

Social Capital Formation, Public-Building and Public Mediation:

**THE CHELSEA CHARTER
CONSENSUS PROCESS**

BY
SUSAN L. PODZIBA

With a Foreword by
Julie Fisher

AN OCCASIONAL PAPER OF THE
KETTERING FOUNDATION

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FOREWORD

***It is almost as if
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*Julie Fisher is a program officer
at the Kettering Foundation.*

Many of us who were living in New England at the time remember the headlines. “City of Chelsea put into Receivership.” I recall thinking that however disillusioned we in New Haven were with our own city government, things could get much worse. As Susan Podziba points out, the city government in Chelsea could not even deliver basic services, and two of its four past mayors had been incarcerated on federal corruption charges. When the Massachusetts legislature voted to put Chelsea into receivership, city hall was being run for the benefit of a small clique of officials and their cronies.

The legal demise of Chelsea’s government, however, provides us with a rare look at what democracy is all about. Indeed, it is almost as if Chelsea hands us a mirror into that distant past described by the classical political theorists as “the state of nature.” If the spontaneous emergence of a public is tougher where patronage and repression threaten people’s livelihoods, then the total, if temporary, absence of a government provides a golden opportunity for the public to enter the political arena. Ironically, Chelsea is only a stone’s throw away from Dorchester, where townspeople convened the first New England town meeting in 1631 because cows had gone through the fences around the village green, and no local government existed to resolve such problems.¹

This case study also provides us with a vivid example of what David Mathews calls “experimenting with cures.” When the citizen survivors of the terminal political illness that infected the city government insisted that the new charter forbid those convicted of corruption charges from running for city office in the future, they helped inoculate their community from self-serving behavior. Citizens and their local associations had never

¹ David Mathews and Noelle McAfee, *Making Choices Together: The Power of Public Deliberation*. The Kettering Foundation, 1997, p. 3.

disappeared, despite the machinations of city hall. Indeed, the initial public skepticism about the appointment of an outside Receiver can be viewed either as a symptom of inadequate social capital or as a sign of a rational public response to what they had been subjected to for so long. Once the initial skepticism was overcome, however, the Chelsea Charter Development Process provided citizens with an opportunity to step into the public arena and talk about their future.

Susan Podziba told me that the Chelsea experience was the first time she had been able to use public mediation tools to engage citizens in creating a city charter. The strongest evidence of public engagement resulted from attacks on the charter process. As Podziba writes, “nothing a mediator can do is as powerful as a local public defending the process.”

What struck me as I read her report was the natural, almost organic quality of the public process itself. Yes, good mediators, facilitators, or moderators help the process. Lewis H. Spence, the official Receiver, Susan Podziba, the mediator, and Roberta Miller, advisor and consultant, were all committed to engaging the public in the charter process. Yes, Roberta Miller’s familiarity with the kinds of materials and training that the Kettering Foundation provides helped the Chelseans who attended the public meetings to “name” and “frame” the political issues that confronted them. In contrast to Roberta Miller, Susan’s discussions with Kettering began after her mediator role ended, and her interest in public deliberation provided her with a new lens through which to view and reflect on her experience. Yet precisely because the Kettering Foundation was not involved in Chelsea, this report strengthens our conviction that what we do is based on some deep human reality — a potential for deliberative democracy that sometimes emerges spontaneously where social capital is already strong or even under extremely negative conditions where people have no alternative but to begin to talk to each other. Most of the time, however, the odds that this will happen are enhanced by a carefully designed intervention such as the Chelsea Process.

At the Kettering Foundation, we describe public deliberation and public action as “a different kind of politics.” In other

words, publics created through the choice work involved in deliberation do more than merely demand that governments provide better services or become more “responsive.” Publics also discover a common ground for action that grows out of the new political knowledge that deliberation creates. What is so interesting about this study of the Chelsea Charter Development Process, however, is how intertwined this different politics was, not with the old corrupt politics as usual, but with more common discussions of demands for political accountability and governmental responsiveness. Bottom up and top down are, in fact, tightly connected in this study, precisely because what citizens thought and talked about was how government should work. This was true even though both citizen discussions and “participant negotiator” deliberation differed from the type of deliberation promoted by the National Issues Forums in some ways. For example, the Chelsea Process was tied to a definite political goal — the creation of a city charter and a new city government.

By the same token, the process itself was a hybrid. The team that drafted the charter included not only the mediator, a municipal governance expert, a professional charter drafter, a state government representative, a school committee member, three aldermen, and a representative of the Receiver that would be expected in such a public mediation process, but also twelve ordinary citizens. Public engagement also preceded and extended beyond the negotiation process itself and into subsequent community deliberations about the proposed charter. This process of “public-building” in Chelsea emerged from what Podziba calls the “numerous entry points for public participation.” More than 45 community meetings were facilitated by Chelseans who had been trained as part of the process. These were supplemented by a kind of informal discussion network that cut across organizational boundaries. Chelsea’s existing social capital became active and interactive. Such organizational density may well be one of the conditions that allows a public process to sustain itself, even though individual organizations may have, in David Mathews’ words, different “organizational and situational interests.”

As a case study, this is also an account of the thinking of one person, influenced by the literature on both public mediation and public deliberation, who struggled, in her role as the mediator, with the tension between the two approaches. She also struggled with the complexities that the messy, complex real world throws at theory. As a research organization, the Kettering Foundation is committed to publishing, not only our own experience in the real world, but also the accounts of others who may analyze what they have observed in varying ways.

Nonetheless, the Chelsea Process, which merged aspects of public mediation and public deliberation, reflected, in some respects, the evolution of the Kettering Foundation itself. As a specialist on public mediation, Susan Podziba had been influenced by scholars who had participated in and studied the foundation's Negotiated Investment Strategies (NIS) program of the late 1970s, a pioneering effort in public sector mediation implemented in Columbus, Ohio; Gary, Indiana; and St. Paul, Minnesota. The goal of the Chelsea Process, legally defined by the Receiver, was to draft a city charter. For that purpose, the public mediation process was appropriate. Yet the public-building aspects of the process were closer to the Kettering Foundation's later research on public deliberation, initiated with the National Issues Forums (NIF) program in 1982. With assistance from Roberta Miller, who had extensive contact with Kettering's concepts and materials, Susan added public-building to her agenda and strengthened and altered the process itself.

The Chelsea city government that replaced the "state of nature" that existed in 1993 is today focused on incorporating many "quality-of-life" issues such as noise abatement into city departments. More importantly, according to Juan Vega, a member of the city council, quality-of-life issues have become politically important because of the demands of neighborhood associations. Neighborhood associations have "exploded in numbers" from 1 or 2 relatively inactive organizations before 1993 to 10 today. What Juan Vega called the "less grassroots associations" have also changed. Today, many of the 25 non-profit organizations in Chelsea are "heavily involved" in voter registration. Not only is there a sense of "ownership" of the

charter, but “there is a feeling that the city council will respond, which never used to be the case.” The drafting of the charter provided a common ground for action. As David Mathews has written, “A productive relationship [between citizens and officials] is more likely to develop at the earlier stages, when issues are just being framed and general directions rather than specific programs are being determined.”² If such a productive relationship continues in Chelsea, it will owe its existence to the public-building activities that Susan Podziba and her associates built into the public mediation process.

Julie Fisher

² See David Mathews, *An Overview: "Public-Government Relationship,"* p. 27.

INTRODUCTION

By Susan L. Podziba

Democracy requires that citizens participate in their governance. A strong democracy effectively engages its citizens. Conversely, a weakened democracy denies access to its members and is operated by a small number of individuals. This is a story of a democracy that went astray, and an attempt to set it back on track. It is a chapter in the history of Chelsea, Massachusetts, a city of 28,000 residents located just north of Boston on a land mass, only 1.8 square miles long and internally divided by a bridge.

In 1990, the city of Chelsea, Massachusetts, would have met most criteria for a malfunctioning democracy. Two of its past four mayors had been incarcerated on federal corruption charges, and a third pleaded guilty to a grand jury but avoided punishment because the statute of limitations for his offenses had expired (Claiborne 1994). Municipal officials were unable to deliver basic services such as trash disposal and snow removal, and after years of falling test scores, the city hired a local university to manage its schools.¹ It clearly had a “patron-client” government; those who “knew someone” were served and often got city jobs. Finally, as it headed for bankruptcy with a \$10 million deficit on a \$40 million budget, shortly after a \$5 million state bailout, the state legislature, with the governor’s approval, suspended Chelsea’s local democracy and placed the city under state receivership.

The work to restore Chelsea’s democracy involved reengaging citizens who had given up on their city and engaging the city’s

Susan L. Podziba designed and implemented the Chelsea Charter Consensus Process. She served as mediator during charter negotiations and led a process team that included Roberta Miller, an expert in municipal governance, and Mark Morse, a professional charter drafter.

¹ Boston University, headed by John Silber, entered into a ten-year contract with Chelsea to manage its entire school system. This contract was approved by Chelsea’s School Committee, an elected body.

newcomers, who historically had been closed out of city hall. This was accomplished through a hybrid public consensus-building process that included elements of social capital formation (Putnam 1993), public sector mediation (Susskind and Cruikshank 1987) and building a public, defined as a society of citizens (Mathews 1994:202-3).

The Chelsea Charter Consensus Process² (Chelsea Process) was designed to engage a politically disillusioned community in the formation of its new local government, the creation of which would enable the city to be released from state receivership. The Chelsea Process sought to create a public and increase social capital throughout the Chelsea community, as necessary prerequisites to engaging community negotiators in integrative bargaining to reach a common public goal.³ In addition, social capital and a stronger public could help revitalize and protect Chelsea's new democracy.

Background on Chelsea

Since the turn of the century, Chelsea, Massachusetts, has been an immigrant city. A first stop for Poles, Ukrainians, Russians, Jews, and other Europeans, most moved to suburbs after accumulating some wealth. The most recent immigrant groups to settle in Chelsea have been Hispanics and Asians, who account for 40 and 15 percent of the current city population, respectively. Over the years, Chelsea has had to contend with the inherently conflicting values, traditions, and interests of its diverse population.

In 1990, Chelsea was placed into state receivership as a result of financial mismanagement and corruption among its municipal officials. A critical element of the mission of the receivership, as outlined in the statute that created it, was to recommend to the governor a new form of government for the city. This was of serious import because its 1903 city charter, under which Chelsea was governed prior to receivership, had been revised by over 2,000 Special Acts of the Massachusetts State Legislature, all

In 1990, Chelsea was placed into state receivership as a result of financial mismanagement and corruption among its municipal officials.

² The Chelsea Charter Consensus Process took place from October 1993 through June 1994. The charter became effective after it was approved by the Massachusetts State Legislature and signed into law by the governor. Special elections were held to elect a city council, and the city was released from receivership in July 1995 after the council hired a city manager.

³ In integrative bargaining, parties search for things to trade. If they can find enough items they value differently, they can make a deal that exploits those differences and all will gain. The key factor, the element that makes integrative bargaining work, is the availability of items that the disputing parties value differently. These must be "integrated" into a package (Susskind and Cruikshank 1987, p. 86.)

of which contributed to a blurring of the lines of authority between the mayor and the board of aldermen and their interactions with the city's boards and commissions.

At the time the state legislature voted to put Chelsea into receivership, city hall was run by a clique. To access "public" services, one needed to know the "right people." Hiring practices hinged on a system of patronage rather than skills. As a result, many Chelseans felt shut out of local government and lost faith in the city's ability to govern itself. Others, with little or no experience in democratic administrations, simply expected a minimum of services. Chelsea represented a particularly severe degeneration of political responsibility and citizen alienation. Dysfunctional cities such as Chelsea often have governments "perceived as so autonomous that the public [is] no longer able to control and direct [them]" (The Harwood Group 1991, p. iii).

When Lewis H. Spence was appointed State Receiver of Chelsea in 1991, he faced the daunting task of replacing a political machine, notorious for corruption and mismanagement, with a municipal government that would truly serve the needs of an ethnically diverse, factionalized, and disillusioned population. Although he had the authority to simply draft a new city charter, as his predecessor had done,⁴ Spence believed that if the new government was to survive, the people it was to govern would have to create it. To this end, he enlisted the help of a professional mediation team and initiated the Chelsea Charter Consensus Process.

The Chelsea Charter Consensus Process

The Chelsea Charter Consensus Process (Chelsea Process) was designed to reopen city hall to all residents of Chelsea, and to create a new, thriving democracy in the city. Rather than leave decision-making responsibilities solely to municipal officials, the Chelsea Process sought to engage citizens. To accomplish this, the process needed to reach deep into a disenfranchised community and confront the suspicions and frustrations spawned by former city administrations.

The key assumptions of the Chelsea Process were that the people of Chelsea had valuable information to offer in the

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⁴ Lewis H. Spence served as Deputy Receiver during James Carlin's eight-month term as the first Receiver.

development of their city charter and that the act of providing such information would strengthen both the charter and the citizens, thereby strengthening the city's future democracy. An example of how the unique knowledge of its citizens strengthened Chelsea's charter is the fact that the Chelsea Charter of 1994 prohibits anyone "convicted of a criminal offense involving misconduct in elective or appointive office, trust, or employment" from holding elective, appointive, or employment positions in the city.⁵ This is an unusual element for a city charter, but Chelsea residents knew they needed to protect the city from past corrupt officials such as a charismatic former mayor whose prison term was soon ending.

The Chelsea Process commenced with approximately 40 interviews with community leaders — formal leaders and informal opinion makers. Interviewees ranged from sitting aldermen to heads of community organizations to the city Santa Claus. The interviews had multiple goals. First and foremost was to learn of the perceived causes of Chelsea's problems, why the city was put into receivership, the elements needed for its new government, and what would be required for the new government to last over time. The information generated during the interviews revealed a spectrum of opinions regarding Chelsea's past. For example, some interviewees felt that fiscal mismanagement led the state to suspend Chelsea's local democracy while others believed that "the state took it over so that Massport could site an [airport] parking lot in the city." Almost all called for fiscal responsibility as a crucial element of the new government, and many also insisted that city services be provided uniformly throughout the city.

In addition to gathering information about the city, the interviews allowed leaders of the community to be personally apprised of the process, and initiated the creation of relationships between the mediator and the community. The interviews served as an opportunity to let people know the mediator and her assumptions regarding her role in the process.

In accordance with the goal of seeking to enable the community to govern itself, Chelsea residents were trained to serve as facilitators to run community meetings. This allowed a

With the goal of seeking to enable the community to govern itself, Chelsea residents were trained to serve as facilitators to run community meetings.

⁵ See Chelsea City Charter of 1994, Section 2-9 Prohibitions.

local face to be cast on the process. It was assumed that residents would be more open with their friends and neighbors and that the process would belong to Chelsea, not an outsider. The use of local facilitators also helped with the multicultural and multilingual nature of the city.

At the outset of the process, a public forum was held in the high school gymnasium. After a brief explanation of the process, citizens were divided up at round tables, each of which included a local facilitator. To be a spectator that evening was to see an engaged citizenry. Around each table, in English and in Spanish, residents of Chelsea discussed why their city was in receivership, what its new government should be able to accomplish, and what form of government was most likely to be able to achieve and sustain the kind of leadership they yearned for. “Would a mayor be able to do it? Or would a city manager hired by an elected council be a better option? Should they have a smaller or a larger legislative body?”

The facilitators also ran two sets of community meetings for a total of approximately 45 meetings. The first set was designed to explore their neighbors’ ideas about good government and the future of Chelsea. Later in the process, the facilitators led meetings to get public input on the draft charter. The community meetings were held at local social clubs, churches and synagogues, elderly housing residences, and private homes.

Early process activities resulted in clarifying the community’s deepest concerns about its local government — and identifying individuals who could participate as citizen decision makers in discussions of the mechanics of governance. Throughout the Chelsea Process, a diverse range of activities were initiated to explore and draw out the thoughts and concerns of the community. There were ward meetings and public forums. Newsletters and a survey questionnaire, in English and Spanish, were sent to every household. A charter hotline was set up and cable television programs were aired on the subject, including numerous call-in shows and a program featuring a panel of local government experts.

The Charter Preparation Team

The Charter Preparation Team (Team) was charged with preparing Chelsea's new city charter, based on the public input generated through a host of public participation venues. Seventy candidates were recommended by Chelsea residents for service on the Team during the community-leader interviews, community meetings, call-in cable shows, public forum, and through the charter hotline. The first step in organizing the Team was to create a selection committee of three people, chosen according to specific criteria. They had to be respected throughout Chelsea; considered above reproach by the community; and have broad reach and perspective within the community. The selection committee was composed of a minister, the editor of the local newspaper, and the founder of an alternative high school.

To select the larger Team, the selection committee reviewed the complete list of candidates relative to criteria such as a commitment to securing the best form of government for the city of Chelsea; a willingness to look at issues citywide, rather than from a narrow agenda; a willingness to learn about and operate by consensus; and a willingness to learn about and discuss the mechanics of governance. A proposed Team was published in the local paper to allow members of the community to suggest revisions or additions to it. The final 18-member Team, which included 12 ordinary citizens, 3 aldermen, 1 school committee member, a state representative from the Executive Office of Communities and Development, and a representative of the Receiver, represented virtually⁶ all sectors of the city.

The Team was composed of a diverse group of individuals. Some had continued to participate in local affairs during the city's decline and the period of receivership. Others were returning to public participation, having previously opted out of municipal affairs, and others had never before participated in local affairs. At least one member had "never before been inside City Hall." Most Team members had limited knowledge of the mechanics of governance.

The first step in organizing the Team was to create a selection committee of three people, chosen according to specific criteria.

⁶ The only group that did not formally participate in the Chelsea Process was the Southeast-Asian community. After showing some initial interest, representatives disengaged. It is the mediator's sense that, if time had not been as constrained, additional inroads into the Asian community could have been made. The summary of the draft charter was, in fact, translated into Khmer and distributed throughout the Cambodian community.

After two months of meetings, the Team completed an initial proposal that it presented to the community.

At its preliminary meeting, the Charter Preparation Team members received a report outlining the input from the community meetings, interviews, and the public forum. They shared stories of their personal and political lives in Chelsea, negotiated ground rules, and were briefed on issues of local governance by the professional charter drafter hired to assist in translating their decisions into charter language. Soon after, a panel of previous and current municipal officials from other cities and towns gave presentations to the Team about how their municipal governments functioned. In a televised session, the Team questioned the panel about the decision-making processes in mayoral and council-manager forms of government.

After two months of meetings, the Team completed an initial proposal that it presented to the community. It called for a council-manager form of government, a thirteen-member city council of ten district and three at-large councillors, with two- and four-year terms respectively. The proposal was presented to the community through ward meetings, a public forum, and a call-in cable television show. Since turnout at the snowy winter ward meetings was low, a survey was sent to all registered voters. Approximately 10 percent returned the surveys. Information obtained from the community supported the general direction of the initial proposal.

During five months of almost weekly mediated meetings, the Charter Preparation Team deliberated over the possible choices for every aspect of the charter — from the form of government to the selection process of key municipal officials, to whether or not God should be mentioned in the preamble. The most contentious issue was the composition of the school committee. Though all shared the goal of getting more parents with children in the schools onto the school committee, they disagreed on the composition — at-large or by district — that would lead to the desired result. Some felt that district representation would make it easier for parents to run because they would only have to campaign in their neighborhoods. Others felt that at-large would be easier because for the sixth and seventh slots one would need an overall fewer number of votes. In every case, the Team engaged in extensive deliberations to weigh series of options to

make its decisions. The charter, as a whole, is a complex set of choices, accomplished through deliberation and integrative bargaining.

On completion of the draft city charter, a newsletter summarizing the charter was sent to every household in the city and published in the local newspapers. The following month, 20 facilitated community meetings, another public forum, and several call-in cable shows were held to answer questions about the charter and generate community input.

The input from this final round of community meetings was compiled by the mediator, who matched all the feedback to the relevant sections of the charter. The Team then used this annotated version of the draft charter to consider every concern registered by the community.

As a result of the community's responses to the draft charter, several key decisions were reconsidered. For example, the proposed thirteen-member city council was reduced to eleven, and the proposed four-year term for at-large city councillors was reduced to two years. The final charter, which represented a consensus of the Charter Preparation Team, was made available throughout the city, and members of the Team held a number of call-in cable television shows to inform the citizens of the changes made to the original draft as a result of the input it received from the community. Charter revisions were also spelled out in the local newspaper.

Shortly after the final charter was completed, a special election was held to give the community an opportunity to approve or reject the charter prepared by the Team. Throughout the process, the Receiver told the community that if the citizens approved the charter, he would recommend it to the governor as the city's new form of government. The charter was approved by a 60/40 margin with 30 percent voter turnout. The state legislature and the governor subsequently approved the charter, which triggered a transition period that required the election of a new city council.

At the time Chelsea was placed under receivership, large segments of the community had become disenfranchised from the political process because they did not believe their needs

The final charter, which represented a consensus of the Charter Preparation Team, was made available throughout the city.

could be met by the existing government. By creating avenues for public input into the charter's development and by engaging citizens as decision makers, the process was able to explore and contain a comprehensive accounting of the diverse concerns of the community. The Chelsea Charter Consensus Process provided opportunities for virtually all groups and individuals in the community to engage in discussions about their deepest concerns, voice their interests, and have those interests woven into the fabric of their new city charter through deliberation about the issues that citizens had already discussed and through integrative bargaining. In effect, the process of developing consensus for the city charter created a public around the issue of local governance. Before a public could emerge, however, the mediator had to employ interventions to trigger social capital formation to engage and sustain potential public involvement.

The Necessity of Social Capital, Publics, and Public Mediation

According to Robert Putnam, a good democratic government is not only responsive to the demands of its citizenry, but also acts efficaciously on those demands (Putnam 1993, p. 63). To effectuate good government, citizens must be actively engaged in requiring their government to be both responsive and effective. To make government responsive, citizens must articulate their concerns. To make government effective, citizens must also involve themselves in the discussions that lead to an understanding of the options available for an issue's redress, and the difficult choices made as a result of competing interests and limited resources.

In a healthy democracy, social capital is plentiful, publics spontaneously emerge when problems present themselves, and integrative bargaining may occur, perhaps with assistance from a mediator, when solutions to complex problems are sought. The existence of social capital portends public involvement. Social capital is the trust among citizens and the trustworthiness of governmental institutions that gives citizens the hope that they can effect positive change.

A community that lacks social capital lacks the ability to

spontaneously create publics and, therefore, will also lack the ability to effectively engage in a public mediation process. Rather than heal, such communities will continue in a downward spiral until their democracies exist at the brink of total collapse.

Putnam warns that authoritarian government, patron-clientelism, extra-legal “enforcers,” and the like, represent a second-best, “default” solution (Putnam 1993, p. 178). Without public deliberation, governments are left without public direction and legitimacy (Mathews 1994, p. 112).

Dying democracies may, therefore, require catalytic interventions to trigger the formation of social capital, to support the emergence of a public, and to engage in public sector mediation through integrative bargaining. These interventions, by definition, must be enabling to the residents of the broken community.

A public sector mediator typically helps initiate a process whereby parties to a dispute engage in integrative bargaining. They assess their interests and concerns, discern differences, generate options, and then exploit differing values across the issues that constitute the conflict in an effort to create an integrated package that is the solution to the conflict.

The success of integrative bargaining depends on setting an appropriately cooperative tone. In the absence of cooperation, it is hard to discover what the others want most and assess what they might be willing to trade (Susskind and Cruikshank 1987, p. 86).

Yet because social capital, public-building, and public sector mediation are interrelated, a public sector mediator may have to do more than mediate. For a community to engage in public sector mediation, it must have the capacity for public-building.

If it is true that the governed must participate in their governance to sustain their democracy and, therefore, their social and economic health (Putnam 1993, p. 117), then what can and should be done, and by whom, when a government has so deteriorated that it is isolated from most of the citizens it serves and few actions are taken for the common good? How can social

Dying democracies may, therefore, require catalytic interventions to trigger the formation of social capital.

capital formation occur, publics be created, and citizens become engaged in integrative bargaining to find solutions to their complex common problems?

In response to such questions, the Kettering Foundation embarked on two notable experiments, the Negotiated Investment Strategies (NIS) program of the late 1970s and its current National Issues Forums (NIF). With NIS, Kettering pioneered public sector mediation. The NIS program brought together locally elected officials, state elected and appointed officials, federal agencies, and members of the private sector with long-term interests in the development of several U.S. cities including Columbus, Ohio; Gary, Indiana; and St. Paul, Minnesota. With the assistance of mediators, the groups negotiated long-term public and private investment strategies that reconciled the conflicting priorities of the three levels of government (Susskind and Cruikshank 1987, p. 235). At its inception, the NIS program assumed that governing agencies with differing priorities could engage in integrated bargaining to attain a common goal.

The goal of an NIS process is to bring public officials and the private sector together as partners — not adversaries — to establish face-to-face negotiations. Because the negotiators, or “stakeholders,” develop mutually acceptable options prior to the announcement of political solutions, an NIS generally promotes strong commitment to — and enforcement of — the eventual policy decision (Miller 1989).

Public sector mediation, which enhances opportunities for integrative bargaining, ties participants together publicly, in that negotiators develop a greater understanding of the perspectives of others through deliberations, and they develop and assess options. Ultimately, they package those options to satisfy their self-interests as they address a public policy question or resolve a public policy conflict. The resolution emerges as a result of the negotiations of the various stakeholders, each of whom represent an aspect of the problem and its solution.

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In 1982, under the administration of its new president, Dr. David Mathews, the Kettering Foundation initiated a new approach to public-building, implemented through its National Issues Forums (NIF) program. NIF provides well-reasoned materials on a broad range of issues along with trained moderators to create “public spaces” that are conducive to deliberation. According to Dr. Mathews, “Without the discipline of serious deliberation, it is impossible for a group of people to articulate what they believe to be in the best interests of all — in the ‘public’ interest.... The public-building model seeks to transform private individuals into public citizens, people who are political actors” (Mathews 1994, p. 11).

Public-building strengthens a democracy in that it generates greater public understanding of issues, of options available to address those issues, and of the difficult trade-offs involved in choosing from among those options. By encouraging forums where divergent views may be heard and understood, public-building contributes to the strengthening of democratic practice and social capital. It is also a necessary prerequisite for integrative bargaining.

Public Consensus-Building: A Theoretical Framework

Public consensus-building is a process that draws out the collective wisdom of a diverse group to reach a common public goal. It assumes that people “on the ground,” those who are impacted by the problem or situation and, therefore, will be impacted by the solution, have valuable information to contribute. Under conditions of conflict or breakdown of government, a public consensus-building process can be custom designed to fit the existing common public problem and the level of participation required to make a consensual solution implementable. The process design is also determined by the level of social capital that exists to support public deliberations.

Public consensus-building, like public-building, is a process whereby a group of people get together to deliberate about a common problem.

Unlike public-building, however, consensus-building pushes deliberation toward a specific outcome such as the creation of a city charter. To accomplish this, a mediator works to draw out, compile, and put into useable form the “on-the-ground” information needed by the participant negotiators in integrative bargaining. The decision makers in such a process must be a group of individuals perceived as able to effectively represent the spectrum of interests and concerns reflected by the composition of the community as well as have an ability to work on behalf of the good of the overall community.

Deliberations among individuals, or the creation of a public, support the participant negotiators in two important ways. First of all, community discussions lead to the distillation of information that informs the deliberations of the negotiators. Secondly, the public as well as the negotiators learn of the different perspectives among their peers, identify and assess options, and discuss the difficult trade-offs that are required to successfully address a common problem. As a result, the community as a whole can be unified around the difficult decisions that must be made to resolve its common public problem.

As part of public sector mediation, consensus-building requires integrative bargaining, whereby people seek to satisfy their self-interests within the context of satisfying the interests of other constituents. This dynamic exists because participants involved in a public mediation process share a common public goal, which can only be achieved through cooperation among constituencies. (If such a dynamic does not exist, a stakeholder with the power to act unilaterally would do so rather than participate in a mediated process.) In other words, no individual can satisfy his or her concerns without the assistance of others impacted by the situation.

If a public sector mediation process is successful, it is likely that the participant-negotiators have created a public and have either formed or relied on existing social capital. Such a public would be created through deliberation, which may be initiated by a mediator rather than erupting spontaneously, as its members learned of the differing perspectives among them and assessed a host of options in their search for a common solution. Such

catalysts are necessary in communities that lack a level of social capital necessary for spontaneous public formation. Social capital increases as participants reveal their interests and as trust displaces fear and suspicion.

In a typical public sector mediation, the participant-negotiators do not share location, rather they are usually a diverse set of stakeholders brought together to discuss particular issues. Public sector mediation typically clarifies interests and identifies representatives to negotiate on behalf of those interests. The mediator assists in sorting out options and helping the participant-negotiators recognize packages that maximize possible joint gains. Thus, it may be said that their public and social capital are of little value beyond the implementation of their agreement.

Mediation that includes the component of public consensus-building, however, seeks to create publics and cause social capital formation in a location to support the implementation of an agreement, but also to sustain the locale. In other words, the social capital and possibility for public creation should continue to be available when future common problems arise. Public consensus-building, therefore, adds the "people on the ground" to public sector mediation.

This broader process of public sector mediation involves participant-negotiators seeking joint gains to develop an eventual package, but also requires participation by ordinary citizens whose lives will be affected by the eventual outcome. Consensus-building assumes that there is valuable knowledge contained in each individual that needs to be drawn out, but combined in a group creates new knowledge that can inform the subsequent deliberations and decisions of participant-negotiators. In addition, the act of seeking out this information strengthens the final outcome because negotiators' decisions are made with greater knowledge of the people they serve, and the people understand the difficult choices made by the negotiators.

A public consensus-building process, whose desired outcome is recognized as a common public goal, asserts the need for social capital formation to support public-building, both of which enable successful integrative bargaining. When public consensus-building is included in public sector mediation, it can, in turn,

trigger more communitywide social capital formation and public-building.

Theory Meets Practice in the Chelsea Charter Consensus Process

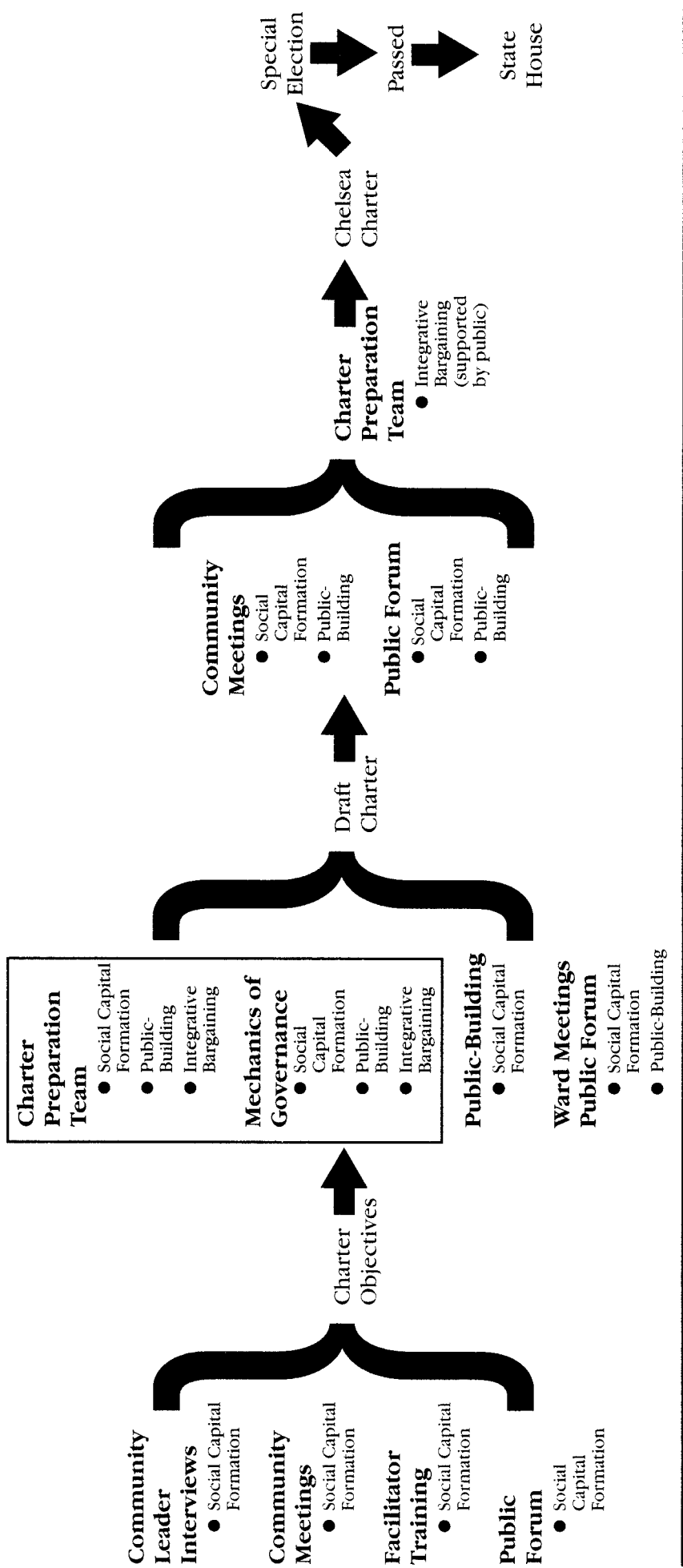
The desired outcome of the Chelsea Process was a new city charter, but its goal was to engage the citizens of Chelsea in a profoundly democratic process to enable them to effectively run their city.

Given the weakness of social capital across the city's diverse groups, spontaneous public formation would have been unlikely. The public consensus-building process, guided by the mediator, slowly created the social capital that could overcome the skepticism of the public, sustain the legitimacy of the process, directly engage the citizenry, and then provide numerous opportunities and avenues for participation.

The formation of social capital and the concomitant creation of a public supported the eventual integrative bargaining that resulted in the charter. The state requirement of a charter, that is, something tangible that citizens could impact, increased the desire for real participation. The Chelsea Process illustrates how the outcome-focus of public consensus-building processes can be used to trigger social capital formation and public-building. (See Chart on p. 21.)

The community meetings provide one example of this process. The meetings were informational, but they were also designed to elicit citizens' deepest concerns about the political process that confronted their community and to frame them into policy choices for many of the specific issues that had to be confronted to draft a charter. The Charter Preparation Team actually charged with developing the charter provides another example, since their ongoing deliberations about the many charter-related issues requiring policy choices allowed them to engage in integrative bargaining to trade off on issues they valued differently.

Chart: The Chelsea Charter Process



Parallel Processes

Newsletter
Cable TV
Charter Hotline

Survey
Newsletter
Cable TV
Charter Hotline

Cable TV
Charter Hotline

The preliminary meeting of the Charter Preparation Team triggered the formation of social capital. Each team member placed themselves on a Chelsea time line to describe their entry into the city, both personally and politically. This sharing of stories “broke the ice” among Team members and brought into view their shared devotion to Chelsea and their common public goal of preserving its existence. Next, they developed, by consensus, the ground rules that would govern their deliberations. The successful completion of a product — the ground rules — added to their emerging social capital and at the same time modeled a new way of deliberating; they became part of an emerging public.

Throughout their service, the Charter Preparation Team members found that individuals both perceived and valued issues differently. One woman felt very strongly about the mention of God in the preamble. Many were extremely concerned about the at-large versus district composition of the school committee. Some raised the issue of the relationship between the city and nonresident business owners; others raised the issue of a public process to hire key city officials such as the police chief and city manager. All issues were discussed in great detail. Decisions were informed by the community input the Team received, and the “packages” the Team could agree to based on their trade-offs of various options. It was the task of writing the charter, which befell the Charter Preparation Team, that set off the chain of events that enabled social capital formation, which begat the public that sustained the participants to build the “package” that was the Chelsea City Charter.

Though of great importance, this transformative cycle among participant-negotiators is apparent during any successful public sector mediation process. The importance of the Chelsea Process is that by actively engaging and sustaining participation by the citizenry of Chelsea, rather than simply accepting the views of community representatives, the Chelsea Process pushed the public sector mediation model beyond its previously established parameters by including triggers for social capital formation and public-building.

The people of Chelsea were skeptical of outsiders, of the

Receiver's decision to "give" them the authority to write their charter, of the charter process, and of their own ability to cooperate for a positive outcome. The tenacity of their skepticism was symptomatic of their limited supply of social capital. When the process team began its work in Chelsea, its members were clearly "outsiders" and, therefore, suspect. In seeking entry into the community, the mediator met with community leaders, the people others sought out for needed information. In meeting with these individuals, the mediator learned about the city, but perhaps more importantly, she let them know who she was. She answered questions about her work and family because she understood that the information shared with these leaders would be spread throughout the city. Thus, the interviews were a mechanism for informing the community about the "outsiders," and they provided an opportunity for trusted people to obtain, and then share, real information with peers. These leaders were potential wellsprings of social capital in Chelsea.

Chelsea residents were skeptical of the Receiver's decision to allow the community to develop its own charter. At the outset of the process, the Receiver made a public statement on Chelsea Community Cable Television to inform the community that though he had the authority to recommend to the governor a new form of government for the city, he was passing that authority on to the residents of Chelsea. He told them that if they could reach consensus on a charter that met all the necessary state guidelines, he would present that charter to the governor. Though many remained skeptical, the Receiver contributed to social capital formation as he reiterated his decision when asked publicly or privately about the charter.

At the start of a consensus process, it is not unusual for reluctant participants to assume that key decisions have already been made. Typically, such skepticism wanes once the process is under way and people actually see their impact on the outcome. Not surprisingly, Chelsea's skepticism was persistent. A pictorial process map, developed by Roberta Miller, a member of the process team, was used in meeting after meeting to show Chelseans all their entry points for offering input and how that input could impact the substance of the charter. The process

Chelsea residents were skeptical of the Receiver's decision to allow the community to develop its own charter.

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issue and generate
and assess options.***

map, along with the revised proposals developed by the Charter Preparation Team, confronted the skeptics by providing evidence contrary to their suppositions.

Finally, the community was skeptical of its own ability to “build” something. During the community-leader interviews, many individuals spoke of the culture of the “stupid kid from Chelsea,” which meant that one should not expect much from them. This was further described as a “tear-down mentality,” that is, when anyone in town began to do well, people contributed to character assassination of that person. In one instance, in declining to serve on the Charter Preparation Team, a woman said, “I won’t be helpful. I can only be divisive, argumentative, and obstructionistic.” The Chelsea Process had to teach the community how to deliberate — how to name and frame an issue and generate and assess options.

Skepticism is likely to be present in all communities, but its depth and tenacity are likely to be greater in communities like Chelsea, with lesser amounts of social capital to draw from. Skepticism limits the possibilities of public creation. In response, process experts or mediators must design processes to identify the individuals who serve as the repositories of the public trust and educate those individuals about the process and its assumptions so that they can educate the community. Mediators and other involved professionals must give legitimate and consistent messages to limit destructive speculation.

To a weary and skeptical populace, social capital formation was dependent on the absolute legitimacy of the Chelsea Process. This meant that people had real opportunities to shape the charter, that the process was not subject to political influence, and that members of the process team implemented each element of the process as promised.

Most importantly for the legitimacy of the process, the Receiver lived by his word. He did not insist on particular decisions within the charter. His representative on the Charter Preparation Team had equal standing with all other members. The Receiver had his opinions, and he shared them, but he never intimated that the charter should reflect his opinions over those of the community. Even with the divisive issue of the school

committee composition, the Receiver put the legitimacy of the process ahead of particular substantive decisions. In a private conversation with the mediator, the Receiver suggested the community would benefit from a school committee elected by district. However, he accepted the Charter Preparation Team's decision of a school committee elected at-large.

The process map was used as a tool for demonstrating the legitimacy of the Chelsea Process. It clearly illustrated the elements and sequence of the process. From the map, citizens could trace their participation and know of future opportunities. The effect on social capital formation of actually following through on stated plans in a city such as Chelsea cannot be overemphasized. As the process was legitimized in the eyes of the community, it was secured from the former clique in power, those who perceived a loss from increased public involvement, who stood ready to exploit any infraction. Thus, modeling the existence of social capital contributed to its formation.

Prior to the public-consensus process, Chelsea was not devoid of social capital. The city has a host of social clubs, religious groups, a senior center, and ethnic organizations. Social capital existed within each of these independent entities, but they were not networked nor did they look toward fulfilling a citywide agenda. The Chelsea Process increased contact among these groups as it sought to build on existing communal structures and to extend social capital across these discrete groups to create municipal, or citywide, social capital. In all, more than 45 community meetings, facilitated by Chelseans, were held in such locations. These were places people seldom consider "political," but which often represent a political affinity among those who patronize them (Mathews 1994, p. 124). In these settings, Chelseans engaged in face-to-face discourse on the issues facing their community and thus began to accept their public responsibility as citizens.

Due to Chelsea's limited social capital, the community meetings were not all designed to help create a public. Some were designed simply to distill information and opinions from the community. As a result, some community meetings had no deliberations; in fact, there was little interaction among the

The groups in which social capital was already plentiful were transformed into active publics.

participants. During these meetings, participants interacted primarily with the facilitator, who recorded their words. It can be said that these groups were in the social capital formation stage. However, since community meetings were held in places where people ordinarily met, that is, among people who trusted each other, some of the meetings contributed to public-building. Friends discussed various options and their associated advantages and disadvantages for Chelsea's new government, and learned of their differences. Thus, whereas all the community meetings contributed to social capital formation, the groups in which social capital was already plentiful were transformed into active publics.

The poorest turnout of any set of meetings occurred when, because of time and budget restrictions, the process team went against its better judgment of going to the places people naturally met and invited people to "charter" meetings. These sessions were lightly attended, partly because of multiple snowstorms, but more likely because the process tried to create public places rather than rely on existing ones.

Finally, to extend the possibilities of social capital formation, the Chelsea Process provided numerous entry points for public participation. The myriad points of entry combined to inform and remind the community that something different was happening in the city, something that they were invited to participate in and, in fact, could barely escape. A momentum was created that spoke of legitimacy of change, of hope, of reason to participate. Each separate entry point gave individuals opportunities to participate in the ways that most suited them. Some chose active public participation, some chose passive ways such as watching television or reading a newsletter. Some engaged in informal conversations, which had an immeasurable impact on the process and the community. A spectrum of opportunities for participation increases the efficacy of the process and the intensity of social capital formation.

By addressing the community's skepticism of outsiders, the process itself, and their own ability to do something, the Chelsea Process effectively invited people to participate. However, to be successful, a public consensus-building process must sustain

citizen engagement. Social capital spawns a public when individuals believe they can affect the outcome; the legitimacy of the process is maintained; opportunities for deliberation are created; and residents assume control of the process.

A consensus process is absolutely dependent on the sustained participation of those who will be impacted by its result. If the public drops out of the process, the product created will fail because it will not be a true reflection of those who must live it. Those who failed to participate or those who decided not to participate will be those who rally against the outcome and raise barriers to its implementation. To be successful, a consensus-building process must sustain citizen engagement by creating a public.

Publics are most likely to be created when deliberations enhance individuals' determination to impact an eventual outcome. The community learned of its impact on the negotiations of the Charter Preparation Team in a number of ways. First of all, each Team member received a lengthy summary of all the input generated during the first set of community meetings and community leader interviews. An abbreviated version was mailed to all households as a newsletter entitled, "Chelsea People Talk About a New City Government." At least one person commented that the piece "quoted me almost verbatim." Community members began to feel heard.

Soon they learned that this information had guided the Team's discussions. Residents asked for broader representation, and in the draft charter, the Team proposed a thirteen-member council to replace the nine aldermen of the old charter. The consensus of the community was that a council of thirteen would be too cumbersome, and the Charter Preparation Team revised their proposal to eleven councillors. Term lengths were also revised. Originally, the Team suggested two-year terms for district councillors and four-year terms for at-large councillors. Members of the community felt that this would create power imbalances among the councillors and recommended that all have two-year terms, despite the original concern that two-year terms provided less stability than four-year terms. The Team adopted the community recommendation of two-year terms for all eleven city

A number of incidents caused residents to question whether they were right to hope and believe they could impact Chelsea's future.

councillors. Members of the community actually came to Charter Preparation Team meetings with written proposals for their consideration! In addition, they typically offered suggestions, rather than making demands.

As social capital was increasing and beginning to support public creation, a number of incidents tested the legitimacy of the Chelsea Process and caused residents to question whether they were right to hope and believe they could impact Chelsea's future. Rapid responses to such threats strengthened the resolve of the community, thus increasing its stock of social capital, its ability to support publics, and its ability to engage in successful integrative bargaining.

As the Chelsea Process moved toward actual decision making, those elements in the community seeking to derail the process — that is, those who perceived a loss of political clout as a result of a successful process — became more vocal in their attempts to delegitimize the process. For example, as the community moved toward consensus on a council-manager, rather than a mayoral, form of government, individuals in Chelsea who wanted to be mayor opposed the process. They were politically astute enough to know that they could not publicly say they wanted a mayoral form of government. Instead, they tried to exploit the old tendencies of the city regarding outsiders and the likelihood of being deceived. They tried desperately to delegitimize the process.

In one instance early in the process, an alderman reported, on television, that he had been to the State House and saw people printing Chelsea's new charter, which meant that the Chelsea Process was a sham. His comments, though pure fabrications, resounded throughout Chelsea. To protect the legitimacy of the process, the Charter Preparation Team, which had emerged as a working public by this time, selected four of its members to go to the next Board of Aldermen's Meeting. They made public statements regarding the work they were doing on the charter, the issues under discussion, the options under review, and when the community could expect a draft proposal. The legitimacy of the process, articulated by a Chelsea public, countered the rantings of an individual.

During discussions of the composition of the city council, another threat arose. The Team had been discussing the options of nine, eleven, or thirteen councillors, when an article appeared on the front page of *The Boston Globe's* Metro section, which quoted an unnamed source "familiar with the decision-making process" as saying there might be as large as a fifteen-member council. The Charter Preparation Team had never entertained the option of fifteen. At the next Team meeting, many of its members themselves questioned the legitimacy of the process. Some thought they were being used to create support for decisions that had already been made in the Receiver's office. The mediator, whose role evolved into the protector of the process, came to the meeting with a memo clarifying the Receiver's intentions. A section of the memo read, "I have received assurances that ... there is no 'predisposed charter.' The Receiver expressed to me his continuing confidence in this process. He believes that the charter you develop will accurately represent the wishes of the community and thus is likely to be supported by the voters in a special election." Midway through the meeting, the Charter Preparation Team felt assured that the process continued to be legitimate. The Team was able to turn its attention back to charter issues after selecting three spokespersons to interact with the media on its behalf.

A third attack came just prior to the public circulation of the draft charter. Another alderman, at another televised meeting, said that she had received a copy of the charter in her mailbox and it was dated December 1, 1992, almost two years prior to the start of the Chelsea Process. "This proved," she said, "that it was a done deal." The document she had in hand was actually contracted for by the previous Receiver and was rejected by the second Receiver and the Aldermanic Subcommittee on Governance (of which she was a member) because it had been written without any public involvement. It was also markedly different from the draft completed by the Charter Preparation Team.

In response, the Charter Preparation Team wrote a letter to the alderman asking her to publicly clarify her remarks. Behind the scenes they negotiated with her for a public apology to the

At the next Team meeting, many of its members themselves questioned the legitimacy of the process.

Team; they wrote a letter to the editor of the local paper; and two of them went to the next Board of Aldermen's Meeting to again describe the work of the Team.

These attempts to create distractions from the goal of the Chelsea Process were met with conscious and deliberate responses. Without swift and accurate responses, the perception of the legitimacy of the process and, therefore, ongoing participation would have suffered. The stirrings of social capital formation and the emergence of a strong public were threatened. Those opposed to the process because they feared it would result in personal loss had to fabricate evidence to use against it. If there had been actual infractions in the legitimacy of the process, they would have been exploited to derail the process. Residents of Chelsea carefully watched the responses to these threats to see if the Chelsea Process could be sustained through the political onslaught. As the process retained its legitimacy, social capital throughout the city increased as people saw and felt real change.

Maintaining the legitimacy of a process should be the first priority of mediators. One way mediators can do this is to create opportunities for describing and identifying process milestones. If there are actual attempts to derail the process, the mediator must work with those responsible for the process in the community to quickly develop and implement strategic responses. However, nothing a mediator can do is as powerful as a local public defending the process. The Charter Preparation Team "public" became a powerful force in the community. Even those opposed to the process dared not attack its legitimacy.

Evidence of public-building during community meetings lies in the revised decisions on a number of issues. For example, with regard to terms for at-large councillors, Chelseans identified the problems of the past, generated options, assessed those options, and ultimately made a choice. The community understood the trade-offs involved in their choice. Deliberations also occurred regarding the composition of the school committee. Although the community did not agree on a preferred option, a supply of social capital sustained deliberation, and most people gained an understanding of possible choices.

The Charter Preparation Team illustrates how the formation of citywide social capital can lead to the creation of a public. Throughout its almost weekly meetings over a period of five months, the Team was sustained by its members' abilities to deliberate. "There was an orderly exchange of opinions and experience such that people came to understand each other a little, and the motives that impelled each of them, and the different values that sustain them" (*A Public Voice ... Governing America*, p. 6). As a result, they made responsible decisions that were rooted in the concerns and interests expressed by all members of the Team, and informed by the community.

The use of a consensus decision-making rule rather than a simple majority rule greatly contributed to the Charter Preparation Team's ability to deliberate. In a simple majority situation, as much as 49 percent of a group can be blocked from having their concerns met. Over time, these 49 percent are likely to stop participating as they realize that such a forum does not provide adequate opportunities to satisfy their concerns. In a consensus situation, each participant must listen carefully and work to understand the interests and concerns of the others because all must participate in the consensus. A participant's lack of consent to a proposal effectively vetoes that proposal and triggers additional deliberation until a consensus emerges.

For the Chelsea Process, because of time constraints, the Team adopted consensus as their decision-making rule, but if a topic was fully discussed and it appeared there was no way to reach consensus, the mediator was empowered to call for a vote on that particular issue. The package of decisions that was the complete charter, however, had to be adopted by a true consensus of the Team. A vote could carry with 80 percent of the Team in support. The consensus rule, even with the fall-back 80 percent rule, stimulated lively deliberations among the Team, and caused its members to understand the interests and concerns of all segments of the Chelsea community. A Hispanic man, who was part of an organization that was inclined toward protests and lawsuits against the city, said, "I really like this process — not because I get everything I want, but because I get a fair hearing."

The package of decisions that was the complete charter, however, had to be adopted by a true consensus of the Team.

He felt heard and understood, and he fully participated in Team decisions.

This same person threatened to quit the Charter Preparation Team over the composition of the school committee to be elected at-large. In a private conversation, the mediator talked at length with him about the Team deliberations as well as the gains the charter would provide the city and his constituents. He came to understand that the charter was a package of carefully deliberated decisions and that as a sum total, that package satisfied many of his greatest concerns.

Finally, the increased visibility of trusted Chelseans contributed to sustained public participation in the Chelsea Process. As a public emerged, its members assumed more and more responsibilities, especially for public appearances. In Chelsea, the mediator continued to mediate during Charter Preparation Team meetings, but ceased all public appearances once Chelseans were available to take the helm. Chelseans appeared on cable TV shows, made presentations to such groups as the Chamber of Commerce, and spoke before the Board of Aldermen.

If the mediator had remained the visible person in the process, it would soon appear that the process belonged to outsiders and participation would decrease. Momentum was created and sustained as Chelseans saw themselves, their neighbors, and their friends actively engaged in deliberations to write the city charter.

To sustain participation in a public consensus-building process, a fresh supply of social capital must lead to the emergence of a public. This transformation occurs as citizens recognize their ability to affect the outcome; the legitimacy of the process passes crucial tests posed by members of the "old school"; there are increased opportunities for deliberation; and finally, the community takes control of the process.

Community Ownership and Commitment Beyond the Process

A successful public consensus-building process results in community ownership of the outcome and a commitment to its implementation. Sustained participation throughout the process leads to a product that reflects the unique characteristics of the community involved. A successful process should also lead to lasting stocks of social capital and a long-term ability to create public goods as issues arise, as well as an ability to engage in integrative bargaining to develop solutions to complex public problems.

Strong participation among Chelsea residents maintained the process, and there is evidence to support both the supposition that the charter reflects local interests and that there exists a strong commitment to its implementation.

The Charter Preparation Team gradually claimed ownership of the charter long before it was complete. As a result of their hard work, the charter had a decidedly local flavor to it. For example, the charter requires an extraordinary majority (8:11) to hire and fire the city manager; it explicitly denies elected office to convicted felons; and it has absolutely no mention of a mayor — not even symbolically. These decisions reflect the pain experienced by Chelseans because of former corrupt officials.

In one instance, the local flavor did not prevail because of state custom. This mistake contributed to the 40 percent No vote in the special election. The word “voters” needed to be defined in the definitions section of the charter. Many wanted the definition to include “citizen of the United States of America.” Because it was late, the Team accepted the proposal to adopt the words of the Massachusetts Constitution: “... as defined by the laws of the Commonwealth, including but not limited to residency, age and citizenship requirements of voters” (Chelsea City Charter, Section 9-4 (1)). As a result, some in Chelsea exploited rifts between old and new immigrant groups by arguing that “The charter doesn’t even define voters as U.S. citizens.” This was especially important because of a prior proposal to allow noncitizens to vote in local elections. The impact of not having the local nuance on this issue illustrates how crucial it is to ensure that local nuance prevails.

The Charter Preparation Team gradually claimed ownership of the charter long before it was complete.

The consensus process officially ended when the Charter Preparation Team signed the top sheet of the charter attesting to their consensus. After it was passed in the special election, approved by the Massachusetts State Legislature, and signed into law by the governor, the commitment beyond the process became clear.

To begin with, 44 candidates ran for 18 elective offices. In the previous election, two of nine aldermanic seats were uncontested. In the first election guided by the new charter, citizens elected the most diverse legislative body in the city's history. The eleven-member council included four women and three minorities (one woman) — two Hispanics, one African-American and five male Caucasians. Previously, the Board of Aldermen had two women and two minorities (one woman).

As “only in Chelsea” would have it, a man who won an at-large city council seat declined the position to maintain his Conservation Commission appointment. This left a vacancy which, according to the charter, was to be filled by the next top vote-getter in the at-large race. This caused the seat to go to a Hispanic woman and left a Caucasian man, who had been an alderman in the previous term, as the next in line. He tried to interpret the charter in a way that would allow him to assume the vacant seat.

At that point, members of the Charter Preparation Team weighed in and publicly discussed the intent of the vacancy section of the charter. The former alderman backed down, and Chelsea-watchers expressed surprise and hope at the change in community conduct. Having discussed, deliberated, and decided every detail of the charter, the Chelsea residents of the Charter Preparation Team became protectors of the charter.

The Chelsea Process strengthened the city's social capital and made it possible for a public to emerge spontaneously. This is evidenced by the long-term sense of public ownership of the charter and the public's commitment to its fair and just interpretation.

Limits of the Process

With the city in receivership and the Receiver's absolute support, the Chelsea Process was temporarily protected from politics as usual, with locally elected officials limited to an advisory role. This is not to say that some members of the Board of Aldermen, who perceived a reduction of their power as a result of the process, did not attempt to derail it. They did so through strategies of deceit, misinformation, and finally, negative campaigning prior to the special election. However, had they had real power to pass ordinances, they might have successfully sabotaged the process. Therefore, a city with very limited city-wide social capital that is not in receivership would likely have a more difficult time than Chelsea in trying to use a public consensus-building process to draft a city charter.

In addition, although Chelsea's local democracy had been suspended, political forces at the state level continued to operate. During the process, these forces had little clout because of the consensus decision-making rule — there were simply too many people from too many political and social sectors to try to control. However, there is evidence to suggest that this was not the case after the election of the new, eleven-member council. Some of those elected had strong ties to state officials, who may have been able to wield some influence over the selection of the city manager.

Thus, politics as usual and power relationships have a potentially great impact on a consensus process that seeks to enable a city to govern itself. The power-clique that benefited from limited participation will seek to protect its "turf." Receivership can simplify this matter during the process, but cannot intercede once the new political system is up and running.

CONCLUSION

A strong democracy is sustained by social capital that engenders public-building. These public capacities will support integrative bargaining when necessary to develop solutions to complex public problems. Democracies in crisis lack these elements and abilities. To revive such democracies, processes can be constructed to catalyze the formation of social capital, which will support public creation. Without a large and interconnected supply of social capital, it is difficult for a public to spontaneously emerge. A public consensus-building process, rooted in outcome-oriented public sector mediation processes, can be designed to serve to catalyze social capital formation and public-building.

Epilogue

On September 11, 1997, the front page of *The Boston Globe* Business Section led with the headline, "7-story, \$13 million hotel planned for Chelsea." According to the article, the hotel, to be developed by a national, Houston-based corporation, will be a "symbol of the hard-luck city's renaissance."

Since the end of its receivership, Chelsea has balanced three municipal budgets, produced an ambitious capital improvement program, increased its tax base, opened new schools, and reduced its crime rate. It has stabilized financially and administratively, and past daily crises have given way to general routine. According to the city solicitor, "It's boring here now!"

Observers regard City Hall as professional and as having the capacity to translate city council decisions into constructive policy and action. The residents seem to have had a hand in this turnaround. Said Guy Santagate, the city manager, “While I can’t document it, I feel that people are more involved today.”

Chelsea’s residents are showing newfound political will and cooperation. Since the adoption of the new charter, the number of neighborhood associations has grown from two to ten. These associations are credited with pressuring the city to begin a quality-of-life program, which involves numerous city departments. Chelsea’s citizens also appear set to win a political battle fought to keep an asphalt plant from locating in the city. The residents want a cleaner industry. In the past, such a plant would probably have moved in, and people would have announced their familiar refrain, “We always get dumped on.” Today, they are effectively putting forward a unified political will.

However, Chelsea does not lack political challenges. In November 1997, the city held its first municipal elections since the end of the receivership. (The 1994 elections were held prior to the end of the receivership.) A number of the elected candidates had not run for elective office in the past, but included in that group is a former police captain, tried on corruption charges and ultimately convicted of tax evasion. The charter prohibits someone convicted of violating the public trust during city employment from taking office. Since his election, City Hall has requested a legal finding from the State Attorney General based on the charter provision.⁷

Another challenge ahead will be selecting a replacement for the city’s outgoing police chief, a sophisticated criminal justice executive of national stature. Observers say there will be political pressures to choose an insider, just as there will be political pressures to hold a fair and open selection process.

In sum, the evidence suggests the Chelsea Consensus Process did succeed in increasing positive political activity among Chelsea residents. The degree of deliberative discussion within this process was related to the sustainability of the results. In

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and cooperation.***

⁷ Authority to interpret Massachusetts city charters rests with the Attorney General.

Chelsea, the learning continues as citizens are confronted with an ongoing set of choices that will impact whether the city will continue to be livable and attractive for development, or whether it will repeat its past destructive ways.

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