

European Institute for Public Participation

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**Making citizens' voices heard - and listened to.
Some thoughts on public participation in Europe**

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1. The disenchantment of citizens with today's politics

In 2005 the European Constitution was rejected in the French and the Dutch referenda. Brussels sent the alliance into two years of soul searching and finally came up with the Reform Treaty. With the "no" of the Irish people in June 2008 it looks like the process of European construction has once again been derailed. Their rejection was a legitimate expression of a clear political will. It is likely that many European citizens would reject the proposed European Treaty if they had the chance to have a say. They feel frustrated and powerless in relation to the process of European integration pushed through by their heads of states; they feel alienated by EU's convoluted procedures and jargon as well as by its self-referential leadership. The dominant picture of European governance remains one of a top-down, opaque and technocratic process involving domestic civil servants and EU officials in a closed policy network, rather than a transparent process of deliberation and decision-making, open to broad participation by all those with a stake in the outcome.

In fact, beyond the formalities of parliamentary elections, the EU has not been able to develop an engaged public sphere for debating its future. But perhaps the "no" to the proposed Reform Treaty is also part of a more general political *malaise* and disenchantment in liberal democracies, in which public confidence in the capacity of political institutions to solve problems and represent the aspirations of ordinary citizens¹ has declined (Offe, 2006).

In the past decades, a number of significant transformations have thrown up challenges to European societies. Among the most salient of these are: globalization and the far-reaching environmental consequences of our consumer society; mass migrations and the rise in cultural heterogeneity; and increasing economic pressures to reform the welfare state. The common response to these challenges has been to de-politicize politics. This was achieved for example through processes of (techno-bureaucratic) legalization² as well as through the

¹ By citizens we not only mean individuals holding citizenship, but all who lawfully reside within a given territory.

² Legalization is a form of institutionalization distinguished by obligation, precision, and delegation (Keohane/Moravcsik/Slaughter, 2000: 458).

increasing use of scientific and economic expertise as ways to "neutralize" the most intractable of political conflicts. As a result, the power of courts, the executive branch of governments and their techno-bureaucratic administrations has grown ever stronger.

As polities become larger and more heterogeneous and their tasks more complex, the erosion of democratic vitality may seem inevitable. But perhaps the problem is not the size and heterogeneity of a polity nor the tasks political institutions face as such, but the way they are designed to address them (Fung/Wright 2003). What is needed is a fundamental revitalization of democratic practices, which will empower ordinary citizens in new ways.

2. Public participation and its transformative potential for democracy

From the point of view of democratic theory, a participatory-deliberative approach builds on the practical competence and contextual knowledge that citizens possess as users of public services, subjects of public policy and inhabitants of neighborhoods and ecosystems (Cohen/Fung 2004). This approach is based on two strands of democratic thought. On the one hand, it emphasizes a deeper engagement of citizens with substantive political issues and the officials' responsiveness to their concerns. On the other hand, this approach favors a more deliberative democracy in which citizens address public problems by reasoning together about how best to solve them – what counts is the "force of the better argument" (Habermas 1975). While deliberating, all participants are forced to explicate and scrutinize heterogeneous positions, thereby engaging one another in a process of mutual learning. Public participation, thus, is the deliberative process by which interested or affected citizens, civil society organizations, and government actors are involved in policy-making before a political decision is taken. It is collaborative problem-solving with the goal of achieving more legitimate policies.

Public participation is meant to complement more conventional modes of policy-making where elected representatives take decisions on the basis of their constituents' (perceived) preferences. It matters most in those (relatively few)

decisions in which there are strong conflicts of interest in the face of necessities for collective action. For most decisions political participation will be limited to voting for representatives, influencing public opinion, and protesting. But combining representative institutions with participatory arrangements may be the most powerful “antidote to oligarchy” (Fung/Wright 2003) in all its ever-changing forms (from the national political elite, such as the extremely privileged *casta* in Italy, to Brussels' technocrats) as well as the most promising vaccine against the influence of powerful lobbies. It may also be the most effective way to overcome the citizens' sense of futility and powerlessness in relation to political action.

However, (a) participatory practices can be costly in terms of time and money and may thus be perceived as inefficient. Moreover, it is often suggested that (b) ordinary citizens are not knowledgeable enough to participate in decision-making processes. Furthermore, (c) participatory arrangements are criticized as lacking representativeness since they disproportionately involve the wealthy, well-educated and professional.

We believe that these shortcomings can be mitigated by carefully choosing the appropriate participatory arrangement for any particular area and level of public governance. (a) The use of participatory practices must be carefully evaluated as to the costs and benefits (see Involve, 2005). Political costs of public participation include the loss of administrative and political control over political processes. In the medium term, these short-term costs are mitigated, as decisions are linked to a better-defined expression of citizens' preferences, which ease implementation and preemptively resolve conflict. Financially, public participation is likely to be more costly in the short term, as its organization requires additional money for public meetings, facilitators and the dissemination of results. Lower implementation and administration costs, however, may outweigh these costs.³

Additionally, public participation places a burden on the time and finances of participants. These costs are often overlooked, even though they directly

³ Interviews and Mr Heuberger of Rheinland Pfalz.

influence the empowering effects of participatory arrangements. Overuse of participatory processes may discourage citizens, as their costs may be perceived as too high if the impact of their input cannot be guaranteed. Also, processes must be non-hijackable for citizens to trust them.

(b) Empirical research has shown that exposing political decision-making to the collective wisdom of ordinary citizens can benefit even complex policies, such as energy and transport (Renn et al. 1993; Surowietzki, 2004). Appropriate kinds of participatory practices can overcome the problem of size and trigger a deliberative search for innovative solutions (Goodin, 1995). These practices can be complex, run several rounds and rely on structured input by experts, politicians and facilitators. If far-reaching transparency and media coverage are ensured, processes of public participation may inform and deepen the larger public debate on particular issues as did, for example, the consensus conference on nanotechnology in Wisconsin in 2005 (Powell/Kleinmann, 2008).

(c) Many recent cases of participatory practice use of mini-publics in e.g. Deliberative Polls or Consensus Conferences to solve the conundrum of representativeness at the same time as limiting costs. The challenge is to (i) ensure that the composition of the mini-public actually does represent the different points of view of the citizenry at large and (ii) that the debates within the mini-public are conducted in a manner, which allows everyone to make her argument (iii) with a sound factual basis.⁴

While not representational in the conventional sense of a realistic mirror of society, mini-publics can have "some claim to representativeness" by ensuring that "the diversity of social characteristics and plurality of initial points of view in the larger society are substantially present in the deliberating mini-public" (Goodin/Dryzek, 2006: 221). A representation of equal strength is not absolutely necessary, because the guarantee that within that forum arguments are the basis for interaction allows all points of view to be taken up in the deliberation. And participatory practices may enhance political equality if they are properly

⁴ Mini-publics are small groups of citizens, such as Consensus Conference, Scenario Workshops and World Cafes, which conform to certain requirements and which are convened to deliberate on a particular issue.

implemented. For example, participatory budgeting in the city of Porto Alegre, although formally open and thus self-selecting, exhibits an overrepresentation of those who have lesser education and lower incomes (Baiocchi 2005).

There are real-world institutions that are at once more participatory and more effective than the familiar configuration of representation and bureaucratic administration. And the outcomes may be more fair and equitable (Fung 2004). Participatory practices can help to legitimate public policies and force official accountability (Goodin/Dryzek 2006). In any case, the inclusion of ordinary citizens in the decision-making process has the potential to democratize the political system (Blondiaux, 2008: 62) and society at large. Public participation allows citizens to re-evaluate perceptions and integrate alternative views in their cognitive and emotional mindset, thereby minimizing disputes by creating a process for resolving contentious issues before they become too polarized (cf. CCPARDC, 2007). With the appropriate method, this is even possible for "hot" issues where emotions run high, as this mobilizes participants and sustains the process over time (Fung, 2003: 345).⁵

3. Uses of public participation in today's Europe

In recent years, we have witnessed a proliferation of such participatory practices all over the world and at all levels of public decision-making (local, regional, national, transnational) countering the de-politicization that has taken place in liberal democracies – a process that we might call "re-politicization": from the British Columbia Citizens' Assembly on Electoral Reform to Consensus Conferences organized by the Danish Board of Technology, from administrative reform in Kerala (India) and Christchurch (NZ) to the UN Aarhus Convention in Environmental Matters.

In Europe, most political systems do not provide for the use of participatory practices at the national level. The bulk of experiences are thus located at the local or regional level. The Cipast project (www.cipast.eu) and our own research found different patterns of public participation in the member states. For

⁵ Referenda, in contrast, are prone to polarisation and do not foster the rational exchange of arguments (Vreess/Semetko, 2002).

example, their use is extensive in Germany and the UK. While in the UK the national government has broadly embraced the participation of citizens in policy-making (Ministry of Justice, 2008), the execution is primarily left to the private and non-profit sectors. In Germany, participation is experiencing a revival after it had been established particularly in planning and technology assessment in the 1970s (Renn et al. 1993; Baumann et al., 2004). In Italy there are numerous initiatives at the local and the regional level. The region of Tuscany has recently adopted a law defining the use, uptake and form of public participation. But since Italians exhibit a strong mistrust of the overall political system, participatory initiatives involve only a small section of society. In Denmark, the Danish Institute of Technology has since the early 1990s successfully organized public participation using the widely adopted Consensus Conference method.

Between 2005-2007 the EU Commission funded pilot projects to test which of the wide range of available methods would be suited for transnational and multilingual participation.⁶ RAISE (www.raise-eu.org) brought 26 citizens from all member states together to develop a vision for tomorrow's city; the results were then presented to representatives of EU institutions. The European Citizens Panel (www.citizenpanel.eu) combined regional and a pan-European citizens panel (approx. 400 citizens) to present their views on the future of rural Europe to decision-makers. Tomorrow's Europe (www.tomorrowseurope.eu) conducted a Deliberative Poll with 400 representative citizens to gather their informed opinion about the future of the EU. The European citizen consultations (www.european-citizens-consultations.eu) were the largest such enterprise so far, involving approximately 1500 citizens in all stages from agenda-setting through deliberation to decision-making. For the first time public participation of more than 40.000 citizens combined with more intensive and active information about EU procedures and policies was organized (COM(2008) 158:4). Based on these experiences, the 2008 'Debate Europe' plan aims to further embed participatory elements in EU policy-making.

Despite these numerous experiences, learning and exchange is limited and not

⁶ See http://ec.europa.eu/commission_barroso/wallstrom/communicating/conference/dialogue/six-pan-european-projects/index_en.htm.

systematic (Rowe/Frewer, 2005). This leads to high costs of implementing public participation. What is missing is a clearinghouse which coordinates systematic learning and sharing of best practice in public participation in Europe.

4 Recommendations for public participation in Europe

In order to make participatory practices effective for policy-making in Europe, we need to establish a constitutional framework, a clear methodology and ensure rigorous analysis of these practices.

4.1 We need a clearly defined constitutional framework for public participation.

Our vision comprises a constitutional framework that establishes public participation in the larger political setting and defines the relationship between participatory arrangements and representative democracy. The framework would specify how outcomes of participatory processes are linked with policy action. It would provide different rules for the different aims of the participatory processes: informing citizens; consulting them on a given issue; or directly involving them in policy-making. The framework would provide an interface between citizens and decision-makers. It would help dispel citizens' perceptions that they are co-opted or not taken seriously (e.g. Lukensmeyer/Torres, 2006; King Baudouin Foundation, 2005: 20). Public participation must have a meaningful impact on public policy; when it is used instrumentally to obtain public approval for decisions taken beforehand, it does not improve democratic legitimacy (Goodin/Dryzek, 2006: 237).

The framework would define the institutional role of all actors involved at all levels of decision-making: government and administrative officials from national communities; local and regional authorities; scientific experts and the voices of minorities; interest groups; civil society organizations; interested or affected citizens etc. It would also specify the procedural requirements for legitimate decision-making in terms of transparency, equal access to public participation, inclusion of all affected citizens and responsiveness to the input from the participatory processes. Using this framework, all actors involved, and most

importantly political decision-makers, would be held accountable.

Such a constitutional framework may be developed through a participatory process, which includes citizens, experts, political decision-makers and administrators, where all participants deliberate about the role of public participation in the larger political setting – what Thompson calls a "meta-deliberation" (2008: 516). The outcome would constitute a socially agreed "contract" about the most desirable use of public participation in political decision-making. Similar to the citizens' assemblies that have been used to reform the electoral system in British Columbia, it could be left to the citizenry at large to ultimately vote in a referendum on the assembly's recommendations.

4.2. We need a methodology for choosing adequate methods of public participation.

Within such a framework, participatory processes may involve a vast array of methods which allow citizens to deliberate about collective problems. Citizens' Juries, Deliberative Polls, Consensus Conferences or 21st Century Town Meetings, for example, differ significantly in their organization and way of operating (Fung, 2006; Lukensmeyer/Torres, 2005).

Organizers of participatory processes – most often public officials – need to know which method is most appropriate for a specific area and level of policy-making (local, regional, national, transnational). Currently the proliferation of participatory methods and the difficulty in identifying their specificities make the organization of public participation costly and complex (Rowe/Frewer, 2005: 258). The methods vary along two main dimensions: who participates and how their discussions are linked to policy action. Are the participants selected (for example, randomly, or recruited from societal subgroups) or is the participatory arrangement open to all who wish to attend? Is the chosen method adequate for the particular aim of the participatory process (ie to inform citizens, to consult with them or to create a co-governing partnership)? Furthermore, it has to be established whether a method is adequate for the issue at hand. Controversial issues require different methods than "cold" conflicts; different approaches are needed for strategic choices than for concrete policies. And some methods are

more suitable for informing broader public debates via media coverage than others. This exacerbates as different methods can be used in different stages of the policy-making cycle. For example, Deliberative Polls are useful to formulate a problem, whereas Citizen Juries are suited for policy formulation and World Cafe might help in the implementation stage.

Connected to the choice of method is the clear definition of the roles of organizers, participants and independent facilitators or agencies. Clearly-defined roles help to avoid the perception of bias in the participation process, which is particularly relevant when there is a lack of trust in policy-setting institutions (cf. Rowe/Frewer, 2005: 255; Vreese/Semetko, 2002). Examples of independent agencies are the public French *Commission nationale du débat publique* (CNDP) and *Involve* a British non-governmental organization or other non-profit organizations. Their role is to ensure that participants receive impartial information and to prevent the double marginalization of participants, e.g. when the less educated are less listened to. They also render the results of the participatory processes public (e.g. by mass media) and expose them to the scrutiny of the larger citizenry.

What is needed, therefore, is a practical tool for organizers of participatory processes to identify which method is most effective and desirable for a given situation. The tool must be rich in information about the selection mechanisms, the strengths and weaknesses of different methods, their usefulness for different situations and their empowering potential for citizens. At the same time, it must be simple enough for laypersons to understand the concepts and ideas behind it. The presentation must be tailored so that barriers, such as education, age or other possible aspects for discrimination are minimized.

4.3 We need a thorough and continuous analysis of participatory processes.

Research by Involve (2005) highlighted the importance of better understanding and analysis of the use of participatory methods. While there are numerous advantages to be gained from increased public participation, possible shortcomings are not systematically addressed. There is no clear understanding

of the monetary and non-monetary costs involved in participatory processes. For example, the focus on mini-publics been justified with a view to costs, but the actual gains for the organizers or the participants were not articulated (Goodin/Dryzek, 2006).

We therefore need systematic, continuous scientific research into the long-term impact of, and the normative requirements for, public participation (Thompson 2008). The development of an analytical approach through which participatory impacts can be measured is crucially important (cf. Involve, 2005; Rowe/Frewer, 2004). In particular, this approach ought to focus on the costs and benefits for citizens as well as on administrative and political costs for the organizers of participatory processes. While there are good theoretical arguments to expect democratizing effects of increased public participation, the cost-benefit calculation of citizens, i.e. devoted time and resources vs better regulation, cannot be assumed to be positive and may depend on the way participatory practices are applied.

The scientific research should, of course, extend beyond the end of the participatory process itself. In particular, its long-term impact on policies and the empowering effects on citizens must be central to the analysis (cf. Powell/Kleinmann, 2008), because this knowledge is necessary to better assess the effectiveness and the democratic potential of participatory processes. A process of learning and evaluation must be established, which helps continuously to improve the methodology.

5. Conclusion

Public participation has the potential to revitalize the political system and alleviate the disenchantment of citizens with politics. In this paper we have presented an approach to complement European representative democracies with effective participatory practices. We have discussed the advantages and shortcomings of public participation. We recommend that three steps be taken for public participation to come to fruition: a framework for public participation needs to be adopted, a systematic methodology must be developed and a rigorous and continuous analysis of costs and benefits established.

If these steps are taken, public participation has the potential to strengthen the democratic legitimacy of European governance. By fostering deliberation among citizens over the nature of problems and the best way to solve them, participatory practices produce a pool of (transnationally) shared arguments which – disseminated by mass media – contribute to the emergence of a wider public sphere, in which policy choices of member states and the European Union are exposed to public scrutiny (Nanz, 2006). Through public participation, the process of political decision-making in the EU would be opened up both to the input of citizens' concerns and to public scrutiny of the larger citizenry.

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