commission

**Bettina von Lieres and David Kahane**

In both Northern and Southern contexts it is now widely affirmed that public deliberation leads to more effective and legitimate policy-making, increases public trust and social capital, cultivates citizen character and engagement, and reduces controversy when policies are implemented. However, whereas in many Southern contexts new democratic deliberative spaces are often localized and rarely involve large-scale, society-wide deliberations, in Northern contexts there has been a recent proliferation of extensive deliberative consultations with citizens on issues of national importance.<sup>1</sup> These consultative exercises raise distinctive questions about citizenship and inclusion, especially when it comes to including marginalized groups in deliberative processes. This chapter explores these issues of deliberative inclusion through an examination of the role of Aboriginal people in the deliberative components of the Romanow Commission, established in April 2001 by the Canadian government to deliberate with citizens on the future of healthcare in Canada.

The Romanow Commission's mandate was to review Canada's healthcare system, engage Canadians in a national dialogue on its future, and make recommendations to enhance the system's quality and sustainability. The range of the Commission's consultations was vast: it commissioned forty expert reports and convened nine expert panels over its one-and-a-half-year mandate; it partnered with broadcasters, universities, business and advocacy groups, and the health policy community in a 'four-phase national dialogue'; and it sponsored explicitly deliberative consultation methods, designed to

'probe deeply not only Canadians' current views, but also how those views evolve as citizens work through difficult trade-offs in dialogue with each other and try to reconcile those views with deeper values' (CPRN 2002: 2). The Commission was amply resourced in these tasks: with a staff of forty-seven, the Commission ultimately cost between Can\$15 and 20 million.

There is a strong tendency in deliberative democratic theory and practice to treat deliberation as involving generic, individual citizens in dialogue about the common good. In this model, political deliberation demands that citizens take up a reflective stance toward their own interests and attachments, so that collective conclusions are based on the force of better reason emerging from unconstrained dialogue (Fishkin 1991; Habermas 1990). Critics of this paradigm have argued, however, that the dynamics of political deliberation are heavily conditioned by relations of power: marginalized groups are less likely to participate in deliberation and their perspectives are less likely to influence outcomes, even though these groups may be especially vulnerable when it comes to the policy contexts about which citizens are deliberating (Fraser 1993; Tully 1995; Williams 1998). From the point of view of these critics – and we number ourselves among them – the challenge is to design political deliberations in ways that make space for marginalized perspectives and empower these to influence collective decisions.

The challenge of empowering the perspectives of marginalized groups in political deliberations is acute in Canada, especially when it comes to Aboriginal people. The complex legacies of colonization have left First Nations, Metis and Inuit people in Canada at the bottom when it comes to a wide range of indicators of well-being, including economic status, education, housing quality, and health outcomes. These legacies also have cultivated a deep sense of alienation, disenfranchisement and mistrust on the part of Aboriginal people towards the Canadian state. Complicating matters yet further is the fact that many Aboriginal peoples claim self-government rights, often based in centuries-old treaties; so there are conflicting views of what political units are involved in dialogues on the territory called 'Canada', and whether Aboriginal peoples are properly subject to the rule of the Canadian state.

The Romanow Commission engaged in complex and sometimes contradictory ways with questions of Aboriginal inclusion and Aboriginal health. On the one hand, the final report of the Commission

devoted a chapter to questions of Aboriginal health, based upon careful consultation with Aboriginal people. On the other hand, the explicitly deliberative elements of the Commission's work were with statistically representative groups of 'unaffiliated citizens' and, though they included Aboriginal people, did not focus on questions of Aboriginal health, or overtly build in devices to allow Aboriginal participants to overcome dynamics of marginalization.

In what follows, we first sketch the political context within which the Romanow Commission worked, laying out the controversies that define current debates over Canadian healthcare, and the distinctive situation of Aboriginal peoples when it comes to questions of health. We next describe the activities of the Romanow Commission, showing how citizen deliberation fits into the work of the Commission as a whole, and how the Commission structured a separate track for consultation with Aboriginal people. We then look more closely at the design of Citizen Dialogues, and at the day-long Aboriginal Forum that was the closest the Commission came to making space for deliberative engagement with Aboriginal people.

We suggest that the successes and shortcomings of the Romanow Commission in including Aboriginal people in deliberations are tied to three key features of deliberative design:

1. The extent to which the process is *reflexive*, in the sense of giving participants a deliberative say in defining the terms of their participation, the issues they will address, and the form deliberation will take.
2. The extent to which public involvement is *recursive*, so that citizen deliberation takes place from the beginning, applying to the range of decisions made.
3. The existence of *separate spaces* in which members of marginalized groups can reflect on dynamics of power and exclusion, and negotiate questions of common agendas, strategies and identities. These separate spaces can take many forms, from parallel deliberative processes to opportunities for caucusing within heterogeneous deliberations.

Our discussion of the Romanow process reaffirms the importance of these design choices, and shows their significance in enabling the negotiation by marginalized groups of the complex politics of recognition and representation. The chapter concludes with lessons