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### The Impacts of Democratic Innovations

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# The Impacts of Democratic Innovations

Edited by Vincent Jacquet, Matt Ryan  
and Ramon van der Does

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## *Introduction*

# **The Impacts of Democratic Innovations**

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## **INTRODUCTION**

This is a book about what democratic innovations do, not what they might do or are supposed to do. It is a book about what happens to politics and policy when political participation is practised in new ways. Fostering the participation of ordinary citizens in politics, and not only the representatives of civil society organisations or experts, has indeed become a *leitmotif* of contemporary governance. In recent decades, governments throughout the world have introduced so-called democratic innovations (DIs), that is, ‘institutions that have been specifically designed to increase and deepen citizen participation in the political decision-making process’ (Smith 2009: 1). Participatory budgeting, for example, since its introduction in the late 1980s in Porto Alegre, Brazil, has travelled the globe and been used to connect citizens to decisions on government spending. More recently, many countries, especially in Europe, have charged nationwide assemblies of randomly selected citizens with deliberating and making recommendations to inspire public action and collective response to the major societal challenge of climate change. In addition, several states in the US have established deliberative bodies through which citizens review the pros and cons of specific ballot measures and subsequently inform the broader public about the diversity of arguments. All of these initiatives vary in their history and design, but they all attempt to find a better balance between participation, deliberation and representation in democracy. They seek to give the citizenry a new voice in the political system beyond such ‘vote-centric’ instruments as partisan electoral campaigning (Chambers 2003).

Despite their popularity, the added value of DIs remains subject to debate among both scholars of democracy and the broader public. From an elitist

perspective, the majority of citizens simply do not have the requisite capacities to deal with the complexity of politics, making deeper citizen involvement in democratic politics undesirable (Brennan 2016; Schumpeter 1942). Others argue that DIs are expensive undertakings that often do not garner widespread public support (Achen and Bartels 2016: 302). They maintain that greater participation is simply not what the people themselves want. Critics might view the push for DIs in contemporary governance, then, as a top-down enterprise, driven by well-meaning but foolhardy academics and political pundits, who cannot count on citizens' support (Hibbing and Theiss-Morse 2002).

Scepticism towards the development of some DIs also comes from proponents of a more inclusive and participatory political system (Pateman 2012). After all, DIs can fail to deliver on their promise of offering truly deeper citizen involvement in policy-making. They arguably remain 'ripe for abuse' by politicians and other existing policy actors that seek to employ DIs to advance their own interests. In that sense, DIs function as mere window-dressing strategies that do not really empower citizens in policy-making (Geissel 2012; Papadopoulos and Warin 2007; Boussaguet 2016).

By contrast, advocates of DIs assert that they have the potential to make contemporary political systems more inclusive, effective and legitimate (Fung and Wright 2001; Landemore 2020). DIs could involve a larger portion of the population in decision-making over the policies that directly concern them, leading to more informed and legitimate policy-making. Advocates of these participatory and deliberative procedures accordingly call for their further institutionalisation in contemporary political systems (Niemeyer 2014; Setälä 2017; Fishkin 2018).

Beyond the general disagreement between those optimists who celebrate and sceptics who disregard the potential of participatory practices, we know relatively little about the impact of the wide variety of DIs that are currently taking place. Social and political scientists have already studied extensively what is going on *inside* such procedures and their consequences for citizen participants. However, what remains more uncertain is whether and how DIs matter for what happens *outside* their walls, in the broader policy-making process and public sphere (Jacquet and van der Does 2021a). Fundamental research questions in this vein have been asked but remained unanswered. These questions need to be tackled in order to assess the impact of DIs on the functioning of contemporary democratic systems: is the broader public affected by these new institutions? What do political leaders do with recommendations drafted by such DIs as citizens' assemblies? How can we conceptualise and empirically scrutinise the impact of DIs? And do DIs transform the practices and representation of actors in the political system or do they remain marginal drops in the ocean of existing political agenda-setting devices?

The present collection aims to contribute some answers to questions surrounding the transformations of democratic practices. It covers the most prominent DIs, including participatory budgets, citizens' assemblies, citizens' initiative reviews and participatory governance instruments in environmental politics. It is based on empirical material collected on four continents – Europe, South America, North America, and Australia. It provides innovative conceptual and methodological perspectives that can be used to develop research and set the agenda for how we can improve our knowledge of the consequences of different DIs. In this introduction, we first discuss the key concepts of the book. Then, we identify gaps in the literature on the impact of DIs on policy-making. We end with an overview of the contributions to the volume.

## CURRENT CHALLENGES

In both the study and practice of 'democratic innovations', the term has come to refer to a wide variety of processes that seek to deepen citizen participation in policy-making (Smith 2019). In that sense, DIs can be loosely thought of as 'innovative,' that is, as bringing 'something new' (Sørensen 2017), in that they constitute a break with policy-making as the exclusive preoccupation of professional politicians, recognised organised interests, and specialists. Conceptualisation of democratic innovations continues to improve as comparative research matures (Ryan 2019). In the way it is generally used, the term does not refer to the 'newness' of a specific participatory process as such. DIs sometimes bring wholly new ways of organising citizen involvement in policy-making, as demonstrated, for example, by the recent introduction of the Permanent Citizens' Dialogue in Ostbelgien, Belgium (Niessen and Reuchamps 2020). At other times, however, DIs are (partly) copied from one context to another, as exhibited by the global diffusion of participatory budgeting (Baiocchi and Ganuza 2015). The term is further used to refer to innovations that have reached a stage of widespread adoption in some places but not others. Where adopted, these processes are no longer new at all in the sense that they are repeated within the same context, as is the case with yearly recurring participatory budgeting processes in countries such as Peru, for example (Wampler, McNulty and Touchton 2018).

This volume focuses on the varying ways in which this family of processes of citizen participation may leave an impact on public *policy-making* conceived as the broad process of collective decision-making that goes from agenda-setting in the public sphere to policy evaluation (Howlett and Giest 2013). The issue of DI impact is not a novelty. Arnstein (1969) considers the redistribution of power induced by various processes as the key element that

differentiates the quality of a variety of participatory practices. She developed a typology that consists of eight layers of citizen participation, ranging from more desultory manipulation to more empowering citizens' control. In the lower layers, participation is an illusion organised by decision-makers. It does not enable citizens to weigh in on decision-making. The upper layers suppose, in contrast, a radical transformation of power relationships. In 2006, Fung proposed a new way to organise a variety of DIs through the creation of a 'democracy cube'. He distinguishes five levels of institutionalised influence and authority: personal benefits, communicative influence, advice and consultation, co-governance, and direct authority.

Both scholars' typologies have helped in clarifying the formal role assigned to public participation devices. Some are designed to inform citizens of government activities, whereas others pursue a more educative function and yet others attempt to develop dynamics of cocreation (Elstub and Escobar 2019). These typologies also lead to debates about the desirability of institutional designs and their resulting impact. For instance, some democratic theorists advocate the devolution of authoritative policy-making power to citizens' assemblies recruited through random selection, to improve descriptive representation of decision-makers and reduce the tendency of powerful groups to focus on their own concerns (Zakaras 2010; Gastil and Wright 2018). Others consider that such new institutions could undermine the democratic quality of the political system, if they bypass deliberation in the wider public among the many citizens impacted by decisions (Lafont 2019). These debates are not helped because the empirical study of the impact of existing practices on policy-making and the public sphere remains underexplored. We provide three explanations for this gap.

The first explanation is theoretical. Early empirical attention to DIs was driven mostly by the desire to test key assumptions in democratic theory and to convince critics, especially the proponents of an elitist conception of democracy, that deeper citizen participation would not result in a reduced quality of politics. Empirical inquiries sought to show that ordinary citizens could understand and deliberate on complex political issues and, for instance, would be willing to revise their opinions after thorough discussions with fellow citizens. Based on a diverse body of evidence, including ethnographic fieldwork (Talpin 2011), pre- and post-surveys associated with field experiments (Fishkin 2018), and the analysis of observations and transcribed interactions (Gerber *et al* 2014), these studies have allowed optimistic conclusions about the competencies of many citizens to take part in policy-making (Curato *et al* 2017). At the same time, the focus on the micro processes of DIs has had the unfortunate result that little attention has been paid so far to their impact on the wider political system. Some participatory and deliberative democrats themselves have deplored this (Chambers 2009) and

have more recently called for a more systemic understanding of small-scale instances of deliberation and participation (Parkinson and Mansbridge 2012). Such a systemic approach shifts attention towards the question of how and to what extent DIs can support the democratic qualities of the broader political system, by informing debate in the wider public sphere, for example (Curato and Böker 2016; Niemeyer 2014; Dean, Boswell, and Smith 2020).

The second explanation has to do with the tendency to focus on DIs' successes and to neglect failures (Spada and Ryan 2017). This not only derives from a more general publication bias, it also seems to result at least in part from the fact that many scholars working on these participatory procedures are also some of their most fervent advocates (Hendriks and Carson 2008). Advocacy based on evidence should be welcomed but we need to be vigilant that some outcomes (or lack thereof) are ignored by scholarship. This allegation casts some doubt on the degree to which existing findings on the policy impact of DIs reflect their full reality; doubts which can only be allayed by well-conceived empirical analysis.

The third reason is conceptual and methodological. Once we agree that we need to scrutinise the impact of DIs, the major question that arises is *how* we should do so. The conceptualisation and measurement of impacts on wider public opinion, legislation and public policy-making remain hotly contested in various subfields of political science, ranging from the impact of expert committees to the impact of lobbying and interest groups (Dür and de Bièvre 2007; Woll 2007; Gilens and Page 2014). Given the involvement of myriad other actors and institutions that shape the broad process of policy-making, it remains a challenge to ascertain the contribution of DIs to engendering change (or obstructing it instead) and its direction (Sievers and Jones 2020). DI scholars have so far drawn relatively little on existing work in the adjacent fields of comparative politics and public administration (Jacquet and van der Does 2021b). This means that the literature on DIs' policy impact is yet to fully exploit substantive and methodological insights on similar research questions that could advance the field (*see* Ryan, Chapter One in this volume).

Given these limitations of the current literature, it is still difficult to draw reliable conclusions about the questions of how and under which conditions DIs matter for policy-making. This is not only problematic from a scholarly point of view. Practically, numerous political actors advocate and governments increasingly organise these 'new' ways of involving citizens in policy-making. Should they continue to do so if they matter little for policy-making? Which factors could ensure that their efforts are well spent? Those acting to bring about change from within civil society will want to also know which tactics or devices for democratic policy change are worthwhile. Furthermore, the systemic perspective makes us attentive to the fact that even

well-intentioned DIs could have potentially adverse effects at a systemic level. The scholarship on participatory budgeting, for example, has advanced to show that where DIs are introduced in the context of low levels of political and financial commitment, they can only serve to boost clientelism (Ryan 2021). In such circumstances, forums are easily co-opted by existing elites, thereby frustrating citizens and increasing their overall disappointment with participation in politics. Finally, whether DIs matter for policy-making is likely to have a feedback effect on their own functioning in the future. Would (and should) citizens even care to participate in DIs if they make little (or a net negative) difference in the grand scheme of things (van der Does 2022)?

### **IMPACT ON WHAT? POLICIES, ACTORS AND INSTITUTIONS**

In order to address the research gap, the chapters rely on a variety of approaches and perspectives. They all share a willingness to conceive the impact of DIs on policy-making in ways that address the real-life complexity of processes. The notion of policy-making impact is sometimes portrayed in the literature as a binary variable – impact versus no impact – reflecting a simplistic conceptualisation of the process. As long established by specialists of policy analysis, there is no such thing as one single and homogeneous decision-maker who takes clearly identifiable decisions, followed by transparent implementation (Weible and Sabatier 2018). On the contrary, policy-making is characterised by multiple streams of problem-formulation, solutions and political dynamics, which interact with each other in a more or less chaotic way (Kingdon 2014). A multiplicity of private and public actors attempt to influence policies from several levels of government (Sabatier and Weible 2019). Their expectations are not always clear, are rationalised *post hoc*, and their actions are shaped by formal and informal institutions (Hall and Taylor 1996). Interactions among political players produce predicted and unpredicted outputs and outcomes that are sometimes difficult to trace (John 2012). This complexity poses a challenge to the analysis of the impact of DIs. No single study can cover this important complexity and each of the chapters in this volume seeks to disentangle a particular aspect of DIs' impact on the policy-making process.

This complexity requires a broad view on the policy impact of DIs. For this reason, we propose to differentiate broadly between the impact of DIs on *policies*, on *actors*, and on *institutions*. This follows the general idea that policy-making is a process conducted by a variety of actors (for example, politicians, civil servants, activists, media), who operate within the bounds of institutions (legal frameworks, shared understandings, repeated practices),

the interaction of which produces policy decisions, that is, ‘government decisions to act, or not to act, to change or maintain some aspect of the status quo’ (Howlett and Cashore 2014, 17). We think of the impact of a DI on policy-making, then, as the degree to which it effects a change in policies, actors, and/or institutions that would not have occurred in the absence of the DI (or, instead, the extent to which it obstructs changes that would have otherwise occurred). Put differently, it refers to a DI’s *power* in breaking with or maintaining the *status quo* of a policy-making process relative to the other factors that shape the respective process (Dahl 1957).

First, DIs may impact policies. This can pertain to shifts in the *substance* of policies, that is, the objectives of policies, the instruments used to achieve them, and the settlement of these instruments (Hall 1993). It can also relate to policies becoming ‘better’ or ‘worse’, that is, to changes in the *quality* of policies according to a given normative standard, such as their effectiveness or efficiency in tackling specific problems (Papadopoulos and Warin, 2007). Finally, policies may change too in terms of the *form* (say, moving from an abstract policy to concrete operationalisation) or *focus* they take (say, in shifting focus from means to ends, or *vice versa*) (Howlett and Cashore 2014).

Second, DIs may affect attitudes and behaviour of *actors*. These actors may be individuals, such as a specific minister in a relevant policy area, or groups of individuals that tend to act in concert, such as media outlets or political activists (John 2012). DIs might change a wide variety of behaviours and attitudes: from actors’ views on citizen deliberation to how they engage with citizens and, for example, the ways in which they gather policy-relevant information (Jacquet and van der Does 2021a; Jones and Einsiedel 2011). DIs may indeed change who are seen to be or see themselves as the relevant actors and their roles in a policy area, not least by including a wider group of people or, on the other hand, systematically excluding traditionally powerful groups from decisions.

Finally, DIs can impact the functioning of policy-relevant *institutions*, broadly conceived as ‘regulative, normative, and cultural-cognitive elements that ... provide stability and meaning to social life’ (Scott 2013, 56). DIs’ impact on institutions, then, may include effects on the functioning of formal, regulative institutions in the policy-making process, such as laws dealing with the role of citizen involvement in policy-making. Impacts can also include changes in norms or taken-for-granted understandings of political phenomena, such as norms among civil servants about whether and how citizens ought to be involved in drafting policies or shared beliefs among politicians about how and to what extent citizens are able to engage with complex policy issues. Equally, DIs may change how members of a collective understand their political rights and their capacities to use them. The chapters in this book, to varying degrees, focus on one or more of these three aspects



of DIs' policy impact and describe the many ways in which the effects of DIs on actors, institutions, and policies are entwined.

## PLAN OF THE BOOK

The book consists of four parts. The first part offers methodological and theoretical reflections on key problems in the study of DIs' policy impact. It starts with a broad review of the study of policy impact in the field of democratic innovation. Matt Ryan (Chapter One) reflects on the theoretical and methodological approaches common in the field and argues that the field's focus on novelty has distracted from insights on policy impact in the fields of comparative politics and public administration. He suggests three ways forward: a clearer specification of expectations and description of phenomena; consideration of alternative (sub-) disciplinary approaches to DI research questions; and a willingness to let go of longstanding assumptions in the field.

This is followed by a theoretical account by John Parkinson (Chapter Two) on the link between DIs and the wider political system. Focusing on the transmission of citizens' views from a DI to other venues in the political system, he provides a theory of communication that seeks to explain the mechanisms behind such transmission. He argues that we need to view transmission not as a simple act of 'encoding and decoding' a message but as involving acts of meaning-making in a communicative system of which a DI is just one part. This has clear implications for practice. A DI's impact cannot be reduced to clever dissemination: rather, participants, organisers, and audiences of a DI are co-producers of its meaning; impact is an iterative, social and political process.

In their chapter on DIs in France, Alice Mazeaud and Guillaume Gourgues (Chapter Three) draw on ten years of empirical research to explain how DIs continue to spread even though they often have little discernible impact on public policy. In their reflection on the institutionalisation of DIs in France, they point towards a variety of bureaucratic and political incentives that can explain this puzzle. Their findings raise the question of whether experimentation with DIs is worthwhile in a broader system that seeks only to promote participation to the extent that it can be controlled by the state.

Part Two of the book then groups chapters that present empirical material on specific cases of democratic innovation. Julien Vrydagh's analysis (Chapter Four) of a mini-public in Belgium (*Ouderpanel*) underlines the need, methodologically, to compare policy decisions *after* a DI to policy-makers' positions *prior* to a DI, to assess the kind and amount of influence on policies that one can attribute to a DI. Substantively, he identifies three signs of instrumentalisation of the respective mini-public: congruence between its report and policy decisions was comparatively low; policy-makers were more likely to



pick up on proposals that aligned with their own policy agenda; and there was low evidence of alternative perspectives generated by the participants of the mini-public.

The chapter by John Gastil and Katherine Knobloch (Chapter Five) turns to the Oregon Citizens' Initiative Review and focuses on its effects on citizens as policy actors. The authors look at two groups of citizens: those that participated in the respective DI and members of the broad public. Following up with participants months after a CIR first took place, they show that citizens that participated generally experienced a long-term increase in their civic engagement but not in their partisan activism. For the wider public, they show, among other things, that reading the CIR's voting pamphlet tends to shape citizens' voting behaviour in the initiatives and referendums it precedes. What is more, they note that at the institutional level, the CIR has formed a source of inspiration for similar processes elsewhere in the United States as well as in several European countries.

Lucy Parry and Selen Ercan (Chapter Six) conduct a qualitative analysis of five mini-publics in South Australia. They stress the need to move beyond celebrated cases of democratic innovation and to study 'failures' too. Importantly, they show that what counts as 'failure' lies largely 'in the eyes of the beholders'. Varying expectations and perceptions shape how policy actors might think about the success, failure, and impact of DIs more generally. The authors make clear that this also depends on the type of impact one focuses on: a DI may be considered a 'success' in one respect (say, stimulating public debate via media coverage) while being considered a 'failure' in another (say, effecting changes in policies).

The chapter by Jayne Carrick and Stephen Elstub (Chapter Seven) focuses on the recent Climate Assembly in the United Kingdom (CAUK). Their case study demonstrates how the impact of DIs on media actors is closely intertwined with their impact on the behaviour of other policy actors. They show that CAUK led to widespread reporting on the event by the media early on and thereby seems to have affected discussions among politicians in parliament. However, citizens remained largely unaware of CAUK and this lack of public pressure might explain, in part, why the government remained slow to act on the assembly's recommendations.

Finally, Andrea Felicetti and Simon Niemeyer (Chapter Eight) provide a comparative study of the *Iniziativa di Revisione Civica* and the Sydney Climate Change Adaptation Forum. They turn us away from models that conceive of mini-publics directly driving policy by dictating decisions. Instead they entreat us to focus on the co-ordinative and discursive functions of mini-publics. We should, they argue, ask how these functions transmit reasoning and meaning to political debate and provide deliberation that influences wider public discourse. Their analysis of the cases suggests that proposals, rather

than voting decisions, may be a more natural product of micro-processes that link them to macro-deliberation.

In the third part of the book, we turn towards large-N and meta-analytic evidence. We start with the chapter by Nicolas Jager (Chapter Nine), who provides a meta-analysis of published case studies on a large variety of participatory processes in environmental governance. He shows that these DIs can significantly shape the environmental quality and social acceptance of public policies. Jager shows that these effects derive mostly from the degree to which participatory processes allow for deliberation and give influence to participants. He identifies two mediating factors in the form of ‘capacity-building’ (such as social learning, network formation) and ‘convergence of perspectives’ (such as conflict resolution, trust-building) whose variance helps explain how good-quality deliberation yields a good standard of environmental governance outputs.

Then, Paolo Spada (Chapter Ten) reveals the impact of participatory budgeting (PB) on both policy actors and public policies in Brazilian cities. The use of DIs has implications for electoral behaviour and the chance of mayors remaining in power. Spada evidences how, in the short run, the use of PB tends to have a positive effect on the probability that a mayor is re-elected. In the long run, however, this effect wanes and is even reversed. In addition, PB matters for policies: the use of PB can shape fiscal spending but this effect varies markedly across policy areas and for some policies depends crucially on the number of years since PB’s introduction.

Focusing on the impact on policy actors, José Luis Fernández-Martínez, Joan Font and Graham Smith (Chapter Eleven) examine how participatory processes in Spain shape the justificatory behavior of public authorities for the non-implementation of proposals. They examine the drivers of an absence of justification. Mechanisms of justification for decisions or non-decisions have received little attention until now, and the authors’ work provides evidence that practices and attitudes of bureaucrats, party dynamics, and differences in civil societies’ demand for responses strongly influence whether justifications for decisions occur.

Thamy Pogrebinschi and Fátima Ávila-Acosta (Chapter Twelve) provide a large-scale mapping of DIs and their impact on policy-making in Latin America. They draw on the impressive data provided by the LATINNO dataset, which takes a practical data-gathering approach to better capture the diversity of institutional designs in a region where scholarship has mostly focused on participatory budgeting. The description of variations in impact paint a clearer picture of the variety of DIs than we can garner from case studies. The authors show us the evidence that many innovations are exactly that; innovations that do not reoccur, vary widely in their recruitment and yet usually produce discernable outputs fitting their aims, even if outcomes like legal changes are a high bar which few participatory processes achieve.

We end the book with a concluding discussion by Brigitte Geissel and Ank Michels (Chapter Thirteen). They consider the typology set out in this introduction and argue for attention to impact on general performance (for example, equality or transparency). They highlight and summarise three key challenges for impact of democratic innovations touched on through the book in developing appropriate research methodologies and overcoming issues of instrumentalisation and cherry-picking. Their fitting conclusion calls for improved theory and methods to attend to long-term effects and negative consequences, as well as conditions and regulation for positive change.

We hope this book will provide the same change in understanding of the field for readers as it has for us as editors. We want this volume to inspire and incentivise further study of impacts of democratic innovations. If we can overcome our difficulties in understanding the impacts of DIs, we may unlock the knowledge that will bring a better politics sooner. It is what we need and what people deserve.

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## *Chapter One*

# **Democratic Innovations and the Study of Politics**

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### **INTRODUCTION: THE CONSEQUENCES OF MULTIPLE UNDERSTANDINGS**

One of the most influential and oft-cited definitions of democratic innovations is provided by Graham Smith, who says democratic innovations are novel institutions ‘specifically designed to increase and deepen citizen participation in the political decision-making process’ (2009: 1). Smith’s definition of democratic innovations focuses specifically on their intended consequences. For Smith, DIs are to an important extent constituted by what they aim to achieve.

Work on democratic innovations has provenance in normative, radical-democratic theories focused on increasing equality of political participation and deliberation. These ideas have now passed into the mainstream of democratic theory and inspired practices. Superficially, at least, it would appear puzzling that more than ten years on, after a demonstrable surge in innovations themselves and of research in this new subfield, we are concerned by lack of evidence establishing the consequences of DI adoption. Yet the general presentation of this volume aims at understanding a puzzling lack of analysis of DIs’ consequences for political systems.

Smith’s express purpose in his influential book is to develop a plural account of democratic ‘goods’. He wants to move beyond debates that pit grand models of democracy against one another. He shows that fundamental goods can be achieved in different ways. The goods approach is designed to continue to let a thousand flowers bloom in democratic theory – which they have (*see* Gagnon 2018) – while providing a bridge to a body of empirical work that benefits from common standards of description and measurement. For scholars, understanding the plurality of ways in which democratic goods



can be achieved has been rewarding. The approach has been beneficial in bringing theory, empirical political science and engaged activism together in exciting ways. Open exchange has meant that methodologies considered arcane elsewhere have found acceptance and flourished; diverse ideas otherwise stymied by powerful disciplinary constraints have gained audiences; and novel political institutions and whole systems have been designed and redesigned by political scientists working with agents of policy implementation. Democratic innovation has become an important part of both politics and political science.

We should not be nostalgic for unwinnable debates among fanatics of rival democratic models. Conceptual contests are essential, but broken records are not. However, a challenge of open, plural approaches is that rather than making a bridge to measurement they can encourage *less* accuracy in describing and modelling the world. Scholarship in this area suffers from a lack of standards and tools that can be calibrated to measure and identify the same phenomena. If we want to know what the consequences of DIs are, we may need to understand them and study them in more routine ways. In this chapter, I argue that scholars of democratic innovations (myself included) have too often been allowed to use observations to produce superficially novel theories rather than to distinguish the veracity of one hypothesis over an alternate.

Not only politicians but researchers and advocates, too, are susceptible to incentives to 'cherry-pick'. Democracy, deliberation and participation are broad and contested concepts. It is easy in complex processes to fall into the trap of identifying indicators of democratic improvement and ignoring indicators of decline or stagnation (or *vice versa*). For example, when we invest in a process we can be more impressed by participants' satisfaction with speaking time than we perhaps ought, if nobody beyond the process is taking what is said on board. Or, given the stubborn abundance of social inequalities, we can trumpet diverse representation on one social characteristic as having led to change in other-regarding views, while ignoring those that persist.

If we continue to design studies to test for broad, amorphous outcomes, and evidence of outcomes can be interpreted in ways which are not standardised, we will continue to find democracy where we look for it and look for it where we find it. We may continue to delight in such research in the short term. Yet those sceptical of DI approaches, seeing us overlook what is obvious to them, will become ever more sceptical and disengage rather than continuing essential critical engagement with DI. This engagement is crucial if we are to effectively understand when and why our expectations for democratic innovation are not fulfilled. To understand consequences, we need to achieve an optimum balance between creative interpretations and the communication of common understandings. We cannot have our cake and eat it in this regard. Our engaged theory and empirical work should strive for some agreements



in standards of description and conceptualisation as part of its commitment to critique.

Critical approaches are essential but risk eschewing established knowledge. Deliberative scholars have become increasingly concerned with political systems (Parkinson and Mansbridge 2012). Yet with some exceptions (Boswell, Hendricks and Ercan 2016; Bächtiger and Parkinson 2019), the extensive emerging scholarship on deliberative systems has tended to ignore what political scientists working in other sub-disciplines have said about effects of political phenomena on systems. Evoking and idealising a ‘deliberative’ system does not mean we can ignore received wisdom on how political systems operate. That goes for all aspects of democratic innovation. If we consider studies that look at the consequences of political activity for political systems, tried and tested theories and methods are conspicuous by their absence (or decreasing presence) in this subfield. Examples include the time-series analysis used by agenda-setting scholars; network analyses used by scholars of policy preferences and debates; game theories employed by scholars of institutions; and many general causal theories in public administration and management. In DI scholarship, advanced process-tracing has not been used to identify evidence for mechanisms of causation and rather vague claims that good outcomes ‘emerge’ through democratic processes are rife. We are at a crucial moment where the decline of democracy requires interventions that are not only based on potentially good ideas but also on evidence that predicts successful democratic bolstering reasonably accurately. The chapter argues that counterfactual analysis to identify consequences for political systems will require clearer hypotheses, more formally outlining the expected relationships between democratic innovations and political systems, and that these standards should be commensurate with existing standards of measurement of consequences for political systems within social science.

In the following sections, first I discuss issues of conceptualisation and try to explain why conceptual clarity suffers in the subfield and what we can do about it. I then consider comparison and what makes research in the discipline social-scientific. I then discuss analysis and measurement, pointing out that we can draw good ideas from other studies aimed at understanding how aspects of political systems can change.

## **BETTER CONCEPTUALISING CONSEQUENCES**

Common to both mature accounts of democratic innovations and preceding work that helped the subfield coalesce was a sense that what distinguishes the phenomenon from others is a common aim of ‘deepening democracy’ (Fung and Wright 2003; Smith 2009). Deepening democracy can mean many things.

Different interpretations of democratic deepening lead to different kinds of questions and evaluations of the consequences of democratic innovations. None of that is particularly problematic *per se*. A little ambiguity allows for buy-in and momentum that forges a scholarly community. Good conceptual theory and precision in description should then allow for standardised analysis of more concrete *kinds of deepening*.

The idea of deepening democracy does, however, indicate that democratic innovations by their nature must be disruptive to ‘politics as usual’ in some important respect. DIs should provide describable democratic improvements (political change). We should, therefore, be very interested in their consequences. If politics ‘as is’ was working, we would not need these new kinds of institutional devices. This imperative for deepening democracy does not alone make democratic innovations particularly special (and so cannot define them or their impact on politics). First, politics is a peace-making process among diverse and constantly developing differences within collectives. Ironically, invention is a constant in democratic politics because, as radical democrats have pointed out, democracy is a constant struggle to recognise and counterbalance power asymmetries. Second, political acts that change the nature of politics and political systems come in various forms, from the more traditional, organised and institutionalised, to the individualised – including party-organising; civil-society/movement-organising; voting; boycotting; direct action; producing influential media content; and through everyday individual interactions with the state. All these activities can, in certain circumstances, deepen democracy within democratic systems or contribute to changing systems substantively. Democratic innovations *are* distinct in that they are relatively institutionalised and governance-driven (Warren 2009). They engage citizens not only as members of existing organised groups, in processes that depart from the traditional methods of public participation such as voting (Smith 2009). One of the intractable and frankly exciting things about democratic innovations for political theorists who study them is they inhabit this space in political systems that is difficult to grasp. They are part of what Ryan and Smith (2014) call an ‘institutionalised’ turn, at once disrupting yet loosely embedded within traditional political spaces. Grappling with this debate has drawn sceptical contributions from more radical democrats, who were initially unsure that relatively controlled and unequal systems could democratise from within (Blaug 2002). Democratic innovations’ relationship with the political system – whether acting on or acting in it – has been complex from the outset and that is one of the reasons these innovations are fascinating to study.

Part of the confusion around identifying consequences of democratic innovation may also stem from the commitment of democrats to avoid pre-determining outcomes in advance of a process. For procedural democratic

theorists, democratic institutions should not be judged on their ability to realise substantive outcomes that are defined as desirable *a priori* to a democratic decision-making process (Saffon and Urbinati 2013). Scholars who are motivated by interest in democratic innovation are often interested in identifying, in practice, the ideal conditions *for* equality of participation and deliberation. They consider the political institution to be the domain of their model rather than include anything consequential to the activity they are analysing.

Relatedly, there are untested assumptions within several theories employed in democratic innovation that following specific procedures results in better outcomes. For example, much theory assumes that deliberative procedures produce mutually acceptable outcomes. The danger is that, with strong normative commitments, this is understood as an axiom rather than a falsifiable expectation and deliberation acts as both a normative and explanatory theory in those accounts. Failures of other democratic models are explained by information asymmetries and the use of blunt tools for connecting representatives with superficial approximations of aggregate public opinion. The mutually acceptable outcomes that legitimate democracy become inseparable from the free exchange of information and opinion, reciprocity, diversity, and respect needed to produce them. That leads us to affirm the consequent. Rather than providing a testable hypothesis – a given procedure leads to recognisable levels of acceptability, with a certain probability, under identifiable conditions – the procedure and the outcome are one and the same. If it is not made clear whether the input or the output or both is doing the legitimating, a procedure where acceptable outcomes are achieved is too easily recognised as one where the equal exchange of reason has taken place; the force of better argument has prevailed, and becomes labelled a deliberative and democratic one. Where it is observed that mutually acceptable outcomes were not achieved the temptation is to deduce that the procedure cannot have been deliberative enough and needs more of the good stuff. It is easy to trick oneself in this way because doing so reduces theoretical inconsistencies in the short run. However, inconsistency in explanatory theory is only reduced by ignoring the potential alternative explanations and reducing deliberation to a vague signifier.

The conceptualisation of the role of democratic procedures as intrinsic to their *ex-post* legitimation raises thorny questions for explanatory theories where the outcome to be explained is some form of democratic deepening. It is not a unique concern and is reflected in unresolved theoretical debates regarding epistemic *versus* procedural justifications of democracy (compare Saffon and Urbinati 2013 with Landmore 2017; the latter argues that the epistemic turn in deliberative democracy allows empirical engagement with falsifiable truth-claims). And despite the traction of procedure, many of the calls for implementation of democratic innovations come from those who

have specific substantive outcomes in mind. In the UK, citizen's assemblies have been a popular demand from diverse groups, ranging from Extinction Rebellion to cross-party UK MPs nervous about traditional constituencies as they split over Brexit. Nevertheless, democratic innovations are generally of interest to those who care about change and yearn for 'new' politics. Fewer committed climate-change deniers who prefer the *status quo* have so far shown as much interest in deliberative mini-publics as have various shades of environmentalists.

In scholarly work, the literature anticipating the systemic turn in deliberative research developed an early concern for what politicians do with the outputs of mini-publics (Goodin and Dryzek 2006; Dryzek *et al.* 2009). A small number of studies have focused on specific legislative outputs (for example, Vrydagh and Caluwaerts 2020; Pogrebinschi and Ryan 2018). Nevertheless, Felicetti, Niemayer and Curato (2016) point to the incontrovertibly wide range (or types) of consequences of democratic innovations we can imagine. Observers and advocates of democratic innovations do recognise that procedural variations affect outcomes, but there is significant inertia when it comes to testing the veracity of their claims systematically.

Is there any hope for a coherent study of consequences of DIs? Perhaps for understanding consequences of DIs, preoccupation about their intended purposes is a distraction. Rather than theorise, we might simply focus on the causes of observed effects by asking people what the consequences of innovation were and draw lessons by interpreting those descriptions alone. Alternatively, one might argue it would be useful to blow away the theoretical fog by mining associations between democratic innovations and other elements of politics and interpreting the associations we find. But either alone would be rash – we need good theory to guide the data we do collect (practical constraints on data-availability notwithstanding). Causal analysis is founded on principles of inference from evidence, requiring collection of data that allows comparison of appropriate counterfactuals.

To move beyond the clutter and back from complete ambiguity of purpose and epistemic regress, I propose three modest suggestions as best practices that scholars of democratic innovations can adopt to accelerate good understanding of the consequences of DIs

First, not only do we need to distinguish dimensions of democracy clearly for analysis (*see* Fishman 2016) but we need a return to taking expectations seriously. We can be more precise and explicit in proposing causal arguments in the course of investigating democratic innovations. We need to rely less on grand theory and start to produce relatively precise models, based on more concrete descriptions, that can better identify relevant empirical generalisations. We need to be more specific about what we are looking for and looking at when describing what we do and find in the course of scholarly enquiries.

Our empirical generalisations will always be inspired by, and speak back to, debates about, for example, radical participatory *versus* representative democracy; but causal analysis requires relatively concrete theory in order to distinguish between evidence for a hypothesis or for its alternative. Note that we should take care that more precision in modelling does not allow us to hide from the work of describing precisely what is happening, where models make assumptions. Good description is really hard work, because one cannot hide behind abstractions (Gerring 2012). It is the foundation on which useful abstractions and measures are built. Precise and explicit description also allows us to better map the universe of cases, and identify unintended consequences, which can then help refine and scope the conditions under which we believe predictions hold for further theory testing.

Second, we should more often invert our prior beliefs in developing research questions. For the most part, there is an implicit normative bias among the people asking questions about democratic innovation. In many ways, this is no bad thing. Political science as a vocation can be seen to require endorsement of democratic norms (Keohane 2009). However, we could do more to understand whether biases in our assumptions and restrictions to our disciplinary nomenclature hinder progress. Most scholars of democratic innovations are optimistic for the prospects of democratic reform (although I have seen some not-too-convincing performative soliloquies to the contrary). And while we may be pessimistic about whether we expect existing political decision-makers to voluntarily give up power, we less often ask with conviction what mechanisms we think would lead them to do so. Many controversial but no less brilliant social-scientific discoveries that have ultimately inspired democratic deepening have had their roots in scholarship that started with models of human behaviour that are far from romantic. Niccolò Machiavelli, Joseph Schumpeter, William Riker and Milton and Rose Friedman may have advocated some incongruous political actions, but their work provided the insights that set standards of evidence for competing normative-democratic claims. The worry is that conviction in investigating alternatives to our natural constituency of ideas is too often organised out of the scholarship on democratic innovation. Following Keohane and various others, we may be engaged in a normative project but, crucially, any normative project requires regular engagement with alternative normative theories, with the purpose of increasing the quality of its own explanatory theories. A more fruitful engagement with sceptics will help produce the clearer explanatory theories that avoid easy theory-shifting to incorporate or ignore empirical findings.

Thirdly, and relatedly, scholars need to be aware that our subfield is becoming a silo and make less ambiguous efforts to import existing knowledge from elsewhere in the discipline. Where verified measures of social things already exist, we should not be afraid to use them. Social scientists

should think about what specific consequences (if there are any) we should expect democratic innovations to have; but considering the consequences of democratic innovations as completely distinct from other institutions that disrupt or act on political systems produces a creeping endogeneity in causal theories. To better conceptualise consequences, we need to think also about the population of consequences for political systems and not only about the narrow range of outcomes that have motivated scholars of DI. We should ask what consequences social theorists should expect disruptive acts to have, and whether democratic innovations have them. The key lesson of science is to find ways of detecting, avoiding or controlling bias. So, we should concern ourselves with a wider number of possible intended and unintended consequences of democratic innovations.

In the remaining sections, I consider these ideas in the context of moves towards more systematic empirical comparative work in the study of democratic innovations.

### BETTER COMPARING CONSEQUENCES

One way of trying to understand the consequences of democratic innovations is to observe differences among them. Logically, conceptualisation comes after comparison and not before, even though we do not tend to think of it that way in research design (Ryan 2018, 2019). Institutional variation is a hallmark of democratic innovations. What distinguishes recent work on democratic innovations from what went before is that DI scholarship takes a more engaged, empirical, and comparative approach – cumulating<sup>2</sup> single-case studies and moving empirical work beyond the role of a cameo appearance among democratic theories.

Early work on democratic innovations took very different novel institutions and tried to draw commonalities between them. In analysing consequentiality in comparison, Goodin and Dryzek considered there to be significant variation in what they termed ‘macro-political uptake’ of innovations’ recommendations (2006). Fung’s work (2003, 2006) and work by Papadopoulos and Warin (2007) provided a first set of high-level theories about what consequences we might expect from different kinds of institutional designs. However, despite their influence on further studies, there have been few concerted attempts to understand whether the theories they offered overlap when tested empirically. Fewer still have considered whether there are standard measures which, though imperfect, can help us better understand the general accuracy of claims.

When Diana Mutz addressed the claims of dialogue between normative deliberative-democratic theorists and empirical social scientists, she was a little more critical than others have been. She says, ‘To make a dialogue possible, this normative theory must be translated into the terminology of

empirical social science and must then be subjected to the standards of theory testing within the social science tradition' (2008: 524). It is important to add that clearer concepts are not arrived at by doing more theory alone or doing theory differently. This holds even for those who recognise more than one tradition and set of standards within the social sciences. Coherent concepts are arrived at through the sheer plod of successive empirical analyses and subsequent interpretation. Coherent comparison scratches at conceptualisations of well defined models, to reveal paths to refinement and greater understanding. Theorists have sometimes too easily ignored Mutz's attempt at dialogue. They carry on including within their theories every kind of political act that comes up with a substantive outcome they like (and ignore instances where the same act does not). That kind of theory-shifting activity is the road to pseudo-science and should be resisted. Nevertheless, empirical comparison is ever-increasing in the study of democratic innovations. When done properly, comparison can provide the necessary corrective to theorising that acts in a colonial manner, appropriating everything it observes to existing explanations. Comparison induces clarification of concepts and description of expected relationships among variables. That way, evidence can be determined to provide greater support for a theory or for its alternative.

Mutz and others have rightly called for the development of mid-range theories that act between narrow or broad extremes and formulate clear hypotheses with regard to when and how a DI may have specific consequences on wider political systems. Mid-range theories are a systematic accumulation of clearly conceptualised and evidenced hypothesis tests. I have tried to move in that direction with empirical work I have been involved with (Ryan and Smith 2012; Gastil *et al.* 2017; Pogrebinschi and Ryan 2018). Those works provided gradually more precise models (of different aspects of democratic innovation), evaluating competing claims and identifying evidence for one or other theory. Pogrebinschi and Ryan specifically provide evidence that theories often argued to be incompatible can produce the same results – albeit via different mechanisms. Self-praise, of course, is no kind of praise, and there are, thankfully, many other excellent studies that have begun to go in similar directions, taking the importance of conceptual clarity and comparative methodologies seriously. Even where authors have not been explicit in formalising models, a raft of studies have produced relatively clear causal theories and assessed evidence in favour or against them. These include: studies measuring net preference-change in deliberative polls across contexts (Fishkin and Luskin 2005); citizen satisfaction with outcomes in different contexts (Michels and De Graaf 2010); the relationship between deliberative preference-change and expressed will (Niemeyer 2011); the difference between the direct effects of initiatives and the indirect effect of the threat of initiatives (Matsusaka 2014); participatory budgeting's relationship with infant mortality in Brazil (Touchton and Wampler 2014); factors affecting



party support for democratic innovation (Núñez, Close and Bedrock 2016); determinants of participation in different kinds of participatory process in Swiss Cantons (Stadelmann-Steffen and Dermont 2016); embeddedness and policy outputs in mini-publics (Caluwaerts and Reuchamps 2016); predictors of implementation of proposals emanating from participatory processes (Font *et al.* 2017); deliberative quality across contexts (Himmelroos 2018); and participatory budgeting and voter turnout (Johnson, Carlson and Reynolds 2021), to name only a few. This standard of work is growing but it is a little too early to tell if we are turning the tide in the direction of a really sophisticated social-scientific research programme that can be bought into by a critical mass of scholars of democratic innovations.

All these studies (not least my own) engage with imperfection. Real-world social science is, of course, not ideal theory. This work offers imperfect representations of the real world that nevertheless help better understand it. But the standard for good comparative research should not be perfection: rather, it must be to equal or better existing comparative work. Equal is as good as ‘better’ – we are yearning for reproducibility and cumulation. As our evidence-base increases, cumulative studies should be encouraged and published more often. We already have some early efforts in cumulation in the form of meta-studies (Newig *et al.* 2012; Geissel and Hess 2017) providing insights and standards for robust analyses of theories across a range of contexts. Perfectionists both within the sub-discipline and beyond will need to be patient or begin to contribute to the process of producing better methodological and substantive research if they want to approach perfection.

Luckily, shortcuts to good social science, in the form of existing standards and approaches to investigating the relationships between institutional activity, individual/collective behaviour and changes in politics/behaviour of decision-makers/the state are available and we have been ignoring them (unless I am ignorant of their use). My impression is we have been too obsessed with novelty to pay existing research on political systems the attention it deserves. We should not seek to stop our voyage of discovery, but this volume is a response to growing calls for justification. If we want to understand whether some democratic innovations are consequential and others are not, we need not only to compare DIs with one another but with other social and political ‘things’ to develop a standard for assessing consequences.

In the next section I discuss improvements in measurement and analysis of democratic innovations, drawing on insights from across the discipline.

## BETTER ANALYSING CONSEQUENCES

It is a mistake to consider analysis and measurement in isolation from conceptualisation and comparison. They are complementary and dependent



processes. One reason for a lack of conceptual advance in the study of democratic innovations is that debates in the field over operationalisation and calibration of measurements are not well advanced. Interrogation of operationalisation has, in my experience, mostly taken the form of ‘why didn’t you measure this thing I think is important?’ rather than more constructive interrogation along the lines of ‘would this be a better way to measure what you think you are measuring?’ or ‘are your general claims, however modest, warranted by your measures?’. Our theoretical models are often so informal that they allow for much evidence to be mobilised or ignored in one or other direction.

Calibration is a particularly important part of the research process. It links communication of conceptual theories in common language with measurement of the real world, and the ability to perceive and describe observed difference in a standardised way. To create a measure for comparison that is conceptually valid, we need to link measures of quantity of, for example, political impact with the qualitative standard we have of what political impact actually means. There have been some attempts at this in the field, such as the discourse-quality index (Steenbergen *et al.* 2003). And at times we have borrowed well from standard measures in other fields, such as aggregations from individual-level surveys using psychometrically standardised question batteries. However, if the goal is to determine acceptable measures of consequence at the level of political units of analysis beyond individual citizen behaviour, we appear to be close to square one. Perhaps to improve our measures and concepts we need to widen our research agenda and take inspiration from other political scientists’ methods and measures in analysing cognate phenomena.

For example, the long-term development of the institutional literature in scholarship on public policy has led to increased methodological sophistication in understanding the influence of mass media, policy entrepreneurs, interest groups/peak organisations, intergovernmental organisations, and technocratic epistemic communities on agendas (Baumgartner and Jones 1993, 2005, Vliegthart *et al.* 2016). If we are interested in understanding how democratic innovations affect political agendas, why do we seem to take little note of how other political phenomena affect agendas? The theories scholars working in these fields have developed and evidenced, for example punctuated equilibrium theory (Baumgartner and Jones 1993), ought to help us understand what kinds of indicators and expectations of change and stasis we should be looking for and what standards we should require. Their approaches to measurement and data-collection may inspire us to organise in similar ways. For example, open exchange and collection of standardised data on political party manifestos, types of media, or other official documents are now shared using common data infrastructure employing cloud computing. It allows buy-in from a large group of researchers and demonstrable,

communicable results. This kind of open approach avoids each researcher having to theorise and calibrate alone. Neither does such an approach serve to shut down critique. There is a large body of work that concerns adaptation of these projects and improvement of the data. In some ways, collaborating scholars have tried to develop similar projects – such as *Participedia*<sup>3</sup> – but they are yet to achieve the same quality of scholarly attention. Perhaps using existing DI data in tandem with standardised data on other kinds of consequential political acts will help this process along.

Economic theories that seek to model and explain citizen behaviours and decisions as response to incentives, but also explain the responses of decision-makers and roles of institutions, would appear to be fertile ground for better understanding the consequences of institutional innovation. Early work in the democratic innovation space saw useful contributions from social-choice theorists (*see* List 2017); however, these kinds of approaches seem to have been organised out in my reading of recent work on democratic innovations. Perhaps there was a time when game theory was avoided by some normative-democratic theorists because its assumptions appeared to have worn well beyond their use, and critical theorists wanted nothing more than to avoid those assumptions. Perhaps democratic innovations and political scientists in general became fed up with being stuck in seminars where the speaker has gone from talking politics to speaking Greek by whacking reams of equations on successive slides and calling it an ‘explanatory formal model’. Yet, as suggested above, we need to bring better explanatory modelling back into our work. Tsebelis’s (2002) account of veto-player theory, for example, should provide scholars of democratic innovations interested in considering consequences for political systems both an example of a useful theoretical model and ideas about how to provide data and empirical tests for hypotheses drawn from that kind of model.<sup>4</sup>

Democratic innovations scholars have excused themselves up to now from that kind of work by relying on arguments that the novelty of cases means that, for the time being, we will have to rely on single-case studies of what are often large, long, and complex processes, such as national citizen’s assemblies. The numbers of case studies are not yet enough for cumulative research, they say. Such an argument is not commensurate with the documentation of cases we now have (as is evidenced by the contributions to this book). Scholars of democratic innovations should not seek solace in, or be allowed to get away with, these arguments for long; and case studies should be performed with possibilities for cumulation in mind (Ryan 2019, 2021). The literature stretching back as far as Goodin and Dryzek (2006) has always expressed some frustration that mini-publics have been somewhat inconsequential in achieving change in politics at large. However, for one thing, the diffusion of citizen’s assemblies is itself an indication of the impact of

previous cases. Of course, case studies done well can also provide corrections to premature generalisations and causal inference and ‘small facts can speak to large issues’ as Geertz (1973) famously put it. Given the length of these processes, and their novelty in new political contexts where they are often studied in isolation, how should we consider such case studies in contributing to the agenda outlined above?

The work of colleagues who have provided research on embedded Irish mini-publics provides a neat example of how case studies can provide evidence for general theories and for future cumulation of evidence (*see*, for example, Elkink *et al.* 2017, Farrell, Suiter and Harris 2019). The constitutional change brought about in the context of referenda on same-sex marriage and abortion, following the Irish Constitutional Convention and the Irish Citizen’s Assembly, has accelerated interest in mini-publics. Yet it has also led some groups and commentators (in Irish and UK media in particular) to associate these assemblies in simplistic ways with the outcomes of the referenda. That kind of narrative is problematic for the normative project of democratic deepening if adopters have unrealistic expectations for these institutional innovations.

Good-quality process-tracing puts the causal role of the assembly in producing effects in its place – showing that it was a necessary but not sufficient condition for constitutional change. Elkink *et al.* (2017) take a more logical approach to asking what the role of the constitutional convention was in influencing the agenda of the marriage referendum. While data on awareness of assemblies among citizens provides evidence indicative of its effect, crucially, the authors ask questions about the probability of appropriate counterfactuals. For example, would we expect an (until then) conservative prime minister like Leo Varadker to accelerate a controversial bill if the citizens’ assembly had not taken place? If we want to understand consequences, we need to set up our collection of data in cases to provide for counterfactual analysis. In improving measurement, and theories of causal mechanisms, we should go further and also draw inspiration from the tests and Bayesian approaches to measuring probabilities that are providing insight elsewhere in the discipline (Bennett and Checkel 2015).

These are but a few examples of ideas taken from existing practices that could help those working on democratic innovations better establish an evidence base for their consequences. The key point is that absorption in novelty can do a disservice to progress if we want to systematically investigate DIs’ effects on political systems, aspects of which are studied in detail elsewhere in the discipline. DI scholars have been ‘too innovative’ in trying to break away and create new subjects of study.

This critique should not be misinterpreted as an attempt to win a proxy war on philosophy of science. The beautiful voyage of discovery that characterises

DI research must continue, but a voyage of justification must catch up and take on greater significance. Scientific endeavour is often mundane and, if we want to know what the consequences of DIs are, we may need to understand them and study them in more routine ways. If we consider studies that look at consequences of political acts on political systems, tried and tested theories and methods are conspicuous by their absence (or decreasing presence) in this subfield. To know about the consequences of DIs, we need to keep in mind basic lessons on how to study the influence of political acts and institutions on changes in political systems. Drawing more (or again) on theories and methods that have been popularised elsewhere should help us overcome our priors/biases in our treatment of democratic innovations.

This call to a more ecumenical approach is not a call to remove the discipline and identity of DI scholarship itself. Much research in political science continues to be concerned with direct relationships between government and citizens, as represented by the subfields of electoral studies, focusing on the citizen → government relationship; and public administration and political communication, focusing on the government → citizen/‘customer’ relationship. As outlined in earlier sections, DI research is important because it often concerns itself with two-way communication processes that embed citizens loosely in the policymaking process (citizens → ←government). I have identified in earlier sections that conceptualisation of these phenomena is not easy and produces interesting conundrums for our ontologies and epistemologies as they relate to democracy as a concept. I have tried to provide some modest suggestions in these pages for productive methodological routes to overcome the lack of progress in analysing consequences and calibrating measures of the impact of democratic innovations.

## CONCLUSION: TO (NOT SO NEW) NEW DIRECTIONS

Governments have created and funded new spaces for public participation and consultation. Research on the internal democratic character of these institutions has crystallised in a new subfield of ‘democratic innovations’ (Smith 2009). Yet, almost no research has tried to explain when and how these institutions impact the agendas and decisions of lawmakers (Pogrebinschi and Ryan 2018), or their general consequences beyond their internal processes. Several important consequences can be imagined (Felicetti, Niemayer and Curato 2016); but our typologies of kinds of consequences are still not grounded in conceptualisation based on logical comparison and cumulation. Consequences are also under-theorised. There are unintended consequences which will only become known through high-quality empirical investigations and descriptions. These new findings and avenues for investigation

will be the result of challenging our collective biases in ontological and epistemological approaches.

Perhaps DI scholars have tried to be too innovative in trying to break away and create new methods and subjects of study, ignoring good lessons and practices engaged with elsewhere across the profession. There has been a lot of talk about systemic thinking without too much reference to literature that investigates impacts on political systems. This chapter also speaks to wider problems in political science – most political scientists think engaging with politics and democracy are good ideas or even duties, and therefore approach the subject with prior beliefs that bias their research design. But then most would agree that political science as a vocation is inseparable from endorsing democratic norms (Keohane 2009). How do we investigate our own beliefs? Many of the most influential theories in political science have come from inverting those priors. Perhaps by doing the same we can provide better answers to the research questions we are keen to answer. Why do we assume that democratic innovations will have consequences on political systems or anything else for that matter? Can asking different questions provide the answers that really move us forward?

We must remain vigilant to over-valuing novelty and mistaking systematic understanding for mundanity. Already frustration appears to be growing within some quarters of DI scholarship that newcomers to the field are experiencing the same thrill of novelty when discovering processes, without realising these processes are only new to them. It is crucial that rather than rain on the parade of those making their own voyage of discovery, that those inspired to understand and improve DIs are quickly able to match creative inspiration with systematic summaries of received wisdom. Democratic innovations are reaching a moment of widespread popularity; it is crucial that a collective, robust evidence base explaining what democratic innovations do can ward off any misuse of these innovations.

We should avoid a retreat to grand theories as a frivolous and an easy way out of doing consequential research and should at least avoid using the most informally specified theories for our social-scientific enquiries. What we need is imperfect but more formal theories that question what is elsewhere assumed, refining theory from the bottom up. Formalised criteria will require open academic exchange – an exchange that is currently probably only occurring in the clandestine pages of peer review. More concrete concepts in more formal theories guiding clear empirical generalisations can then be cumulated to build clarity of explanation about what democratic innovations achieve. Elsewhere scholars of policy innovation have found ways to measure both proximal and distal effects, often learning the hard way to establish and improve standards, and specify beloved theories. Now it is time for DI scholars to do likewise.

## NOTES

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2 I use cumulate instead of accumulate, because for the most part these case-studies already exist; and the challenge that we are beginning to rise to is systematically comparing them, though I have argued elsewhere that a standard consideration for future case-studies should be to make cumulation easier (Ryan 2021).

3 Participedia.net hosts descriptions of cases and methods, crowdsourced by a global network with a large number of scholars contributing to establish an inclusive framework for data collection.

4 Keith Dowding uses the example nicely to explain how such models improve understanding in a subfield overloaded with *ad hoc* theory and method, in his book on philosophy and method in political science (2016: 65).

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## Chapter Two

# Rethinking Deliberative Impact Through Meaning-Making<sup>1</sup>

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### INTRODUCTION

For a set of theories and practices that focus on talk, deliberative democracy and democratic innovations have surprisingly little to say about the mechanisms of human communication. Both theoretically and empirically, scholars have tended to assume that communication is a matter of getting the institutional settings, practices and ‘couplings’ right: given time, the right actors and the right processes, then communication just happens, with no explanation of how, exactly, they are meant to convey something to others (Dryzek 2011: 11, for example). Even work that *does* identify this silence focuses more on the hole and less on how to fill it.

Indeed, there is a communication contradiction at the heart of deliberative democratic theory, one that has direct consequences for questions about impact, or ‘consequentiality’, to use a term from Goodin and Dryzek (2006). The contradiction is this: since Cohen (1989), deliberative democrats expect citizens’ views to be *transformed* by communicative processes such as democratic innovations; at the same time, however, they expect those views to be faithfully *transmitted* to other venues for action or information (Boswell, Hendriks and Ercan 2016), as if transmission processes were not themselves transformative. Once we recognise that contradiction, the idea of impact itself becomes tricky: in what sense can a democratic innovation be said to have impact if the ideas it generates are reconstructed by the transmission process, possibly out of all recognition?

This chapter tries to address this conceptual problem by providing an explicit account of the mechanisms of interpersonal communication within and across venues. It begins by arguing that these and related problems arise because deliberative democrats assume an implicit, lay theory of

communication that has long been rejected in linguistics; or build their normative prescriptions on top of normative, not empirical, theories of communication. The chapter then offers an alternative, empirically grounded, pragmatic account of communication that treats language as a particular instance of the more general phenomenon of symbol- and meaning-making, supplying an explicit and better-defended communicative ‘mechanism’. The third step is to apply that account and to show that the paradox only arises if we think of communication as somehow *not* involving institutions with their own norms, incentives and practices. On the contrary, to transmit *is* to transform. The chapter concludes with a set of implications both for the idea of impact and for how we think about institutional design and everyday democratic practice.

The aim is not to advance a fully-thought-out theory of deliberation, with all its implications explored and objections rebutted. Instead, the aims are to call attention to what are serious problems with deliberative ideas of communication; to provide an alternative view that has better empirical grounding; and thus to help resolve issues with the idea of transmission and impact that the literature has largely ignored. The analysis applies to the ideas of impact and consequentiality generally, and not just to the impact of democratic innovations. The end result is a vision of communication that is not just deliberative but deeply democratic as well.

## EXISTING CONCEPTUALISATIONS

My starting point is to look at what are, to my knowledge, the only two pieces of work in recent deliberative scholarship that confront these precise problems of communication in deliberative democracy head on: the work of John Boswell, Selen Ercan and Carolyn Hendriks in an article (2016) and a book-length discussion (Hendriks, Ercan and Boswell 2020). They make a bold statement: that deliberative democracy lacks a theory of communication altogether (Boswell, Hendriks and Ercan 2016); rather, especially in its deliberative-systems incarnations, deliberative democracy relies on a kind of magical thinking that assumes that ‘well-designed institutional mechanisms and governing practices will allow claims and ideas to move seamlessly’ across time and space and through networks of agents (Hendriks, Ercan and Boswell 2020: 11). To fill the gap, they offer the concept of connectivity, something that rests in what they call connective practices, a wide variety of often ‘small-scale, incremental,’ citizen-led practices that are ‘relational, creative, adaptive, co-constituted and iterative’ (2020: 120) – their cases include the citizen-led selection and election of a political representative; creative political performances against fracking; and network-building in health agencies. However, despite calling attention to the magical thinking

rife in deliberative theory (*see also* Mutz 2008), the authors say almost nothing about the concept of connectivity, except by implication.<sup>2</sup> They do not specify why connective practices are not simply a variety of the ‘institutional mechanisms and governing practices’ they criticise so pointedly. They say nothing about how those practices communicate meaning to others, beyond appeals to the critical mass of such activity, an avenue that could be very productive but one that is not pursued. They do not explicitly consider questions about whether onlookers, decision-makers, fellow-citizens, commentators and so forth extracted similar *meanings* from the practices they celebrate. They have discovered a hole in deliberative theory, and assemble a great deal of suggestive, grounded empirical material, but they do not explicitly fill in the hole.

Part of the problem here is that political scholars generally, and not just deliberative democrats, implicitly adhere to a lay ‘container’ theory of communication – some call this ‘representationalism’ (Langsdorf 2002) – in which words are used to encode and then decode some fixed, ontologically independent meaning that an utterance has. On this theory, to speak is to be heard. Pingree (2007: 439) describes the situation well:

When both scholars and laypeople attempt to explain communication, they most often do so using a reception-effects paradigm in which all effects of communication are assumed to result from message reception. Communication is thought of in terms of several related metaphors, such as information flow and information transmission (Krippendorf 1993), all of which imply that preexisting information travels in some form from one actor to another and then has its effects, if any, on arrival.

However, such a view receives no support from empirical linguistics, ‘because no two users of what seem to be the same language delimited terms for even objects like ‘hat’ in the same way’ (Harris 1981, citing Hempel 1952). That is, words are not containers for stable, agreed-upon referents that have some separate, pre-communicative existence, which means the lay theory’s *mechanism* for transmitting ideas is not supported empirically. If speech is not a matter of making fixed, independent information travel from one actor to another, then we need some other mechanism that accounts for the fact that we seem to be able to communicate with each other, to get people to act in accordance with strategic goals, or come to feel that we share at least an overlapping view of some agreed-upon object; the next section sketches an alternative. But first it is important to deal with an objection, which is that while Boswell, Ercan and Hendriks may say that deliberative theorists have no theory of communication, they are wrong: Habermas certainly has, and it is to Habermas that most deliberative democrats appeal when asked to point to the theory underlying their own approaches.

Following Dryzek's influential restatement (1990: 36–43), deliberation is often said to be a political translation or approximation of the ideal-speech situation, an ideal of mutual understanding grounded in the narratives of everyday experience, unconstrained by power (Habermas 1984), something that has been used as a normative standard against which real-world, democratic communication can be assessed (in, for example, Neblo 2005: 171–2). As Floridaia (2017) has persuasively shown, however, this is a long-standing misreading of the ideal-speech situation: the phrase was meant to be a 'shorthand for the ensemble of universal presuppositions of argumentation', and was not meant to be a normative standard of democratic communication, not even in the shape of a regulative ideal (Habermas 1995; quoted in Floridaia 2017: 87). The presuppositions are statements about what a speaker and hearer must assume about each other before they even start talking, namely (1) that each person's claims have some validity by virtue of the fact that they are grounded in observable facts about the world, the speaker's inner states, or the social world of norms (Calvert 2013: 44); and (2) that others share enough common experience and understanding of social life such that the claims' validity will be recognised by those who hear them. Otherwise there is no point in trying to discuss issues at all; no point in opening one's mouth. It is a claim about starting points, not about procedures and not about ends, and is not in itself a theory of communication.

We could appeal instead to Habermas's actual theory of language, but it does not help us. This is partly because he, too, is committed to a representational account of language. Rather than fundamentally rejecting the container theory, Habermas just switches its polarity, focusing on senders' intentions rather than reception effects (Calvert 2013: 42). Langsdorf (2002) also charges Habermas with representationalism but goes further, to show that his position denies communicative status to non-verbal symbols (*cf.* Mendonça, Ercan, and Asenbaum 2022; Rollo 2017). As a result of its excessive focus on intentions and words, Habermas's theory 'is unable to appreciate the power of communication to constitute novelty – and especially, to actualize, within a community, possibilities which may have an ameliorative affect on the present' (Langsdorf 2002: 147). The implication of this for deliberative theory is startling: Habermas's theory of language and communication is too rigid to allow for the kinds of issue-modification, creative option-generation and collective-identity- and will-formation that designers of democratic innovations celebrate, including the connective practices discussed by Boswell, Ercan and Hendriks.

On those grounds, we can agree with Boswell, Ercan and Hendriks that deliberative democrats lack a well grounded theory of communication and, while these authors do not fill the gap, the resources that other deliberative

democrats appeal to will not do either.<sup>3</sup> We need to turn elsewhere to find our missing mechanism.

## COMMUNICATION AS MEANING-MAKING

The problems noted above suggest that any alternative approach to communication in deliberative democracy needs to (a) provide a mechanism by which people come to share understandings and create agreements, even among very large groups who do not physically meet; and (b) centre the interpersonal consequences of symbolic acts, and not just speakers' intentions. I would add that it also needs to (c) put agency at centre stage, something that is crucial for any theory that is going to be pressed to democratic purposes. This section and the next discuss a number of intellectual resources to address those needs. It is an eclectic mix of resources, for which I make no apology: different theories shine light on different aspects of human phenomena and, for something as complex and multi-faceted as human communication, it is likely that a mix of theoretical resources will help more than a single dogma, no matter how elegant. Still, the resources share the idea that communication is a social and material phenomenon, not simply in the ears of the hearers or the intentions of speakers, because of the social mechanisms by which words, or indeed any other symbol, gain meaning. The claim is not that this is the *only* way to address the issues but that it is a *useful* way: it matches the three needs above, reveals important aspects of the problem of communication in deliberative democracy, and suggests interesting solutions.

I draw first on linguistic anthropology and the evolution of the idea of culture. While the work and ideas of Clifford Geertz are widely influential in interpretive political science (for example, Bevir and Rhodes 2010; *see also* Geertz 1973) – and rightly so – many anthropologists have rejected Geertz's somewhat metaphysical idea of culture and replaced it with a more material view that sees people as not so much 'suspended' in the webs of narrative they weave but as purposive agents using narrative and symbols to co-ordinate their action in an otherwise senseless-yet-structured world (Kuper 1999). In particular, linguistic anthropology followed Roger Keesing (1974; 1990) who saw language as one element of much broader 'practices of meaning making', practices which comprise a flexible toolkit, a repertoire of responses to familiar situations and tools for handling novelty that depend on context and the relationships between actors (Swidler 1986; Turner 1993). This implies that symbols mean things *by being used in contexts by agents to co-ordinate action*, a view that has much in common with (and explicitly draws on) the speech act theory of Austin (1962).<sup>4</sup> But this means that *anything* can serve

symbolic purposes: not just words but objects, sites, participants' own bodies and clothing, even physical arrangements of space and movement through it, from a simple hand gesture to mass movement of people. To be sure, we share meanings by talking about them – symbols mean things in part because of the narratives that come to be associated with them (Rapaport 1982) – but meaning accretes around social and physical objects through use, through practices, as well as the stories we tell with them.

There is a tendency in the anthropological literature to write about such processes in terms of a single community making meanings in a particular context. Political action, especially in complex democracies, rarely involves a homogenous community of practice in a single location. Instead, it entails – perhaps even requires – heterogeneity: differently situated meaning-makers, in multiple venues, with more or less power. One way of making sense of this situation is to borrow from policy scholar Peter John (2003) who, while using different terminology, shows that political ideas are subject to a logic of appropriateness in context: they *must* adapt as they move from setting to setting because they get packaged in symbols that are meaningful to new constellations of actors with different priorities, facing different co-ordination problems. That is, John 'institutionalises' meaning-making. An idea becomes successful to the degree to which it comes to be seen as natural to different actors in different venues, which in turn depends on the degree to which it can be linked metaphorically to existing successful ideas (Lakoff and Johnson 1980). The implication is clear: an idea – a practice, an action-script, a meme (Bächtiger and Parkinson 2019) – will change its form, sometimes out of all recognition, as it is promoted into ever-more-decisive venues featuring actors with their own repertoires, interests and imperatives. To repeat, to transmit is to transform.

Combining practices of meaning-making with logics of appropriateness, and an expressly political, plural, even systemic idea of contexts, allows us to describe something that none of the discussions of deliberative democracy have shown to date: the mechanisms by which ideas are shared, grow and change as they pass from person to person, and group to group, through venues and institutions with their *own* performative scripts and metaphors, their own imperatives, their own logics of appropriateness. Ideas are connected with material interests and symbols and, if they come to be seen as natural or meaningful or useful to a range of more powerful agents, eventually come to be institutionalised through new agencies, regulations, and policy tools. As examples, one could share many case studies of this kind of process in the literature, but there is one example close to home, and that is the spread of democratic innovations themselves. Democratic innovations have not spread simply because of academic books like this one. Such processes are packaged and promoted by 'policy entrepreneurs' (John 2003; Kingdon 1984) – some



of them contributors to this volume – in different venues for years. That process entails emphasising some elements and de-emphasising others with different audiences: remaking institutional design decisions, in order to persuade this funder, that government, this media outlet or that commissioning body; creating experiments that generate media coverage that attracts more money and research students, until the holy grail of institutionalisation is reached. The thought that ‘the thing itself’, some pure, Platonic idea of a democratic innovation, remains untouched through that whole *political* process is frankly risible. Not only is to transmit to transform; to seek *impact* is to transform.

This is a very different view of communication from the view implicit in deliberative studies. Habermas was right to say that our starting point in communication must be the assumption that our interlocutors are oriented to mutual understanding, and that mutual understanding is grounded in a life-world of shared experience; but what is being understood is not merely a set of proposals for action but incredibly rich worlds of symbols that orient us to each other, and to other ‘signifiers’ out there in the world, and allow us to make sense of what is happening and what is being said by slotting the newly offered symbols metaphorically into pre-existing symbolic backgrounds (Patterson 2014). Such a view treats people not as prisoners of discursive cages (Dryzek 2000: 64) or the spiders’ webs of Geertz, but as active agents in the making and remaking of meaning. People learn by doing; they encounter novelty and develop novel responses to it, albeit in a context of pre-existing symbolic resources and power relations that privilege some symbols, performances and responses over others. But room for democratic agency, creativity and resistance exists *because* the intentions behind communicative acts are never determinative – because meaning is a social construct and not simply a matter of encoding, transmitting and decoding an idea that has some pre-social existence.

## DELIBERATION AS MEANING-MAKING

How does this meaning-making understanding of communication change our idea of deliberation and deliberative impact? In the literature, deliberation is always defined as a kind of reasoning that is interpersonal and mutual, distinguished from the instrumental or bounded rationalities of Max Weber and Herbert Simon (Forester 1984). It has something of the social character that Laden (2012: 8–9) describes, distinguished from a more objectivist, universalist pursuit:

The social picture ... describes reasoning as the responsive engagement with others as we attune ourselves to one another and the world around us. Thus,

I am reasoning in this sense when I am listening to your response to what I have said and taking it seriously as itself calling for an appropriate response, or when I am telling a story in response to something you have said or done that is meant to situate me vis-à-vis you in some normative space. In contrast, our standard picture of reasoning describes reasoning as the activity of reflectively arriving at judgments through the alignment of the progress of our thoughts with certain formal structures in order to better navigate the world, to solve particular problems and, perhaps, seek out the truth or the good.

The meaning-making account of communication fills in some important detail in Laden's picture. To 'attune' with others – a suggestive metaphor on Laden's part – is to demonstrate that one knows the acts and symbols appropriate to a setting – the 'how' and 'what' and 'when' of a given people, time and place. Its purpose is to describe a 'normative space' – a real or metaphorical venue in which people grapple with a problem of what to do – and situate each other in that space. In other words, the task is to establish participants as members of a community of affectedness in a shared venue (physical or virtual), which allows for effective listening, addressing issues that arise, and creating novel responses together. The creation of a normative space can be, and often is, established by story-telling, but there are a great many ways of showing that we share normative space, from simply sharing a drink together, making introductions in terms that demonstrate mutual respect, listening, the symbolism of the meeting space, norms of time, and so forth.<sup>5</sup>

The point is that all this is not *preparatory* to reasoning; it *is* reasoning. Because communication is social-meaning-making, not the transmission of a thought with an independent ontological status from one actor to another, we cannot separate out the means of attuning from the means of thinking through ideas and objections, creatively imagining new possibilities and collectively working through their implications – the mechanism is the same, and the objects of communication overlap. Thus any deliberative practice is a constant process of socialising participants into a community of practice, in which participants deploy existing scripts for engaging with issues, and create novel ones, together, integrating them into their toolkit (*cf.* Patterson 2014). It is in this sense that deliberation is about connecting 'the particular to the general', to use a phrase from (Dryzek 2000: 69) – the generality in this instance is not simply 'general abstract principles' but also the generality of the community of deliberators, who come to discuss what 'we' should do and not simply to aggregate individual preferences, a view that chimes perfectly with that of Boswell (2021) when 'seeing like a citizen' in a democratic innovation.

This picture of collective reasoning by agents deploying and modifying symbolic action scripts explains something very important that Hendriks,

Ercan and Boswell (2020: 127) identify in their cases but are unable to explain effectively because they lack a theory of communication. It explains *why* a collective identity (Dzur 2018) or identities (Boswell 2021) emerge among participants in connective practices: it is not merely because they are *deliberating* together, it is because they are drawing on existing action scripts and making new ones together to make sense of a problem, then co-ordinating their actions to address it using the new, modified symbols, which creates group identity. It is not that reasoning is a separate activity whose results must then be communicated; it *is* communication. This in turn explains why many deliberators move from an ‘I’ to a ‘we’ identity (Flynn and Parkinson 2011); it explains why scholars like Dzur describe the experience of a democratic innovation in quasi-spiritual terms: those are the symbols Dzur has available that ‘fit’ the situation he tries to describe. This is not some magical property of the mini-public or connective practice *per se*; it is the direct, empirically examinable and explainable result of participation in a consequential, intense, collective meaning-making enterprise.

Of course, many deliberative democrats would want to insist that deliberation is not *just* social. It has an ethical component that concerns the norms of mutual respect and reflexivity; and epistemic value as well, when proposals for action are tested against evidence or counter-arguments (Mansbridge *et al.* 2012); and so if we are thinking of the particular kind of communication that counts as deliberation then it is going to have a *purposive* or problem-solving character. However, deliberation itself depends on the aims and context of a particular puzzle (Bächtiger and Parkinson 2019: 29–31). For some purposes in some contexts, finding the ‘truth of the matter’ is exactly the right standard to aim at; for others, the right standard might be the mutual co-creation of a working agreement that helps resolve a particular problem for a particular group of people here and now. But in *both* cases, Laden’s social reasoning will be in evidence. Even philosophers are not taught universal truths through representational communication: they are socialised into reasoning practices in seminars, and then forget that they have been thus socialised as they come to take them for granted.

## IMPLICATIONS AND CONCLUSIONS

The core of a meaning-making view of communication and deliberation has now been set out, and I conclude with some implications of that view for the idea of deliberative impact. At the start, this was framed as a question about reconciling the transmission and transformation standards of deliberative quality. From a meaning-making perspective, the first thing to say is that transmission is not conceivable without transformation: the ‘receiving’ venue

comes with new actors, new cues and new action scripts. While meaning is constructed between speakers and listeners in rich contexts, it is not simply a matter of encoding and decoding ideas. There is no real distinction between the communicative processes that produce reasoned agreements and the processes by which those agreements are disseminated more widely around a deliberative system. The whole ‘impact’ framing presumes that there is such a distinction; I have argued that there is not.

An implication of this view is that it is possible that communications found persuasive in context A among community A will not be appropriate and sayable, let alone understood, in context B with community B. That is a deeply troubling claim in a democracy: democracies are justified in terms of their inclusion and responsiveness to the expressed wishes of the people, something that is particularly important for minorities whose claims are routinely translated into terms that suit the powerful. The communicative view could be taken to imply that even if people can come to agreements about what to do, there is no way of accurately transmitting them through something as multi-centred and power-ridden as a democracy, no authentic ‘voice’ once it is translated through new settings.

The degree to which we should be worried about that depends in part upon institutional design, and on this point the standard operating procedure – sample the public, gather in a venue, insert information and experts, ‘deliberate’ and write a report – is likely to be the most problematic. In such a setting, the small group of deliberators inside the mini-public will create their own community of practice, which will more or less diverge from those ‘outside’ on whom we want to have some sort of ‘impact’. They will create meanings together that will come to be more, not less, difficult for those from other communities to understand and integrate, because their action scripts start to diverge in the process. In light of that, some results from Curato and Böker (2015) and Smith, Richards and Gastil (2015) are striking. They report that forums with low deliberative quality and low representativeness are significantly more likely to have impact in the form of policy effects. Communication as meaning-making provides an explanation for this: forums which rely more on everyday, widely shared action scripts are more likely to be ‘taken up’ by members of other forums in turn; those which create their own, novel symbols and action scripts are less likely to be taken up.

The difficulty is likely to be much less if we institutionalise deliberative principles via the kinds of connective practices celebrated by Hendriks, Ercan and Boswell (2020). Those practices – citizen-led efforts to connect grassroots conversations with effective, large-scale political action – are significant not to the extent that they reach internal agreements that are ‘transmitted’ to the public sphere for action (Dryzek 2011), but to the extent that they recast the terms of conversation and the action scripts that embody them

for others, especially others with the power to change things. They create new meanings, new scripts, new ways of describing things that are *shared* with others. For example, it has been claimed that two Irish citizens' assemblies in recent years were important in large part not because they made 'decisions' but because they provided other citizens with a repertoire of clarified claims and arguments that they could use in their own conversations (Suiter, Farrell and Harris 2016). A meaning-making perspective says that the Irish processes were not just about testing arguments; they were about *making them available* to other citizens in their own deliberations, and *making them sayable* in other contexts, across communities of practice (Parkinson 2020). Whether Hendriks, Ercan and Boswell's practices create such shared meanings is a question they do not address, because they lack a theory of communication that helps them name their grounded insights. Some of them might, and some of them might not. But they, and Hendriks and Dzur (2021), are clearly on a productive track.

This is closely related to the myriad ways in which people can learn the everyday practices of connection and co-creation. There are a few deliberative democrats who come at the issue this way, including Bohman (1999), who invokes Dewey and pragmatism to argue that the habits of democratic practices are what create a deliberative stance and disperse deliberative norms and, for that, one needs institutions that train people in the requisite scripts and practices.<sup>6</sup> More recently, Nishiyama (2017) could be read as making the case that while schools are not necessarily sites that create claims and narratives which are then transmitted to other venues of the public sphere, they *are* sites that train people in the everyday practices of deliberation – listening, encapsulating, representing, narrating, persuading, and so on. But the sites of 'everyday making' are certainly more varied than that, and are by no means the sole preserve of deliberative democrats.<sup>7</sup>

But it is also the case that large-scale democracy always entails representation and aggregation in some way, and that a focus on ground-up connective practices is not the whole solution. This is because we cannot be attentive to all the issues that affect us. Effective collective action often involves redirecting the coercive and organisational powers of the state, changing incentives to act in new ways, dissuading non-compliance, and resolving disputes, especially when there are grave power inequalities. It is something that needs to be done in inclusive, aggregative ways if it is to be legitimate. Therefore, there is also a role for something like active listening (Dobson 2014; Scudder 2020) but writ large, built into democratic systems (Bächtiger and Parkinson 2019: 98); that is, a role for a range of representatives in more formal sites to reflect back their understandings and unfolding meaning-making to constituents at every step of the way, performing 'representation as relationship' (Young 2000); to stop and ask periodically 'This is what we've heard, did we

get it right?’ (Disch 2011; Rummens 2012). As a result of such communicative relationship-building, citizens become more active co-creators of meanings *in formal politics and policy-making*, while representatives become more active participants in the informal public sphere, each using the scripts of the other, expanding their repertoires. To use Laden’s terms, it is through such communicative, representative processes that citizens and representatives can come to see themselves as sharing a normative space.

There are so many other implications of this view but the aim of this chapter is not to answer every question but to alert deliberative democrats to the communication gap, and to suggest a productive approach to it. Like most political scholars, deliberative democrats tend to work with an implicit view of communication that thinks of words as containers for agreed-upon meanings that have effects – impacts – on reception. When communication theory is invoked, it is nearly always normative and not empirical, and often misrepresented; while those who *do* have a potentially useful theory of communication, such as discourse theory, pay not enough attention to the mechanisms by which meaning is created.

This chapter has, instead, offered an empirical, social view of communication that (a) treats language as part of a broader phenomenon of symbolic action; (b) provides a material, action-oriented mechanism for communication; and (c) provides room for democratic, communicative agency. People share meanings by deploying them to solve problems in rich contexts – it is a flexible, human activity that leaves plenty of room for agency but has limits concerned with logics of appropriateness for given actors in a given space. Reasoning on this view involves ‘attunement’ and the creation of shared normative spaces, as well as puzzling and problem-solving. While the resolution of the transmission/transformation dilemma creates new problems to do with authentic voice, these can be managed to the degree that we focus on everyday connective practices and the communicative building of representative relationships.

## NOTES

1 This chapter is part of an ongoing project, a step in a larger work in progress. It owes particular debts to funding by the Australian Research Council (DP16010598) and the Volkswagen Foundation (The Deliberation Laboratory); conversations with André Bächtiger and Haidee Kotze; the research assistance of Marit Hammond (Böker) and Maud Oostindie; and friendly fire in several workshops and conferences, including the International Political Studies Association world congress in Brisbane, and at the Centre for Deliberative Democracy and Global Governance at the University of Canberra in 2018.

2 For example, chapter two of the book is called ‘Conceptualizing connectivity in deliberative democracy’ but it does not do the conceptual work. Instead, the chapter (a) unpacks some implicit claims about communication in deliberative systems theory; (b) sets out the risks entailed by those claims; but then (c) justifies their grounded, ‘abductive’ research design without taking the intermediate step of setting out their own theory of communication.

3 I have said nothing about the option that Calvert and Warren (2014) recommend, which is to apply the philosophical pragmatics of Brandom (1994, 2008). A proper discussion of Brandom would require much more space than is available here, but it is also not necessary for the task in hand. Brandom’s goal is not descriptive but normative, and his approach remains logocentric, suffering from some of the same problems noted above. A fuller discussion will have to wait for another time.

4 It has resonances with other branches of theory too, notably Bourdieu’s (1984) theory of culture and social distinction-making.

5 Compare Fricker (2007) on the related concept of testimonial justice and the means by which it is established. *See also* Dryzek (2000), who discusses ecological communication in remarkably similar terms but without making explicit the mechanisms of communication that would allow his vision to work.

6 We ought to be careful of the claim that Dewey was a deliberative democrat, or that he would have unambiguously applauded deliberative ideas (Ralston 2010). *See also* Jackson (2015).

7 Bang (2005). *See also* Mac Ginty (2021) on everyday peace-making; and Swidler (2000), who applies her concept of cultural scripts to social movement meaning-making

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## *Chapter Three*

# **Why Are Powerless Democratic Innovations Still Successful? A Political Sociology of the 'Participatory State' in France**

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### **INTRODUCTION**

The question of the effects of democratic innovations (DIs) is highly controversial on both a scientific and political level. The disappointment of participants and commentators regarding the weakness of the effects is often equal to the hopes that these mechanisms raise at the start. This was the case recently with the Citizens' Climate Convention (CCC) in France. The publicity given to the mechanism, presented by its commentators as a demonstration of deliberative democracy on a large scale, contrasts with the virulence of the criticisms concerning the weak integration of the proposals into public policies. Beyond this example, the limited effects of highly innovative mechanisms are now so commonly pointed out (Michels and Binnema 2019) that we can wonder about the reasons for their continuing popularity. Thus, in the words of Moini: 'If the impact of participation on public choice is weak, or at least uncertain, why does participation continue to spread so rapidly in contemporary Western democracies?' (Moini 2017: 130).

One might be tempted to answer this question by analysing DIs as ruses of power, linked to the growing neoliberalisation of public action. Such analyses point towards convergences between the development of participation offers and neoliberalism (Leal 2007). However, they tell us nothing about the concrete mechanisms that explain their popularity or the effects of these devices. Conversely, work that takes the devices seriously enough to develop research strategies to evaluate their effects (Font *et al.* 2018) struggles to explain why these devices thrive despite their limited effects.

In this article, we would like to show that another approach is possible and fruitful for thinking about the popularity of DIs and the weakness of their effects. We call this approach ‘the political sociology of participationism’. Political sociology is a classic approach in French research on public policies (Muller 2015) but less widespread internationally. It aims to study public policies as the result of the interplay of socially situated actors with their own, and potentially divergent, interests and the circulation of knowledge between distinct fields (political, bureaucratic, professional, academic). This approach drives us to study participatory mechanisms with the analytical tools of the political sociology of public action. Our aim is not so much to evaluate the quality of participatory and deliberative procedures or to measure their effects, but to understand the political and institutional conditions of their implementation. This actor-centred approach is therefore attentive to the trajectories of institutional actors, their interdependencies and power relations, considering that they carry interests, beliefs, definitions of problems and solutions whose confrontation largely explains the incremental processes of construction of public-action instruments (Lascombes and Le Galès 2007). In other words, we try not to locate the analysis in the short time-frame of the DIs but in the longer period of the construction of institutionalisation paths for participatory policies, which goes through the stabilisation of a set of instruments that embody a definition of what participation within public authorities ‘should be’.

This approach also leads us to move away from a device-centred approach, which is very common in work on DIs – the study of participatory budgets, mini-publics, citizens’ councils, and so on – and to focus on the institutional actors who simultaneously produce a large set of mechanisms. By focusing on these factors we came to consider that the implementation of all participatory or deliberative mechanisms is based on the same explanatory factors. Participatory policies are in fact made up of a ‘policy mix’ (Rogge 2018), which juxtaposes very heterogeneous forms of participation and deliberation, but which are the consequence of a single set of actors.

This article is divided in two parts. Firstly, after a ‘state-of-the-art’ intended to situate our approach in the literature on the effects of participation, we will present the main results of our previous work on participatory policies in French regions. The detour through our previous work is necessary because this political sociology of participationism is little known outside of French political science. We will show how this approach can shed light on the participatory policy of the French state by analysing the discrete processes of political and administrative organisation of participation that the blinding light of well known French DIs such as the National Great Debate (NGD)<sup>1</sup> and the Citizens’ Climate Convention<sup>2</sup> tends to make invisible. Secondly, we

will outline the main features of ‘state participationism’ in the French case and show that governmental institutions only accept participatory innovation on the condition that they neutralise its effects on public action. This neutralisation is not a flaw in the design of the mechanisms but the *sine qua non* condition of their existence.

## STATE OF THE ART: UNDERSTUDIED PARTICIPATORY POLICIES

### Participatory policies in the international literature

The ‘science of participation’, particularly when rooted in political science, often focuses on procedures, as we have seen recently in the Irish (Suiter *et al.* 2016), Finnish (Setälä *et al.* 2020) and Australian cases (Bathala *et al.* 2019). The study of the mechanisms themselves (organisation, moderation, mediation) makes it possible to initiate a series of observations and recommendations concerning the proper integration of these ‘innovations’ into the decision-making process. Some authors even claim a ‘functionalist’ stance (Jäske and Setälä 2019), consisting of theorising, for each type of democratic instrument (direct, deliberative, participatory), its contribution to a decision-making process conceptualised in the form of a set of ‘functions’. Although not new (Fung 2007), this approach essentially consists of modelling the decision-making process in order to study the contribution of democratic innovations. Political institutions are then considered as dependent variables, which participatory mechanisms can affect if they are properly designed and valued by the key actors in the decision-making process. This literature presents a paradox: while the study of the functioning of the mechanisms is extremely sophisticated, both conceptually and methodologically, the conception of public institutions and of the decision-making process is based on a schematic and dated vision.

Indeed, for many years, public policy analysis (PPA) has highlighted the fact that the decisional and sequential models of public policy conceived in the 1950s and 1970s are too simplified to grasp the cobbled-together, contingent processes of public action. But participation specialists are not always familiar with the PPA, and thus tend to reproduce erroneous representations of public action in their analysis. For example, when Archon Fung undertakes the study of the effects of participation on public action, he himself describes his definition of the democratic decision-making process as a ‘highly stylized view of the policy process’ (2007: 669), which consists of breaking down the sequences of policy-making into major sequences (preference-formation, delegation of power, decision, implementation). While this schematisation is

useful for constructing a normative theory ('what could DIs be used for?'), it does not allow us to understand the concrete articulation between policy-process and DIs. In particular, PPA has highlighted the often incremental nature of changes (Streeck and Thelen 2005) and the limited impact of politics in this process. However, studies on participation often postulate that the attitude of elected officials, whether more or less hostile, is a determining factor in the correlation between participation and change in public action (Nylen 2002; Rangoni, Bedock and Talukder 2021). Thus, adopting the point of view of public policy analysis leads us to reverse the question and to ask why and under what conditions DIs succeed in producing change.

Moreover, participatory and deliberative procedures are rarely studied in relation to other 'innovations' affecting representative regimes (in the internal organisation of political parties, the financing of political life and the media, the creation of specialised agencies within and without administration), which may considerably limit their scope (Alexandre-Collier, Goujon and Gourgues 2020). This discrepancy gives the impression that the inclusion of these 'innovations' in public decision-making depends essentially on their ability to demonstrate their usefulness, relevance and legitimacy to public decision-makers, who are necessarily external to their operation and implementation. Moreover, the recurrent use of the terms 'innovations' or 'experiments' to designate participatory and deliberative mechanisms leads to a considerable underestimation of the gradual construction of real 'public policies' of participation, even within the state apparatus.

Of course, not all work on participation and deliberation has ignored these broader processes. In their literature review, Vincent Jacquet and Ramon Van der Does (2021) emphasise the heuristic interest of a 'structural change' approach, which consists of relating the conduct of mini-publics to the structural configuration of power relations within the institutions and sectors of public action. The influence of the proposals put forward by citizens' assemblies can then only be understood from the point of view of their embeddedness in wider power relations. In concrete terms, this approach raises the question of the 'translation' of the mechanisms: how do the proposals and opinions fit into the modes of bureaucratic and political management that frame their circulation in public action? Who is entitled to 'filter' the proposals and guarantee their implementation? In the view of Jacquet and Van der Does, this approach is both the most promising and the least practised. The most promising, because it makes it possible to go beyond the simple issue of 'measuring' the consideration or fragmented existence of such and such proposals in very specific decisions, or in hypothetical sequences of public action that are difficult to isolate. The least practised, probably because it is very costly in empirical and theoretical terms: it requires the mobilisation of

a large body of literature (both in the sociology of public action and in democratic innovations) and an investigation that often encompasses the participatory procedure and its administrative backstage.

The question of the administrative handling of public participation, and its changing form according to the ‘manipulations of the administrative machine’ (Pollit 1984), is, indeed, little present in the scientific literature. Although public participation policies have been studied, their institutional and administrative basis is rarely systematically investigated. In the Finnish case, the Citizen Participation Policy Programme set up in the early 2000s was carried out by an administrative department (the Citizen Participation Policy Programme Office), whose aim was to ‘support projects implemented in different ministries’ and whose main task was to ‘draft a strategy document for the government and compile the annual impact assessments included in it’.<sup>3</sup> However, the evaluations of this policy focus mainly on the effectiveness of the administrative division, which could be likened to a form of ‘agencification’ (the creation of specialised agencies within and without the administration), without analysing or even explaining the origin of this administrative specialisation. This evaluative bias is evident in the work of the OECD<sup>4</sup> concerning, among other things, national participation programmes (national-level policy programmes) in Austria, Switzerland or France. In the same vein, the adoption of a ‘citizens’ orderly participation’ policy in China is just beginning to be studied from the perspective of its organisational policy, which is unfolding in the country’s decentralisation (*see*, in particular, He 2019). So far, this policy has been analysed mainly through the effects of the mechanisms it makes possible, such as participatory budgets (Frenkiel 2020), or its role in the systemic arrangements of the regime, which explain its stability (Stromseth *et al.* 2017; for a critical and comparative discussion *see* Owen, 2020). However, it seems to us that understanding the mechanisms of institutionalisation of these participatory policies is a particularly fruitful way to understand the success of participatory mechanisms. In any case, this is what we have shown by identifying, in the case of French regional councils, the dynamics of aggregation of human, technical, financial and legal resources, which form the contours of genuine ‘public participation policies’ (Gourgues 2013).

### **Participatory policies of French regional councils: main results from previous works.**

In our respective PhDs carried out between 2005 and 2010 (Gourgues 2010a; Mazeaud 2010), we studied the participatory democracy mechanisms implemented by French regional councils in a political sociology of public action approach. Guillaume Gourgues compared the construction processes of



participatory policies in four regions while Alice Mazeaud compared the uses and effects of several participatory mechanisms in one region. In these works, we have shown that the institutional insertion, the uses, and therefore the effects of participatory mechanisms are mostly ignored in their production. In other words, we have been able to identify an almost systematic imbalance between the care given to the procedure ('how do we participate?') and the care given to the mechanisms for taking into account 'the results' ('how will the results of participation be treated and what responses will be provided?').

Such a statement may seem surprising: why design and implement systems that are not useful? This paradox is due, in particular, to the discrepancy with the omnipresence of the imperatives of efficiency and rationalisation in the implementation of public policies. The paradox is only apparent: the usefulness of the mechanisms is not to be sought in their decision-making effects but in their very existence, in the 'demonstration' of the participatory process and in their insertion into wider power relationships. In other words, participatory policies are supply-side policies. They do not aim to respond to a 'problem' or a 'demand' but to demonstrate that citizens participate, by giving them the real possibility of passing through a multitude of mechanisms (Gourgues 2012).

To understand this, let's go back to our case studies, the French regional councils. After the victory of coalitions of left-wing parties in all the regional councils during the 2004 elections, several of them, notably Poitou-Charentes and Rhône-Alpes, embarked on the implementation of a 'participatory democracy'. Although the political and territorial configurations were very different (strong presidential leadership on the one hand, a partisan coalition in which the Communist Party participated on the other), these two regions experimented with participatory mechanisms, including 'mini-publics', which were very rare in France at the time, and thus gave substance to 'participatory policies'.

The analysis of these policies has shown that the mechanisms are designed and implemented by public and private actors who are, to varying degrees, 'entrepreneurs' of participation (Mazeaud and Nonjon 2018). As in other countries, within this participatory nebula, participation professionals, whether public agents or consultants, play a crucial role (Bherer, Gauthier and Simard 2017). Very often, these entrepreneurs design and/or implement the mechanisms. They can be analysed as 'trendsetters', who shape the participatory zeitgeist with the help of guides, training courses and awards, but also as entrepreneurs who enlist other actors – primarily elected representatives – in experimentation with participatory mechanisms. Signs of institutionalisation seem to be multiplying: creation of vice-presidencies, dedicated budgets and, above all, public jobs or even services dedicated to citizen-participation with no other mission than to organise participation (Gourgues, Mazeaud and



Nonjon 2021) by relying on a ‘participation market’ (Mazeaud and Nonjon 2020). Within regional institutions, there is a disconnection between these participation professionals and the actors in charge of other sectoral policies, often with regional competences (transport, planning, education, and so on). In order to experiment with the mechanisms, these professionals are therefore faced with a constraint: they must link the production and implementation of mechanisms to sectoral issues (for example, transport, education, health), otherwise they are led to deploy ‘self-referential’ mechanisms such as citizen workshops for the design and evaluation of participatory policy. This institutional configuration has two essential consequences.

First, participation professionals must systematically assume the decision-making uncertainty of the mechanisms. Indeed, when they manage a participatory mechanism on a sectoral issue, the objective of professionals remains primarily procedural and communicational: it is a question of demonstrating that participation has taken place. Conversely, they have no control over the conduct of public policies, and therefore have no possibility of guaranteeing any decision-making outcome to the participatory process. At most, they can engage in bureaucratic monitoring. Little by little, the absence of effects on the decision is no longer a problem in itself, but an unsurpassable dimension of the mechanisms, the main thing being to demonstrate that participation has taken place, that the public was present and participatory, and thus to show that the procedure went well (Gourgues and Mazeaud 2018).

Second, participation professionals make experimentation and innovation in participatory mechanisms the condition of their professional survival and their institutional existence. Indeed, sectoral policy and administrative officials are also in a position to produce participatory mechanisms that correspond to their own expectations. This is why the professionals are engaged in a permanent bid for innovation that distinguishes them and allows them to present themselves as the guarantors of ‘real’ participation within the regional council. In the 2000s, this concern for innovation and distinction strongly conditioned the experimentation with mini-publics by local authorities. Participation agents and elected officials found in experimentation with mini-publics the means to demonstrate their ability to develop innovative mechanisms. But the sectoral public policies concerned by these mini-publics (transport, environment) continued to be steered by the agents and elected officials in charge of these sectors. The DIs were therefore largely disconnected from the production of public policies.

In this organisational configuration, marked by a decoupling of participatory and sectoral policies, each participatory mechanism follows a specific trajectory. Its *design* depends on the bureaucratic and political *agency*, internal political rivalries and the specific conflictuality of each public action sub-system (Gourgues 2010b). Consequently, although it is always possible

that these mechanisms produce direct or indirect effects on public action, these effects are not due to the procedural quality of the mechanism but to contingencies linked to power relations or to the congruence between sectoral interests and those of the participation entrepreneurs. In the specific case of deliberative mini-publics, taking into account of ‘citizens’ opinions’ therefore remains dependent on power relations that go beyond them, and does not vary according to the degree of professionalism in their conduct.

Our analytical framework has always aimed to present the regional councils not as special cases but as indicators of a wider trend towards institutional absorption of the production of participatory mechanisms. Mainly driven by a concern to strengthen governability, this absorption involves both public and private actors, giving rise to an offer of participation that is fed without a precise goal, thanks to the (sectoral) power relations created by those who intend to be the ‘engineers’. Thus, in summary, the institutionalisation of participatory policies shows us that, in the cases studied, procedural quality is less an independent variable likely to influence public action than a variable dependent on institutional and administrative dynamics. This does not prevent the systems from producing effects; but these effects depend on cyclical elements and are most often part of a cherry-picking logic (Font *et al.* 2018).

## A POLITICAL SOCIOLOGY OF STATE PARTICIPATIONISM: THE FRENCH CASE

The analysis of the participatory policies of French regional councils has shown the heuristic interest of decentralising the analysis of DIs to the more discrete processes of political and administrative organisation of participation. It is in the understanding of the organisation of participatory policies that the decision-making trajectory of participatory mechanisms is played out. Therefore, in order to study the participationism of the French state, we will not only look at the participatory mechanisms that have attracted attention in recent years (the National Great Debate and the Citizens’ Climate Convention), but we will also analyse two forms of organisation of participation that tend to structure the doctrine of the French state.

The participatory policies of the French state have so far been little studied (for examples, *see* Ollivier-Trigalo and Piechazick 2001; Blatrix 2000). Yet such policies existed prior to the highlighting of the participatory theme by the successive organisation of the National Great Debate (2019) and the Citizens’ Climate Convention (2020) under President Emmanuel Macron. Since the early 2000s, national public policy-making has been marked by the creation of an independent administrative authority dedicated to public debate, and the multiplication of participatory and deliberative mechanisms,

in the form of citizens' conferences (Bourg *et al.* 2001) or sectoral consultations (Mazeaud 2006; Rui 2006).

The multiplication of these mechanisms, which echoes those observed at infra- and supra-national levels, leads to the formation of a 'state participationism' integrated into the conduct of public action.<sup>5</sup> Like many other cross-cutting themes potentially applicable to a wide variety of public-action sectors, public participation may be the object of one or more administrative units that defend the principle within the state apparatus itself. Participation can then be analysed *through* the prism of 'organisational policies', defined as 'the distribution of tasks, roles and responsibilities within state administrations or, more generically, the modes of specialisation of public organisations' (Bezes and Le Lidec 2016: 407).

In order to carry out this political sociology of 'state participationism', we will draw on the sources accumulated in the course of research carried out over the last ten years on the institutionalisation of participatory democracy. More specifically, we will remobilise materials collected during the evaluation of a citizen workshop on big data in health policy carried out by the General Secretary on Modernisation of Public Action (SGMAP), a small inter-ministerial administration in charge of state reform (Gourgues and Mazeaud 2017), and during our participation in the evaluation of the state's participatory policy carried out by a consultancy firm. Indeed, this sequence constitutes a pivotal moment in the construction of a participation policy within the state apparatus itself. In addition to these two studies, new observations and interviews have been conducted, particularly on the forms of administration. Rather than focusing on the participatory mechanisms of the state, we will concentrate on the organisation of citizen participation within the state apparatus. We will successively study two different forms of organisation: the agency model through the case of the National Commission for Public Debate (CNDP) and the administrative service in charge of citizen participation.

### **The independence of the CNDP, a deceptive recognition.**

Since the 1980s, several successive laws have created an obligation for public and private project owners to consult each other on projects that have an impact on the environment. In particular, the largest projects are subject to a public-debate procedure. In this movement, the creation of the CNDP in 1995 and its recognition as an Independent Administration Authority (IAA) in 2002 was a decisive step. It embodied the idea of a right to participation for citizens, and the principle of an organisation of the debate independent of the project owner, even when ministries or public companies carried out the project.

As in other countries such as Quebec, the creation of an IAA dedicated to participation is seen as a tangible sign of the recognition of a right to

participate and a factor in the institutionalisation of participatory standards (Blatrix 2007). These institutions are part of a process of standardisation of participatory norms – ‘the debate is no longer debated’ (Dziedziecki 2007) – and promote the dissemination of good practices (Bherer, Gauthier and Simard 2020). However, this work focuses on the independence of the institutions and the degrees of openness and conflictuality of these procedures, and therefore tends to leave aside their decision-making scope. Although the CNDP’s scope of intervention has increased over the years (the number of debates and consultations has multiplied), their decision-making scope has not been deepened and has, on the contrary, been weakened.

The work carried out at the beginning of the 2000s rightly emphasised the break that the introduction of these procedure in the planning processes represented. Cécile Blatrix used the expression ‘procedural concession’ to capture the idea that government authorities had conceded the organisation of participatory procedures in response to the demand of environmental mobilisations to be able to participate in decision-making processes (Blatrix 2000). However, if the creation of this right of citizens to participate was tolerated, it was essentially because it was disconnected from the decision; a decision that remains the monopoly of elected officials and project owners. Thus, the CNDP was established as an independent administrative authority (IAA)<sup>6</sup> by French parliamentarians on the condition that it did not give an opinion on the appropriateness of the projects submitted for debate.<sup>7</sup> As one legal scholar said, the CNDP

... does not decide, it prepares for the decision. This participation in preparation is not participation in decision-making and, unlike the public enquiry, from which the public debate is disconnected, everything is done in the organisation of the debate to ensure that this clear separation is present in everyone’s mind (Romi 2007).

However, in terms of the decision-making scope of participation, there has been no legal progress. As the president of the CNDP points out, the law on public participation is

... a law that is extremely formatted, rich and complete in terms of procedures, but very weak in terms of the impact of participation and the link between participation and decision making .... It’s a bit like Europe, in that we have widened, widened, widened the scope of participation but in the end, we haven’t deepened its legal scope.<sup>8</sup>

In concrete terms, whatever opinions are expressed during public debates, the project-owners and elected representatives are not obliged to take them

into account. These debates are a formality, or a game without stakes. To take the case of the CNDP alone, it is striking to note that, although it is independent and public debate is mandatory for major projects, it does not have the legal means to guarantee that participation will have an effect on the decision, and its authority is reduced to a ‘magistracy of influence’ (Mouchette 2019). Thus in the words of its president, Chantal Jouanno:

Indeed, the law has remained very weak on its scope as regards the decision, but on the other hand, we are totally free to make precise recommendations at the end of public debates, particularly in terms of participation, and to ask the project owner for precise answers to these recommendations. What we have developed is a hearing at the CNDP of the project owners when they respond to the conclusions of the public debate, and we issue an opinion on the quality of this response. We are counting, I was going to say, on the weight of the public words to influence the decision.<sup>9</sup>

The exercise of this ‘magistracy of influence’ can enable the public to influence projects by forcing the project owner to give reasons for its decision (Bétaille 2019). The CNDP claims that almost all projects have been modified following public debate.<sup>10</sup> But this influence remains subject to the will of the project owner, in a process of cherry-picking.

Despite this major limitation, which runs the risk of depriving public participation of its usefulness (for citizens), ‘environmental democracy’, understood here as the right to participate in environmental decisions, is regularly challenged by the authorities. Firstly, several legislative and legal developments have explicitly aimed to neutralise the ‘contentious venom’ of consultation (Struillou and Hutten 2020): legislators and administrative judges are increasingly lifting sanctions in the event of non-compliance with legal consultation obligations. Secondly, even if the CNDP has no direct authority, its independence has motivated its exclusion from the organisation of debates where the political stakes were too obvious. This was the case in 2004 during the debate on water (Rui 2006), and in 2007 during the Grenelle Environment Forum, where the CNDP was reduced to the status of a stakeholder. More recently, during the National Great Debate (NGD), the CNDP was excluded from the organisation by the government. Initially, the Prime Minister asked the president of the CNDP for methodological support in organising the NGD but without officially referring the matter to her. But after having helped design the architecture of the mechanism, the president announced in early January that she was withdrawing from the exercise. She justified her decision in a harshly critical report denouncing the government’s lack of impartiality and, above all, its desire to retain a monopoly on the analysis and conclusions of this debate: ‘Since the government has decided to

take over the management of the great national debate, the CNDP, which is a neutral and independent authority, no longer has a place in it'.<sup>11</sup> At the end, the organisation of the NGD was entrusted to an *ad-hoc* steering committee and placed under the 'supervision' of five guarantors. In the same vein, the CNDP was kept out of the organisation of the Citizens' Climate Convention, which was also entrusted to an *ad-hoc* steering committee.

It could be argued, for each of the four examples mentioned above, that the mechanisms were outside the scope of intervention of the CNDP, that is, that of regulatory consultation and public debate. Such an argument would be admissible if the exclusion of the CNDP were not part of a broader process of weakening environmental democracy and taking over the management of citizen participation.<sup>12</sup> Thus, while the absence of the CNDP from the organisation of the CCC may have been justified by the scope of the subject and the desire to mark its innovative character, it also reflects the 'monarchical' dimension of the process, where everything, from the initiative to the conclusions, depends on the will of the President of the Republic, thus marking a retreat from the rule of law in the field of citizen participation in environmental public action.<sup>13</sup> In the case of the GDN, it was clearly the CNDP's desire to play its role as an independent authority motivated its dismissal.

It can be seen that the CNDP is certainly an AAI dedicated to citizen participation, but that it is very clearly prevented from becoming an independent agency whose role would be to steer the state's participatory policy. In the mid-2010s, it tried to expand its role to assert itself as the 'methodologist' and 'guarantor' of the state's participatory policies. This was the sense of its increasing intervention in professional spaces and networks dedicated to consultation, its participation in experiments such as the Global Citizen Debate and even more so the partnership established with the administration dedicated to the modernisation of the state (the SGMAP) concerning the organisation of citizen workshops (Gourgues and Mazeaud 2017). During the debates on the reform of environmental dialogue procedures in 2015–16, the idea of transforming the CNDP into a 'high authority for citizen participation' was put forward. However, this idea has disappeared from the reform project. This abandonment is not anecdotal. Indeed, the marginalisation of the CNDP in the context of the Great National Debate and the Citizens' Climate Convention is not just a political move but part of a process of political and managerial takeover of citizen participation within the state.

### **Citizen participation as an instrument of the managerial state**

Until the beginning of the 2010s, and in contrast to what could be observed at the same time in local authorities, there were no agents or administrative departments dedicated to participation within the state administration. It was

only in 2014 that the theme of citizen participation formally appears in the organisational charts of the state, outside the CNDP and the Ministry of the Environment. In 2014, the General Secretary on Modernisation of Public Action (SGMAP), was explicitly given the task of developing the instruments of its participatory policy:

The SGMAP initiates innovative methods and projects: nudge, co-construction, prototyping of solutions, administrative social networks, participative innovation, etc. It provides administrations with innovative consultation and listening methods such as the collaborative platform [faire-simple.gouv.fr](http://faire-simple.gouv.fr), which makes it possible to collect users' needs and ideas, consult employees on internal problems, and co-construct concrete solutions with experts. The SGMAP organises citizen workshops designed to strengthen the participation of the French in public decision-making.<sup>14</sup>

The SGMAP is a transversal administration attached to the Prime Minister's office. The role of this administrative unit, in conjunction with a large network of external consultants, is to develop tools and strategies to transform and modernise the functioning of the administration. It succeeds other similar units set up since the end of the 1990s and is part of a movement to strengthen the steering of administrative action, inspired by New Public Management (Hood 2001) and linked to the development of a State Managers (Bezes and Jeannot 2016). Several factors explain why this new mission has been entrusted to this administration. On the one hand, citizen participation became a key element of the modernising discourse of President François Hollande and his Prime Minister. On the other hand, the high level of conflict surrounding major environmental projects in the 2010s,<sup>15</sup> despite the multiplication of public debates, consultations and referendums, put the reform and deepening of participatory procedures at the heart of the government's agenda. This was reflected in the publication, in 2016, of the ordinances on the reform of environmental dialogue. But beyond the rise in success of participatory discourse within the state, it is the way in which this participatory expertise will be organised and institutionalised within the state apparatus that interests us.

Initially, the SGMAP was playing the game of experimenting with democratic innovations with the aim of creating and experimenting with transposable methods. This was the objective of the deliberative mini-public that we evaluated (Gourgues and Mazeaud 2017). This device, called 'citizen workshop', was organised within the framework of a vast consultative process intended to draft a law, and its official objective was to find out the acceptability of the uses of big data in public health policies. In fact, it was mainly part of a cycle of experimentation with mini-publics on different subjects, the aim of which was to demonstrate the feasibility and usefulness of these



methods. In order to develop its skills and build its legitimacy, the SGMAP then surrounded itself with a committee of experts, called on the CNDP and asked us to evaluate the process.

Secondly, in order to consolidate its position in terms of participation, the SGMAP has called on consultants. The use of consultants is common in central government, particularly to legitimise reforms by promoting private-sector knowledge and know-how (Bezès 2008). But in this case, it was more a question of having the usefulness of the SGMAP in the field of participation recognised, thanks to the evaluation of a recognised private expert. The exercise was therefore entrusted to Ernst and Young, a firm recognised for its work with the state, particularly in terms of budgetary rationalisation, evaluation or administrative reorganisation, but not really in the area of participatory democracy. The people in charge of the audit within the SGAMP were perfectly aware of this, and so they asked us, as scientific experts and specialists on the topic in question, to review documents produced by the firm. The use of the audit therefore corresponds to an operation to legitimise the ‘participatory turn’: it is a question of ‘recoding’ (Lascoumes 1996) existing participatory practices, via an expert mediation that makes them understandable and acceptable within the central administration.

The timing of this audit was not insignificant. Conducted between January and April 2017, the operation was explicitly determined according to the presidential election calendar. This ‘increase in expertise’ in participatory practices aimed to ensure stability in the perspective of an inevitable changeover. The very objectives of the evaluation, established contractually, left little doubt as to this ambition: the aim was to define a typology of existing practices, to draw up an assessment, to enable ‘the SGMAP to position itself in this context, to qualify its role and its added value’<sup>16</sup> and to provide it with a ‘toolbox/platform’ for use by government officials wishing to set up citizen participation initiatives’<sup>17</sup>. Although the scope of the practices that could be evaluated was not limited to actions piloted by the SGMAP, the evaluation aimed to provide the service with elements that would enable it to defend and extend its role as an internal ‘pilot’ of participatory practices. The work carried out by Ernst and Young, therefore, took the official form of an ‘evaluative assessment of citizen participation initiatives’, conducted by the central administration over the period 2012–17. The core of this work was based on an operation to identify and categorise these initiatives, leading to the construction of an ‘expert’ account of their origin and, above all, a (re) qualification of the part of the administrative action that falls under the heading of ‘participatory’.

This renewed position took shape and was reinforced after the election of President Macron. In October 2017, the SGMAP published its toolkit<sup>18</sup> on citizen participation approaches for administrations, resulting from the



evaluation work. At the end of 2017, the Interministerial Direction for Public Transformation (DITP) replaced the SGMAP. Its mission was to implement the objectives of the Public Action 2022 programme, launched by the Government on 13 October 2017, which aimed to accelerate the transformation of administration. It was placed under the responsibility of the minister in charge of state reform and steered by an Interministerial Delegation for Public Transformation. This delegation includes a department for Innovative Methods, Behavioural Sciences and Listening to Users, which includes the two SGMAP agents who experimented with mini-publics some time ago.

This ‘internal’ and ‘managerial’ operation of participation had its first trial run during the reform of the national pension system. Thus, from 2 July to 23 October 2018, eight participatory workshops in the regions were set up, officially bringing together 500 participants, and then a ‘citizen workshop’ was organised over two weekends (17–18 November and 1–2 December 2018), bringing together 15 citizens and leading to the drafting of an opinion. In parallel, two online consultation sessions were held. This participatory approach was piloted by the small SGMAP team on behalf of the High Commission for Pension Reform (a non-decisional body). Above all, the process only concerned one aspect of the reform. Indeed, the citizens’ workshops explicitly worked on ‘the implementation of a universal retirement system’.<sup>19</sup> But the way the workshop’s task was defined reveals the ambiguity of the government’s stance. On one hand, the government assumed the end of the pay-as-you-go system already announced, but asked the workshops to recall the fundamental principles that must not be forgotten in this systemic reform – for example, in the workshops, ‘the demand for solidarity was also expressed by the attachment to the pay-as-you-go retirement system, which links working people and pensioners’.<sup>20</sup> However, on the other hand, and in parallel with the holding of a consultation largely focused on the legitimisation of a systemic reform, the government chose to include a financial imperative *sine qua non*, profoundly changing the general framework of the reform.<sup>21</sup> In concrete terms, this decision on a double reform and its implications were never submitted directly to the opinion of the participants, even though they would constitute the central issue of political protests few months later, which would be largely ignored and repressed by the executive.<sup>22</sup> This discrepancy between a consultation that focused more on the ‘spirit’ of a reform, steered by a non-decision-making body (the High Commission) than on the concrete text of a bill drawn up by the executive does not prevent the Prime Minister from presenting the law as the result of the participatory process:

For two years, with Agnès Buzyn and Jean-Paul Delevoye, we have met with the social partners, we have discussed with the French people in dozens of citizen workshops. We have listened to them and we have heard them.

The project I am presenting to you today would not have been the same without their contributions and I want to start by thanking them, beyond the disagreements that remain.<sup>23</sup>

The creation of an artificial and declarative link between participation and the decision-making process shows the extent to which the mechanisms are maintained within the fixed framework of the institutions. While citizens are invited to say what they think, *in abstracto*, of a universal pension system, at the margins of the decision-making process, the actual choices of the parameters of the reform remain at the complete discretion of the executive bodies. The decision-making process ends up with recourse to a legislative procedure that makes it possible to short-circuit the parliamentary debate, and ignore a large-scale social movement.

This managerial use of participation, which consists of using participatory and deliberative mechanisms without committing to a public decision, is constantly being consolidated. In November 2019, the DTIP created an Inter-ministerial Centre For Citizen Participation. According to the official presentation, the aim is to ‘guarantee the conditions for real and sincere citizen participation in the design and monitoring of reforms’.<sup>24</sup> The centre for citizen participation seeks to develop mechanisms of participation within the state with the ambition of ensuring that the participatory mechanisms deployed are of high quality and fully integrated into the development, implementation and evaluation of public policies. To this end, the centre offers training, feedback and support to agents: citizen participation is now an instrument for transforming the state. This process, which is part of a wider process of increasing the power of cross-sectoral administrations and ‘decoupling the steering and control functions of bureaucracies from those of operational implementation’ (Breton and Perrier 2018), highlights the fact that state reformers have taken citizen participation back into their own hands. It is now a ‘toolbox’ that ministerial cabinets can mobilise as they wish to stamp public policies with the seal of participation without engaging in any public discussion on the priorities for public action.

## CONCLUSION

Our work, which is part of a ‘structural change’ approach, shows the interest in shifting the focus from the mechanisms and their effects to the ways in which participatory policies are institutionalised within public structures. We have shown, first in our work on local authorities and then in our work on the state, how much an analysis centred on the evaluation of the effects of participatory mechanisms on public action could not account for

the logic of their multiplication. On the one hand, the creation of DIs can be explained by many reasons that do not necessarily have to do with the change in public policy: the desire of elected officials and their entourages to demonstrate their ability to reform, compliance with legal requirements, the circulation of methods and the play of innovation, crisis-management strategies and so on. In other words, the production of effects on public action is not necessarily sought. On the other hand, it must also be considered that DIs are developed on the condition that their effects are controlled and delimited.

The trajectory of the CNDP attests to this: government and MPs accepted its independence on condition that it had no authority over the decision, and it was explicitly set aside as soon as the government wished to retain control over the consequences of participation. Thus, the development of a right to participate has not led to a strengthening of the guarantees concerning the consideration of deliberations in policy-making but rather to a progressive weakening of the meagre legal guarantees that existed. At the same time, the rise of public transformation services confirms the managerial steering of participatory mechanisms and thus the development of participatory procedures devoid of any decision-making scope.

This overall perspective may go a long way towards explaining the disappointments associated with the Citizens' Climate Convention. The sophistication and rigour of the procedure contrasts with its lack of institutional anchoring. The public agents who could have 'guaranteed' or just supported the circulation of the proposals made by the convention (CNDP, DITP) were simply dismissed by the government. The central actors in the decision-making process have given themselves a kind of permanent right of veto, which is not subject to any internal or external control. They thus reproduce the well-known pattern of 'cherry-picking' (Font *et al.* 2018), which completely contradicts the initial announcements of the President of the Republic. However, this is less a flip-flop or a 'betrayal' than the logical consequence of the consolidation of a 'state participationism' that constantly ensures that participatory and deliberative mechanisms do not have any decision-making scope. The holding of this type of mini-public should raise questions for the organisers and observers of these innovations: what is the point of experimenting with and theorising about forms of deliberative democracy that are doomed to remain useless because of organisational policies?

Finally, it should be emphasised here that the political sociology of participationism may seem particularly relevant in the French case because public actors within the framework of dedicated administrations carry the bulk of the participation offer. But this is not always the case in other countries. Moreover, although our approach insists particularly on the 'neutralisation' of the

decision-making influence of participatory mechanisms, it seems important to look for counter-examples. Some institutional configurations may be much more favourable to the consideration of participatory mechanisms.<sup>25</sup> Thus, it seems to us that such an approach could usefully be mobilised in other countries. Exploratory comparative work between France and Spain (Martinez-Palacio and Mazeaud 2019), and France and Quebec (Mazeaud and Nonjon 2017), which highlights both common and differentiated trajectories of institutionalisation, as well as the reading of work carried out on countries as different as Brazil, Denmark and China, lead us to consider the need to take seriously the modalities and effects of the deployment of genuine participatory policies within the state apparatus. A multi-level analysis, articulating the DIs and participatory policies, seems to us necessary to seriously address the question of the ‘effects’ of participation on public action.

## NOTES

1 The Great National Debate was a broad participatory process organised by the French government from 15 January to 15 March 2019. It included numerous local debates organised by mayors or associations, an online participation platform accessible to all citizens and regional citizens’ conferences of randomly selected citizens.

2 The Citizens’ Climate Convention was a deliberative mini-public set up by the French government that took place between October 2019 and June 2020. 150 randomly selected citizens deliberated for six months to define a set of structuring measures to reduce greenhouse gas emissions. In June 2020, it submitted 150 proposals to the government.

3 Ministry of Justice, Finland (2007) ‘Final Report on the Citizen Participation Policy Programme’, p. 34. Available online at: [https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/76070/omth\\_2007\\_34\\_policy\\_programme\\_30\\_s.pdf?sequence=1](https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/76070/omth_2007_34_policy_programme_30_s.pdf?sequence=1).

4 See Peña-López, Ismael (2020). *Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave*. Paris: OECD Publishing. DOI: <https://doi.org/10.1787/339306da-en>.

5 The expression ‘state participationism’ was previously used by Aldrin and Hubé (2016). But if the term ‘state’ is used by these authors, they resolutely opt for an extensive approach, relying on Pierre Bourdieu’s notion of ‘state thought’ to go beyond a ‘strictly institutional or legal conception of the sociological demarcation of the state and to consider the different segments of society that contribute to its performance’ (2016: 12). While this approach effectively marks out a cross-cutting process of ‘domestication’ of participatory democracy, of transforming a social demand into an instrument of government (Gourgues 2018), it does not really provide any information on the anchoring of this doctrine within the state itself, conceived this time as an organisation.

6 Independent administrative authorities are a category of agencies, created outside the administration, with responsibility for a specific area of regulation in areas as varied as the improvement of working conditions, public broadcasting, competition and civil liberties. However, their roles and prerogatives vary from one IAA to another.

7 See, in particular, the report of the Senate Law Commission during the parliamentary debates in 2002. [https://www.senat.fr/rap/101-156/101-156\\_mono.html](https://www.senat.fr/rap/101-156/101-156_mono.html) - toc374.

8 Interview with Chantal Jouanno, the President of the CNDP, 10 November 2020.

9 *Idem*.

10 88 projects modified, out of 91. [https://www.debatpublic.fr/sites/cndp.portail/files/documents/cndp\\_democratie-envir\\_v2.pdf](https://www.debatpublic.fr/sites/cndp.portail/files/documents/cndp_democratie-envir_v2.pdf),

11 Tweet of C. Jouanno (@Chantal\_Jouanno), 14 January 2019, now deleted.

12 Without being able to elaborate on it here, let us point out that, in a similar move, a centre for citizen participation has been created by the Interministerial Directorate for Public Transformation and placed under the authority of the Prime Minister.

13 ‘The Citizens’ Convention on Climate is deeply monarchical’, *Reporterre*, 5 February 2020.

14 SGMAP presentation leaflet in 2015, p. 3.

15 In 2014, activists built and occupied a camp, named ‘Zone of Defence’ (*Zone à Défendre*), in Notre Dame des Landes, where an airport was to be built, to hinder the project; in 2014, the police killed a young activist during protests against the construction of a dam near the town of Sivens.

16 Ernst and Young, SGMAP, *Evaluation of citizen participation initiatives. Analytical assessment of citizen participation initiatives*, vol. 1, 2017, p. 7.

17 *Idem*.

18 The report is available online at: <https://www.modernisation.gouv.fr/sites/default/files/fichiers-attaches/boite-outils-demarches-participation.pdf>.

19 Haut-commissaire aux Retraites, *Conclusions de la concertation sur la mise en place d’un système universel de retraite (Conclusions of the consultation on the establishment of a universal pension system)*. URL : <https://participez.reforme-retraite.gouv.fr/blog/conclusions-de-la-concertation-sur-la-mise-en-place-dun-systeme-universel-de-retraite>.

20 *Idem*, p. 20.

21 André Masson and Vincent Touzé, ‘Heurs et malheurs du système universel de retraite’, OFCE, *Policy Brief* 83, 19 January 2021, p. 7.

22 Guillaume Gourgues and Maxime Quijoux, ‘France’s strikes show the unions are alive’. *Jacobin*, 9 January 2020.

23 Speech by Edouard Philippe to the Economic, Social and Environmental Council, Paris, Wednesday 11 December 2019.

24 3rd CITP (Interministerial Committee of Public Transformation) 20 June 2019.

25 One example is the Irish case, where the Citizens’ Convention benefited from a legal and political framework guaranteeing it a much stronger legitimacy and legitimacy than in the French case (Suiter *et al.* 2016).

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## *Chapter Four*

# **Detecting the manipulation of consultative democratic innovations**

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### **INTRODUCTION**

Democratic innovations rarely have the power to make binding public decisions and they instead commonly have an indirect impact, in that they formulate citizen recommendations that aim to influence decision-makers. Various scholars, pundits and political actors have criticised the political follow-up of democratic innovations because decision-makers might cherry-pick citizen proposals, taking up those that confirm their agenda and disregarding those diverging from it. Although the risks of cherry-picking are often pointed out, we are still left without a methodology to identify it. How can we know if the citizen proposals are subject to instrumental use by decision-makers? The present chapter presents an analytical framework – the Sequential Impact Matrix – that detects indications of cherry-picking, thanks to two indicators. It first compares the content of citizen proposals with the positions of decision-makers before a democratic innovation; and then, second, it examines the ambition of the public policy demands of a democratic innovation. The analytical framework is then applied to a deliberative mini-public, the Ouderpanel (2015–16), to display clues to the manipulation of consultative democratic innovations. I conclude with a series of methodological reflections on the measure of the consultative democratic innovation’s impact on public policy.

### **THE MANIPULATION OF DEMOCRATIC INNOVATIONS**

Democratic innovations can be subject to different forms of manipulation. Their design can be moulded in a way that orientates their political outcome

or they can be implemented with specific policy and institutional goals (Dryzek and Tucker 2008; M. Walker 2003; Felicetti, Niemeyer and Curato 2016; Gherghina 2019). The present chapter focuses on manipulation related to the political follow-up of citizen proposals that are conveyed by consultative democratic innovations. Most democratic innovations are consultative, that is, they have no authority to make binding public decisions (Warren 2009; Bua 2019). They formulate ideas and recommendations on a public issue and transmit them to decision-makers, who have the discretion to integrate them (or not) in public policy. As consultative democratic innovations (CDIs) are subordinate to and reliant on public authorities, their instrumentalisation by decision-makers is presumptive (Fung 2006; Bächtiger, Setälä and Grönlund 2014). As Graham Smith (2009: 18) puts it, ‘In institutional designs where power lies so heavily in the hands of public authorities, the potential for manipulation and co-option of citizens is high.’

The manipulation of the political follow-up of CDIs is closely intertwined with the assessment of their short-term impact on public policy. Empirical studies present mixed empirical results, with some examples of exceptional impact – like the participatory budgeting of Porto Alegre in Brazil (Smith 2009) or the Irish Citizens Assembly (Farrell and Suiter 2019) – or instances without any, such as the G1000 (Caluwaerts and Reuchamps 2018). Some studies have found a certain pattern in the uptake of democratic innovations’ proposals, with approximately one-third being fully taken up, one-third partially taken up, and one-third rejected (Font *et al.* 2018; Lowndes, Pratchett and Stoker 2001; Vrydagh 2022; Bua 2017).

Scholars point out different reasons accounting for the uptake of citizen proposals. According to Bua (2017), procedural legitimacy, legislative cycles and the transmission of proposals to a higher level of a centralised authority explain the influence of local deliberative panels in the United Kingdom. Geißel and Heß (2018) found that the prior institutional commitment of decision-makers is the strongest explanation for the policy impact; while Pogrebinschi and Ryan (2018) claim that the type of policy (whether redistributive or not), the role of civil society organisations, the centralisation of the participatory process and the number of participants are conditions affecting the degree of impact. In the most sophisticated comparative study to date, Font *et al.* (2018) find that the type of democratic innovation or the quality of participation affect the implementation of citizen proposals. Yet, their strongest explanatory factors relate to the content of citizen proposals and, in particular, the way these proposals correlate with the existing preferences and practices of public officials. A proposal that contradicts public officials’ agenda is more likely to be disregarded or only partially taken up. As Font *et al.* (2018: 631) explain: ‘they clearly listen selectively to inexpensive demands that reinforce their

preferences and existing ways of working.’ The literature commonly refers to such practice as *cherry-picking*.

### Cherry-picking

Cherry-picking refers to the selective uptake of citizen proposals by decision-makers, who take up proposals that align with their own agenda and disregard or only partially take up those that deviate from it. Cherry-picking has a negative connotation in the literature of participatory and deliberative democracy because it suggests the manipulation of CDIs. Policy-makers might pretend to involve and engage with the citizenry by convening a CDI, while they actually conceive the exercise as a way to legitimise their own policies and decisions that have already been made elsewhere (Smith 2009: 22; Parkinson 2006).

The fact that the uptake of citizen proposals is the result of decision-makers’ strategic, partisan, or personal interests goes against the core principles of participatory and deliberative democracy. First, theorists of participatory democracy see in democratic innovations a way for citizens to exercise a genuine influence on collective public decisions (Pateman 2012; Florida 2017; Barber 2003). Without impact on public policy, democratic innovations are likely to be mere window-dressing (Bherer, Gauthier and Simara 2017: 7–8; Gourgues 2013; Walker 2014: 205; Cooke and Kothari 2001). Second, deliberative scholars emphasise the importance of decision-makers being open to citizen input. Dryzek (2002; 2009) stresses that preferences, views and opinions should not be fixed but amenable and should go through some degree of transformation, while Mansbridge *et al.* (2010: 78) assert the need for adopting ‘to some degree the perspective of another or taking the other’s interests as their own’. We should therefore expect democratic innovations to transform, to some extent, decision-makers’ preferences, views, and opinions (Dean, Boswell and Smith 2019: 706; Dryzek 2009: 1381). Cherry-picking, on the contrary, indicates that decision-makers did not open-mindedly consider citizen proposals but rather used them in a strategic fashion, suggesting the democratic innovation was manipulated for the advantage of decision-makers.

These normative readings suggest that decision-makers are to blame for cherry-picking. A problem with this interpretation lies in its assumption that decision-makers are unwilling to give genuine consideration to citizen proposals. This is, however, a presumption since we do not know – and cannot access – decision-makers’ true intentions (Benoit, Laver and Mikhaylov 2009). Our criticism of decision-makers may also be based on a distorted vision of policy-making and decision-makers that assumes that policies are the result of the conscious choices of decision-makers who have full discretion in shaping public policy (Mazeaud and Boas 2012: 14). The literature on

public policy has, nonetheless, challenged this ‘naïve attachment to rational policy-making’ (Cairney 2016: 124) and has shown that decision-makers are restricted by a series of individual, contextual and institutional factors that can account for the lack of or merely partial uptake of citizens’ ideas.

Studies have revealed that decision-makers do not have a comprehensive rationality but are, instead, constrained by a ‘bounded rationality’ (Cairney 2016; Simon 1990). They rely on multiple heuristics to help them process information and make decisions (Shah and Oppenheimer 2008). They are, moreover, subject to various cognitive biases (for a brief overview, *see* Cairney 2016: 25–6) that can affect the uptake of citizen ideas. For instance, the *availability heuristic* and the idea of *confirmation bias* imply, respectively, that decision-makers pay more attention to ideas on which they already possess some knowledge or that confirm their initial beliefs (Alter and Oppenheimer 2009). The context in which decision-makers operate also affects the way they will engage with citizens’ ideas. If the situation requires them to process the outcome of a CDI urgently, they are more likely to adopt a ‘fast-thinking system’, which ‘operates automatically and quickly, with little or no effort and no sense of voluntary control’ (Kahneman 2011: 20), which would be more likely to be subject to the aforementioned cognitive biases. The political context of partisan politics may also prevent them from openly considering all citizen proposals equally (Setälä 2017), while the path-dependency of previous policies adopted by their predecessors may hinder the adoption of important policy changes (Hoppe 2011b: 178; Rose 1990). Citizens’ ideas can also be difficult to translate into public policy: they can be very abstract and leave room for various interpretations; they can contradict themselves; or they are based on insufficient information to be practical or feasible. Finally, institutional factors greatly limit the scope of action of decision-makers too. Power is distributed within and among institutions: decision-makers have to deal with a myriad of actors, regulations, and institutions spread across levels and types of governments (Cairney 2015), which can prevent decision-makers from integrating citizen ideas into policy.

Spotting and analysing the manipulation of CDIs through cherry-picking is a complex task. Existing research tends to rely on case studies, in which interviews with actors involved in the organisation and the follow-up of democratic innovations were conducted (for example, Bua 2017; Michels and Binnema 2018). Larger comparative studies exist too, but they also rely on the aggregation of multiple case studies (Font *et al.* 2018; Geißel and Heß 2018). Interviewing actors involved with the political follow-up of citizen proposals is a challenging task, however: it is difficult to gain access to decision-makers and they often lack incentives to truthfully discuss a potential manipulative use of citizen participation (Natow 2020). The next section presents an analytical framework – the Sequential Impact Matrix (SIM) – which relies on the

analysis of policy documents to spot clues that the manipulation of citizen proposals from a CDI has occurred.

## THE SEQUENTIAL IMPACT MATRIX (SIM)

The SIM relies on the congruency methodological approach, that is, the comparative textual analysis that most extant research applies for assessing the short-term impact of democratic innovations on public policy (Pogrebinschi and Ryan 2018; Michels and Binnema 2018; Pogrebinschi 2013; Jacquet and van der Does 2020). These studies compare the content of citizen proposals with subsequent public policy and, when they find congruency, they suggest that the CDI indeed influenced public policy. The SIM builds upon the congruency approach but adds two indicators: the comparison of citizen proposals with the expressed preferences of decision-makers before a democratic innovation; and a more sophisticated approach to the analysis of the content of a citizen proposal. Thanks to the former, we can examine the extent to which decision-makers only take up proposals that converge with their agenda, and, with the latter, we can not only establish with more accuracy the congruency between citizen proposals and subsequent public policies but we can also check whether decision-makers mostly take up cheap and unambitious policy ideas.

The impact matrix is *sequential* because it distinguishes three moments in sequence: the decision-makers' expressed positions before a CDI (T0); the transmission of citizen ideas to decision-makers (T1); and, finally, the integration of these ideas in public policy (T2). Vrydagh and Caluwaerts (2020) differentiate types of influences that citizen proposals can exert on decision-makers, based on the assumption that the public policy content can be equal, relatively similar, different or absent across the sequence (Table 4.1). On the one hand, democratic innovations have two sorts of aligning influence, that is, when the citizen idea roughly corresponds to the initial expressed positions of decision-makers. When the content of both is similar, the CDI exerts a *continuous influence*. When the citizen idea complements the initial positions, it exerts an *enriching influence*. On the other hand, democratic innovations can also exercise a diverging influence, that is when citizen ideas clearly depart from decision-makers' agenda. CDIs can bring in a new idea and have an *innovating influence*, or they can propose something substantially different, which can result either in decision-makers changing their positions – a *shifting influence* – or cancelling their initial policy plan – an *inhibiting influence*. Finally, when the congruency between a citizen idea and subsequent public policy is not complete but still features similarities, we consider that the uptake is partial, thereby hinting at a *limited influence*, irrespective of its type.

**Table 4.1.** A typology of the influences of a CDI

T0	T1	T2	Kinds of uptake	Kinds of influence
<b>A</b>	A	A	Uptake	<b>Continuous influence</b>
		a	Partial uptake	Limited continuous influence
		B or o	No uptake	No influence
<b>a</b>	A	A	Uptake	<b>Enriching influence</b>
		a	partial uptake	limited enriching influence
		B or o	No uptake	No influence
<b>o</b>	A	A	Uptake	<b>Innovating influence</b>
		a	Partial uptake	Limited innovating influence
		B or o	No uptake	No influence
<b>B</b>	A	A	Uptake	<b>Shifting influence</b>
		a	Partial uptake	Limited shifting influence
		B	No uptake	No influence
		o	Uptake	<b>Inhibiting influence</b>

[A] = a preference; [a] = part of the preference A; [B] = a different preference; [o] = no preference

Source: Vrydagh and Caluwaerts (2020).

The SIM also deconstructs the concept of public policy into different components and levels of abstraction. With the exception of Font *et al.* (2018), extant studies do not distinguish what citizen proposals entail. These proposals nonetheless display an immense variety of content: they can recommend broad principles on a paradigmatic level or very concrete policy suggestions; and they can be ambitious or ask for adjusting policy settings. Likewise, subsequent public policy at T2 is often complex, and several scholars have criticised the studies on the impact of democratic innovations for their simplistic conceptualisation of public policy (Mazeaud and Boas 2012; Richardson, Durose and Perry 2019). The SIM therefore deploys a second indicator to examine the content of public policy and to capture more accurately and systematically the congruency between sequences.

I rely on the literature on public policy to elaborate a typology of public policy, understood here as what the government decides to do (Howlett, Mukherjee and Woo 2018: 150–1). I distinguish it based on the kind of policy components and the level of abstraction. Public policy can take the form of a *policy goal*, a *policy means* (Jenkins 1978; Lasswell 1958; Walsh 1994), or a *policy framing*, that is the arguments justifying the two former elements (Michels and Binnema 2018). These three components can be differentiated based on their levels of abstraction (Hall 1993; Howlett 2019; Howlett and Cashore 2009). At the *abstract level*, they consist of broad and conceptual elements that form the paradigm in which a whole set of policy is discursively



**Table 4.2.** A typology of public policy

	<b>Abstract</b>	<b>Instrument</b>	<b>Setting</b>
<b>Framing</b>	<b>Meta-argument</b> The meta-arguments that explain a whole set of policies	<b>The policy argument</b> Arguments about a specific policy	<b>Arguments about the policy's realisation on the ground</b> Arguments about concrete aspects of a policy
<b>Goal</b>	<b>General aims</b> The general aims that a set of policies should attain	<b>The operationalisable policy objectives</b> The formal, measurable objective at a meso-level	<b>Specific policy targets</b> The concrete aims and efforts that are required to achieve the policy objectives
<b>Means</b>	<b>The instrument logic</b> The logic of instruments that are used throughout the set of policies	<b>Policy tools choice</b> The specific type of policy instrument that is used to attain the objective	<b>Calibration</b> The specific settings of policy tools required to implement the policy programme

located; at the *instrument level*, they entail the general but operationalisable policy components; finally, at the *setting level*, they refer to practical and concrete aspects of the policy implementation. Loosely inspired from Howlett and Cashore (2009: 39), Table 4.2 displays an overview of the typology of public policy.

The SIM shows an interesting potential for examining the manipulation and the influence of CDI but it also has limitations. Benefiting from its two indicators, it increases the reliability of studies on the CDI's impact, as we can identify the congruency more systematically and we can examine whether the citizen proposals taken up were already in the political pipeline or not. The SIM does not, however, resolve the congruency approach's fundamental problem: it cannot determine whether the congruency is due to the democratic innovation or to external factors (lobbyists, public media and opinion, political negotiations and so on). To spot a CDI's genuine influence, one must triangulate the data and methodologies by, for instance, integrating other sources of influences in the SIM (such as documents from lobbyist groups); analysing the media treatment of the issue that the CDI deals with; or conducting interviews with actors closely involved with the CDI's political follow-up. Whereas its capacity to measure a CDI's genuine influence is limited, the SIM can nevertheless produce reliable evidence for the absence of impact. Provided that we consider all potentially relevant subsequent legislative output, a citizen proposal without congruency is likely to have no short-term impact on public policy.

## CASE AND DATA DESCRIPTION

To illustrate the analytical capacity of the SIM, I examine a deliberative mini-public, the Ouderpanel. A mini-public is a type of democratic innovation in which randomly selected citizens engage in a structured deliberation to provide recommendations to decision-makers (Setälä and Smith 2018). It is an appropriate case for studying the manipulation of CDIs, because it commonly recommends a series of non-binding proposals to decision-makers.

The Ouderpanel took place between October 2015 and January 2016 and was convened by the Regional Government of the Flemish Regional Authority in Belgium and its Minister of Education, Hilde Crevits (CD&V, Christian-Democrat political party). The purpose of the panel was to provide the Minister with input from a diverse group of citizens for her reform of the high school system. Twenty-four Flemish parents were invited to discuss the future of the education system for three weekends. They heard from various experts on the subject, and they deliberated collectively to formulate a series of ideas and recommendations. The final report was transmitted to the Minister and put on the agenda of the Flemish Regional Parliament in January and February 2016 (Vrydagh *et al.* 2020).

I collected different data for each sequence. At T0, I looked at the coalition agreement of the regional government and a policy note that the Minister Crevits wrote at the start of her mandate to present her policy agenda for the legislature. As Vrydagh and Caluwaerts (2020) point out, it is impossible to get access to the true intentions of decision-makers, so the data in these documents must be interpreted as the expressed policy positions of the majority. For T1, I consider the citizen ideas which are gathered in a report written by the Foundation Roi Baudouin, the non-profit practitioner organisation that implemented the panel. For T2, finally, I searched all legal documents that the Minister adopted between 2016 and 2019 and whose content were relevant to the topics mentioned in the Ouderpanel's final report (Koning Boudewijnstichting 2016). In total, 21 legal documents were considered.

Using the MAXQDA software, I first coded each citizen proposal and identified their content policy-wise. The unit of analysis corresponds to a *citizen idea*. The concept of citizen idea is not equivalent to an entire paragraph or the policy demands of the Ouderpanel presented in clear-cut bullet points. Its report mainly features long paragraphs with multiple ideas about public policy. For instance, in the third paragraph from the first section of the report (Koning Boudewijnstichting 2016: 8, or see the section 'High School of Life' in the appendix of this chapter, available online at <https://osf.io/5gcu8/>) the Ouderpanel asks for schools to show students the ropes in the world and society, meaning that pupils should learn how to deal with money, eat healthily, live healthily, and learn to communicate. The same paragraph next frames

these objectives, explaining that society is becoming increasingly complex, which worries the parents, and that we expect more and more from students in terms of ethics and morality. This single textual item contains different ideas: the abstract goal of teaching students to become ‘functional adults’ and the abstract framing of the society’s complexity. These citizen ideas correspond to meaning units, that is, a constellation of words with the same central meaning (Goulding 1999: 9; Graneheim and Lundman 2004: 106)

In total, I have identified 148 citizen ideas in the final report. Next, I examined T0 and T2 and searched for congruent ideas. The typology of public policy helped me determine whether the congruence was complete or partial, especially with respect to the correspondence between levels of abstraction: if a citizen idea refers to an abstract or an instrument-level goal or means, but the uptake consists of only framing elements (that is, no concrete policy plans) or setting components, I coded the uptake as partial. The online appendix for this chapter features a visual overview of the SIM. Before starting the analysis, I first describe the operationalisation of the public policy typology.

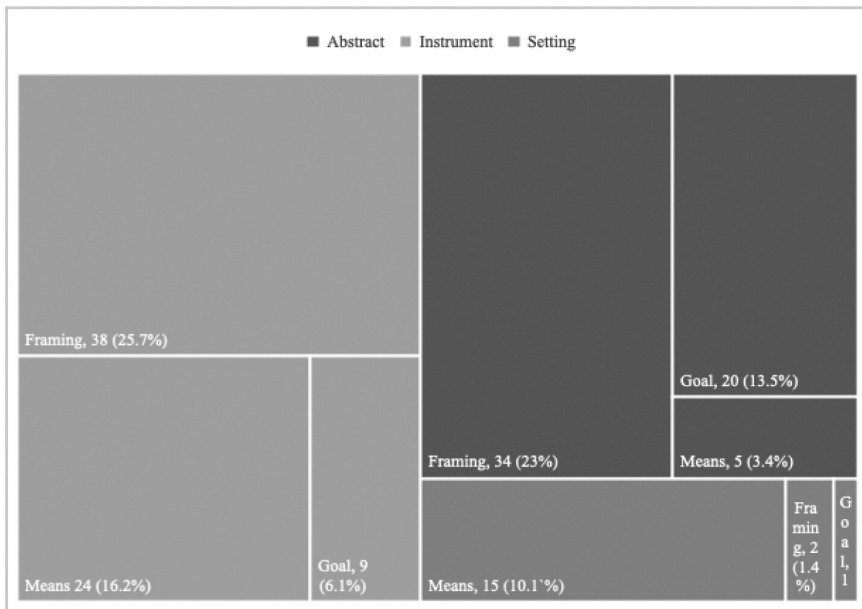
Regarding the levels of abstraction, I describe framing citizen ideas from the section ‘Orientation Process’, that is, when students have to select their course curriculum. At the instrument level, participants formulate framing ideas that focus on the orientation policy as a whole. For instance, they write that the financial cost of an orientation should not determine the students’ choice, and each student should be able to choose her orientation at her own pace. Both framing ideas are restricted to the orientation policy. Conversely, an abstract framing idea goes beyond the sole orientation policy and entails conceptual ideas that also apply to other policies, such as the idea that students have many different profiles or that the identification of interests and talents is a permanent process, which starts early and keeps going throughout life. The scope of these two ideas extends beyond the orientation policy and addresses the question of education in a broader way. At the setting level, framing ideas aim at a specific aspect of the orientation policy. The Ouderpanel, for example, wanted the orientation policy to feature meetings between the student, her supervisors, and her parents, and justifies the proposal with the framing idea that such meetings allow different perspectives to be discussed, from which each participant can learn. Here, the framing is about the practical reasons for organising these meetings, which are but one component of the broader orientation policy.

The section ‘Decreasing the gap between working and learning’ also presents useful citizen ideas that illustrate the categorisation of public policy. For example, framing and objective ideas at the abstract level may seem similar, but they present opposite characteristics. The Ouderpanel formulates an abstract goal when it writes that secondary schools must prepare for professional life, even for students who keep studying in graduate schools. That is a

large conceptual principle which the Minister should strive to realise through-out her policies on secondary and graduate schools. An abstract framing idea serves as the justification for setting this goal. The Ouderpanel’s reason lies in the undesirable gap between working and learning and the neglect of the learning force of a work environment. A framing idea can also exert an influence on decision-makers by defining what is to be understood as a policy problem. For instance, the report states that a work environment can entail enterprises, public institutions, associations, and voluntary work. This conception may influence the way decision-makers frame the work environment.

### ANALYSIS

Figure 4.1 displays an overview of the 148 citizen ideas, categorised into public policy components and levels of abstraction. They present a great diversity: most citizen ideas relate to the instrument level (71, or 48 per cent), followed by the abstract level (59, or 39 per cent) and the setting level (18, or 12.2 per cent). Regarding policy components, half of the citizen ideas corresponds to policy means (74, or 50 per cent), meanwhile 44 ideas (29.7 per cent) relate to goals and 30 (20.3 per cent) to framing. Combining the levels of abstraction with policy components, we observe that the largest kinds are



**Figure 4.1.** A descriptive overview of the citizen ideas from the Ouderpanel

framing ideas at the instrument (38, or 25.7 per cent) and abstract levels (34, or 23 per cent). Conversely, the Ouderpanel formulates few setting measures – only 18 ideas (12.2 per cent). This means that almost half of the report consists of substantial policy ideas on education. The categorisation produces an interesting picture of what a CDI has dealt with, and one can examine whether the content of the citizen ideas corresponds to the agenda set or the purpose defined for the CDI. If the Ouderpanel predominantly suggested citizen ideas at the abstract level, it could make their implementation more difficult for decision-makers. Conversely, if it had principally formulated ideas at the setting level, we could question whether participants had the possibility to engage with the broader policy paradigm on education.

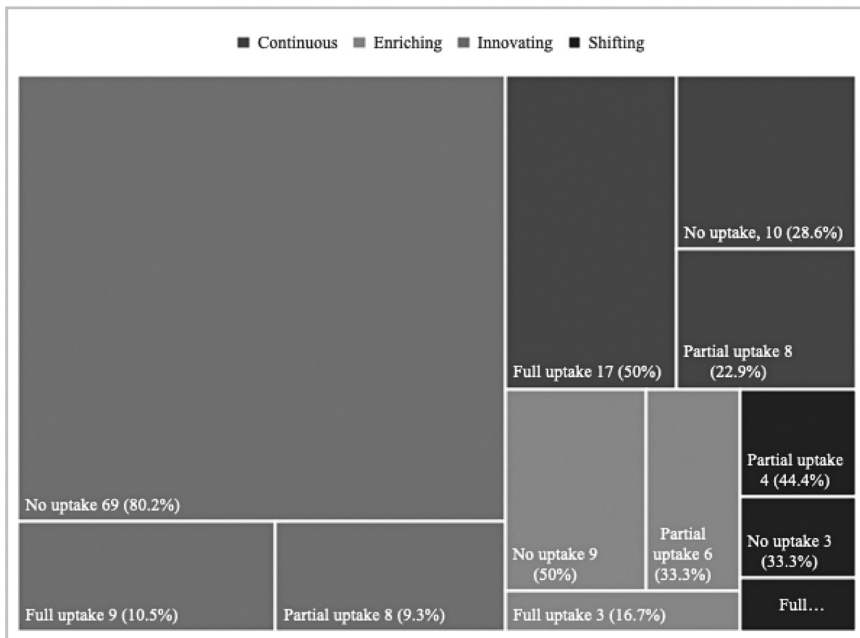
Next, I use the SIM to delve deeper into the potential impact of the Ouderpanel. Table 4.3 shows the proportion of uptake for the citizen ideas. We see that a large majority have no textual correspondence with public policy (91, or 61.5 per cent). Only 31 ideas (20.9 per cent) are fully congruent while 26 (17.6 per cent) are partially integrated. Considering that the SIM has examined an important number of legislative outputs, it is unlikely that citizen ideas have had any short-term impact elsewhere. Moreover, the Minister does not provide any explanations for the absence of uptake. The fact that 61.5 per cent of the citizen ideas are not integrated suggests decision-makers did not genuinely seek to integrate the citizen ideas. That result for no uptake is considerably higher than those found in other studies, that is, roughly one-third without uptake, one-third with uptake and one-third with partial uptake.

When we consider the initially expressed positions of decision-makers, we can draw a more detailed and insightful picture of the Ouderpanel's results and reveal additional signs of manipulation. Figure 4.2 displays how citizen ideas relate to the decision-makers' initial agenda and the uptake of citizen ideas based on their influence. First, we observe that a majority of citizen ideas (86, or 58.1 per cent) are apparently innovations to the decision-makers' agenda, that is, ideas that were not mentioned in the initially expressed positions. This finding is, however, sensitive to the data upon which the SIM relies. We cannot know with certainty whether decision-makers were aware of these ideas or not. The next two most common types of influences are the continuous (35, or

**Table 4.3.** The uptakes of the Ouderpanel's ideas

	N	%
No congruency	91	61.5
Partial uptake	26	17.6
Full uptake	31	20.9

23.6 per cent) and enriching ones (18, or 12.2 per cent), that is, influences that align with decision-makers’ initially expressed positions. The fact that 35.8 per cent of all citizen ideas roughly correspond to decision-makers’ agenda can be explained by the possibility that the Ouderpanel’s participants may have heard the Minister’s views. Moreover, as the mini-public sought to invite a group of citizens representative of Flemish society’s diversity, we can expect that citizen ideas correspond to some extent to the education policy of the majoritarian Flemish government. This may account for the exiguous occurrences of shifting ideas (9, or 6.1 per cent) and the absence of inhibiting ideas. Yet, the marginality of shifting citizen ideas can also be explained by other factors, such as the political influence that decision-makers could have exerted on the deliberative work of the Ouderpanel. This clue seems corroborated by the criticisms of Jos van Der Hoeven, the president of the Christelijke Onderwijscentrale – the largest union in the Flemish education sector – who publicly criticised the selection of the 30 ‘reference persons’ – that is, experts – who accompanied the Ouderpanel and claimed that some citizen ideas were literally taken up from the work of these reference persons.<sup>1</sup> The purpose of this chapter is not to examine whether reference persons indeed exerted an influence on the Ouderpanel, but this demonstrates the SIM’s potential to provide clues that researchers can further investigate to ascertain whether a CDI was manipulated.



**Figure 4.2.** Influence of citizen ideas from the Ouderpanel

Figure 4.2 also shows the absolute numbers and the proportion of uptake for each kind of influence. We can see that continuous citizen ideas receive the largest share of uptake (17), followed by ideas with innovating (nine), enriching (three) and shifting influences (two). Looking at the proportion per type of influence, we observe that continuous ideas have a more promising political fate: 48.6 per cent are taken up, while only 16.7 per cent of enriching ideas, 10.5 per cent of innovating ideas and 22.2 per cent of shifting ideas are integrated in public policy. Concerning the absence of congruency, it mainly affects innovating ideas (69, 80.2 per cent), although enriching ideas (9, 50 per cent) receive less consideration too. Finally, partial uptakes seem to apply to all types of influences to some degree. Shifting ideas happens most frequently (4, 44.4 per cent), followed by enriching (6, 33.3 per cent) and continuous ideas (8, 22.9 per cent).

These findings suggest that the Ouderpanel was subject to cherry-picking. The ideas that confirm decision-makers' expressed initial positions are more integrated than those that supplement or diverge from them. Furthermore, supplementing and diverging ideas show larger proportions of no uptake and partial uptakes. The latter is challenging to interpret, nevertheless, as they can either be good or bad, depending on whether one sees the glass half-full or half-empty. On the one hand, they can connote a merely token integration of a citizen idea, with decision-makers modifying an idea so that it fits their own policy agenda. On the other hand, they can imply that at least some aspects of a citizen idea made it to public policy or that the citizen idea was not implementable as such and required some adjustments.

The SIM can also highlight the fate of proposals based on the type of policy ideas they consist of. This can unveil whether decision-makers predominantly take up ideas that are less ambitious or costly – typically, policy components at the setting level that are more implementation-focused – or ideas without concrete public policy follow up – in particular, framing ideas. Figure 4.3 indicates that this is not the case with the Ouderpanel. The largest proportion of uptake per type of public policy can be found for policy goals at the abstract level (6, or 30 per cent) and for framing (10, or 26.3 per cent) and means (6, or 25 per cent) at the instrument level. Furthermore, the setting level features the largest proportions of no uptake: all goals and framing ideas and a large majority of means (11, or 73.3 per cent) were rejected. It is also interesting to see that the proportions of partial uptakes are higher at the abstract and instrument levels, especially for goals at the abstract level (6, or 30 per cent) and goals (3, or 33.3 per cent) and means (7, or 29.2 per cent) at the instrument level. One way to explain this finding may lie in the difficulty of decision-makers understanding and integrating ideas that are more abstract or consequent. Whereas citizen ideas at the setting level are concrete and technical and thereby more likely to be implemented more easily, those at the



**Figure 4.3.** Uptake of citizen ideas from the Ouderpanel, based on their public policy categorisation

abstract and instrument levels have more implications or leave more room for interpretation. The full and partial uptakes being distributed heterogeneously among the different types of citizen ideas, and the lack of uptake affecting mostly framing ideas, does not indicate that decision-makers principally take up cheap, unambitious, or superficial citizen ideas.

Finally, we can further examine the type of public policy that is taken up when citizen ideas diverge from decision-makers' initial expressed positions. In so doing, we can analyse whether decision-makers predominantly integrate



diverging citizen ideas when these are cheap or unambitious and reject them when they are substantial. The analysis does not, however, reveal a pattern of uptake by policy types, and we find ambitious citizen ideas with diverging influence. For instance, ideas with a shifting influence – advocating for a different policy course from decision-makers’ initial positions – entail one goal at the abstract level and one framing at the instrument level. Likewise, ideas with an innovating influence include two goals and two means at the abstract level and another means and three framings at the instrument level.

## CONCLUSION

This chapter presented a methodological instrument, the SIM, which relies on two indicators for finding clues to whether cherry-picking of CDIs is happening. The SIM looks at the initially expressed positions of decision-makers and the type of public policy that citizen ideas and their political uptake entail. These two indicators can reveal clues as to whether the cherry-picking of CDIs is happening. An analysis of the deliberative mini-public Ouderpanel shows how the SIM uncovers three signs of instrumentalisation. First, the congruency between the citizen’s report and the subsequent public policy is lower than what other studies have found (Font *et al.* 2018; Bua 2017; Lowndes, Pratchett and Stoker 2001), thereby denoting that decision-makers did not properly engage with citizen ideas. Second, the high proportion of uptake for continuous influence suggests that decision-makers took up more proposals that aligned with their own policy agenda and disregarded more of those that diverged from it, matching the results of previous studies (Font *et al.* 2018; Vrydagh 2022). We should, nonetheless, not immediately associate this specific finding with manipulation, because a high proportion of aligning influences may also mean that decision-makers’ policy agenda is responsive to the mini-public (Vrydagh and Caluwaerts 2020), while decision-makers may also have sound reasons for partially taking up or rejecting citizen ideas (Vrydagh 2022). Finally, the SIM provides a clue for a potential manipulation *within* the Ouderpanel: the low proportion of shifting ideas suggests that participants may not have had access to alternative perspectives on the education policy. This finding is interesting because another study of a citizen panel did not find any ideas that shifted from decision-makers’ initial positions (Vrydagh 2022). This calls for more research on CDIs’ capacity to generate ideas that challenge existing policy positions, to investigate their potential to play a critical and challenging political function (Böker and Elstub 2015; Hammond 2020) or perform a more symbolic role (Blühdorn 2007).

The analysis shows the potential of the SIM to spot indications of manipulation but also reveals its limits. Without an investigation of both decision-makers’ motives and public policy views and the institutional and legal context

in which they operate, the interpretation of the SIM's results still relies on the researcher's assumptions. More research is needed on the way decision-makers engage with citizen ideas (for exceptions, *see* Hendriks and Lees-Marshment 2019; Vrydagh 2022). The literature on evidence-based policy-making that discusses the way decision-makers deal with scientific advice can also offer relevant insights (*see* Cairney 2016 for an introduction). The SIM aims to give a more systematic appraisal of the evidence for impact or not. It demonstrates that the CDI's impact assessment can – and should – be complexified. CDI do not just have 'an impact' on public policy. A CDI can influence decision-makers in different ways, depending on their initial positions, and a CDI's genuine impact on public policy depends on the kind of citizen ideas that are taken up. The SIM constitutes a preliminary step towards complexification. Yet, to unleash its potential, it must first resolve a series of questions that its application raises. The typology of influences is an interesting attempt at disentangling a CDI's impact, but future conceptual and empirical research is needed to discover and analyse other scenarios. Moreover, the concept of limited continuous influence also raises questions: if decision-makers and a CDI have the same policy idea, why do decision-makers only partially take it up? Many reasons can account for the fact that decision-makers cannot realise their initial policy agenda, but does a CDI play a role in that process? This flags the difficulty of attributing an influence to a CDI exclusively on the basis of desk research and should serve as a reminder that the SIM on its own is best used as a preliminary step for investigating the genuine influence of CDI. It needs to be triangulated with data from the field, ideally from actors involved in the CDI's political follow-up.

The SIM's overreliance on proportions should also remind us that an impact-assessment based on the aggregation of all congruent citizen ideas may miss the exceptional political fate of specific proposals. We could, for instance, imagine a CDI with a high number of influential continuous ideas and a very low proportion of shifting and innovating ideas. Even though the latter two account for a tiny percentage, they may nevertheless entail substantial policy changes that are more significant than all other citizen ideas combined. In such a case, the proportions generated by the SIM should be seen as a first, explorative analysis for spotting citizen ideas that potentially have exceptional political fates. To investigate further the 'exceptional' character of those citizen ideas, one could check whether these proposals were indeed new or transformative for decision-makers, by delving into the decision-makers' interventions in public and political debates. One could also consider examining other factors that can make a fate exceptional, such as the citizen idea's implementation costs (Font *et al.* 2018); the kind of public policy problems they solve (Hoppe 2011a); or the policy subsystem they successfully influenced (Howlett, Ramesh and Perl 2020: 92–7).

## NOTES

1 Van Der Hoeven, J. ‘Burgerdebat over eindtermen in onderwijs misbruikt’, Het Belang van Limburg, 14 May 2016. See also Belga, ‘Onderwijsvakbond COC verwijt Crevits populisme bij bevraging ouders over eindetermen’, 11 May 2016.

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## Chapter Five

# The Oregon Citizens' Initiative Review: Long-Term Impacts in the Context of Direct Democracy<sup>1</sup>

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### INTRODUCTION

Effective deliberative interventions are designed and implemented at precise places within democratic systems (Parkinson and Mansbridge 2012; Smith 2009). Ideally, such interventions are clear about the decision-making mechanisms they intend to influence and the democratic deficits they hope to rectify. Recently, these interventions often take the form of mini-publics, highly structured processes that include a relatively small sample of the population in high-quality deliberation (Curato *et al.* 2021). Though these events adhere to the deliberative ideal, they rarely have decision-making authority and, by design, cannot be inclusive of the entire citizenry. Direct democracy offers a more straightforward pathway, by giving members of the electorate an opportunity to vote on legislation directly, but it suffers from many of the problems common to the public sphere – namely, a lack of good-quality information and an over-representation of moneyed interests that can distort voters' knowledge and impact their vote choice (Wells *et al.* 2009).

The Citizens' Initiative Review (CIR) is designed to intervene at this key decision-making point – the moment that citizens cast their votes in favour of or in opposition to ballot measures (Gastil and Knobloch 2020). By combining the analytic and democratic qualities of deliberation with direct democracy, it has the potential to directly impact the decision-making structure in which it is embedded. First implemented in Oregon in 2010, the CIR brings together a small group of demographically diverse residents to learn about local ballot measures and identify the most important information that the public need to know when making their own decisions. Throughout the process, participants are expected to engage in intense deliberation, developing



and utilising skills that will allow them to understand a complex issue and the way it might impact the lives of people different from themselves. At the end of their time together, they produce a Citizens' Statement that is distributed to voters, who can then use that information to make more informed and reflective choices. For many participants, such an experience is transformative (Knobloch and Gastil 2015); but what happens when participants return to their home communities?

This chapter asks about these impacts on participants, their communities and the electorate, with a particular focus on Oregon, the place where the CIR was first developed and where it has been implemented most frequently. After providing an overview of the Oregon CIR, we explore its impacts on participants and voters. The data provides evidence of the long-term influence the CIR had for those who directly participated in a review and how these personal changes impacted their wider communities. It also explores whether the CIR had any impact on the voters who utilised its issue analyses. The bulk of this analysis represents previously unpublished qualitative and quantitative evidence of impacts but, in both main sections, we juxtapose these data with previously published reports. The conclusion considers whether the CIR might have system-wide impacts beyond those we review in this chapter.

## **RESEARCH CONTEXT: THE OREGON CITIZENS' INITIATIVE REVIEW**

Like many of the most prominent examples of deliberative institutions, the CIR is a mini-public. Mini-publics are deliberative processes designed to connect small-group deliberation with macro-level decision-making (Goodin and Dryzek 2006). These events bring together a relatively small subsample of a population, generally between 20 and a few hundred individuals, who are demographically stratified to match the wider community in which they are embedded. Participants spend time learning and deliberating together and then provide recommendations that they hope will influence public decision-making.

Mini-publics are often intended to intervene at specific points in government decision-making, whether by providing information or recommendations for citizens or legislators or making consequential decisions themselves (Curato *et al.* 2021). The CIR is no exception. First implemented in Oregon in 2010, the CIR is designed to intervene in initiative and referendum elections. In many democracies, these elections allow members of the public to vote directly on the laws that will guide their lives. While this form of direct democracy was originally designed to empower the public and thwart the influence of special interests in elections (Bowler and Donovan 1998; Guthrie 1912), they quickly became co-opted by the very moneyed interests they were meant to circumvent. Many initiatives and referendums ask voters to



make decisions about relatively complex issues, ranging from tax policy to human rights. Unfortunately, voters often lack the information they need to make those decisions and are instead beholden to the information provided by political campaigns, which spend enormous amounts of money to convince voters to support or oppose a measure (Gerber 1999; Gerber and Lupia 1995).

The CIR was designed in response to these problems. Prior to its development in Oregon, scholars and practitioners had proposed using Citizens' Juries to help voters in Washington State understand the measures on their ballot (Knobloch, Gastil and Reitman 2015). Though this initial proposal received a legislative hearing, the effort ultimately fizzled out. A few years later, two friends working in state politics in Oregon heard about the proposal and thought it would work in Oregon. With the help of those initial advocates, they developed an organisation, Healthy Democracy, dedicated to the implementation of a similar process in Oregon. In 2008, they ran a pilot process, analysing a local ballot measure. They used the results of that process to develop momentum for the proposal, garnering support from prominent state officials, and began lobbying for an official pilot. The state legislature approved the proposal with a sunset clause, allowing a one-year pilot test and requiring an official evaluation. After another successful implementation, the legislature voted to establish the CIR permanently and created a state commission to oversee it; but they provided no funding for its implementation. Though Healthy Democracy used private donations to implement subsequent reviews in 2012, 2014 and 2016, difficulty obtaining funding has limited its state-wide implementation since then. Even so, other municipalities and states have since implemented their own pilot programmes.

Although the process has been revised since its implementation, the essential characteristics remain the same. The review brings together approximately 20 individuals who are demographically reflective of their community in relation to characteristics such as gender, race, age, voting history and geographic location. During four full days of deliberation, participants learn about a ballot measure from its proponents and opponents and expert witnesses who can speak to its need and potential impact. Participants spend considerable time discussing the evidence provided by advocates and speakers, distilling key findings and weighing competing claims against one another. At the end of their time, participants collectively write a Citizens' Statement, which contains key information that voters should know when casting their ballots as well as the strongest arguments in favour of and in opposition to the proposal. This Statement appears in the official state Voters' Pamphlet, which all voters receive. Voters can then directly reference the Statement when filling out their vote-by-mail ballots.

The Oregon CIR was the first official integration of a mini-public into a US state's electoral process and, due both to its official nature and its use over the course of several years, provides a case ripe for evaluation.

## ASSESSING COMMUNITY IMPACTS

Evaluation plays a crucial role in the development of deliberative institutions. Because deliberative processes are often time- and resource-intensive, understanding whether or not they live up to their ideals is imperative (Gastil, Knobloch and Kelly 2012). Across different iterations and contexts, the CIR has largely maintained its deliberative rigour. A team of international researchers, led by the authors of this chapter, has attended each review between 2010 and 2016, engaging in real-time quantitative and qualitative assessments and soliciting surveys and feedback from participants at each review. These studies have repeatedly found that the reviews encouraged participants to engage in analytically serious learning and discussions and fostered respectful and non-coercive decision-making (Gastil *et al.* 2014; Knobloch *et al.* 2013; Knobloch *et al.* 2014; Richards 2018).

Evaluating a deliberative institution, however, requires moving beyond what happens during the process and assessing whether it has an impact on the larger system within which it interacts. Two additional criteria should also be considered when evaluating the success of a deliberative project: whether it has a lasting impact on civic life and whether it influences public decisions (Gastil, Knobloch and Kelly 2012). The remainder of this section will be dedicated to exploring these two criteria.

### Effects of deliberative participation

Because deliberation asks participants to employ a number of democratic skills and practices they may not regularly encounter in daily life, it should foster positive democratic attitudes and behaviours that extend beyond the confines of the event and improve the capacity for civic participation in other arenas (Burkhalter, Gastil and Kelshaw 2002). Deliberative processes tend to live up to this promise and decades of research has shown that deliberative participation can increase participants' factual knowledge, political efficacy, community faith and civic behaviours (Hartz-Karp *et al.* 2010; Jacobs, Cook and Delli Carpini 2009; Luskin, Fishkin and Jowell 2002; Nabatchi 2010).

The CIR is no exception. Participant surveys conducted immediately after their review and a year after the experience asked participants to assess their subjective sense of change. Those surveys demonstrated that participants leave the CIR with a host of civic benefits, including increased self-confidence, improved external efficacy and a greater sense of communal identity; participants are also more likely to have political conversations after the CIR experience and engage with their local communities (Knobloch and Gastil 2015).

Quantitative findings such as these highlight the potential for deliberative participation to alter the wider system. As participants return to their home

communities, they likely change their own political behaviour in ways that may impact the individuals and institutions with which they interact. These surveys do not, however, provide much insight into what these changes look like in practice, what process-design elements led to those shifts and how these changes might be enacted in the context of their home communities. This chapter will provide that qualitative complement to previous findings on the CIR's long-term impacts on participants and focus on the ways these changes might shape community politics beyond the bounds of the forum.

### **Effects on the wider electorate**

Deliberative processes should also impact the larger decision-making processes in which they are situated. Mini-publics like the CIR have been designed explicitly to achieve that goal.

Whereas previous processes attempted to craft ballot measures (Fishkin *et al.* 2015; Warren and Pearse 2008), the CIR is meant to offer voters important information that they may need to reach informed decisions (Knobloch, Gastil and Reitman 2015). Understanding the CIRs impact, then, requires examining its influence on voters. Previous research on the CIR has found that readers of the Citizens' Statement learn new information and gain faith in their potential for self-governance (Gastil *et al.* 2018; Knobloch, Barthel and Gastil 2019). This research has tended to focus on single iterations of the CIR and singular aspects of change, such as knowledge gains or political efficacy. In this chapter, we take a broader view in assessing the impact that the CIR had on direct democracy, looking across time and contexts and exploring the different ways that the public might be influenced by the CIR when acting as decision-makers in the context of initiative elections.

## **LONG-TERM CHANGES AND COMMUNITY IMPACTS**

Following the order of the two evaluative categories presented earlier, we begin by presenting qualitative data on the long-term effects of participating on a CIR panel and the ways these changes impacted the home communities of participants. Interview data permit us to look back between one and two years after participation in the CIR mini-public and gives the panellists a chance to reflect on how the experience changed them over time. By analogy, research with former criminal and civil jurors in the United States made it possible to learn how that deliberative experience changed their voting behaviour and civic attitudes years after the fact (Gastil *et al.* 2010). Such research on the long-term impacts, however, is rare, though scholars have begun to take a more long-term approach in understanding participants' perceptions of

deliberation (Jacquet 2018). In the final part of this section we compare these changes to similar ones experienced by members of the electorate.

### **Follow-up interviews two years after service**

The second author led a project that followed up with the 2012 CIR panelists roughly two years after their service (Knobloch and Gastil 2014). The interviews with former panellists aimed to learn how their participation not only altered them but also how these changes impacted their broader civic interactions. Participants reported changes to a number of their political attitudes and behaviour, particularly those related to initiative elections and communicative habits, but found it hard to share details of their unique experience with other members of their community. Participants did, however, find ways to integrate their new deliberative skills as they interacted with others and, subsequently, made small shifts in how other members of their communities engage in politics.<sup>2</sup>

### **Development of civic skills**

The design of the process, and particularly learning how to listen to alternative perspectives and sift through complicated information, offered participants the chance to develop new civic skills. Many participants reported that the CIR process taught them these skills, or at least refreshed them for those who felt they already possessed them. For some, the most important skills that the CIR helped develop or hone were related to information-gathering. When discussing how he applied lessons from the CIR to his everyday life, one panellist said that:

Instead of just going with what's familiar, I'm more apt to dig in, maybe get some literature, look at past news stories, look at the voting. If it's for a candidate, look at their voting history. Look at the history of what's going into driving the issue.

Several panellists mentioned similar changes, reporting that they were more likely to think deeply about an issue as a result of their experience and to perform more research before casting a vote for a ballot issue or candidate. Others referred to newfound listening skills, learning to pay attention to not only new information but new perspectives. When asked what skills she developed during her CIR experience, a participant said:

Trying to, kind of, talk about the pros and cons of a particular issue or a particular side and not a person that, you know, 'my way or the highway' type of

person, but you know, just being able to listen to different views and, kind of, absorb them and then find out [where those fit in] with the way I [do things].

Panellists were particularly likely to transfer these new skills when voting on other initiatives. Most panellists said that they read the statements constructed by other CIR panels or mentioned directly applying the skills they learned during the CIR to make initiative decisions when no statement was available. Describing how she learned about an initiative about which the CIR did not deliberate a panellist said that:

There was one [that] ... had to do with real estate on our ballot. What do I do? I call a realtor and say, how does this affect me? I took what I had learned at the CIR and applied it to him and made him a panellist and asked him the questions, made him the expert ... We called experts in and we listened and asked questions. Well, I kind of reversed it and made him a panellist and the expert and I asked him the questions, so I could find me some facts.

This mirrors responses made by many panellists who said that their CIR experience made them realise how little effort they previously had put into voting. For these panellists, the CIR spurred a newfound sense of civic duty as they became more aware of the need to research an issue and understand alternative perspectives before casting their ballots.

I'm always working on skills, listening skills and that. You have to be disciplined and during the presentation, write down your question and ... gather information. It definitely helped develop skills that I needed to learn.

## **Political efficacy**

In addition to skill-development, some panellists gained a more nuanced understanding of their governing power. During the process, panellists have the opportunity to interact with governing officials and, by delving into the policy implications of the initiative or in learning how specific initiatives will be implemented, gain insight into how government functions. This changing understanding, however, did not map neatly onto our standard definitions of internal or external efficacy. Several panellists reported a better understanding of the role of legislatures or other governing bodies, though this did not necessarily equate to more personal confidence or more faith in government responsiveness. As one panellist notes:

Yeah, you know for all my ... ranting about the polarizing ... [They] go in with really good intentions and maybe some who go in not with good intentions, but those who go in with good intentions, the complexity of all the issues, well the

lack of time to dig as deeply as you might need to and want to ... I mean, my gosh, how many bills are before the legislature every year and we spent a week looking at one.

As a result of her five-day experience, she learned just how complex public policy problems are and how difficult it must be for legislators to make good decisions about the vast array of issues that come before them.

Though this was a fairly common sentiment, it did not necessarily equate to more confidence in government responsiveness. Because the CIR allows panellists to carefully study an issue, they grew frustrated when governing officials seemed swayed by special interests. For some, this translated to less faith in governing officials. When asked to reflect on whether the public should have greater influence over government decisions, one participant said:

You know, I think it's critical because we're supposed to have representative government, but at the end of the day, I think that there's an awful lot of influence that the decision makers and politicians are subject to and, unfortunately, they don't always represent their constituents. They represent the special interests a lot of times.

Still, panellists were pleased that the legislature had adopted the CIR and saw this as a sign that officials were interested in the public's welfare. As one participant stated, 'I respected the fact that legislature approved this process ... if that means that they respect their constituents enough to allow that, that's good.'

These comments, along with those offered by other panellists, indicate that the CIR encouraged a more nuanced understanding of government. In essence, CIR participants gained a more deliberative perspective of governing processes and government officials. In general, participants seemed less disappointed in individual governing officials but more disillusioned with the system in which they operate. Discussing legislators, one panellist said:

I think I understand a little bit better just how tricky it is to take on that kind of role and the fact that there are potentially forces coming from so many different directions ... so I don't know that I would necessarily say trust them, because they are, we are, all victims of this system that we've allowed to go in the direction it has gone. And I don't think currently it's structured in a way that there are enough safeguards ... I do have greater compassion.

As a result of her experience, this panellist began to understand the complexity of the process in which elected officials operate and, as a result, expressed compassion, if not trust, for them.

## **Behavioural and community changes**

For many, the development of civic skills and a more nuanced understanding of government resulted in changes to their civic behaviour and these changes appeared to have ripple effects on the wider community. Perhaps the most interesting behavioural changes stemmed from how panellists interacted with other members of their community. For some, the experience simply led to better political conversations. Below is an extended excerpt from an interview with one participant who describes how he utilised such skills in a political disagreement:

Even though there's sometimes I get frustrated with people that have a significantly different point of view, I am willing to listen to them. And now, I even encourage them to express their point of view. In fact, I just had a political opponent, an argument with a liberal friend recently, because she was really adamant about whatever point of view it was ... She was trying to bait me in on some kind of an argument that the military is all corrupt ... She was getting really frustrated and not necessarily being very polite. Every time I responded, I just kept it quiet and quick. I put my point of view there and why I thought that. At one point, she called me 'a complete idiot' because my mind was closed so much. I said, 'Look. I'm trying to be polite and respectful and I'm giving you the other half.'

Here, the panellist explains how he applied skills learned at the CIR to engage with a political opponent and tries to create a civil conversation out of a potentially vitriolic incident. He continues:

There's a lot of stuff I know about what goes on in the military ... I went on this really long, a five-minute-long, spiel about it. The next thing she sent back says, 'I appreciate that you're talking in a respectful, calm voice and putting your side of the information out there and you've opened up my eyes to some different perspectives that I wouldn't have considered before.'

The CIR process changed not only the participant but other members of their network as well. By transforming the conversation from a combative to a deliberative tone, the CIR participant transferred some of his own skills to his conversation partner. Similar stories have been recounted by several CIR participants from both 2012 and 2010, who try to spread what they've learned to others in their community.

For some this practice extends beyond simple political conversation. A few panellists reported becoming more involved in their communities. As one panellist states:

Well, you can't imagine the things that I have gotten involved in since then. I'm working with my high school and the school system and because the funding

sources that we have in Oregon are so bad for schools that I've been working with a group to start an alumni association for the high school that I went to in order to try to find money outside of the system to help them with new technology and programs like that ... I was kind of pushed in that direction when I saw how bad the system has failed in funding schools properly because of the gambling issue.

This panellist credits her CIR experience with encouraging her to be more involved in local issues. The information she learned during the CIR served as a starting point for becoming more active in her community. Because more funding for education is generally popular, many revenue-generating initiatives will designate funding specifically for education as a way to bolster the popularity of the underlying initiative. Such is the case for the non-tribal casinos initiative that this participant studied, which proposed that tax revenue generated by the casinos would go to primary through secondary education. As part of their argument in favour of the measure, advocates demonstrated the need for more education funding in the state. For this panellist, learning about that need sparked a desire to get involved in raising funds for education in her home community.

This increased participation doesn't necessarily translate into greater involvement in traditional political activities, however. No panellist has ever reported becoming more involved in party politics as a result of the CIR, whereas several panellists have reported becoming more involved in community events or even creating their own opportunities for engagement. One panellist explained this disconnect, contrasting his desire for greater involvement with a disdain for traditional advocacy organisations:

I haven't actually participated in any organization because I don't want to get caught up in their agenda and politics either. I'm really discouraged by some of the propaganda on both sides ... I want to be pursuing it at the level where it really matters, which is in correspondence with politicians that are in office. I do a lot of writing to my congressmen and to legislators at the state level. I've probably written eight or ten letters to different politicians in the last three months.

Attempting to circumnavigate the strategic nature of many activist organisations, this panellist chose to contact his elected officials directly.

Though most CIR participants were not very involved in politics prior to the review, those few CIR panellists who held elective office – or were somehow otherwise engaged in political organisations – tell stories of bringing their deliberative skills into these more formal political settings. One former panellist was a member of his local city council. He reports repeatedly encouraging fellow councillors to 'stay in learning mode', bringing one of the CIR's ground rules into the formal political arena. Further, he looks back on his time as a councillor before the CIR with some regret, lamenting



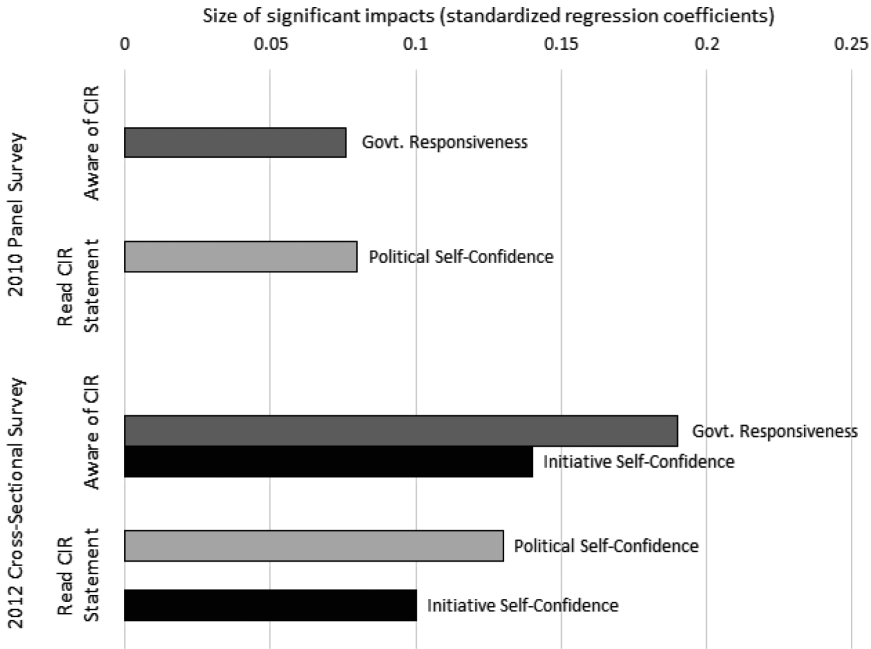
that he did not possess those deliberative skills in earlier meetings. He says that, 'I probably, you know, I made mistakes when I voted.' He points to specific understandings that he gained during the CIR, such as the instability of Oregon's tax code, as well as the CIR's rules for discussion, as directly pertinent to how he casts his current council votes. Though this might be a single example, it illustrates the potential benefits of deliberative exposure even for those who are already deeply involved in civic life, such as elected officials, and highlights the transformative power that deliberative participation might have on public policy if practised by a wider swathe of public officials.

### **Shaping broader voter attitudes**

The preceding analysis showed how the CIR influenced participants but it is useful to conclude this section by noting more far-reaching impacts found in previous research. Mini-publics like the CIR have the potential to reshape the wider public's attitudes in some of the same ways that inspires the citizen panellists who participate in the CIR's deliberations. After all, a government's establishment of inclusive mini-publics may signal to the wider public the development of a more legitimate and deliberative kind of politics – a sign that governing officials care about what citizens have to say. Seeing fellow-citizens competently perform the tasks normally left to professionals may also increase the public's confidence in their own political abilities or even bolster confidence in the capabilities of one's neighbours.

To see if the CIR has such an effect, a prior study conducted a two-wave panel survey of the Oregon public in 2010 (Knobloch, Barthel and Gastil 2019). This online survey measured general political attitudes before and after voters learned about the CIR for the first time. Between August and October, many Oregonians appeared to change in response to the CIR's arrival. The top row of Figure 5.1 shows that voters came to see their government as more responsive once they recognised that it had created the CIR. Also, voters who took the time to read one or both of the 2010 Citizens' Statements became more confident in their own political abilities.

What makes those results particularly compelling is that they measure real change in attitudes over time – not perceived change – and that they control for many other factors, such as age, education, political party and so on. Those control variables also show that the magnitude of the CIR's impact compares favourably with the effect of educational level and political knowledge. This was the first time a deliberative process had shown such effects on a wider population and they warranted at least a partial replication in 2012 (Knobloch, Barthel and Gastil 2019). After controlling for the same demographic and political variables, Figure 5.1 shows that the same effect appeared for confidence in oneself and one's government. In addition, this



**Figure 5.1.** Impact of learning about the CIR or reading its Statement, 2010–12

cross-sectional survey featured a new item, which showed that both awareness and use of the Citizens’ Statement boosted Oregonians’ confidence in their initiative voting choices. Though these findings cannot reveal whether such attitudinal changes led to behavioural change for the wider electorate, they hint at the transformative potential for the widespread adoption of similar deliberative interventions.

### PROVIDING INFORMATION TO VOTERS

Changes in the long-term attitudes and behaviour of CIR panellists reflects the unique experience of deliberating in a mini-public and this longitudinal data illuminates the ways that deliberative participation can impact local engagement beyond the forum. Though one should not doubt the intensity of such effects on participants, the scale of this impact remains limited by the size of such processes. In Oregon, only a few dozen residents get the chance to deliberate in this way every two years.<sup>3</sup>

The wider impact of the CIR is on the electorate. Since every single registered voter receives the CIR Statement in their official Oregon Voters’ Pamphlet, the CIR has the chance to reach farther than most mini-publics. Because

evaluators have fielded phone and Internet surveys in conjunction with the CIRs held from 2010–16, it is possible to paint a clear portrait of the CIR's reach and its impact on voters' knowledge and behaviour. (Methodological details from these surveys are provided in the publicly-available reports at the CIR Research website, <https://sites.psu.edu/citizensinitiativereview>.)

**Public awareness of the CIR**

One should not assume that every voter discovers – let alone reads – the CIR Statement during an election. Table 5.1 shows that only two-in-five Oregon voters became aware of the CIR before they voted in 2010; but since then a majority (52–54 per cent) have at least known about the CIR before they completed their ballots (Gastil, Johnson, Han and Rountree 2017).

What proportion of voters claim to have *read* the CIR Statement? Once again, one can focus on those respondents who had already voted. Table 5.2 breaks down Oregonians who had cast their ballots into three groups: those unaware of the CIR; those aware but not reading a Statement; and those who were both aware of the CIR and chose to read at least one of that year's Citizens' Statements. All three of these figures have held steady since 2012, with 43–44 per cent of Oregonians reading a CIR Statement before voting.

**Table 5.1.** CIR awareness among survey respondents who had already voted, 2010–16

<b>CIR awareness level</b>	<b>2010</b>	<b>2012</b>	<b>2014</b>	<b>2016</b>
Not aware	59%	47%	46%	49%
Somewhat aware	26%	28%	35%	27%
Very aware	16%	25%	20%	24%
Sample size (N)	111	323	403	435
<i>At least somewhat aware</i>	40%	52%	54%	52%

**Table 5.2.** CIR awareness and readership among voters who had cast their ballots, 2010–16

<b>CIR awareness and readership</b>	<b>2010</b>	<b>2012</b>	<b>2014</b>	<b>2016</b>
Not aware of CIR	60%	48%	46%	49%
Aware of CIR but did not read Citizens' Statement	11%	9%	10%	8%
Read the Citizens' Statement	29%	43%	44%	43%
Total	100%	100%	100%	100%
Sample size (N)	111	323	403	435

These surveys focus on eligible voters who intend to – or have already – cast a ballot in the upcoming election, but future research could look more closely at those who claim no intent to vote. After all, reading a CIR Statement can increase people’s intention to vote on the issue that the CIR addresses (Gastil and Knobloch 2020), so perhaps it could motivate non-voters to become voters.

### **Increasing voters’ policy-relevant knowledge**

Even if many Oregon voters read the CIR Statement, did it increase their issue knowledge? The CIR Statement contains three primary sections: ‘Key Findings’, which contains facts that participants think voters should know before casting their ballots; and statements in favour of and in opposition to the measure, which include the primary arguments that they think voters should consider.

Each year of the CIR, researchers have conducted survey experiments on those respondents who had not yet voted or read the CIR Statement on their own. The precise nature of those experiments has varied, such as shifting from a control condition providing no information (2010–14) to a control that provides a conventional ballot measure description provided by Oregon public officials. The main contrast, however, is between those voters exposed to the CIR Statement before answering factual and judgment questions regarding a policy *versus* those who do not see the CIR before answering.

Previous articles have used some of these data to suggest that the CIR boosts voter knowledge, as intended (Gastil *et al.* 2018). A separate mail survey showed that a CIR pilot test, conducted at the county level in 2014, resulted in knowledge gains that went against conventional wisdom: Voters learned the most from the CIR when it provided insights that went against their ideological biases (Már and Gastil 2020).

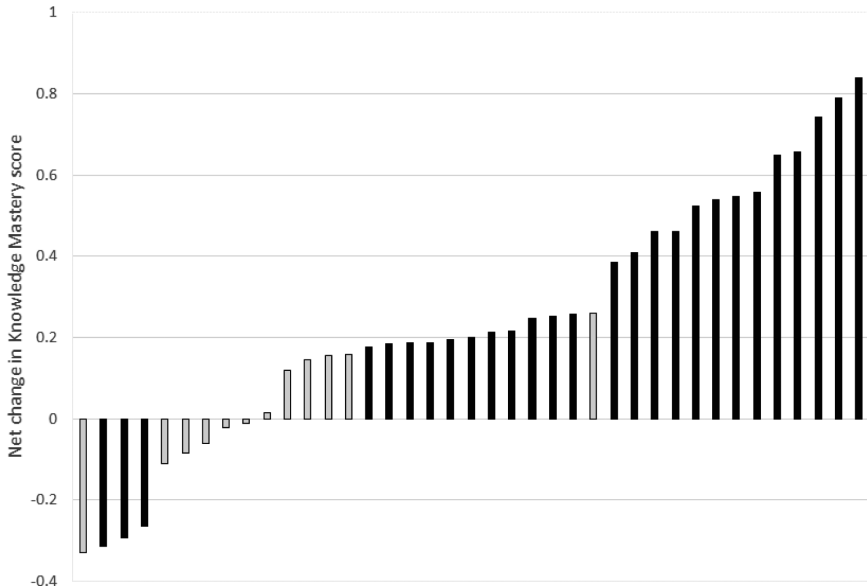
For the first time, we have assembled a single dataset from all of the Oregon CIR surveys conducted to date. To see the overall pattern of knowledge gains, we combined the survey experiments conducted on Oregon CIR ballot measures from 2010–16. (This includes all the Oregon CIRs to date, except for the medical marijuana ballot measure from 2010, which included no survey experiment.) These six surveys tested voter knowledge on multiple knowledge claims per ballot measure, yielding a total of 23,895 usable responses.

For instance, in 2016, one such claim read, ‘The Oregon legislature would have the authority to use the revenue generated by Measure 97 according to the priorities it identifies.’ Respondents could respond by saying that statement was ‘definitely false’, ‘probably false’, ‘probably true’, or ‘definitely true’, A ‘don’t know’ admission was also available. Our preferred metric for

these is knowledge mastery, a method for calculating participants' factual accuracy that ranges from -2 to +2. The example statement shown above is true, so a 'certainly true' response earns two points, a 'probably true' earns one, a 'don't know' is (always) a zero, with 'probably false' scoring as minus one and 'definitely false' counting as minus two (for comparison, see Reedy, Wells and Gastil 2014).

Using these knowledge claims as an outcome variable, a survey experiment contrasted the scores of those in a control condition *versus* those who had the chance to read the CIR Statement in the survey itself. When the CIR condition yielded a knowledge mastery score significantly greater than the score in the control condition, we counted that as a *knowledge increase* attributable to reading the CIR Statement.

Figure 5.2 summarises the average knowledge mastery scores for all 39 knowledge claims in these surveys, roughly half of which were false and half of which were true. Three of these claims (fewer than one-in-ten) resulted in significant *reductions* in voter knowledge, whereas nearly two-thirds of them (25 in total) yielded significant positive gains in knowledge mastery (all  $p < .05$ ).



**Figure 5.2.** Net change in Knowledge Mastery from exposure to Oregon CIR Statement vs control condition for 39 knowledge claims used in survey experiments, 2010–16

*Note:* Black bars indicate statistically significant effects, with grey bars indicating non-significance.

On average, knowledge mastery gains were significant for all three sections of the CIR. Mastery scores rose from 0.49 to 0.76 for the Key Findings, from 0.14 to 0.38 for Con Arguments and from 0.24 to 0.60 for Pro Arguments (all  $p < .001$ ). Some of the differences in those gains were statistically significant, with CIR Statements yielding the highest knowledge gains on Pro claims as compared to all others.

This interaction between knowledge claim type (Key Findings, Con, Pro) and CIR Exposure was confirmed in a regression equation, which used dummy coding for Pro and Con arguments. This showed one significant interaction: the effect of the experimental exposure was higher for Pro knowledge claims than for other claims ( $B = .11$ ,  $SE = .04$ , two-tailed  $p = .009$ ). Perhaps the CIR helps voters overcome an initial status-quo bias (Bowler and Gintis 1998: 35) that causes initial scepticism toward factual claims supportive of a proposed law.

### **Influencing voting choices**

The CIR Commission that oversees the Oregon CIR has a clear mission to boost voter knowledge. Even so, many have viewed the purpose of a mini-public of this kind to be *advisory* to voters. After all, the Oregon CIR Statement has included a tally of how many of the panellists ended up supporting or opposing the measure, a detail that presumably serves as a kind of information for voters to consider. (As a result of the change in its statute, the Oregon CIR Statement no longer includes a vote tally, nor have pilot test CIRs held elsewhere.) Previous research on the CIR addressed this issue with survey data on the first CIR, which proposed establishing new mandatory minimum sentencing rules (Gastil *et al.* 2018; Gastil and Knobloch 2020). The study concluded that reading the CIR Statement, which revealed numerous flaws in the proposed law, substantially reduced support for the measure.

In our inaugural report to the Oregon legislature after the first CIR (Gastil and Knobloch 2010), we extrapolated from available survey data how reading the CIR Statement affected the final vote tally. We used the same math to estimate impact across all of the Oregon CIRs. Table 5.3 shows that all of these CIRs have had the effect of dampening support for a measure. Multiplying that by the proportion of the electorate estimated to have read the CIR Statement shows that this has resulted in an average decline of 4.6 per cent in support for an initiative. In one case, the CIR may have changed the outcome of a close election; but in the other cases, it is unlikely that it altered the result.

**Table 5.3.** Estimated effect of the CIR on voter behaviour in initiative elections, 2010–16

Year	Ballot measure	Per cent of electorate that read CIR	Experimental effect of CIR on initiative support	Net effect of CIR on electorate	Final voter support for initiative	Did CIR change election result?
2010	Enact tougher sentencing laws	29%	-26%	-7.5%	57%	No
2010	Permit medical marijuana	29%	-9%	-2.6%	44%	No
2012	Close corporate tax loophole	43%	-17%	-7.3%	60%	No
2012	Authorise private casinos	43%	-13%	-5.6%	39%	No
2014	Establish top-two primary	44%	-16%	-7.0%	32%	No
2014	Place GMO labels on food	44%	-1%	-0.4%	49.5%	Possibly
2016	Raise gross tax receipts	43%	-4%	-1.7%	41%	No

## CONCLUSION: WHAT OF SYSTEMIC IMPACT?

Summarising across these various studies, the Oregon CIR has had multiple long-term impacts on the panellists and the ways they interact, and work for change, with others in their communities. Additionally, it demonstrates the impact that deliberative forums can have on policy choices in the context of direct democracy. Years after completing their service, CIR panellists report heightened civic awareness and engagement but no change in their partisan political action. Participants shifted the ways that they discussed policy with others in their communities and brought the lessons and skills developed through the CIR into their political life beyond the forum. Moreover, the wider electorate saw impacts to their attitudes and knowledge, despite their relative distance from the review. Though scholars who study initiative elections often lament the difficulty voters have deciphering complex policy decisions, the CIR offers a remedy, demonstrating its capacity to alter the knowledge voters take with them to the ballot box. Though we hesitate to correlate such findings with direct changes to electoral outcomes, these findings suggest that deliberative mini-publics hold enormous potential in the context of direct democracy.

Unfortunately, wider system-level impacts remain unknown, owing to limited evidence. It would be hard to detect any deliberative impulse or spirit that the CIR imputed to the Oregon legislature, as it has moved toward the same hyper-partisanship that has characterised the US generally in the past decade (Mason 2018). Oregon's bitterest disputes have even garnered international attention. In early 2016, for example, far-right extremists occupied a building on the Malheur National Wildlife Refuge in the far east of the state for five weeks, with one participant dying in an attempted arrest by the FBI.<sup>4</sup> Black Lives Matter protests in downtown Portland leading up to the 2020 US Presidential election featured creative displays of solidarity but attracted violent responses, resulting in the shooting death of a far-right protester.<sup>5</sup>

Perhaps the design of the CIR has had a wider impact, if not a systemic one. An online public engagement process in Oregon modelled itself on the CIR, as well as the more venerable example of the Citizens' Jury (Richards, Park and Noori 2021). Likewise, the Washington State (USA) Climate Assembly drew many lessons from the CIR's success in Oregon (Park *et al.* 2021). Attempts at replication have also occurred in other US states (for example, Arizona, California, Colorado, Massachusetts) and countries (Switzerland and Finland).

Adoption of the CIR in any of these or other jurisdictions may prove an effective means of improving voters' policy knowledge and judgment, whether they are making decisions on legislation, amendments, appropriations, or any other question on their ballots. In addition, the data presented herein show that the CIR also provides indirect benefits for both participants



and the wider electorate, who develop improved civic dispositions and habits as a result of the CIR's adoption. Just as juries and other deliberative bodies enrich a political system in myriad ways, so do advisory mini-publics such as the CIR. The impacts of such events extend far beyond the individual participant, spurring deeper community engagement and a more knowledgeable public and these findings are not only immediate but hold up over time. Though the current scope and scale of such processes are often limited, more frequent interventions could have deep impacts on the ways that the wider public practice collective governance.

## NOTES

1 We take sole responsibility for the opinions and analysis in this chapter, with thanks to all of our co-authors and collaborators, who can be found at the Citizens' Initiative Review research site ([sites.psu.edu/citizensinitiativereview](https://sites.psu.edu/citizensinitiativereview)). Financial support for our research came from the Royalty Research Fund and the Department of Communication at the University of Washington, the Department of Communication Studies and Center for Public Deliberation at Colorado State University and Pennsylvania State University's Department of Communication Arts & Sciences, Social Science Research Institute and McCourtney Institute for Democracy. The 2012 surveys and follow-up interviews were supported by funding from the Kettering Foundation, with special thanks to Alice Diebel and John Dedrick at the Kettering Foundation for input on the study design, plus thanks to students Kacey Bull and Mar Parsaye for assistance with the interviews and their analysis. Most of all, the National Science Foundation (NSF) made this research possible. The Directorate for Social, Behavioral and Economic Sciences' Political Science Program (Award #0961774) funded the study of the initial Oregon CIRs in 2010 and the Decision, Risk and Management Sciences Program (Awards #1357276 and 1357444) allowed us to continue our research in 2014 and 2016. Finally, the Democracy Fund supplemented our NSF funding in 2014 and 2016.

2 Interview results correspond well with survey data from a larger sample of CIR panellists conducted shortly after and a full year after their experience. Participants gained faith in their capabilities for self-governance (but not necessarily in politicians) and a sense of community belonging. Participants reported being more likely to pay attention to the news and discuss politics after their experience and said they were more engaged in community affairs, though not in traditional politics (Knobloch and Gastil 2015). A parallel longitudinal sample of participants in an Australian mini-public produced similar results in self-reported behavioural and attitudinal change, including the absence of such shifts in conventional politics (Knobloch and Gastil 2015).

3 Since the CIR does not have a stable funding base, only a single panel occurred in 2016. None have taken place since, though COVID-19 made a 2020 panel unfeasible. Also, portions of this final empirical section are adapted from Gastil and Knobloch 2020.

4 A timeline for the event has been created by the state's largest newspaper, *The Oregonian*: [https://www.oregonlive.com/portland/2017/02/oregon\\_standoff\\_timeline\\_41\\_da.html](https://www.oregonlive.com/portland/2017/02/oregon_standoff_timeline_41_da.html).

5 The investigation into this death is ongoing at the time of writing. For a contemporary account, see <https://www.nytimes.com/2020/09/03/us/michael-reinoehl-arrest-portland-shooting.html>.

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## Chapter Six

# In the Eyes of Beholders: Rethinking the Impact of Deliberative Mini-Publics

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### INTRODUCTION

Deliberative processes are on the rise in contemporary democracies (OECD 2020). A large proportion of these fall into the category of deliberative mini-publics (DMPs), defined as ‘carefully defined forums where a representative subset of the wider population come together to engage in open, inclusive, informed and consequential discussion on one or more issues’ (Curato *et al.* 2021: 3). Theoretical and empirical debates chart a number of expected impacts resulting from DMPs, including: clarifying the preferences of ordinary people; enhancing the legitimacy of collective decisions; breaking political deadlock on controversial policy issues; fostering deliberation in the public sphere; and providing epistemically and/or normatively better democratic decisions (Curato *et al.* 2021; Dryzek *et al.* 2019; Suiter 2018; Fishkin 2018). While such positive impacts and outcomes offer good reasons to celebrate DMPs, they also invite us to reflect on how we understand and talk about the impact of DMPs. In this context, one particular concern relates to the fact that we mainly focus on and report about the impact of best practices or what Smith *et al.* call ‘*cause celebre*’ cases (Smith *et al.* 2015: 244). While this focus motivates us to learn more about these processes and sometimes try to apply them in other contexts, it does not provide a full picture of what DMPs can achieve or how they can be further improved. The tendency to focus on best practices only, and the ‘failure to examine failures’ of so called ‘failed’ cases is a barrier to understanding and further improving democratic

innovations (Spada and Ryan 2017). In the case of DMPs, the emphasis on ‘successful’ mini-publics risks distorting the benefits of such processes more broadly (Bächtiger, Grönlund and Setälä 2014: 235).

Against this backdrop, in this chapter, we make a case for broadening the way we understand the impacts of DMPs. We do so through a close analysis of such processes in South Australia (SA) as presented on Participedia, which is a crowdsourced database, documenting democratic innovations around the world, irrespective of their outcome. Participedia includes cases that may not be so well known or studied in existing literature but that may offer important insights. As such, it offers a way of going beyond only successful cases and enables us to broaden our understanding of the impact of DMPs.<sup>1</sup>

There are several reasons for us to focus our attention on the SA cases. Firstly, our interest arose from the fact that SA had a State Premier who explicitly endorsed deliberative processes, which we assume is crucial for these processes to have an impact at the policy level. DMPs formed one of the core elements of the State’s concerted effort to enhance deliberative engagement, although they were not formally embedded in the political system, remaining technically *ad hoc*, one-off processes. Whilst it has been suggested that such processes are merely ‘forms of token participation, expected to provide legitimization for the government’ (Grönlund, Bächtiger and Setälä 2014: 3), legitimating policy is nonetheless a type of impact (Goodin and Dryzek 2006; Vrydagh and Caluwaerts 2020). Given that *ad hoc* mini-publics remain the primary way in which they are deployed, the SA cases are worthy of our empirical attention.

Secondly, we focus on the SA cases because, so far, they have not received much scholarly attention in our field. Our examples represent only a small number of similar practices in Australia, where a significant number of DMPs have been implemented at the state and local level in recent years. Even though DMPs in Australia are usually one-off processes, some states have committed to their ongoing use, including Western Australia (WA) in the early 2000s and SA a decade later. More recently in 2020, Victoria enshrined the use of deliberative community engagement practices into its local government act. In both WA and SA, there was a politician advocating for the use of deliberative approaches and partnerships with prominent practitioners (Parry, Alver and Thompson 2019). Whilst the WA cases have yielded a number of studies (*see* Carson and Hartz-Karp 2005), we felt that the SA cases remained under-studied in our field. We chose to focus on these cases for this reason, and because we argue that more research is needed on what kinds of impacts are achieved on the ground, so to speak.

We analysed a total of 82 documents from four case studies, which were downloaded into NVivo 10, a qualitative data-analysis software. This included final jury reports, Participedia case narratives, independent evaluations, government media releases and responses, media coverage, and reports and research notes produced by organisers. These documents are crucial for developing a

nuanced understanding of impact as well as how so-called ‘failed’ processes achieve impact. In addition to the analysis of these documents, we interviewed eight of the key organisers of the case studies, including practitioners, scholars and policymakers. The variety of sources provides a foundation for understanding the varying perspectives and interests involved in a deliberative process and, concomitantly, varying perceptions of impact. We use the conceptual framework suggested by Goodin and Dryzek (2006) to categorise the different types of impact deliberative mini-publics can have, and to specify the requirements of each type. Our analysis responds to recent calls for a broader and deeper understanding of mini-public impacts (Riedy and Kent 2017; Vrydagh and Caluwaerts 2020). More specifically, we engage with the question of how impact is understood and assessed, and what is required for impact to be achieved in practice. Our analysis reveals the importance of understanding how different expectations for DMPs shape perceptions of impact (Gastil, Knobloch and Kelly 2012: 266), and how impact is constructed even in cases considered to have ‘failed’ aspects.

The chapter is structured in four sections. In the first section, we introduce Participedia as a crucial platform that can be used to broaden our knowledge of DMPs and their impacts. In the second section, we focus on the notion of impact and explain how a broader understanding of impact might look, drawing on the framework suggested by Robert Goodin and John Dryzek (2006). In the third section, we use this framework to unpack the impact(s) of the SA mini-publics. We do so by drawing on the information about these processes provided on the Participedia database and the semi-structured interviews we conducted with the organisers of these processes. Finally, in the fourth section, we reflect on the implication of these findings for enhancing and assessing the impact of mini-publics.

### **BROADENING KNOWLEDGE OF DELIBERATIVE MINI-PUBLICS: PARTICIPEDIA**

In order to broaden our understanding of the impacts of DMPs, we first need to broaden our existing pool of sources from which to draw information. Participedia offers a promising starting point for this. Founded in 2009, it was conceived as a response to the proliferation of deliberative democratic and participatory approaches emerging around the world (Fung and Warren 2011). Participedia comprises a crowdsourced open-access database to document cases, methods and organisations relating to democratic innovations. As of March 2023, there were over 2000 cases documented on the site, although its remit goes far beyond DMPs to include broader forms of democratic innovation. Participedia is one of several projects that have demonstrated the ability to document failures as well as successes in democratic innovation (Spada and Ryan 2017).



In an effort to document democratic innovations of all shades, Participedia includes not only well known success stories but also cases that are not well known or studied (Smith, Richards and Gastil 2015). Whilst documentation on many of these cases exists outside of Participedia, the database provides a central access point to cases that otherwise might not be visible to researchers precisely because they are not stand-out cases. We use Participedia data as the starting point for our analysis of the impacts of DMPs. This is complemented by semi-structured interviews with facilitators, practitioners, scholars and policymakers of DMPs in Australia, which add value to our analysis for several reasons. We developed interview questions based on our initial document analysis to further probe potentially interesting issues and explore them in more depth. This additional material strengthens our analysis by generating in-depth insights that are less likely to be reported, contributing to a more nuanced understanding of impact.

Importantly, these interviews allowed us to further explore how different expectations of mini-publics inform perceptions of impact. Since interviewees were involved with the cases from different angles – as facilitators, policymakers, scholars, and so on – our findings reflect this multiplicity of perspectives on impact. Although it is plausible that organisers may exaggerate the impact of their own work, anonymity and, for some interviewees, distance from these particular cases (no longer working in this area) meant that interviewees appeared very open and candid in their assessments. Moreover, our aim in this chapter is not to demonstrate proof of impact but to illustrate how impacts are perceived and constructed, and how different perspectives and expectations shape perceptions of impact. Therefore, we are able to bring out distinctions in how different interviewees perceived the impact of some cases, included ‘failed’ aspects.

## **BROADENING OUR UNDERSTANDING OF IMPACT**

The primary way in which the impact of DMPs has been understood and studied is their impact on participants. This focus reflected the early aims of scholars to empirically justify the normative claims of deliberative democracy (Jacquet and van der Does 2020), namely, that through participating, people could learn, revise opinions, produce considered judgement on complex topics and ultimately contribute to a more vibrant and robust democracy (*see*, for example, Fishkin 2009). This required empirical investigation of the internal dynamics and quality of mini-publics (for example, Bächtiger and Parkinson 2019), and attention to how mini-publics fed into broader political processes. Yet in their analysis of 120 cases of mini-publics, Curato *et al.* (2021) find that, in almost all cases, DMPs have been used as consultative



bodies ‘to evaluate existing policies, debate policy issues and formulate recommendations, and the public authorities had no formal obligations to follow these recommendations’ (Curato *et al.* 2021: 31). On this basis, we argue that more research is needed that studies the common uses of DMPs on the ground, regardless of the way in which they fall short of our normative hopes for deliberative democracy. This is what is happening, let’s try to understand what kind of impacts can and do occur as a result.

In their systemic review of the consequences of DMPs, Jacquet and van der Does (2020) suggest shifting attention from immediate to ‘distant’ consequences, such as longer-term or structural affects and impacts of these processes (*see also* van der Does and Jacquet 2021; Riedy and Kent 2017; Russell 2017a). This perspective is also reflected in the argument that DMPs may make a more meaningful contribution to democracy when they are not decisive and do not directly influence policy (Curato and Böker 2016; *see also* Chapter Eight in this volume). These and other similar proposals invite us to consider what else counts as ‘impact’ and how we can empirically study the more subtle and dispersed impacts of mini-publics that occur throughout the democratic system (Riedy and Kent 2017).

Broadening our understanding of impact also requires turning our attention towards less successful DMPs that might be described as ‘failures’. Doing so requires we also unpack what counts as a failed DMP, what failure looks like. One possibility is simply asking if a DMP meets the objectives of the organisers (Gastil, Knobloch and Kelly 2012). But this assumes that such an objective is unitary, whilst, in practice, the organisers of DMPs bring diverse objectives to the table, and it also discounts possible normative objectives that, although not instrumental to some organisers, remain important for scholars. In this chapter, we therefore understand failure to be perceived differently according to different expectations of a specific DMP and of DMPs in general. Failure for some may be success for others. A case with high impact may be compromised in other ways. A case with no policy impact may be successful in terms of achieving democratic goods.

One promising point of departure to examine different kinds of impacts of DMPs is offered by Goodin and Dryzek (2006). They survey a number of individual mini-publics and conceptualise different modes of impact, including – but not limited to – policy impacts, and outline the ways in which mini-publics can impact on the macro-political system using illustrative examples. Importantly, they also acknowledge that impact occurs when a DMP rejects a policy or proposal, which may be perceived as failure by some. We take Goodin and Dryzek’s framework as our starting point; we unpack what is required for each mode of impact in practice and which actors are involved in making this happen. We present these in Table 6.1 below alongside our case studies as well as key insights of our analysis.

**Table 6.1.** Cases studied and modes of impact

Cases	Remit of mini-publics	Main mode of impact	Definition	Specific requirements
<p><b>Name: Safe nightlife</b>  <b>Year: 2013</b>  <b>Participants: 43</b></p>	<p>Recommendations on how to diversify Adelaide's nightlife safely.</p>	<p>Confidence-building</p>	<p>How mini-publics can build confidence for different actors in the democratic system.</p>	<p>Demonstrating public capacity to deliberate and integrity of the process.</p>
<p><b>Name: Safe roads</b>  <b>Year: 2014</b>  <b>Participants: 37</b></p>	<p>Recommendations to ensure continued safety and harmony of motorists and cyclists.</p>	<p>Informing public debates</p>	<p>How mini-publics feed into broader public discussion.</p>	<p>Good media relations and a broadly framed remit.</p>
<p><b>Name: Dog and cat</b>  <b>Year: 2015</b>  <b>Participants: 35</b></p>	<p>Recommendations on how to reduce the number of unwanted companion animals euthanized in SA each year.</p>	<p>Legitimizing policy</p>	<p>How mini-publics can give policies additional popular legitimacy.</p>	<p>Taking a leap of faith on what was presumed to be a very unpopular policy proposal.</p>
<p><b>Name: Nuclear engagement process</b>  <b>Year: 2016</b>  <b>Participants: 50 for first jury, 328 for the second jury</b></p>	<p>Two CJs and community engagement process on whether SA should pursue the possibility of establishing a nuclear fuel storage facility.</p>	<p>Market-testing policy  Resisting co-option</p>	<p>How mini-publics can test whether the proposed policy resonates with the public.  How mini-publics can resist attempts to control the process.</p>	<p>Prior commitment from government to accept the outcome, even if it was not their desired one.  Capable organisers willing to uphold the integrity of the process</p>

We examine a series of DMPs in the state of South Australia (SA), to explore which types of impact were achieved. In 2013, SA pursued a public-engagement framework that explicitly purported to bring the public closer to government decision-making (Government of South Australia 2015). Under a Labor leadership, the state government introduced a raft of initiatives including a series of DMPs (*see also* Participedia 2016e; 2016f). The then-Premier, Jay Weatherill, championed and advocated for a more deliberative approach to public engagement. The rationale for this was described by interviewees as the recognition that an ‘announce and defend’ approach to decision-making did not enable the government to get over the ‘hurdle of public opinion’<sup>2</sup> regarding public policy decisions; officials were often baffled by the public’s response to announcements because they addressed policy problems that were interpreted differently by the public and the government. In response, the government turned towards a ‘debate and decide’ approach, in which the public were more deeply involved in government decision-making.<sup>3</sup>

The SA mini-publics were not formally embedded into the formal decision-making processes; technically, they were a series of one-off processes. Despite normative scepticism about the value of such an *ad hoc* approach, these processes can still have impacts such as legitimating policy (Goodin and Dryzek 2006; Vrydagh and Caluwaerts 2020). Moreover, *ad hoc* mini-publics remain the primary way in which mini-publics are deployed and are thus worthy of empirical attention (Curato *et al.* 2021; Smith and Rowe 2016: 10). A close examination of the SA mini-publics allows us to appraise some of their more subtle impacts and gain an understanding of the relationship between expectations, design and impact within a single, relatively sympathetic institutional setting.

The cases studied are listed in Table 6.1. Whilst these four cases are not the only DMPs that have taken place in SA, we selected them because they formed the backbone of the state’s Better Together framework, introducing the principles of deliberative public engagement published in 2013, and the later Reforming Democracy policy document, which framed existing and planned initiatives as part of a broader contribution to a more participatory and deliberative democratic system. The broader framework included a range of participatory initiatives, including travelling cabinet meetings and local participatory budgeting programmes. Of the range of initiatives, citizens’ juries were the most publicised and the four cases analysed here are the cases that were presented as part of the Better Together/Reforming Democracy framework. There were two additional deliberative processes that took place in the state during the same period that were not presented as part of this framework and they are not included here, which is a limit of our analysis.

## UNPACKING THE IMPACT OF SOUTH AUSTRALIAN MINI-PUBLICS

In this section, we use the different modes of impacts suggested by Goodin and Dryzek to structure our analysis of the SA mini-publics and the ways in which they achieved impact. Whilst we are particularly interested in impacts *beyond* policy, our cases also had a range of policy impacts that are worth noting. In what follows we will first outline three modes of policy impact the SA mini-publics had. This is followed by the examples of five other modes of impact that these processes have had.

### Three modes of policy impact

Goodin and Dryzek outline three different modes of policy impact: policy uptake, market-testing policy, and legitimating policy.

#### *Policy uptake*

The first well known mode of policy impact is the policy uptake. This can be understood as a policy change that occurs when recommendations from a mini-public are ‘taken up’ in the policy process (Goodin and Dryzek 2006; Parry, Alver, and Thompson 2019). In our cases, the majority of recommendations were supported by the government (Participedia 2016a; 2016b; 2016c). Both the *safe roads* and *dog and cat* processes were followed by legislative changes making them exemplary practices in the field (Curato *et al.* 2021: 111) and for the *safe roads* jury, significant investment (Participedia 2016b). At the same time, we are keenly aware of the difficulty in ascertaining a causal relationship between the mini-public and subsequent policy changes and it is not possible to know what these policies might have looked like without the mini-publics taking place.

However, we do know that the government supported the majority of all the citizens’ jury recommendations (Participedia 2016a; 2016b; 2016c), and there is some evidence to suggest that organisers and stakeholders were interested in receiving new policy recommendations. The *safe nightlife jury* was criticised by stakeholders and bureaucrats on the grounds that most of the recommendations were already implemented or planned (Participedia 2016a; TACSI 2014). An independent evaluation found that the jury were not fully aware of what the government was currently doing. This resulted in somewhat redundant recommendations (TACSI 2014: 39) with stakeholders disappointed that the process did not produce more innovative suggestions. In response to this, the *safe roads* jury was designed with ‘an element of innovation in the question’;<sup>4</sup> jurors were asked what options could be ‘tried’ for sharing the road safely, with the aim of encouraging the jury to be more

creative in their recommendations. This point provides a potential counter to Julien Vrydagh's (Chapter Four of this volume) finding that policymakers are more likely to pursue the recommendations that align with their pre-existing preferences than original jury suggestions. Although we cannot demonstrate this unequivocally, the interest in producing original recommendations at least suggests some genuine intent and interest in implementing policies beyond pre-existing proposals. At the same time, our cases also show evidence that supports Vrydagh's findings, described under the sections below as legitimating policy.

It is also worth considering one interviewee's assertion that radical policy recommendations should not be expected from a deliberative process, since

... they're taking into account all of the trade-offs, all of the diversity of views and values and they're landing at that middle, and it's usually a conservative middle, you know they're never extreme in my experience, it's never really sexy, but kind of that's the whole point, it's sustainable reform.<sup>5</sup>

Overall, our cases show how important it is to understand different motivations and expectations for DMPs (Thompson 2019), since these expectations can shape perceptions of policy impact.

### *Market-testing policy*

Market-testing is another way through which policy impact occurs. It provides policymakers with an answer as to whether a policy can be 'sold' to the public (Goodin and Dryzek 2006: 228). Motivations for using DMPs as a way of market-testing are currently not well understood. On the one hand, it offers politicians the possibility of finding out 'what the public *would* think about an issue if it were to experience better conditions for thinking about it' (Fishkin 2009: 13). Here, of course, it is necessary to unpick the assumptions underpinning this statement, which might well be the thought that *if* the public understood the issue properly, then surely they *would* agree with the policy that we (elected officials) propose. This logic, according to some interviewees, may have motivated the use of DMPs in SA in the first place; with the realisation that a policy the government assumed would be popular encountered a lot of public opposition when it was announced to the public.<sup>6</sup> According to this motivation, DMPs could be seen as a more effective way of achieving popular endorsement of a policy. However, DMPs are not well suited to this kind of aim, since it is difficult to control the directions a deliberation and its participants will go in (as discussed below). Another possible motivation is more problem-focused: DMPs can be used to float policy proposals to complex problems that the government alone has trouble tackling. This motivation was highlighted by some interviewees, and provided

the context of the *nuclear engagement* process, where the decline of certain industries in SA presented a long-term challenge for economic growth and employment.<sup>7</sup> However, the DMP mandate was not guided by this problem: rather, a pre-determined solution was presented for consideration, which is what makes the *nuclear engagement* process a clear example of market-testing. Further research is needed to better understand the motivations for using DMPs in this way. Our case study provides some insights into the possible pitfalls of pursuing it.

It was apparently obvious during the *nuclear engagement* process that the government ‘went out selling it, big time’.<sup>8</sup> The process consisted of two citizens’ juries that were tasked, first, with setting an agenda for discussion and, second, with delivering a verdict on whether SA should pursue consideration of a nuclear-fuel storage facility. The final jury’s report described the nuclear storage facility as an ‘agenda of the government’ and highlighted both public mistrust in government’s capacity to deliver such a project and the importance of Indigenous consent, which was absent (Aboriginal Human Service Sector 2016; South Australia’s Citizens’ Jury on Nuclear Waste 2016: 4).

If the objective of the *nuclear engagement* process was to sell a particular policy, then it ‘failed’ to achieve this. This case serves as a cautionary tale for pursuing such an approach; some interviewees suggested it was the ‘sales’ approach itself that fuelled mistrust and hostility towards the process.<sup>9</sup> However, ‘failed’ market-testing does not necessarily denote a ‘failed’ process. Whilst one interviewee described such rejection as a ‘terrible failure’,<sup>10</sup> for another, the nuclear rejection was a ‘really great example of how successful people can be in influencing the course of government ... they said, it’s now a no and it’s never gonna be on the agenda again’.<sup>11</sup> Goodin and Dryzek (2006: 232) suggest that ‘politicians are clearly better off knowing it to be a lost cause before staking too much of their reputations and political capital on it’. In our cases however, the Premier had staked his reputation on the use of DMPs themselves, with several interviewees suggesting that he would not have gone against the nuclear jury’s verdict because, reputationally, it would have been ‘political suicide’. Despite the final outcome, one interviewee suggested that the fallout from the *nuclear engagement* process may have played a role in the Premier losing the subsequent state election, though this is speculative.<sup>12</sup> From this perspective, then, the *nuclear engagement* process could be seen as a failure on two fronts: failing to achieve the government’s desired outcome and failing to contribute towards electoral success on the basis of using DMPs.<sup>13</sup>

### *Legitimizing policy*

Legitimizing policy is perhaps one of the greatest appeals of mini-publics to politicians: a policy recommended by a mini-public will have greater

credibility in the eyes of the public than if produced by policymakers and public servants alone (McKenzie and Warren 2012). We do not consider the contested democratic legitimacy of mini-publics here (*see* Lafont 2015; Parkinson 2003) but instead draw attention to the fact that legitimisation can also be gained from and for key stakeholders in a mini-public.

Among our cases, the *dog and cat* jury offers the best example of this kind of impact in practice. This citizens' jury was asked to consider how to reduce the number of euthanised and unwanted dogs and cats in SA. In particular, the government wanted a response on whether the desexing of dogs and cats should be mandatory. Mandatory desexing had long been recommended by interest groups (Government of South Australia 2015: 6) and the jury's unanimous support for this policy was significant because, as one organiser put it: 'it's a very controversial topic for reform, every minister who's dared to venture into has had their fingers burnt at the very least and worse'.<sup>14</sup> In this case, the citizens' jury 'didn't really give anything new but it gave the government more confidence to move forward'.<sup>15</sup> This gets to the somewhat instrumental heart of how several interviewees described the purpose of deliberative mini-publics 'as a way of potentially solving'<sup>16</sup> 'issues that have become intractable'.<sup>17</sup> This insight reinforces our earlier point that understanding the motivations and aims of the stakeholders involved in a process is essential for evaluating impact, because their expectations also shape perceptions of success (Thompson 2019). In addition, support from stakeholders and interest groups is important for the implementation and acceptance of mini-public recommendations and when they resemble proposals by interest groups it can give additional validation to those groups as well as to government (TACSI 2014; 22).

### **Beyond policy: five further types of impact**

We now turn to impacts beyond policy. Goodin and Dryzek (2006) describe how impact occurs through informing public debates, confidence-building, resisting co-option and popular oversight. We consider how these forms of impact were achieved in our cases and, in the case of popular oversight, how it is currently not achieved.

#### *Informing public debates*

Media coverage of mini-publics can result in greater public debate and the transmission of deliberated public judgement into the broader public sphere (Goodin and Dryzek 2006: 228). We find that media engagement remains a crucial element for this kind of impact (*see also* Riedy and Kent 2017). It helps to scale up the deliberative effects of mini-publics in the broader



public sphere (Niemeyer and Jennstal 2018). In addition, mini-publics not only transmit a variety of important messages to the broader public sphere but also reflect public concerns back towards decision-makers (Boswell *et al.* 2016). Both the *safe roads* and *nuclear engagement* processes had an impact on broader public debates through opening up discussion on the respective issues, albeit with different outcomes.

The *safe roads* jury was asked to consider ways in which road-users could share the roads safely. The jury's mandate was particularly important in facilitating public discussion because of its open remit of 'sharing the roads safely' rather than pitching the topic as a potential battleground between motorists and cyclists. This question-wording, several interviewees argued, opened up the possibility for a constructive broader discussion both inside and outside the jury. The example of the *safe roads* jury draws our attention to the link between design issues, such as the way issues in a deliberative mini-public are framed, and their potential impact in the public sphere. By contrast, some interviewees suggested that the *nuclear engagement* process question was presented as more of a 'yes or no' – a framing which they predicted would polarise the debate.<sup>18</sup>

The *safe roads jury* also impacted broader debates through extensive coverage in a local newspaper, the *Adelaide Advertiser*, of which the editor happened to be a keen cyclist and took a personal interest in the process.<sup>19</sup> Having a good relationship with the media was described as essential, since 'sometimes these processes are completely invisible, unless you really push it either with a media partnership or an expensive campaign'.<sup>20</sup> Media coverage is routinely 'structured and designed in'<sup>21</sup> by organisers, through encouraging jurors to speak to the media because 'we like seeing people like us in the paper'.<sup>22</sup> At the same time, mini-publics also create

tension ... between media outlets who like to some degree choreograph the public debate ... then when you had this process I think they kind of felt like the issue was being taken out of their hands... some of them felt threatened by it. But I thought that was actually almost like evidence of its merit.<sup>23</sup>

Alongside media coverage, organisers try to facilitate impact on public debate by encouraging participants to share their experiences with their own communities and through their social media, although everyone recognised the limitations of this, given the small size of DMPs. One distinctive feature of the *safe roads* jury was that participants chose to invite into the process some commentators from social media who had particularly strong views, which led to better understanding across divergent viewpoints (TACSI 2014: 14).



Whilst the *safe roads* jury was perceived as having a positive impact on public debate at the time, ‘nuclear was the kicker, and the killer’.<sup>24</sup> The *nuclear engagement* process was able to achieve a greater and longer lasting impact on public debates for several reasons. For one, the issue was controversial and thus attracted attention from the media as well as interest groups. Secondly, the government invested considerable resources into publicising the engagement process and the issue, including an extensive media campaign. Finally, the sheer size of the second jury – over 300 participants – attracted additional attention.

The *nuclear engagement* process informed public debates on a number of different fronts and not in the way that might have been intended by the government. An explicit aim of the process was to inform the public about the nuclear fuel cycle. This proceeded in a top-down manner, with a Royal Commission Report serving as the dictated source of authority and an extensive community engagement process deployed to disseminate its findings and educate the public – a point recalled painfully by one organiser:

...it was horrendous what they did, they went out on this big roadshow across SA and they had flyers and brochures and little mini nuclear reactors in glass boxes and they landed in every local town hall.<sup>25</sup>

Indeed, the eventual rejection of the storage proposal and the process itself was criticised by the Commission’s agency on the basis that people had simply failed to understand the issue (Nuclear Fuel Cycle Royal Commission Consultation and Response Agency 2017). This perspective effectively denied the value and contribution of other sources and forms of knowledge, including Indigenous knowledge, and it appears that the jury were aware of that: the lack of Aboriginal consent and engagement over the proposal was a central factor in their rejection of it. This highlights the importance of including affected voices in mini-publics and considering the local and historical context in which they take place. In this case, the context was the British nuclear testing that took place at Maralinga in the 1950s and 1960s, which not only displaced the Maralinga people whose land it was but also left the land contaminated with radioactive waste. The legacy of Maralinga and related low trust in the government expressed in the jury’s report not only informed public debates but also informed decision-makers of important public concerns (Russell 2017b).

It is clear that, out of all the SA mini-publics, the *nuclear engagement* process had the biggest impact on public debates in the long term: ‘pretty much the only thing people remember in South Australia is nuclear’,<sup>26</sup> meaning that the controversy surrounding this case has overshadowed previous

processes. Yet the controversy itself has meant that the nuclear process has a significant legacy:

... taking the entire world's high level nuclear waste and putting it on Indigenous land, it's got an 11/10 degree of difficulty ... even with design flaws, look at what it did for public discourse. Look at how it landed with a cynical media.<sup>27</sup>

From this perspective, even a so-called 'failed' process can have substantial impact years down the line, simply due to its size and controversy. Some interviewees recounted conversations with actors in empowered space, with elected officials or policymakers impressed by the amount of media coverage and number of participants that the nuclear process garnered. Some interviewees disagreed with this positive perception, suggesting that 'nuclear basically killed random sampling and citizens' juries in South Australia for a long time'<sup>28</sup> and left the political class 'burned' by the experience.<sup>29</sup> Interviewees also recounted their own 'scary' experiences from the process, describing having to smuggle participants into the venue to protect their identities, and receiving personal threats and harassment.<sup>30</sup>

Mini-publics achieve broader public debate in a number of ways. Aspects of design such as media relations and question-wording are central to this reach. In addition, our cases show that even processes that fail to achieve policy change can impact public debates in important ways. The *safe roads* jury appears to have been successful in fostering more traditionally deliberative-style public debates that were inclusive of diverse viewpoints and respectful. The nuclear engagement process, by contrast, highlighted polarised views on the topic but also served to stimulate broader awareness of issues such as Indigenous consent and low trust in government, which may have made a more significant lasting impact on broader public discourse.

### *Confidence-building*

Confidence-building is referred to by Goodin and Dryzek as, primarily, the sense of empowerment that occurs from participation in a mini-public (2006: 234). Discussion of these potential behavioural effects on participants is well documented elsewhere (*see*, for example, Gastil 2018; Kuyper 2018). Our analysis reveals instead a different aspect of confidence-building, as a two-directional phenomenon across different spaces in a democratic system. Deliberative mini-publics can affect both the confidence of government agencies, stakeholders and bureaucrats in the public's capacity for deliberation and public confidence in the government.

The *safe nightlife* jury – the first in SA – provided an opportunity for public servants, elected officials and stakeholders to gain confidence in the

public's capacity to deliberate. Some bureaucrats reflected on their previous engagement practices and the limits of seeing themselves as the sole source of authority in their area of work (TACSI 2013: 22).

Deliberative mini-publics also have the potential to affect confidence in government. Several interviewees shared a story from the *safe nightlife* jury that they felt served to enhance confidence in the deliberative process and the government's intentions. As one organiser recounted:

A bit of a funny story – in hindsight, it didn't feel like a funny story at the time – on our very first jury we demonstrated that we had nothing to do with it because one of the selected members of the jury was the opposition party's chief media advisor, so you could see it was completely hands off ....<sup>31</sup>

Organisers used this anecdote in future years to point out the independence and transparency of the recruitment process:

... six years hence, whenever anybody says 'you'll cook it you'll cheat it' ... If I was gonna cheat, I would have cheated then wouldn't I? And 100% of complainers go, 'yeah you would have'.<sup>32</sup>

This example reveals a more subtle form of impact that occurs over time: the use of storytelling to build confidence in the use of DMPs, particularly amongst empowered actors, where 'little diamonds emerge, more than entire structures. Because people do adopt ideas via anecdotes as much as evidence'.<sup>33</sup>

Confidence-building across spaces in the democratic system is an important way in which mini-publics can impact democratic functioning. One way in which this is attempted is simply through the repeated implementation of mini-publics and talking about them, even as one-off processes, because 'they provide case studies that people advocating for these things can point to'.<sup>34</sup> In the *safe nightlife* case, the New South Wales state government chose to implement an identical jury process in Sydney. This is significant because it frames the use of one-off processes that have been criticised as tokenistic (Grönlund, Bächtiger and Setälä. 2014: 3) as part of a broader, long-term strategy of 'contagion' on the part of deliberative advocates to build confidence in the use of DMPs (van der Does and Jacquet 2021: 26).

### *Resisting co-option*

Co-option occurs when opponents of a policy or proposal are brought into a consultation process and subsequently lose the foundations of their opposition. Goodin and Dryzek (2006: 237) argue that deliberative mini-publics are less susceptible to co-option due to their unpredictable nature – it is not

clear in advance how participants will develop positions during deliberation (newDemocracy Foundation 2016: 4).

The lack of trust in the *nuclear engagement* process and the perception that the decision had already been made meant that ‘no’ campaigners were convinced that the process had been co-opted (Carson 2017) and were surprised by the final verdict (Russell 2017b). The eventual outcome actually provided evidence of the jury’s independence from government, despite accusations to the contrary (Carson 2017; Participedia 2016d). However, this is not to say that taking control was not attempted:

I think one of the worst times in my career was probably arguing with the government about the control of information going to the jury, so the government wanted to tell the jury the scientists they had to hear from ... and I said well, you know – that’s your truth, that’s not the jury’s understanding of truth, and if you give them your truth, they’re not going to believe you, because they see you’re controlling it and they don’t trust you.<sup>35</sup>

This difficult experience demonstrates how mini-publics can resist co-option from government. It also highlights the crucial role of organisers and facilitators in managing difficult deliberations, where they are in a position to uphold resistance to co-option.

### *Popular oversight*

One crucial function of DMPs is that they can function as accountability mechanisms, overseeing public authorities (Goodin and Dryzek 2006: 237). The SA mini-publics did not fulfil this function, but its *absence* was a theme that emerged from interviews.

Although the state government initially provided quarterly updates on the progress of implementation (Participedia 2016a), this was for a limited time. Interviews provided some additional information to plug these gaps in knowledge. For some cases, it was more obvious – the *safe roads* and *dogs and cats* legislation had been implemented and publicised. But doubts remained over what happened to jury recommendations in general:

Has anyone actually sat down and gone, these were all the recommendations, which ones got done, which ones didn’t ... Unless there’s a commitment to report back, who can follow that through all the layers of government to find out if it actually happened or not? You only need a few of the big items to be able to go ‘look! They did it!’ ... there’s no monitoring or accountability.<sup>36</sup>

Absent ongoing formal oversight, interviewees relayed anecdotal evidence of ‘legacy impacts’,<sup>37</sup> such as proposed changes to tenancy laws around

allowing companion animals to be kept in rental properties. These changes had been recommended by the *dog and cat* jury five years previously and, following a change of government, were under discussion. The causal link back to the mini-public recommendation, however, remains speculative. Interviewees also shared stories and conversations that they had with politicians and officials, nationally and internationally, about deliberative processes which could constitute further impact through influencing others to implement mini-publics in their own jurisdictions. These conversations do not take place in public and are unlikely to be formally documented. That potential impacts occur in this way further highlights the knowledge gap that exists without any long-term monitoring of mini-public outcomes (Gastil, Knobloch and Kelly 2012), by popular oversight or any other methods.

## CONCLUSION

Our analysis of DMPs in SA illustrates a range of impacts that occurred alongside and beyond policy impacts. We show what was required from organisers to achieve these impacts in practice, and how the expectations and perceptions of different stakeholders shape what counts as impact and success.

Our analysis offers three main insights for understanding and assessing the impact(s) of DMPs. First, we find that the design-choices are a crucial factor in achieving different types of impacts beyond policy, and that these design choices are not only matters of technicality. The size, remit and question-wording for a jury can have long lasting *political* effects, as can media coverage, which needs to be actively designed in. The framing of an issue can help to open up or shut down a debate. To make a positive impact on confidence, a mini-public also needs to demonstrate design integrity, through aspects such as independence from government and a transparent recruitment process. These design issues are not only technical but political; and they can shape subsequent impacts. The SA mini-publics also show the importance of learning and adapting design and practice accordingly. We see this learning in the *nuclear engagement* process, where organisers publicly reflected on what worked and what did not and what could be learned from the experience (Carson, 2017). Whilst Pogrebinschi and Ryan (2018) suggest that deliberative theorists have not paid sufficient attention to the external effectiveness of mini-publics, the same cannot be said for practitioners, who have demonstrated agility in reflecting upon and adapting practice to try and optimise impact.

Secondly, we have shown the value that is gained from understanding the impact of so-called ‘failed’ processes. Although literature on democratic innovations has begun to take note of ‘failed’ cases and take a more comprehensive view (Jacquet and van der Does 2020; Smith, Richards and Gastil 2015;

Spada and Ryan 2017), we show that perceptions of failure vary according to divergent expectations. An explicit focus on the perceived ‘failed’ aspects of processes can also assist scholars of deliberative democracy with the task of normative theorising. Only by identifying failures in deliberative processes can researchers and practitioners develop grounded ideas on how deliberative processes can be designed and conducted in a more democratic way (Hajer 2005; van der Does and Jacquet 2021: 23).

Finally, our findings draw attention to aspects of impact and impact research that are not well captured in existing studies, in particular, what one interviewee termed the ‘legacy impacts’<sup>38</sup> of mini-publics. The long-term consequences of deliberative mini-publics are not well understood and, without ongoing monitoring of mini-public outcomes, these potential impacts remain difficult to track. Whilst policy impacts were documented in the Participedia data we analysed, information on impacts beyond policy were mainly only apparent through our interviews. Further research is thus needed to understand how these impacts can be documented and studied. To achieve this, we need a broader and deeper understanding of how impact is enacted discursively through discrete practices like storytelling, in order to capture how mini-publics impact on different spaces across the democratic system.

## NOTES

1 Lucy Parry has written over 100 case studies for Participedia, including the original versions of the cases analysed in this chapter.

2 Interview #4. As scholars we have been actively involved with the Participedia project and documenting DMPs in Australia. Lucy 13 August 2020.

3 Interview #4, 13 August 2020, also Interview #8, 23 October 2020.

4 Interview #4, 13 August 2020.

5 Interview #5, 14 August 2020.

6 Interview #8, 23 October 2020, also Interview #4, 13 August 2020.

7 Interview #4, 13 August 2020.

8 *Ibid.*

9 Interview #1, 3 August 2020, also Interview #5, 14 August 2020 and Interview #6, 24 August 2020.

10 Interview #7, 21 October 2020.

11 Interview #5, 14 August 2020.

12 Interview #1, 3 August 2020, also Interview #2, 5 August 2020 and Interview #4, 13 August 2020.

13 Interview #1, 3 August 2020.

14 Interview #7, 21 October 2020.

15 Interview #4, 13 August 2020.

16 *Ibid.*

- 17 Interview #8, 23 October 2020.
- 18 Interview #5, 14 August 2020, also Interview #6, 24 August 2020.
- 19 Interview #4, 13 August 2020.
- 20 *Ibid.*
- 21 Interview #3, 13 August 2020.
- 22 *Ibid.*
- 23 Interview #8, 23 October 2020.
- 24 Interview #5, 14 August 2020.
- 25 *Ibid.*
- 26 Interview #4, 13 August 2020.
- 27 Interview #3, 13 August 2020.
- 28 Interview #5, 14 August 2020.
- 29 Interview #4, 13 August 2020.
- 30 Interview #3, 13 August 2020, also Interview #5, 14 August 2020.
- 31 *Ibid.*
- 32 Interview #3, 13 August 2020.
- 33 *Ibid.*
- 34 Interview #2, 5 August 2020.
- 35 Interview with democracyCo, August 2020.
- 36 Interview #2, 5 August 2020, also Interview #1, 3 August 2020.
- 37 Interview #3, 13 August 2020.
- 38 *Ibid.*

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## *Chapter Seven*

# **The Impact of Climate Assemblies on Formal and Informal Public Spheres: the Case of Climate Assembly UK**

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### **INTRODUCTION**

Climate change is gaining increasing traction on the political agenda. Meaningful public engagement is widely considered to be essential to help address the crisis (Arikan and Günay 2021) but traditional institutions of representative democracy are seen as inadequate to this task because they struggle to consider long-term goals, due to electoral incentives, the need to respond to current public and media opinion (Fischer 2017; Willis 2018, 2020; Smith 2021), and lobbying by powerful interests (Brulle 2018). This results in politicians engaging in climate delay discourse (Lamb *et al.* 2020). As a result, we are seeing a wave of citizens' assemblies used to engage representative samples of the public in informed climate change deliberation (KNOCA n.d.). Normatively, deliberative democrats argue citizens' assemblies should act as trusted information proxies for both policy-makers and the public (Mackenzie and Warren 2012) and stimulate public debate (Niemeyer 2014; Curato and Böker 2016), on policy issues. These aims depend on citizens' assemblies receiving appropriate media exposure (Hartz-Karp and Carson 2013; Olsen and Trenz 2014); however, empirically, this type of democratic innovation is often found to be impotent and ignored by both the formal (Dryzek and Goodin 2006) and informal public sphere (Rinke *et al.* 2013). If this is the case, then the potential long-term thinking and public input to climate response debate that climate assemblies promise goes untapped. More research is needed into the impact of climate assemblies specifically, and the impact of citizens' assemblies in general, on both the formal public sphere of parliament and government and the informal public sphere of the mass media

and public debate. To address this, we consider under what conditions climate assemblies can impact the formal and the informal public sphere and how these spheres are related, through a case-study analysis of Climate Assembly UK (CAUK) (Elstub *et al.* 2021a).

In June 2019, the UK Parliament passed a law committing the UK to reach Net Zero greenhouse gas emissions by 2050. Following this commitment, six Select Committees from the House of Commons jointly commissioned Climate Assembly UK to deliberate how this target could be achieved. Departmental Select Committees of the House of Commons are set up to mirror the focus of government departments that they then scrutinise, primarily through the use of inquiries in which they collect and review evidence on a particular issue relating to the committee's focus. The inquiries result in a report to which the relevant government department must provide a response. Each committee determines its own agenda. Almost a third of backbench Members of Parliament are members of a Select Committee as each committee typically has 11–14 MPs as members. The committees have a cross-party membership in proportion to the party distribution of seats in Parliament itself. Each committee has a chair elected by all MPs, through which they must gain cross-party support (Beswick and Elstub 2019). The six Select Committees that commissioned CAUK were: Business Energy and Industrial Strategy (BEIS); Environmental Audit; Housing, Communities and Local Government, Science and Technology; Transport; and Treasury.

The assembly was designed to 'gauge public opinion on a wide range of climate change policies and proposals' (BEIS 2021a: 3). To achieve this, the six commissioning Select Committees tasked the assembly with answering the question: 'How should the UK meet its target of net zero greenhouse gas emissions by 2050?'. The commissioning Select Committees also asked the assembly to consider 'the complex trade-offs involved in reaching decisions on issues including: how we travel; what we eat; what we buy; how we heat our homes; how we generate our electricity; how we use the land' (Climate Assembly UK 2020: 4). To ensure the assembly addressed these requirements, the design was refined via an iterative process of negotiation between the contracted delivery organisation and the then Clerk of the BEIS committee.

It was also one of the first national-level citizens' assemblies focused specifically on the climate emergency; one of the first of a growing trend in Europe (<https://knoca.eu/previous-climate-assemblies/>). There were 108 participants recruited through random and stratified selection to ensure a balance of demographics, geography, and views on climate change. The participants met over a period of six weekends over five months in 2020. This was two weekends longer than initially arranged, due to the introduction

of Covid-19 restrictions which prompted the assembly to go digital. Three weekends were in-person and three were online. As is typical of citizens' assemblies, there was a mixture of facilitated plenary and small-group discussions. A range of expert and advocate witnesses provided information and evidence to the assembly. The assembly was split into three topic groups for some of the weekends, with a portion of the assembly considering 'travel', another group 'domestic' issues, and a third considering production- and commerce-related issues, to ensure the Assembly reflected the priorities of the parliamentary committees mentioned previously (Elstub *et al.* 2021b). The Assembly culminated in a report (Climate Assembly UK 2020) that included a series of recommendations on how the UK should reach net zero greenhouse gas emissions by 2050. The report was presented to Parliament at a launch event that was also open to the public.

The extent and nature of the impact of climate assemblies on the formal and informal public spheres are highly complex, due to the variability in internal (for example, design) and external (for example, political landscape) factors. We use in-depth analysis of a single case study, CAUK, to explore these complexities. The UK is an interesting case because, while there have possibly been more climate assemblies there than in any other country (Involve 2021), there is also a highly centralised political system with a political culture inhospitable to democratic innovation (Davidson and Elstub 2014). CAUK was the first UK-wide citizens' assembly<sup>1</sup> and, indeed, the first national climate assembly in the UK, which could have enhanced its newsworthiness and given it an opportunity to impact the informal public sphere. Being commissioned by six parliamentary Select Committees, CAUK was connected to an established institution (the UK Parliament), unlike some other UK assemblies (Renwick *et al.* 2018), which could also have enhanced its potential impact on the formal public sphere. We should note, however, that it being a parliamentary, rather than a government, initiative inevitably limited its potential for policy impact. Nevertheless, the scale of CAUK and complexity of its remit further makes CAUK an important and interesting case for studying the impact of this type of democratic innovation on institutions and the public. Additional external factors, including the Covid-19 pandemic and a general election between commissioning and delivery of the Assembly, add a unique character to this case and enable us to consider the precariousness of climate assemblies.

Our discussion is based on the results of a mixed-methods study. To assess the impact of CAUK on the formal public sphere, we conducted semi-structured interviews with members and clerks of the commissioning Select Committees and government civil servants, supplemented with document analysis. To assess the impact of CAUK on the informal public sphere, we

issued a three-wave national survey, supplemented with content analysis of media coverage of CAUK. We find that influence on both types of public sphere is interlinked. We also identified tensions between the long-term issue of climate change and the relatively short shelf life of the assembly outcomes, which is further compounded by slow policy-making. On a normative level, we suggest that laws and rules around the instigation of climate assemblies and how their recommendations should be dealt with, and around citizens' assemblies more generally, could mitigate these tensions to a degree. More empirical research is required to explore the ramifications of this idea, however.

The remainder of this chapter is set out as follows. In the next section, we provide a review of the literature on climate assemblies and their relationship to the formal and informal public spheres. In the third section, we describe how we assessed the impact of CAUK using mixed methods. We present the results in respect of the impact of CAUK on the formal sphere and on the informal sphere in the fourth and fifth sections, respectively. Finally, we summarise our findings and conclude with suggestions for further research in this area.

## **CLIMATE ASSEMBLIES AND THEIR RELATIONSHIP TO THE FORMAL AND INFORMAL PUBLIC SPHERES**

The public sphere has been defined as 'the space in which citizens deliberate about their common affairs, and hence an institutionalised arena of discursive interaction' (Fraser 1992: 110). Since the work of Habermas (1996), it has been widely acknowledged to have 'informal' and 'formal' components that must be connected to meet the normative ideals of deliberative democracy across the political system as a whole. The informal public sphere consists of the public, their voluntary associations and the media; and it is where public opinion and political agendas should be determined. The formal public sphere consists of government, parliament and parties and is where decision-making and authorisation should occur. Habermas proposes a 'two-track' dualist model. In the first track, parliament would remain the central focus for decision-making but would be supported by decentred deliberation in the second track, the informal public sphere. Public opinion generated in the informal public sphere influences the formal public sphere through mechanisms like elections, the media, protests, and consultation processes like citizens' assemblies. In this section, we review existing research on the relationships that citizens' assemblies in general, and climate assemblies in particular, have with informal and formal public spheres.

With respect to the informal public sphere, on a normative level, MacKenzie and Warren (2012) claim that mini-publics could be ‘trusted information proxies’ for the public precisely because they are made up of ordinary citizens. In essence, this would mean members of the public using the assembly as a guide for their own policy preferences (Curato and Böker 2016). Niemeyer (2014: 179) argues that citizens’ assemblies could influence public debate and ‘distil, constrain and synthesise relevant discourses to be transmitted to the wider public in a manner that is not possible via mass media, or likely through elected representatives’. This is not necessarily easy to achieve, however, and requires that the ‘reasoning processes of mini-publics are communicated to the wider public’ (Bächtiger *et al.* 2014: 240).

Focusing specifically on climate assemblies, there are many that think they can encourage a greater level of climate awareness amongst the public. Niemeyer (2013: 448) argues that ‘deliberative democracy ... has the potential to transform the public response to climate change’. Climate assemblies enable members of the public to join the climate governance debate that is usually dominated by scientists, interest groups and politicians (Ghimre *et al.* 2021). Similarly, Devaney *et al.* (2020: 144) argue that the citizens’ assembly method can be a powerful tool for ‘engaging and communicating with the public more deeply on the climate crisis.’ Howarth *et al.* (2020: 1113) suggest that climate assemblies may be a useful tool that can help to ‘build a social mandate’ for addressing the climate crisis. These are tentative propositions that require further empirical support.

If climate assemblies are to have this type of influence on public opinion, they inevitably require substantial media coverage (Hartz-Karp and Carson 2013). However, they rarely get much media coverage at all (LeDuc 2011; Rinke *et al.* 2013). Moreover, process-orientated citizens’ assemblies that aim to reduce conflict and polarisation are not necessarily compatible with ultra-competitive media markets and sensationalising and conflict-focused trends (Parkinson 2005; Fournier *et al.* 2011; Bächtiger *et al.* 2014; Olsen and Trenz 2014). For Hendriks (2006: 498), it is particularly hard for a mini-public to influence public debate if it is a one-off process like CAUK. There is no research to date on the media coverage of climate assemblies: however, lack of coverage could be exacerbated further by the media’s treatment of climate change issues. In the UK, the inclusion of climate-sceptic discourses has been on the increase in British newspapers (Painter and Gavin 2016), in part due to the conservative dominance of print media (Schmid-Petri 2017). Given that CAUK was designed to consider policies to tackle climate change, the UK’s climate-sceptic media environment may not have been conducive to CAUK’s having a positive impact on public debate and opinion.



With respect to the formal public sphere, MacKenzie and Warren (2012) further suggest that, on a normative level, policy-makers may consider the recommendations of citizens' assemblies seriously because they indicate what people might think about an issue if they had the time, information, and inclination to consider it in detail. The influence of mini-publics on policy in general has been limited, with their recommendations often being cherry-picked by decision-makers (Smith 2009; Elstub 2014; Font *et al.* 2018): to the extent that they are often used to legitimise decisions already made in the formal public sphere (Dryzek and Goodin 2006; Böker and Elstub 2015; Vrydagh and Caluwaerts 2020; Curato *et al.* 2021). Böker and Elstub (2015) argue that citizens' assemblies are less susceptible to this problem because they tend to have established links with parts of the formal public sphere via government, referendum or parliament, and because they tend to result in specific recommendations that are easier to track in policy (Elstub and Khoban 2022). OECD (2020) and Paulis *et al.* (2020), among others, suggest that the impact of citizens' assemblies on policy is on the increase; however, these previous studies do not focus specifically on climate assemblies and neither do they provide in-depth case-analysis, so this is far from guaranteed.

No UK-government-commissioned citizens' assemblies have been held in the UK. House of Commons parliamentary committees have previously commissioned a citizens' assembly on adult-social-care funding (Elstub and Carrick 2019). Research on MPs thoughts on this process indicates a range of opinions (Beswick and Elstub 2019). MPs that are critical of citizens' assemblies are against the cost but also see them as a challenge to the legitimacy of parliament itself. Those that value citizens' assemblies primarily welcome the epistemic potential of receiving a more diverse range of information than they would otherwise; but they also believe they can increase the influence parliament has over government.

Due to the urgency, complexity and longevity of climate change issues, climate assemblies present a specific and complex set of challenges and opportunities, which are beyond the scope of previous research on citizens' assemblies, in general. Whilst MPs from the UK acknowledge the importance of the issue of climate change, they feel little impetus from the electorate to address it (Willis 2020). There has been little research on the impact of climate assemblies specifically on climate change policy-making. Moreover, much of the existing research is from the UK and highlights the difficulty climate assemblies have with respect to influencing the formal public sphere. For example, from their analysis of a case study of a local climate assembly from England, Sandover, Moseley and Devine-Wright (2021) conclude that it provided only a minor challenge to the power of existing local authorities.



Research by Wells, Howarth and Brand-Correa (2021) on the impact of local climate assemblies and juries on policy, also from UK cases, indicates that they are primarily being used to support already existing policies rather than to determine climate change responses themselves. It was, therefore, a big challenge for CAUK to impact the formal public sphere. Indeed, Elstub *et al.* (2021b) found that the impact of CAUK on both parliament and government was diminished by several factors, including splitting the assembly into thematic groups, as it meant the recommendations did not come from the whole assembly.

Research to date therefore indicates the significant barriers that exist for climate assemblies to influence either the informal or formal public sphere. However, no existing study has looked at the relationship between these two spheres and the role of climate assemblies in connecting them. It is this gap that this chapter seeks to fill. We now move to give an overview of how we researched CAUK to achieve this aim.

## **ASSESSING THE IMPACT OF CLIMATE ASSEMBLY UK**

We used mixed methods to obtain and analyse data from different perspectives about Climate Assembly UK (CAUK) as a whole, particular aspects of it, and its broader context. Each method was selected to address specific aspects of the research questions: under what conditions can climate assemblies impact the formal public sphere of parliament and government? And under what conditions can climate assemblies impact the informal public sphere of the mass media and public debate?

### **Assessing impact on the formal public sphere of parliament and government**

We conducted 16 semi-structured interviews with four Chairs, or former Chairs, of commissioning Select Committees; seven Clerks, or former Clerks, of the committees; a member of the CAUK communications team, a member of the CAUK organising team and three other civil servants or researchers involved in the publicising of the CAUK report and its recommendations. The interviews were carried out online between mid-September and mid-November 2020. The interviewees were asked open questions to ascertain how CAUK influenced the formal public sphere of parliament and government. Specifically, we asked about their thoughts on the process and the recommendations, and how the Select Committees have, to date, acted on the recommendations and how they might plan to do so in future.

Non-participant observation was undertaken by members of the research team, who attended, and observed, each of CAUK's in-person weekends (1–3) and were given audio recordings of the online sessions (weekends 4a–4c), including the presentations and small-group discussions. A member of the research team also attended the online report launch (10 September 2020) and each of the subsequent online stakeholder briefings (14–21 September 2020). The researchers recorded their observations in a field diary, structured around the research questions. These were then coded and analysed according to the research questions, and to capture emerging themes.

### **Assessing impact on the informal public sphere – the mass media and public debate**

Our assessment of the impact of CAUK on the informal public sphere is based on the results of quantitative data collection and analysis, comprising three national surveys to elicit the public's knowledge and attitudes towards CAUK and content analysis of media coverage. The surveys and media analysis were undertaken at three milestones in the assembly process: the start and end of the assembly (January and May 2020, respectively) and the launch of the CAUK results report (September 2020). The timing of the data collection was designed to coincide with publicity surrounding these milestones, to ensure that the potential for public awareness of CAUK was at its greatest.

Surveys of the UK public were completed to assess public awareness and trust in CAUK at each milestone. YouGov were commissioned to undertake the surveys from a randomly selected sample<sup>2</sup> of members of the UK public. Each survey consisted of four to six closed questions about knowledge of, engagement with, and trust of, CAUK, as well as views on climate change. Ten-point scales were used to capture small fluctuations in these elements over time. In addition, we asked some standard demographic questions, such as age, level of education, and so on.

To evaluate the media coverage, a sample of print, broadcast, and online news items was analysed to examine the level of publicity throughout the process.<sup>3</sup> We focused on the same three milestones as for the three population surveys (detailed above). Analysing the media coverage immediately prior to the distribution of our population survey questions enabled us to ascertain what opportunities the public had to become aware of CAUK. Taking a sample of 20 media sources at each milestone, we assessed the primary focus of each article (in terms of the assembly process, the issue of climate change or a mixture of them both) and whether each piece was generally positive, negative, or neutral about the assembly process and the issue of climate change. Coding was undertaken by two researchers across two stages of coding, in

an iterative process that combined deductive and inductive codes, with each code agreed on by coders (Cascio *et al.* 2019). We sampled to ensure a variety of types of outlets, with a preference for those with the greatest reach based on publicly available viewing, listening or readership figures.

## IMPACT ON FORMAL SPHERE – PARLIAMENT AND POLICY

As is usually the case, publicly, politicians, including those from the six commissioning Select Committees, praised the work of CAUK participants and the assembly's recommendations. At the launch of the results report (Climate Assembly UK 2020), the Secretary of State, Alok Sharma, said that CAUK really represents the very best of civil society', and 'we [the Government] agree with the "spirit" of your recommendations'. Of the recommendations, Clive Betts, chair of the Housing, Communities and Local Government Committee, praised CAUK's recommendations for being 'aspirational, practical, and deliverable', and Mel Stride, chair of the Treasury Committee, described them as 'proportionate and sensible'. This praise for the recommendations was echoed by committee members, privately, in the interviews; one interviewee described them as 'practical, concrete recommendations the committee can explore and engage with'.

As well as praising the assembly, at the report launch, several of the commissioning Select Committees pledged to act on the recommendations, although the scale of these commitments varied. Arguably the most significant commitment to CAUK came from the Business, Energy and Industrial Strategy Committee (BEIS), which had led the commissioning of the assembly. At the report launch, Darren Jones, Chair of BEIS, announced that they would undertake a new inquiry, dedicated to looking at all CAUK's recommendations, and that specific inquiries associated with specific recommendations would be undertaken subsequently. Their inquiry, 'Findings of the Report of Climate Assembly UK' (UK Parliament 2021) published its findings on 8 July 2021 (BEIS 2021a), urging the Government to *re-double its efforts to lead a joined-up approach to net zero with local authorities, business and citizens*. The Government provided an obligatory response on 9 September 2021 (BEIS 2021b); however, this notional response showed that the Select Committee's influence with Government was limited, as is often the case (Beswick and Elstub 2019).

There were commitments by the other commissioning Select Committees to use CAUK's results in their inquiries. At the CAUK report launch, Mel Stride, Chair of the Treasury Committee, promised to resurrect their

decarbonisation inquiry and use the CAUK recommendations in their evidence; and Greg Clarke, Chair of the Science and Technology Select Committee, stated that the committee would be using the report as evidence in their inquiry on the role of science and technology in the Covid-19 recovery.

As well as commitments for action by individual committees, at the CAUK briefing to business groups on 16 September 2020, the Parliamentary Director of CAUK stated that the Chairs of the six commissioning Select Committees had written to the government asking them for a response to the report; and they had also written to the opposition leaders asking them for a cross-party approach to the report recommendations. Moreover, a debate in the House of Commons on 26 November 2020 suggested that there was cross-party support on the need to make use of the CAUK Report, with MPs from across the parties stating their support for the assembly report and recommendations. For example, Sally-Ann Hart, Conservative MP for Hastings and Rye, said: ‘I welcome the Climate Assembly report and its recommendations, which form a valuable body of evidence about public preferences for how to get to net zero and show that there is public support to get this right’. The debate was summarised by the Deputy Speaker, Mr Nigel Evans, who said: ‘this House welcomes the report of Climate Assembly UK ... and calls on the Government to take note of the recommendations’ (Hansard 2020).

The positive responses to CAUK by MPs at the report launch, in the subsequent briefings, and in the House of Commons demonstrates that the assembly has achieved some impact on debate in the formal sphere. This impact is evident on Parliamentarians at agenda-setting stages (as opposed to on Government at decision-making stages; Pogrebinschi and Ryan 2018), not least because the assembly was commissioned by Parliament to feed into its processes, and not by the government. However, the extent of CAUK’s impact on policy was adversely affected by a range of factors, both internal to the assembly’s design and external, contextual factors. Previous studies (Els-tub *et al.* 2021a; 2021b) discuss a lack of a pre-planning on how the committees would deal with CAUK recommendations, the length and breadth of the report, and the division of CAUK assembly members into topic subgroups. In the remainder of this section, we consider the impact of the general election at the end of 2019, which resulted in a change of membership in the commissioning Select Committees, as well as the durability of the assembly’s recommendations, in the context of long-term issues associated with climate change and slow policy-making processes. Finally, we discuss the link between the influence of CAUK on the formal and informal public sphere, specifically, the lack of public awareness of the process.

## **Impact of the 2019 general election**

As is required by all Select Committees, prior to a general election in December 2019, the six Select Committees who commissioned CAUK were disbanded. New committee Chairs were appointed at the end of January 2020, just as CAUK commenced, and the other committee members were elected at the beginning of March 2020, mid-way through the CAUK process (House of Commons Library 2021). This turnover of committee membership, while CAUK was in session, had a double impact on the engagement of committee members with the assembly. First, as the elections of members to the Select Committees were taking place while CAUK was in session, there were few elected members of the Select Committee available to attend and observe the sessions during the assembly (House of Commons Library 2021). Second, many of the people responsible for acting on the assembly's recommendations were different from those who had commissioned the assembly in the first place.

The in-person assembly sessions took place between 24 January and 1 March 2020: this left little time for committee Chairs (elected at the end of January) to attend in person, and no time for other members (elected at the beginning of March) to attend. This is unfortunate, as the results of our interviews show that those who had attended the assembly were able to reflect on how the process was run and how engaged the participants were. Generally, attendees considered that CAUK was a well-run process. One of the clerks 'was surprised, really at how smooth it was', and another clerk thought that 'it seemed to run really well ... it seemed really slick'. Attendees also commented on high levels of participant engagement. One chair noted that it 'was really interesting just to ... see the engagement in the room and how interested they were ... they were really interested'. One clerk commented on 'how lovely the discussions were and respectful and constructive. ... I felt really inspired that these people were taking it so seriously and had such a sense of duty and they were really doing their best to deliver what was asked of them'.

Although many members were re-elected to their positions on Select Committees, inevitably, there was a significant turnover in membership after the election. During our interviews, one clerk commented that this change in personnel resulted in 'a change in the level of engagement ... that's presented some challenges'. Another clerk agreed that 'some [members] are more engaged than others'. One committee chair reflected that 'there are some members of the [new] committee ... who are going to be resistant to ... this [the CAUK report] being a big focus of the committee's work'. This leads another clerk to suggest that citizens' assemblies should probably be 'more of an early to mid-parliament activity, rather than late-parliament, to make sure that you've got a group or groups of eleven members signed

up to what they're seeking to achieve and in saying, okay yes, we've commissioned this research and ... we pledge to do X, Y and Z as a result'. It is noted that CAUK was planned as a mid-parliament event, and this reflection refers to the impact of this change of circumstance resulting from the early general election.

### **The durability of the recommendations**

We also identified concerns about the shelf life of the assembly's recommendations, which some interviewees thought are 'only current up to the point of when people were asked the question' and 'in 10 years' time you get very different answer[s]'. This led one committee Chair to comment: 'I don't know how much durability it [the CAUK report] has'. The longevity of climate change issues will compound the tension between slow policy-making processes – how long it takes to integrate the assembly's outcomes into policy – and the relatively short shelf life of the recommendations.

### **Publicity**

Public awareness and support for an issue can encourage elected representatives into action. Therefore, democratic innovations such as citizens' assemblies are more likely to have influence in the formal public sphere when the public know about them and support the process and its findings (Elstub and Carrick 2019). Indeed, one of the committee clerks recognised the link between public opinion and action in the formal sphere, emphasising 'the role of a Select Committee in harnessing public opinion and moving debate forward'.

Public awareness and support for a citizens' assembly depends, in part, on the volume and type of publicity it receives. This applies to Select Committees themselves and the media coverage they receive has been increasing (Kubala 2011). In the case of CAUK, members and staff of the Select Committees had mixed views about the media coverage it received. One of the clerks reflected on 'a huge amount of publicity on that first weekend in January', coinciding with Sir David Attenborough's attendance. However, that coverage seemed to wane; one clerk thought this was partly due to the presentation of the results in a long report, commenting: 'the challenge is about continuing that conversation and that coverage ... it's a very, very lengthy report'. The interview data suggests that the committee members themselves did not follow the media coverage. One committee chair said that they 'didn't see much coverage', suggesting 'I'm not sure, if there was much'. One of the civil servants we interviewed suggested that the more public awareness there was of citizens' assemblies, the more likely it would

be that recommendations were implemented in policy. Commenting on some internal government ‘deliberative workshops’, which are ‘not really being advertised a ton’ meant the recommendations could be ‘picked and chosen’. They indicated that there would be less cherry-picking with a process like CAUK, provided that the public was sufficiently aware of it to ensure that the government felt pressure to adopt the recommendations: ‘when it’s internal you can make a judgment on what you take forward and what not, and when it’s public, you can’t make that judgment.’

Our results indicate there are mixed views about the volume of media coverage that CAUK received. Moreover, there was little evidence that the members and staff of the Select Committees and the government felt there was public pressure to act on the assembly’s recommendations, indicating that CAUK’s influence in the formal public sphere was limited by lack of publicity and impact in the informal public sphere. This is discussed further in the next section.

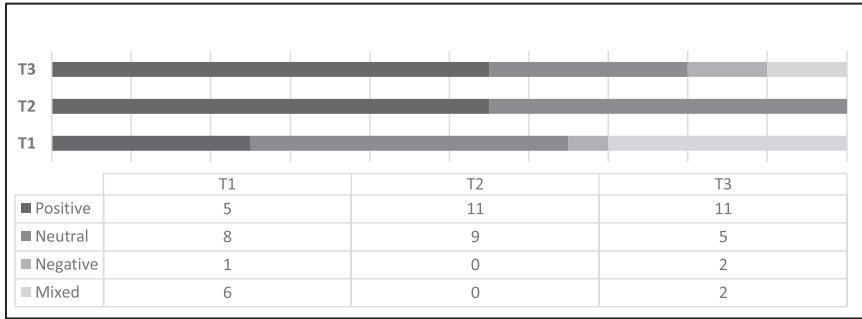
### IMPACT ON INFORMAL SPHERE – OF THE MASS MEDIA AND PUBLIC DEBATE

According to their advocates, ideally, climate assemblies like CAUK would stimulate public debate and influence public opinion about climate change and decarbonisation (Curato and Böker 2016; Niemeyer 2014). Public awareness of CAUK could also increase the assembly’s influence in the formal sphere, by encouraging those in Parliament and policy-making to act on recommendations if they felt pressure to do so from the public, as indicated above.

CAUK received more media coverage than most previous democratic innovations in the UK.<sup>4</sup> Table 7.1 summarises the number of media pieces mentioning CAUK at the start and end of the assembly and around the time of the launch of the report.

**Table 7.1.** Number of media pieces mentioning CAUK

	<b>Weekend 1 (T1)</b>	<b>Weekend 4c (T2)</b>	<b>Report launch (T3)</b>
<b>Dates</b>	<b>22–27 January</b>	<b>24 April–24 May</b>	<b>7–14 September</b>
Online	27	14	529
Print, broadsheet	7	3	6
Print, tabloid	8	1	7
Television	10	6	158
Radio	4	4	260
<b>Total</b>	<b>56</b>	<b>28</b>	<b>960</b>



**Figure 7.1.** Media skew of CAUK from sample of 20 articles at each milestone

As illustrated in Figure 7.1, the coverage was generally positive. At the start of the assembly, on 25 January 2020, ITV news hailed CAUK’s uniqueness, stating: ‘there has never been an event like this in the UK before. Members of the public invited to help tackle the climate emergency’. The day before, Channel 4 news praised the assembly process, saying it ‘shows decisions are being taken out the Westminster bubble’. At the launch of the report, the recommendations were also largely positively received. On 10 September 2020, BBC London reported that:

getting public insight is invaluable; the really exciting thing about this support is that it’s not generated by a group of boffins in a room coming up with recommendations to government. This is real people dealing with real issues and coming up with practical suggestions. What’s exciting is it doesn’t look alarming.

Despite the volume and positive nature of the media coverage, we found that public awareness of CAUK was low. On a scale of 0 (I know nothing at all) to 10 (I know a lot), the median response, was category 1 (at the start of the assembly) or category 2 (at the end of the assembly and at the report launch). As shown in Figure 7.2, the most common response to the question was ‘I know nothing at all’, which was selected by between 37 and 42 per cent of respondents. Our analysis shows that there was no statistically significant correlation between each survey milestone and knowledge of CAUK, indicating that public awareness of CAUK did not change over time, in the course of the CAUK process.

Low public awareness of CAUK differs from that associated with the French national climate assembly, Convention Citoyenne pour le Climat (CCC). Polling undertaken in June 2020 (just after CCC’s voting stage) found that 70 per cent of French people knew something about the CCC (Cherry *et al* 2021).<sup>5</sup> The relatively high level of awareness about the CCC among French citizens indicates the public could be receptive to information about such processes. The comparative low awareness of CAUK among UK



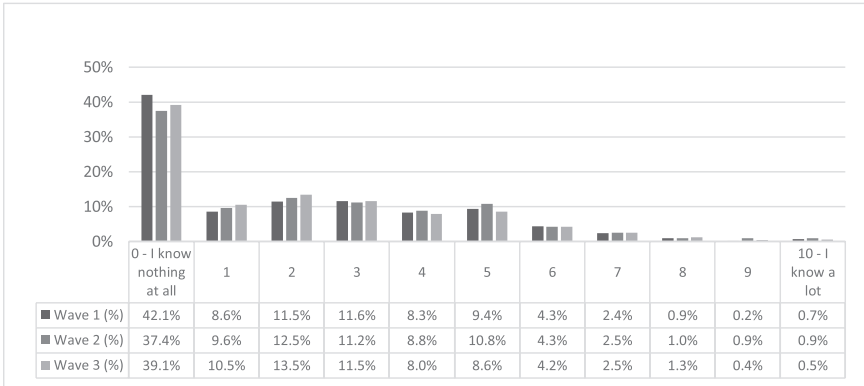


Figure 7.2. Public’s awareness of CAUK

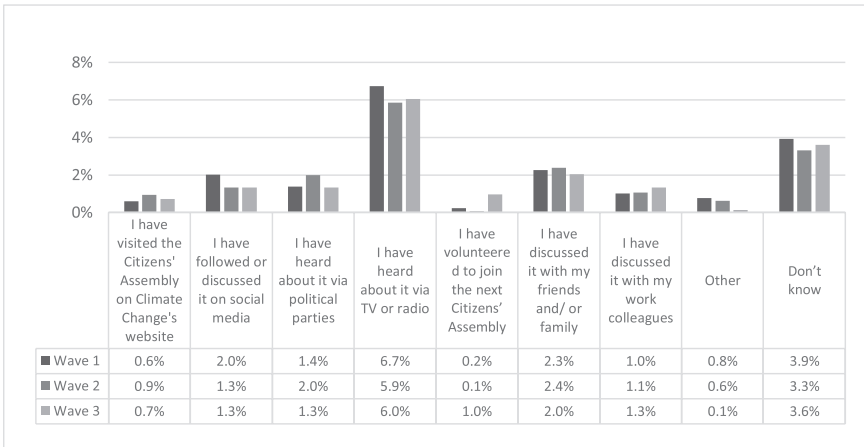


Figure 7.3. Engagement with CAUK

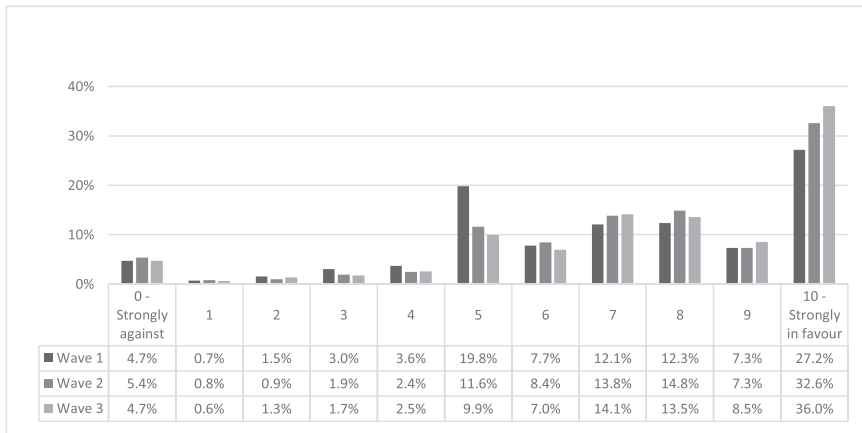
citizens may have been related to the assembly’s budget for publicity (despite its having received more publicity than other UK democratic innovations) and the type of media coverage it received. In addition, CAUK struggled to retain attention in a news context dominated by Brexit and the COVID-19 pandemic. Yet the French climate assembly managed to get public attention despite operating in this same context, in part because it was closely associated with President Macron. CAUK did not have the same association with major political personalities.

As shown in Figure 7.3, the survey results indicate that if UK citizens had heard about CAUK, it was most likely to be via TV and radio; more than twice as many respondents said they had engaged with CAUK via TV and radio than other options, including social media and the website.

However, less than half of the media coverage was via TV and radio: 25 per cent at the start of the assembly, rising to 43 per cent at the report launch. Obviously, TV and radio coverage is likely to be more expensive than other forms of publicity and will therefore be affected by the size of the publicity budget.

Despite the low awareness of CAUK, survey data indicates that when people are informed about the process, they trust it and see it as making a legitimate contribution to UK climate policy. Following a short description of CAUK, we asked: ‘on a scale of 0 (strongly against) to 10 (strongly in favour), how in favour are you of a Citizens’ Assembly in the UK identifying ways the UK can reduce carbon emissions?’. As shown in Figure 7.4, the survey results show that most respondents were in favour of CAUK undertaking this function. This hypothetical support for the function of CAUK amongst UK citizens concurs with polling around the French CCC, in which 60 per cent of those polled thought CCC could legitimately make recommendations on behalf of the French population (Cherry *et al.* 2021).

Evidence of public support for the climate assembly process corroborates the assertion that more public awareness of the assembly could have encouraged government to act on the recommendations, increasing the impact on the formal public sphere. The volume and type of publicity a mini-public receives therefore links its impact on the formal and informal public spheres, especially as research from other UK citizens’ assemblies suggests that journalists will increase the amount of reporting on an assembly the more policy influence it achieves (Elstub *et al.* 2022).



**Figure 7.4.** Percentages of respondents in favour of CAUK identifying ways UK can reduce carbon emissions

## CONCLUSIONS

Considering the scale and urgency of the impacts of climate change, action by successive governments has been slow and inadequate. Some see climate assemblies as a remedy that will introduce the long-term thinking needed to overcome these limitations (Smith 2021).

To assess the extent that climate assemblies can achieve these goals, we analysed Climate Assembly UK. This was an ideal case as it had established links with the formal public sphere due to being commissioned by parliamentary committees. This, combined with its being the first nationwide citizens' assembly in the UK, and its climate-change focus, made it newsworthy; it therefore had the potential to influence the informal public sphere.

In line with previous studies on citizens' assemblies in general, results from CAUK indicate that it is difficult for this type of democratic innovation to have significant impact in the formal (Dryzek and Goodin 2006) and informal public spheres (LeDuc 2011; Rinke *et al.* 2013). As a climate assembly, commissioned and designed to address issues about climate change specifically, we found that the impact of CAUK on the formal sphere is most evident in what Pogrebinschi and Ryan (2018) describe as the agenda-setting stages. However, this impact was limited by questions over the durability of the recommendations and a change of membership on the commissioning Select Committees, as well as by a lack of public awareness of CAUK, which might otherwise have encouraged action on the assembly's recommendations. Despite some predominantly positive initial media coverage for CAUK, coverage waned, and the public were largely unaware of the assembly's existence. The long results report was difficult to digest and the assembly struggled to retain attention in a news context dominated by Brexit and the pandemic. Crucially, the newsworthiness of CAUK could have been enhanced if there had been more uptake within Parliament and government to report.

Previous studies failed to consider the connection between these public spheres. We find that achieving impact in one sphere is dependent on achieving impact on the other. Governments are more likely to act on assembly recommendations if the public are aware of it and they therefore feel pressure to act. Extensive media coverage of an assembly is only likely to materialise if impact on policy is achieved or, at the very least, if there is a promise to do so. The result is a stalemate between the routes to making an impact within both spheres: MPs and policy-makers are more likely to act on recommendations from a citizens' assembly if the public are aware of the process but media reporting depends on action by policy-makers.

To break this deadlock, climate assemblies and citizens' assemblies in general need to be more formally embedded in democratic systems. There should be laws and rules around their instigation and stipulated conditions of how their recommendations should be dealt with. For example, relevant government departments could be required to give a detailed and public response to every recommendation, explaining when and how the government is enacting the recommendation or explaining why it is not. This could lead to a greater impact of assemblies on policy and the formal public sphere in general, which, in turn, could enhance media coverage and public awareness. Moreover, it could also elevate climate assemblies in the political system and increase public knowledge of the process, which could add more pressure on policy-makers to adhere to the recommendations. To explore the potential for institutionalising climate assemblies to improve their impact, we need more case studies and comparative analysis from other climate assemblies.

Notwithstanding that more research is needed, this is the first study to consider the interconnected nature of impact on the formal and informal public spheres in relation to climate assemblies. Due to the potential deadlock between the two spheres, the achieving of impact is even more challenging than has previously been considered. The difficulties of climate assemblies developing a meaningful role in climate governance are highly significant.

## NOTES

1 Other citizens' assemblies have been undertaken covering the sub-nations of the UK, including the Citizens' Assembly on the Inquiry of Long-Term Adult Social Care, which covered England and Wales. There has also been a number of national deliberative polls and numerous smaller-scale deliberative mini-publics, such as citizens' juries in the UK (Davidson and Elstub 2014).

2 The sample was taken from a panel of 1 million UK citizens who were recruited by YouGov and selected to be representative of the UK population in terms of age, gender, social class and education.

3 A database of media coverage was compiled retrospectively by Parliament staff, using a media-monitoring service called Cision (formerly Gorkana), with a filter set up for 'Climate Assembly'.

4 This was by far the most-high profile mini-public in the UK's history, at the time that it occurred, with the exception of the first few deliberative polls held in the UK that were televised on Channel 4 (Fishkin and Luskin 2006), although there is limited media analysis of the others.

5 The survey's questions and answer options were different in the UK and French surveys; therefore a direct comparison between the surveys is not appropriate.

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## Chapter Eight

# Deliberate then what? Design, Dynamics and Outcomes of Mini- Publics and the Deliberative System

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### INTRODUCTION

Deliberative mini-publics are attracting unprecedented attention in Europe as part of the ‘deliberative wave’.<sup>1</sup> In light of this growing interest, it is worth reflecting on both their form and their function. The current wave builds on experiments in deliberative mini-publics over a number of decades (*see* Bächtiger, Grönlund and Setälä 2014; Setälä and Smith 2018). It also brings increased attention to how they are linked to institutions of decision-making, as well as connections to the wider public. In the celebrated example of the Irish Citizens’ Assemblies, deliberation was connected to referendums (including one on abortion: *see* Farrell and Suiter 2019). Citizens’ assemblies on climate change, initiated in France and adopted across Europe, offered an innovative model to influence legislative debates and policy-making on this specific topic (O’Grady 2020). The German-speaking region of Belgium has introduced the OstBelgien Modell, the first example of a permanent body of citizens whose deliberation supplements those of elected representatives (Niessen and Reuchamps 2020). In Gdansk, Poland, the recommendations of a deliberative citizens body have binding impact on mayoral decision-making, depending on the level of consensus. The list goes on (Chwalisz 2019).

How should we assess the merits of how mini-publics connect to the wider deliberative system? And what is the appropriate nature of that connection? While there are many routes by which mini-publics can be consequential, much focus is on direct impact on decision-making. Here, we side with critics

of direct impact (such as Lafont 2005), questioning how decisive mini-public outcomes should be in practice. But ours is not a normative critique *per se*. Rather, we examine how the possible roles of mini-publics interact with design as well as intent, analysis of which we use to explore appropriate mechanisms of influence.

We begin by extending an existing framework regarding the functions of mini-publics and the implications for forms of connections to the deliberative system that potentially amplify their effects and provide legitimate input into wider democratic processes. Conceptually, we build on Claudia Landwehr's (2010) work on the *discursive* and *co-ordinative* functions of deliberation and propose ways in which we can assess the extent to which mini-publics perform these functions. Discursive functions involve meaning-making. Through discourse, we come to mutually understand the justificatory basis of decisions, the clarification and communication of which improves deliberative accountability. The co-ordinative dimension embodies the actual decisions that need to be made. Deliberative democracy implies a particular orientation to these dimensions, where political decision-making is based on argumentative exchange of reasons (Landwehr 2010: 101), under recognisably deliberative conditions involving inclusion and consequential impacts (Dryzek 2009).

However, while most deliberative democrats might agree that co-ordinative legitimacy is predicated on high-quality discourse, there is less agreement on how these functions should be institutionalised and even less understanding of how they inter-relate, not least with respect to mini-publics. To address this lacuna, we explore two mini-public cases involving different combinations of these features that we characterise as 'deliberate then vote' and 'deliberate then propose' – the former emphasising co-ordinative transmission of aggregated preferences; the latter transmitting conclusions supported by reasoning. For each case, we assess their varying performance regarding these functions. The first, Italian, case, on municipal amalgamation, involves moderate discursive qualities. However, the 'deliberate then vote' model here appears to produce poor co-ordinative properties – which we analyse using the deliberative reasoning index (DRI; Niemeyer and Veri 2022). The second case, from Australia, concerning local climate change adaptation, involves comparatively modest discursive qualities. By contrast, the 'deliberate then propose' model yields higher co-ordinative qualities. Consequently, this case did contribute more strongly to systemic deliberation. It informed policy, but via a more discursive route than implied by a direct-influence model. We draw on these cases to critically assess mini-public deliberative design and its relationship to decision impact, assessing prospects for scaling up or diffusion of deliberative effects.

## THE DISCURSIVE AND CO-ORDINATIVE FUNCTIONS OF MINI-PUBLICS

Widely portrayed as exemplars of deliberative democracy, mini-publics are (ideally) non-partisan democratic innovations that facilitate the development of carefully considered views among a randomly selected group of citizens, tasked to deliberate and decide on an issue at hand. The ideal of inclusion distinguishes them from elitism and populism, which share a logic of exclusion and disengagement – elites dismissing lay opinion and populists diminishing the value of dissenting views. This, combined with the ideal of consequentiality, makes mini-publics an appealing response to the so-called ‘crisis of democracy’ (Dryzek *et al.* 2019), offering an approach to political decision-making via argumentative exchange of reasons (Landwehr 2010).

Deliberative theory posits that under conditions of inclusiveness, respect and equality, deliberation transforms political preferences for the better. As Landwehr puts it, ‘preferences evolving from deliberation are expected to be better informed and less self-interested: besides their [citizens’] own perspective, they take into account the knowledge, experiences and interests of others’ (Landwehr 2010: 101).

Recently published OECD principles of good practice (Chwalisz 2020) reiterate normative commitments of deliberative democracy, including specific functions that should fulfil for decision-making to be legitimate. There are, however, longstanding questions regarding the appropriate impact of mini-publics and their relationship to the wider public sphere (*see* Parkinson 2006). To help better understand the appropriate functions that deliberative design might carry out, we revisit Landwehr’s work on ‘the requirements for decision-making to be successful’, specifically in terms of enabling discourse and enabling co-ordination (Landwehr 2010: 102).

### Discursive function

Landwehr describes deliberation’s discursive function as a *dialogical* practice of meaning-making, which provides the inputs needed for collective decision-making. Underpinning this process is the principle of *publicity*, requiring that deliberative reasoning permeates beyond the boundaries of a given exchange. Publicity does not necessarily require that all deliberative content be made public; but deliberators should be accountable via ‘general and transferrable reasons’ in order to ‘give the best possible justification for their premises and decisions’ (Landwehr 2010: 105–6). Drawing on Habermas, Landwehr distinguishes between (passive) listening and (active) hearing that takes a stance on what is being articulated. Deliberative contestation that

engages a diversity of perspectives drives the generation of justifications, which, in turn, provide a foundation for citizens to clarify their disagreements (Mansbridge *et al.* 2012 within a common understanding of the issue (Dryzek and Niemeyer 2006).

The discursive function is consistent with the characterisation of deliberation as discourse-contestation, where discourses are a ‘a shared way of comprehending the world embedded in language ... [involving] a set of concepts, categories and ideas that will always feature particular assumptions, judgments, contentions, dispositions, intentions and capabilities’ (Dryzek and Niemeyer 2010). Hence, our analysis of this function involves the use of (quantitative) discourse analysis.

### **Co-ordinative function**

Deliberation’s co-ordinative function accounts for the ‘collectively binding regulation’ that organises conflicting interests, goals and action plans (Landwehr 2010). Landwehr argues that the co-ordinative function rests, first, on the principle of *reciprocity* or the ‘mutually binding rule’, whereby participants cannot claim the rights and goods that are denied to others. Co-ordination is also shaped by *decision-making pressures*, such as decision-rules in deliberation. In some cases, she explains, voting or majority rule is viewed as a substitute for ‘communicative co-ordination’ because of time constraints or the extent to which conflict cannot be overcome through further deliberation.

Our analysis extends Landwehr’s account of co-ordinativeness. In particular, we give an account of how the operation of reciprocity is a discursive process, perhaps more so than a co-ordinative one. A mutually binding rule must itself have a partly discursive foundation in which the rights and goods of others are not only mutually recognised and understood (Dryzek and Niemeyer 2006), they are also mutually integrated into deliberative reasoning such that a legitimate co-ordinative function stems from deliberatively reasoned outcomes. That embodied reasoning is measurable via the artefacts of agreement level on reasons (considerations) and preferred outcomes (Niemeyer *et al.* 2023).

## **LINKING MINI-PUBLICS TO DELIBERATIVE SYSTEMS**

There is growing interest among scholars and practitioners of deliberative mini-publics in how discrete forums connect to institutions of decision-making and the wider public sphere. Niemeyer (2014) originally referred to this process as the *scaling up* (or diffusion) of mini-public deliberation to mass democracy. This process does not refer to holding bigger and more

frequent mini-publics but to harnessing them to find ‘antecedents and mechanisms’ that link them to improvement in deliberation in everyday political settings (Niemeyer 2014: 178). Mini-publics properly conceived, according to this approach, can contribute to broadening deliberative capacities and bring knock-on improvements to the wider polity.

Other, more formal, links include the *institutionalisation* of mini-publics, either by creating mechanisms that embed mini-publics in policy-making, as in the aforementioned OstBelgien case, or via more incremental innovations such as connecting mini-publics to moments of collective decision-making. This includes connections to referendums or elections. The British Columbia Citizens’ Assembly and Irish Citizens’ Assembly are examples of the former. Ackerman and Fishkin’s (2008) ‘Deliberation Day’ and, more recently, ‘America in One Room’ proposals, where registered voters deliberate on salient issues in the forthcoming elections, are examples of the latter. Other forms of links include Carolyn Hendriks’ (2006) ‘designed coupling’, involving an active intervention to create relationships between sites of deliberation. Her study on the link between the Public Accounts Committee of the New South Wales Parliament and a deliberative process attached to it showed how the latter provided an opportunity to for hard-to-reach segments of the community lacking a strong voice to be heard. Designed coupling of a mini-public made of randomly selected citizens from different backgrounds and perspectives, on the one hand, and elected representatives in the legislative committee on the other, enabled the latter to develop a broader concept of the public and to better consider the broader consequences of their decisions. While the mini-public did not have decision-making powers, the legislative committee realised its mandate of being sensitive to public reasons in the course of policy-making. John Boswell (2015) extends this argument further by proposing ways in which mini-publics can be convened not only as part of the process of public will-formation and policy-making but also in the iterative process by which decisions are turned into action. ‘Deliberation downstream’, as Boswell puts it, can take various forms, such as scrutiny forums, contestatory reviews and feedback funnels, all of which illustrate how deliberation can be embedded at various phases of the policy process.

Although we celebrate this growing ambition in respect to mini-publics in achieving wider impact across the public sphere and decision-making, it is useful to pause and reflect on the nature of these linkages. We particularly question the traditional emphasis on a ‘direct influence’ model of mini-publics, where their outcomes directly drive decision-making. This model raises two issues. The most common objection is normative, against using mini-publics as a ‘short-cut’ to wider citizen involvement in a deliberative polity (Lafont 2015). But there is also scope for concern that high-staked deliberation may prove counterproductive to deliberative quality (Niemeyer

*et al.* 2023), undermining not only their co-ordinative function but also their discursive potential for contribution to wider public discourse.

We agree with Curato and Böker's (2016) argument that mini-publics should not automatically be granted legitimacy. This conditionality is partly a matter of deliberative quality or deliberative integrity. As we argue below, there is also an element of design intent regarding the outcomes that they produce and transmit, where overemphasis on co-ordinativeness is ultimately counterproductive to both functions.

An appropriate and productive role for mini-publics in deliberative systems could be as deliberation-makers, rather than direct decision-makers (Niemeyer 2014; Curato and Böker 2016). As deliberation-makers, mini-publics transmit discursive content. If necessary, co-ordinative outcomes should be communicated as reasoned conclusions, not dictated decisions. The Citizen Initiative Reviews (Warren and Gastil 2015), upon which our Italian study is based, approaches a best-practice model but, as we will demonstrate, still risks being trapped in co-ordinative over-emphasis. There are other possible mechanisms, including variations of those outlined above. We do not argue that mini-publics should only involve a discursive function; but careful reflection on how these functions interact is needed when thinking about both intent and design.

We seek to contribute to this reflection by examining the functions of mini-publics through a deliberative-systems lens. From a systems perspective, the discursive and co-ordinative functions of mini-publics are best served when both the meanings *and* the reasoning are transmitted to (and amplified) in the deliberative system – whether discursive transmission occurs via decision-makers and co-ordination via referendums (as in the case of the Irish Citizens' Assembly), or by other mechanisms. What is critical in terms of any design and diffusion mechanism is that the publicity principle prevails and that citizens and decision-makers are all accountable to their reasons within and beyond the mini-public.

Mini-publics' discursiveness can be scaled up by using them to help make sense of complicated issues. 'Anticipatory' deliberation in mini-publics, for example, engages with issues that have not yet captured the political and popular imagination and sorts out the issues in ways that do as much to inform how public deliberation may productively proceed as to determine what to do (Renn and Webler 1992; MacKenzie and O'Doherty 2011).

Despite our reservations regarding short cuts, we believe that mini-publics can also play a role in *co-ordinativeness, but not always directly*. Mechanisms include conceiving of the deliberative system as citizens and decision-makers coming to an understanding of issues under conditions of meaning-making, as part of deciding what should be done. Viewed this way, what is being scaled up is not the outcome of the mini-public but the process that led to such an outcome. Deliberation necessarily produces (co-ordinative) conclusions

but it is underpinned by (discursive) reasoning, reasoning that both embodies the deliberative process and confers legitimacy on its outcome – hence the focus on deliberative reasoning in our analysis. It is in the contribution of mini-publics to the wider deliberative system, through participants clarifying, justifying, defending and, in some instances, reconsidering their views that they gain legitimacy. This approach assuages the fear that mini-publics end up becoming ‘too powerful’ without necessarily establishing the bases of their legitimacy (Lafont 2015). Uptake, in other words, can and should be (deliberatively) democratised.

## ANALYSIS OF CASE STUDIES

The empirical demonstration of our normative arguments draws on two illustrative case studies. The discursive function in each case exhibited different qualities. And each involves different mechanisms intended to achieve a co-ordinative function. The first case involves the *Iniziativa di Revisione Civica*, a mini-public that took the ‘deliberate then vote’ approach, which sees deliberation as instrumental to transmitting clear preferences about an issue. The second case, the Sydney Climate Change Adaptation Plan, involved a ‘deliberate then propose’ approach, which sees deliberation as instrumental to providing arguments about an issue.

We begin each case by assessing the co-ordinative and discursive potential of our two mini-public cases. Landwehr (2010: 115) argues that ‘a precise measure for discursiveness or co-ordinativeness is illusionary’, given the complex factors that are likely to operate for a given case. We do not contest the assertion. However, we do propose two complementary approaches to assessing these functions – involving the application of Q methodology as a form of discourse analysis (Niemeyer 2020) and the deliberative reason index (DRI; Niemeyer and Veri 2022), which strive to provide ‘plausible estimates’ that enable assessment of their respective strengths in terms of these functions and the trade-offs involved. We briefly describe these methods before turning to our cases.

### Method

We provide background information for our two mini-public cases, including qualitative assessments of both the nature of impact on decision-making and links to wider publics, drawing on experience from the cases and available documentation. However, our focus is on analysing the internal deliberative effects at the micro level and the lessons that might be drawn in respect to the potential for wider effects.



Our empirical analysis draws on (surveyed) data involving two different levels (Niemeyer 2020):

1. Underlying reasons (attitudes to *considerations*: subjectivity, values, beliefs) involving specific arguments and/or claims in respect to the issue; and
2. resulting preferences (choices between policy *options*) involving all relevant alternatives.

In practice, underlying reasons are captured by surveying responses to statements pertaining to the issue in question. The selection of these statements follows the Q methodology, used here as a form of discourse analysis (Niemeyer 2020). Statements contain assertions about the nature of the issue (beliefs), importance of particular ends (values) or a combination of both. Preferences are surveyed by rank-ordering of policy options. Data is obtained for both levels immediately before and after deliberation.

We draw on both levels of data (attitudes to considerations and preferences) to analyse deliberative transformation in simple form. But we also draw on different forms of analysis involving one or both levels of data to perform more specific analyses of discursive and co-ordinative potential.

#### *Assessing discursive potential*

The discursive function is analysed using a combination of analysis of discourse drawing on data regarding attitudes to underlying considerations – via the Q method (Niemeyer 2020), which uses inverse factor analysis to group like-minded individuals together into factors, which are subsequently interpreted as discourses. We combine this analysis with qualitative assessments of deliberation for each of the cases.

#### *Assessing co-ordinative potential*

As discussed earlier, our assessment of ‘co-ordinative potential’ focuses on analysis of ‘deliberative reasoning’, using the Deliberative Reasoning Index or DRI (Niemeyer and Veri 2022). Here, DRI captures the extent to which there is a meaningfully shared understanding of the issue and how far its relevant considerations are integrated into reasoning, resulting in regularities of understanding in cause–effect relationships that guide judgments regarding what should be done. Our claim that high DRI contributes to co-ordinative potential is predicated on the embodied justificatory basis of the resulting preferences – that basis for reasoning being an emergent property of deliberation among the group (*see Niemeyer et al. 2023*)



The DRI method is detailed in Niemeyer and Veri (2022). It builds on the concept of intersubjective consistency (Niemeyer and Dryzek 2007). This is obtained by calculating the difference in level of agreement among considerations and preferences between pairs of individuals.<sup>2</sup> The results for all possible pairs are then aggregated and transformed into a -1 to 1 range to produce the DRI value. A result of '1' reflects very high deliberative reasoning for the group, in which the group-members share a 'representation' of the issue – that is, they cohere toward mutually shared lines of reasoning, even if they do not agree on outcomes – as well as mutually agreeing on the integration of all relevant considerations into reasoning. A result of '0' reflects likely overall absence of reasoning and a result of '-1' reflecting a (very unlikely) perfectly inconsistent reasoning situation (Niemeyer and Veri,2022). Higher DRI for a given case reflects improved group reasoning, such that there is greater confidence that outcomes more accurately reflect both greater understanding and improved translation of what individuals value as important and come to believe about how these values are impacted by different courses of action.

## VALSAMOGGIA INIZIATIVE DI REVISIONE CIVICA

The first case study is a local deliberative experiment, the *Iniziativa di Revisione Civica* (IRC), held in 2012, in Bologna province, Italy. Twenty local citizens, selected through stratified random sampling, deliberated and voted on a proposal to merge five small local councils into a larger merged council covering a large area near the city of Bologna. The merged council would replace an existing body called *Unione*, which already provided a modicum of integrated governance. The IRC process was commissioned by local administrations prior to a referendum to be held on the issue. These administrations (in favour of the merging) supported the IRC as a means to innovate political participation, which they believed would legitimise 'good reasons' for proceeding with amalgamation, displacing their opponents' populist arguments that relied on symbolic politics (Niemeyer 2004). Nevertheless, local opposition parties and activists from the 'no' side participated in the IRC – partly driven by interest in democratic engagement but also because they viewed the IRC as a convenient platform to express their objections in a forum that rebalanced their opponents' access to influence and resources.

After three days of intense deliberation, a survey of preferences for IRC participants indicated overwhelming support in favour of the amalgamation (17 for, 2 against, 1 abstention). By contrast, their written report highlighted a long list of weaknesses characterising the merger proposal. That report was

originally intended to be distributed to residents in the lead-up to a referendum on the issue, providing them with material support in drawing their own conclusions (similar to that described by Warren and Gastil 2015). However, this did not occur – it was rendered impossible because intense bureaucratic oversight proved incapable of adapting to a relatively novel approach. Nevertheless, the IRC did feature strongly in public debate but this was dominated by the outcome of the internal vote, rather than the reasoning outlined in the report (Felicetti, Niemeyer and Curato 2015).

### Co-ordinative potential

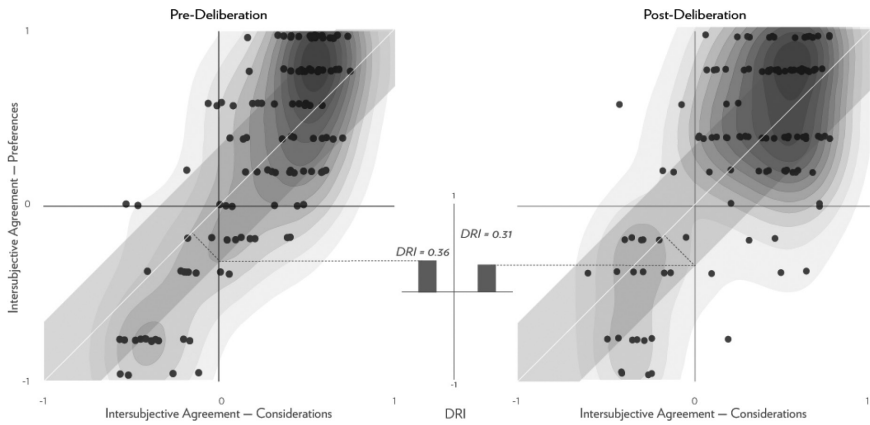
Despite an overall transformation in respect to both opinion about underlying issues (considerations; responses to Q statements) and policy preferences (Table 8.1), the overall effect of deliberation seems relatively small, with a slight increase in favour of the proposal to amalgamate the municipalities but also toward favouring the *status quo* – under conditions of low overall consensus before and after deliberation. There is no discernible trend in the direction of change.

The relatively close average rank across the four options, resulting from low overall consensus, can be seen in the DRI plots for both stages in Figure 8.1 – via the distribution of plots across the y-axis, indicating low overall agreement on preferences. Nevertheless, there is a moderately high DRI before deliberation, due to a commensurate (and consistent) level of disagreement regarding considerations. However, a decline in DRI was observed during the process, from 0.36 to 0.31. This is highly unusual for mini-public deliberation, particularly where the issue is comparatively straightforward. This appears to result from an overemphasis on co-ordinativeness over discursiveness (Niemeyer *et al.*, 2023), made more dramatic in this case though the use of voting by showing hands during the deliberative process.

**Table 8.1.** Pre- and post-deliberative option ratings: Valsamoggia IRC

Option	Option description	Pre-deliberation	Post-deliberation
<b>1. Unione</b>	Increase power of the existing <i>Unione</i>	1.9 (1)	2.3 (2)
<b>2. NO</b>	Leave things as they are	3.4 (4)	3.6 (4)
<b>3. YES</b>	Go ahead with amalgamation as proposed	2.0 (2)	1.8 (1)
<b>4. Postpone</b>	Postpone amalgamation	2.7 (3)	2.3 (2)

Rankings out of 5 (most- to least-favoured, pre-deliberation). Overall rankings shown in parentheses.



**Figure 8.1.** Iniziativa di Revisione Civica *Deliberative Reasoning Index*

We thus have a situation where there has been a small shift in favour of accepting the amalgamation proposal but an apparent (albeit not statistically significant) decline in the deliberative reasoning that has informed that result. The design of the internal deliberation is part of the story, including over-emphasis on co-ordinativeness. The co-ordinative potential of the outcome is further diminished by the narrow agenda-setting of authorities prior to the IRC, concerns about which were expressed in the report but were never successfully conveyed to the wider public.

### Discursive potential

In contrast to the limited information transmitted to the public in the form of aggregated votes resulting from questionable deliberative practice, Felicetti, Niemeyer and Curato (2016) report on the discursive potential embodied in the citizens' report, which details nuanced positions and arguments. If it had been distributed, its role in meaning-making might have been less in helping determine the best course of action between a binary yes/no choice than in creating conditions for questioning the legitimacy of the wider process for deciding on amalgamation.

However, this arguably important input into public debate was overridden by (over)emphasis on co-ordinativeness. The overriding desire by authorities to arrive at a decision was prioritised over participants' expressed frustration regarding the narrowness of the remit and the relatively late deployment of mini-public deliberation (Felicetti, Niemeyer and Curato 2016).

## **SYDNEY CLIMATE CHANGE ADAPTATION FORUM**

The second case study refers to another local deliberative experiment, the Sydney Climate Change Adaptation Forum (SCCA). This mini-public on climate change involved a broadly similar design to that of the Valsamoggia IRC case, but with the difference that it was intended as an agenda-setting exercise that developed its own recommendations. The issue involved climate change adaptation within the City of Sydney. The SCCA, like the Valsamoggia case, was commissioned by a decision-making body, in this case, the City of Sydney, as part of a wider project developing a strategy for anticipating and adapting to the effects of climate change, in co-operation with academic researchers. The SCCA had strong political support. The resulting citizens' report provided an important contribution to public policy in a broad/advisory sense and was incorporated by the council in the development of its adaptation plans (Schlosberg, Collins and Niemeyer 2017).

The SCCA deliberative event itself involved 23 participants drawn from a stratified random sample, participating in a two-and-a-half-day event. The process sought to draw out citizens' own priorities in respect to adaptation, in light of the climate change information that was being presented to them (Schlosberg, Collins and Niemeyer 2017). These priorities were gathered into a brief citizens' report that was presented to the city council (City of Sydney 2014).

### **Co-ordinative potential**

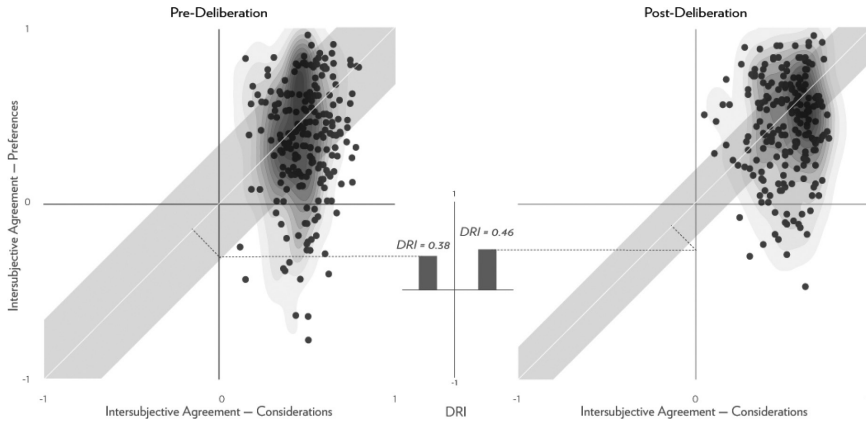
The overall level of transformation associated with the Sydney Climate Change Citizens' Panel (SCCP) is comparable to the Valsamoggia case study. The discursive transformation was moderate but consistent (Table 8.2). To be sure, the policy options outlined in Table 8.2 are relatively broad in nature compared to the Valsamoggia case – based on generalised options so as not to pre-empt any recommendations. Nevertheless, they do convey meaningful results. The emphasis on educational programmes in particular is broadly consistent with findings from a similar Australian case study, as is the increased emphasis on action (Hobson and Niemeyer 2011).

In contrast to the IRC case, it can be seen from Figure 8.2 that the SCCA process did result in an increase in deliberative reasoning (*see* Niemeyer *et al.* 2023) – the DRI increased from 0.38 to 0.46 ( $p < 0.1$ ). Post-deliberation, a relatively high level of policy dissensus, compared to relatively strong agreement regarding surveyed considerations, does persist, but there is an improvement nonetheless.<sup>3</sup>

**Table 8.2.** Pre- and post-deliberative preference rankings: SCCA

Option	Option description	Pre-deliberation	Post-deliberation
<b>1 Protect infrastructure</b>	The City should plan for any deep structural change necessary to protect all infrastructure and operations of the City.	2.41 (1)	2.27 (2)
<b>2 Individual action</b>	The City should implement education programmes and assistance for individual households and businesses to develop their own plans to accommodate and adapt to climate change.	2.45 (2)	2.23 (1)
<b>3 Withdraw</b>	The City should make plans to withdraw from vulnerable areas and relocate or abandon threatened infrastructure.	3.82 (5)	4.23 (5)
<b>4 Growth</b>	Adaptation should be focused on ensuring continued economic growth of the City of Sydney.	4.5 (6)	4.14 (6)
<b>5 Research and development</b>	More research and development is needed to inform an appropriate adaptation policy.	3.45 (4)	3.32 (3)
<b>6 State co-ordination</b>	Adaptation really needs to be co-ordinated at the State level (rather than the local council level) in order to be effective.	3.32 (3)	3.86 (4)
<b>7 No action</b>	The City doesn't need to take any action on climate adaptation.	6.27 (7)	.95 (7)

Note: rankings out of 7 (most- to least favoured, pre-deliberation). Overall rankings shown in parentheses.



**Figure 8.2.** Sydney Climate Change Adaptation Forum Deliberative Reasoning Index

Importantly, the observed DRI improvement appears to be driven by the transformation of the thinking of a small number of individuals who had previously held strident views in respect to climate change. This is consistent with the politics of climate change in Australia, where such a minority has dominated government policy. This example neatly demonstrates the relationship between co-ordinativeness and discursiveness.

### Discursive potential

Although there is considerable variation among Australian climate sceptics (*see* Hobson and Niemeyer 2013), in this case, it is consistently associated with a tendency to climate adaptation in terms of managing risk and preserving existing infrastructure, lifestyles and so on in the face of change. This perspective is captured by the Reactive Pragmatism discourse (B) observed prior to deliberation reported in Figure 8.3 below (*see* Schlosberg, Collins and Niemeyer 2017).

Not only did deliberation transform the reactive pragmatism of these individuals, it transformed the discursive foundations of reasoning around the question of climate change adaptation. The pre- and post-deliberation discourses are represented in shown in Figure 8.3. Discourses before deliberation were dominated by pragmatic questions concerning the maintenance of the *status quo* in the face of change – either by investing in infrastructure management or denying the issue. By contrast, the post-deliberative discourses tended to coalesce around three themes (Just Transformation, Practical Transformation and Community and Environmental Transformation). The largest post-deliberation discourse (A', Just Transformation) incorporated

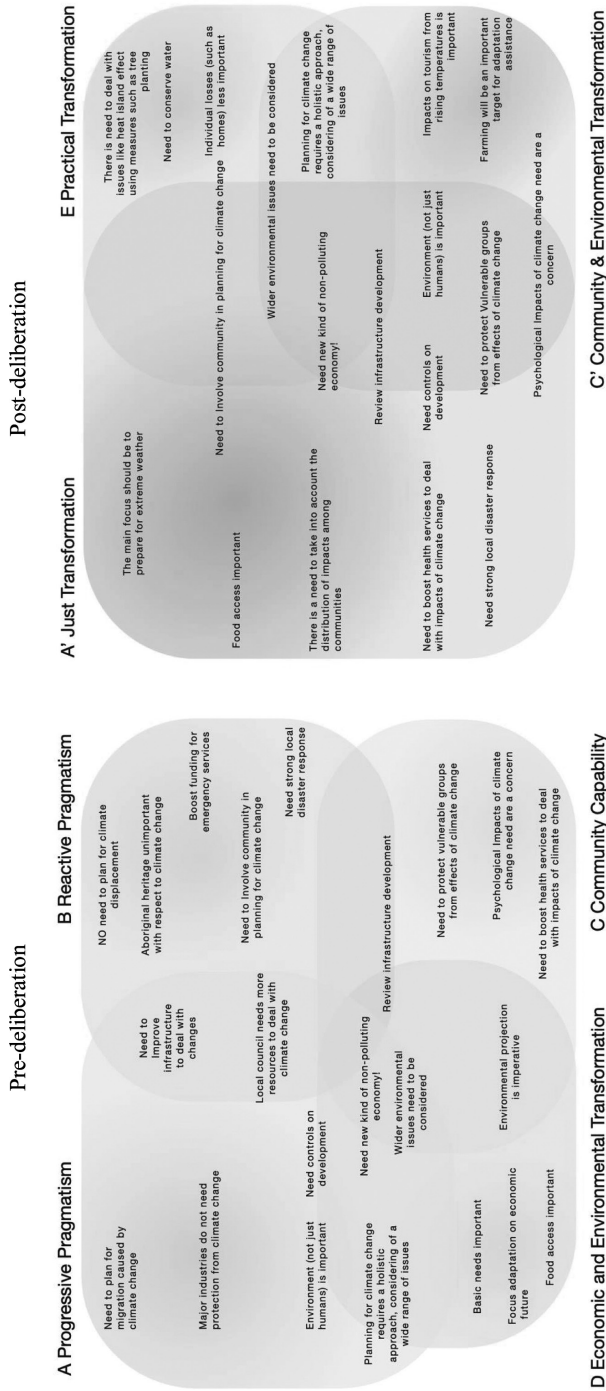


Figure 8.3. Sydney Climate Change Adaptation Forum discourses

ethical concerns dealing with distributional impacts, recognising the disproportionate impacts of climate change on the most vulnerable.

That deliberation transformed the very nature of how climate change action was perceived was also observed in another case of deliberation on climate change studied by Hobson and Niemeyer (2011) in Australia, where climate change politics and public discourse has been historically problematic. Both cases also demonstrate the potential to transform these dynamics. An important question concerns how and whether the uptake of discursive outcomes by decision-makers is sufficient.

### UNDERSTANDING MACRO IMPACTS OF MINI-PUBLICS AND THEIR DIFFERENT FUNCTIONS

Insights from the two case studies allow us to reflect on the relationships between the co-ordinative and discursive functions of deliberation with respect to their impact on the deliberative system.

Observations from our two case studies reinforce concerns regarding hard-wiring the logic of ‘deliberate then vote’ into mini-public design to fulfil its co-ordinative function (*see also Niemeyer et al. 2023*). The Valsamoggia CRI case demonstrates how this approach not only undermines the micro-political dynamics of mini-publics, including their co-ordinative potential; it also raises legitimacy questions regarding agenda-control and decision-framing. By contrast, and counterintuitively, the ‘deliberate then propose’ logic of the SCCA – which focused on report-writing rather than a voting procedure – improved the co-ordinative performance.

Secondly, we not only doubt that aggregating preferences is a valuable way to convey mini-public outcomes to decision-makers: it also potentially counteracts discursiveness and, consequently, co-ordinative potential. We cannot be sure about the impact of such practices on the micro-politics of deliberation but we are at least confident that, in many cases, aggregation fails to convey substantive considerations to decision-makers. There is a good deal of evidence that decision-makers often fail to adequately engage with mini-publics, even in terms of the putatively simpler co-ordinative form (Setälä 2017). It is worth considering whether a shift in favour of a more discursive role might help to address this situation.

Thirdly, we reject the practice of focusing exclusively on co-ordination as an outcome of deliberative mini-publics and conveying aggregated policy preferences as the primary output. Although these concerns are not new (Rogers 1949) they mirror a growing movement against an excessive focus on polling in contemporary politics. Specifically, the exclusive focus on the co-ordinative dimension of mini-public outcomes, insofar as it appears to impact



on the micro-politics of deliberation, is (again) likely to impact the discursive dimension in wider publics.

The Valsamoggia CRI was commissioned in conjunction with a forthcoming local referendum. This meant that the main contribution that the assembly could potentially make to the local deliberative system was informing citizens when they were making their choices (Warren and Gastil 2015). This function does not require a ‘deliberate than vote’ approach. By contrast, the intent was to provide participants an opportunity to engage in depth with each other and with experts in writing a report on their reflections about the referendum, to the benefit of the wider public (Unione di Comuni Valle del Samoggia 2012). That the case fell short of achieving its discursive potential reflects a combination of micro- and macro-processes interacting in the deliberative system, the common connection reflecting overemphasis on co-ordinativeness over discursiveness.

In the Valsamoggia CRI case, while public debate focused on the weight of for or against votes by participants, the participants’ greatest concern incorporated two related issues, the cumulation of which puts in question the merit of a referendum, as was proposed (Gruppo di Revisione 2012). The first issue concerned the lack of a clear plan with respect to the amalgamation proposal, which hindered the possibility of an informed decision. This problem was only exacerbated by a second point: what deliberators saw as a severe lack of high-quality participation in the lead-up to the event. Essentially, participants claimed that much more substantial deliberation at institutional and public-sphere levels was needed, before conducting a referendum. The main transformative effect of CRI internally was to raise concerns regarding the referendum and the processes leading to it. Our analysis suggests that any co-ordinative potential in terms of the actual referendum outcome was internally undermined. Participants’ pre-deliberative positions were transformed via forces that reflected neither consistent deliberative reasoning nor the actual reasoning that was articulated in their own citizens’ report. Their more nuanced positions were simply condensed into the act of voting and conveyed to an unsuspecting public, as well as undermining their own internal group reasoning.

The debate that followed the release of the participants’ report focused almost exclusively on the outcome of their internal vote, where a majority of participants expressed support for the amalgamation (*see* Ruscigno 2012). Their appeal in the same report criticising the amalgamation process, demanding clarification and greater meaningful participation in how it was shaped, was not only overlooked; it was entirely disregarded.

The more nuanced report was not circulated to the community as planned. Organisers realised late in the process that doing so officially would potentially contravene local laws. Dissemination of the report was instead left

to local partisan actors, who chose to convey its content in a highly selective fashion. Local government officials emphasised the ostensible support for the amalgamation proposal. Opponents highlighted participants' scepticism regarding the conduct of the local administration regarding the amalgamation process.

We argue that tension between the criticism of the amalgamation proposal and support for it implied by internal voting during the IRC does not necessarily connote inconsistency among the deliberative group in terms of reasoning. The post-deliberative DRI remained relatively high. Nonetheless, its decline did reflect a procedural breakdown. The focus on (co-ordinative) outcome appeared to foreclose the discursive function, undermining the expression of more nuanced discursive content that nonetheless conveys important substantive concerns. Internally, IRC participants wrestled with competing demands to do justice to the matter in its complexity. This contrasts with the organisers' focus on (co-ordinative) decisiveness — illustrated by the deployment of an impromptu vote mid-process. Not only did the vote fail to convey important discursive content, it may also have served to disrupt the process of deliberative reasoning (*see Niemeyer et al. 2023*).

Despite these challenges, the citizens' report stood to make a substantive discursive contribution to the public debate, if properly disseminated. It featured a detailed discussion that engaged with all possible actions arising from the IRC, which were also discussed in the public sphere. Three of these (increase the power of the existing *Unione*; leave things as they are; or postpone the amalgamation) were critical of the amalgamation process. Only one (proceed with the amalgamation as proposed) was supportive of amalgamation. Accordingly, much of the report is devoted to discussing the procedural and substantial criticisms of the amalgamation. On the other hand, the narrowly framed referendum question forced citizens into a binary yes or no choice, following a predefined amalgamation model. This, combined with the fact that the participants' least-favourite option was retaining the *status quo*, led participants to endorse by default the only possible form of change (the yes vote). Otherwise, important insights that deliberators provided in their report for fellow citizens were overshadowed by the results of the impromptu vote. The outcome of the vote captured the attention of local media and local political actors alike.

That the prevailing public debate responded mainly to the 'traditional' feedback embodied by the impromptu vote is unsurprising, but regrettable from a deliberative perspective. To be sure, action on appeals within the citizens' report for greater participation and clarity in the amalgamation process would have been difficult to implement at that late stage of the referendum process. Nonetheless, the greatest impediment to a more discursive approach involved prevailing local institutional and political settings — settings that the

content of the report sought to address. The highly adversarial political culture dominating the referendum process rendered prospects for improvement in deliberative capacity via implementation of a single deliberative mini-public highly unlikely. But not impossible. Countervailing forces included those that supported the mini-public to ameliorate these same (non-deliberative) dynamics. However, strategic politics remained the dominant force. Both of the main parties (local government and opposition) accepted participation in the mini-public in the genuine belief that the better argument would win; but neither party was prepared to concede on those same terms, such is the nature of highly adversarial settings (Hendriks 2006).

Nonetheless, neither political party questioned the legitimacy of the IRC, as might have been the case (Parkinson 2006; Lafont 2015). In principle, there could have been at least two grounds to do so. First, the mini-public was commissioned by the local governing administration. Opposition forces participated in it but were not given an opportunity to shape the event, potentially contributing to a flawed design (Felicetti, Niemeyer and Curato 2015). Second, these design flaws included the impromptu vote that (we argue) reduced the legitimacy of the event, condensing discursive reasoning into electoral (co-ordinative) logic, silencing appeals to remedy a flawed amalgamation process. The *pax deliberativa otherwise* afforded by the mini-public was soon displaced by clashes between proponents and opponents of the amalgamation.

By contrast, the SCCA was not conceived as a political short-cut to wider citizen deliberation. Nor was it instrumentalised to cut short public debate, as occurred in the IRC. Part of this can be attributed to internal design. Deliberators discursively established options, rather than being asked to arrive at a collective dichotomous choice. Deliberators were able to explore a range of policy options and clearly identify those they preferred. The City of Sydney council retained the power to (reasonably) determine their response to recommendations, including outlining opportunities to develop them over time. The SCCA's report included overarching principles, followed by outlining climate-related risks they considered important, which informed a series of specific recommendations. This combination of conclusions supported by reasoning contrasts with the generation of an easily disregarded 'wish list'. Discursiveness supported co-ordinativeness. Decision-makers considered the content of the report and incorporated a number of findings into a draft climate change adaptation strategy (City of Sydney 2015).

The SCCA outcome contrasts starkly with the CRI, where imbalance meant co-ordinativeness trumped discursiveness, even though there was substantive discursive content to transmit. Both the SCCP's and CRI's reports had the potential to convey complex reasoning arising from deliberation. But only the former succeed in contributing to systemic deliberation.

The key difference between these cases is (over)emphasis on voting as the co-ordinating mechanism. The implication is not to dismiss outright the ‘first talk, then vote’ model. Goodin (2008: 114) rightly suggests that pairing voting to deliberation may help break discursive path-dependency in which ‘natural’ starting points in a conversation may bias subsequent discussion in arbitrary ways (Goodin, 2008: 116–17). However, we do argue that priority should be given to discursiveness, to prevent it from being overwhelmed by co-ordinative impulse. The use of preference-aggregation to transmit the outcome of deliberation involves its own risk of path-dependency. Against Goodin’s (2008: 214) claim that deliberative processes ‘make the ultimate decisions through more purely aggregative procedures’, we suggest that no decision that conveys discursiveness via reasoning is better than a definitive outcome that jettisons publicity and, as a result, reasoning entirely.

Our two case studies demonstrate that aggregation not only fails to convey deliberative reasoning, it may actually serve to forestall it. The likelihood of such an outcome is partly situational, exacerbated where the outcome of a deliberation process is transmitted into a highly agonistic (non-deliberative) polity. In those cases, even greater care is needed to avoid cutting short the wider public and the discursive process.

Second, far from establishing grounds for deliberative politics, voting tends to expose deliberation to agonistic logics without strengthening their ability to deal with them. In particular, voting at the end of a deliberative forum is bound to establish a divide between winners and losers. Rather than engaging all actors in reason-giving, this divide may induce winners to savour victory without reflection on merit and losers to question the credentials of the deliberative process. On the one hand, boasting about the results of a vote may add little or nothing in terms of the quality of an argument, or, for that matter, system-wide deliberation. On the other hand, direct attacks on deliberative forums may not be negative from a systemic standpoint to the extent that they may point out weaknesses of the deliberative process (Parkinson 2006). Nonetheless, reiterated attacks, dictated more by strategic reasons than genuine concern with forums, are, arguably, detrimental to the promotion of deliberative democracy. Overall, forums oriented toward adopting a ‘deliberate then vote’ approach seem highly exposed to legitimacy questions. In this respect, Lafont’s (2015) argument on the lack of legitimacy of mini-publics offers food for thought. The more mini-publics are seen as instruments of preference-aggregation and for conveying decisiveness, rather than as means of preference-formation, the more they seem in need of a legitimacy justification. To say it with Lafont, mini-publics are not a ‘feasible shortcut for realizing deliberative democracy’ (*see also Dryzek 2017*). Indeed, mini-publics that boast alleged decision-making capability may be far from acquiring any comparative advantage in this respect. Rather, mini-publics should

be thought of as components whose contribution to systemic deliberation can vary greatly – not just because of their micro-qualities but also because of the way in which the forum is placed in the macro context.

In short, we argue that the emphasis for mini-publics should be on their discursive role as deliberation-makers. That is not to say they play no co-ordinative role, that they should be devoid of decision-making power especially in the context of extant democratic systems, where such power may be remote from citizens – or even from elected representatives. However, at a minimum, deliberative democrats should be aware of the risks involved in overemphasising co-ordinativeness by introducing mechanisms (such as voting) that give forums a greater decisiveness, at the risk of loss of discursiveness and associated benefits – epistemic (particularly in communicating deliberation contents) and legitimacy. Here we emphasise the discursive role of mini-publics and the transmission of reasoning into the wider system, rather than seeing them as (suboptimal, even potentially counterproductive) proxies for deliberative democracy.

## CONCLUSION

Deliberative theorists and practitioners have devoted a great deal of effort to developing ‘good-quality’ deliberative processes. This attention to micro-aspects of deliberation has been increasingly challenged by a focus on macro-aspects. That is, in the aftermath of the systemic turn in deliberative democracy, it is increasingly clear that the interaction between mini-publics and their contexts are an integral part of the effort to build successful deliberation. This chapter sought to bridge both perspectives, to shed a light on the complex ways in which the interaction between micro- and macro-elements affects the ability of mini-publics to contribute to systemic deliberation. In light of our analysis of two case studies, we argue that mini-publics may make a greater contribution to the deliberative system if they adopt a ‘deliberate then propose’ approach, instead of a ‘deliberate then vote’ one. Different assemblies may come to resemble more or less closely one or the other approach. As this chapter shows, the decision between the right mix of deliberation-making and decisiveness needs to be made on the basis of the local context and the type of problem at hand. Relatedly, we have argued for a fundamental rethinking of the relationship between the co-ordinative and discursive functions of deliberation and the logics of aggregation *vis-à-vis* those of deliberation. Aggregation mechanisms may be necessary at some stage in the deliberative system but they are certainly not the natural outcome of mini-public deliberation. Likewise, within the context of broader deliberative systems, mini-publics’ ability to perform a discursive rather than only a co-ordinative function should receive greater attention.

## NOTES

- 1 See <https://www.oecd.org/gov/innovative-citizen-participation-and-new-democratic-institutions-339306da-en.htm>.
- 2 See Niemeyer and Veri, 2022, for a more detailed description.
- 3 In the case of policy preferences, this could reflect the fact that the survey instrument did not really reflect the focus of participant deliberation, or the content of their report to decision-makers (City of Sydney 2014)

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## *Chapter Nine*

# **Democratic Innovations and the Environment: Impacts of Public and Citizen Participation in Environmental Decision-Making**

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### **INTRODUCTION**

Democratic innovations in the governance of climate change, sustainability and the environment currently receive widespread attention, as the recent citizen assemblies in Germany and France on these matters illustrate (Kübler, Kirby and Nanz 2020; Eymard 2020). Apart from these high-level initiatives, public participation and democratic innovations have proliferated environmental governance over the last decades, especially below the national level. These initiatives are tied to high hopes of setting new incentives for addressing the urgent sustainability challenges of our time while at the same time improving the state of our democracies (Geissel and Newton 2012; Smith 2009; van der Does and Jacquet 2021; *see also* Ryan, Chapter One in this volume) and to leading further favourable social and collaborative outcomes (Jacquet and van der Does 2021). Yet, empirical insights into potential benefits of public participation remain sparse. Often originating from a myriad of single, unrelated case studies, empirical research has mainly focused on more immediate social and collaborative outcomes, such as learning, trust-building or conflict resolution, leaving aside the effectiveness of decisions (Pogrebinschi and Ryan 2018), such as environmental repercussions, both positive or negative, here referred to as the environmental standard of a decision. Hence, in this chapter, I aim to shed light on the questions of if and how democratic innovations and public participation lead to environmentally favourable and socially acceptable outcomes, shedding light, in particular, on the mediating effect of social and collaborative outcomes.

To approach these questions, I rely on a unique dataset of 153 cases of citizen participation in environmental decision-making from democratic, western countries (Newig *et al.* 2021). This data was generated through a meta-analysis of published case studies (case survey method), in which qualitative case studies were transformed into numeric data by means of a coding process guided by a comprehensive, theoretically informed coding scheme (Newig *et al.* 2013). In this way, the case survey method combines the richness of case study research with the structured comparison of large-N comparative analysis (Larsson 1993). In the analysis, I use structural equation modelling (SEM) to examine the causal pathways through which different dimensions of participation impact environmental governance outputs and their social acceptance, mediated through intermediate social outcomes such as learning or trust-building.<sup>1</sup>

The findings of this chapter suggest that public participation may indeed enhance the environmental standard and social acceptance of governance outputs, albeit to varying degrees depending on the specific dimension of participation. This relationship is mediated through two broad clusters of interlinked social and collaborative outcomes, one around capacity-building and one around the convergence of perspectives of those involved. The analysis also provides some more nuanced insights as to the limits of participation.

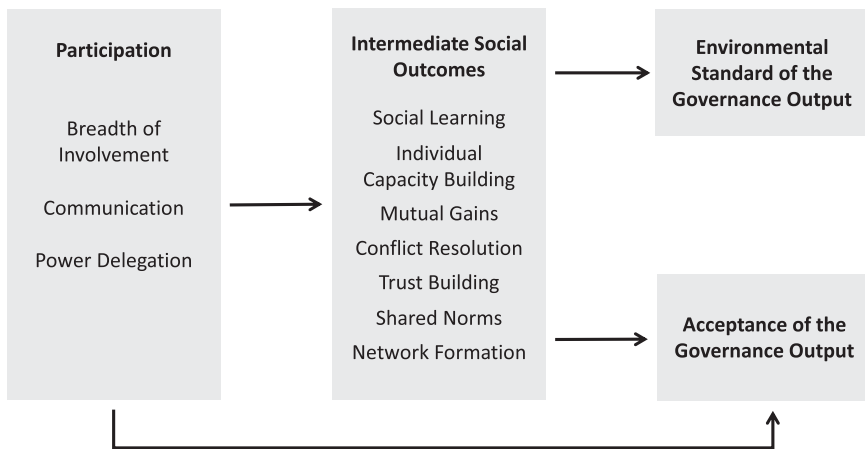
### **HOW ARE DEMOCRATIC INNOVATIONS EXPECTED TO IMPROVE ENVIRONMENTAL DECISION-MAKING?**

Democratic innovations are understood here as new institutions ‘developed to reimagine and deepen the role of citizens in governance processes by increasing opportunities for participation, deliberation and influence’ (Elstub and Escobar 2019: 11). Hence, the key point of departure is a public governance and decision-making process striving for a collectively binding decision on some environmental matter (Newig *et al.* 2018).

The overall hypothesis of this chapter is that democratic innovations and public participation have a positive impact on the environmental standard of governance decisions and on their social acceptance. In the literature on environmental governance, public participation is often brought forward to effectively solve complex sustainability problems (Heinelt 2002; Carr, Blöschl and Loucks 2012); to raise acceptance of governance decisions (Birnbaum 2016); and to smooth their path to implementation (Bulkeley and Mol 2003).

Newig and colleagues (2018; 2019), in a comprehensive review, compiled various pathways through which public participation may prove beneficial for the environment. Disentangling public participation in its different procedural dimensions and identifying a number of intermediate social and collaborative effects, they distil five clusters of mechanisms through which public participation may have positive environmental impacts. Public participation may prove beneficial as it opens up decision-making processes to environmental advocacy; through delivering new environmentally relevant knowledge; through providing venues for deliberation to realise mutual benefit and common good; through resolving conflicts; and through fostering capacity and willingness for implementation and compliance. However, if and when public participation has a positive effect on the environment is disputed and research gaps remain as to how and through what mechanisms such a positive impact would unfold (Gerlak, Heikkila and Lubell 2013).

To approach this question and explore different pathways through which participation may have an impact on environmental governance decisions and their acceptance, I will rely on an input–output model of democratic innovations (Gastil *et al.* 2017). Within this model, the characteristics of democratic innovations and public participation serve as independent variables, which are hypothesised to produce several intermediate social outcomes and eventually influence environmental outcomes. Figure 9.1 summarises this conceptual model.



**Figure 9.1.** Conceptual Model linking participation to outcomes

Source: adapted from Jager *et al.* 2020.

As the definition of democratic innovations already suggests, three dimensions of participation help characterise and map the inputs or characteristics of participatory processes (Fung 2006; Newig *et al.* 2018):

1. *Breadth of involvement*: who participates in the process (e.g., invitation of few selected experts or citizens, or open for the general public)?
2. *Information and communication flow*: how do participants exchange information and communicate, (e.g., one-way information provision *versus* deliberative communication)?
3. *Power delegation to participants*: to what extent can participants influence the substance of decisions?

These three dimensions serve as the input, or independent variable, for our analysis, as they are assumed to have varying effects on the social and environmental outcomes of governance processes. When designing participatory processes, decision-makers are able to emphasise these three dimensions to different extents, by choosing the particular process format, such as different techniques and approaches of democratic innovations, through which citizens and stakeholders may be able to participate, deliberate and co-decide.

With regards to the output, I differentiate between the governance output itself, the acceptance of this governance output, and several intermediate social outcomes. *Governance output* typically comprises a collectively binding decision, programme or plan that constitutes the end product of a (participatory) decision-making process. In the case of environmental governance, this governance output can have a higher or lower environmental standard, depending on the provisions and measures included. These differ regarding their various consequences for the environment, ranging from tolerating severe environmental degradation to pushing for wide-ranging environmental improvements.

*Acceptance* of the governance output is a central function of public participation, as it forms an important link between the content of a decision and its implementation (Birnbaum 2016; Newig *et al.* 2018). Democratic innovations may enhance acceptance in multiple ways: (i) through participation and direct representation, stakeholders may experience greater ownership of the decision, especially if it reflects their interests (Brody 2003); (ii) but even if the output deviates from their own interests, participants may also accept the decision if the process is deemed fair and trustworthy (Webler and Tuler 2000; Wondollock and Yaffee 2000).

Intermediate social and collaborative outcomes serve as causal links through which democratic innovations and public participation are assumed to foster their acceptance and increase the standard of governance outputs.

Based on the literature, I identified the following: social learning and individual capacity-building; identification of mutual gains for participants and conflict resolution; trust-building and development of shared norms; and network-formation.

Learning processes can take place individually and collectively (Gerlak and Heikkila 2011). On both the individual and the collective levels, deliberative processes, dialogue and knowledge-sharing are fundamental for enabling learning processes (Newig *et al.* 2019). *Individual capacity-building* refers to a process where individuals are exposed to new knowledge and acquire new skills and competences for specific problem-solving (Beierle and Cayford 2002), for decision-making process participation, or for becoming ‘better citizens’ more generally (Michels 2011). *Social learning* involves a collective dissemination process, during which knowledge becomes situated within a wider group of participants (Gerlak and Heikkila 2011). Through the exchange of knowledge and perspectives, a group can arrive at a shared understanding that may prove instrumental for a better diagnosis of the problem at hand, for finding appropriate solutions, and for creating joint purpose and collective action (Emerson and Nabatchi 2015; Muro and Jeffrey 2012). Both individual and collective learning processes may increase the effectiveness of decision-making processes by giving access to new knowledge and generating innovative ideas that benefit the environmental standard of the output. Where learning further extends to the social and institutional environment and includes matters of social consensus and feasibility, learning may also contribute to the acceptance of governance outputs.

Where strong interests and conflicting positions are involved, deliberative venues may provide a space and the means for the identification of *mutual gains* and the *resolution of conflicts* (Delli Carpini, Cook and Jacobs 2004). A transparent exchange of issue-specific and underlying interests and positions through intensive dialogue may spur an improved mutual understanding of actors’ stakes and preferences and the identification of common ground among participants (Ansell and Gash 2007; Emerson and Nabatchi 2015). These recognitions may provide a common basis for breaking stalemates, help identify win–win potential, and/or more broadly facilitate more constructive and collaborative interactions towards widely acceptable solutions (Dukes 2004). Resulting governance outcomes may then cater to the interests of all or many of the affected parties, including the environment, which is likely to have a positive effect on the outcome’s environmental effectiveness and acceptance (Brody 2003; Susskind, McKernan and Thomas-Larmer 1999).

Whereas learning and win–win solutions may directly impact the environmental standard of governance outputs, *trust-building* and the *development*

*of shared norms* are less direct consequences of public participation (Jacquet and van der Does 2021) and provide a foundation more generally underpinning successful environmental governance (Bryson, Crosby and Stone 2006; Getha-Taylor *et al.* 2019). Trust may be generated through repeated and reciprocated interactions and communication. Once accumulated, it can generate mutual commitment and confidence in partners' competence, facilitating further collaboration (Chen and Graddy 2010). Such sustained interaction and shared experiences among actors, on a more fundamental level, can then serve as basis for the development of shared values conducive to collaboration and reciprocity (Thomson and Perry 2006). Trust and shared norms accumulated in this way may be conducive to establishing a shared sense of purpose and are favourable conditions for effective environmental problem-solving (Heikkila and Gerlak 2013), with positive consequences for the environmental effectiveness and acceptance of governance decisions (Webler and Tuler 2000).

Finally, from a structural perspective, repeated interactions and communication through participatory processes may foster the formation of more durable relationships in the form of governance *networks* (Klijn and Koppenjan 2016). Such networks allow actors to share knowledge and information and to realise common interests, for example, in turn providing the structural means for realising some of the previously discussed intermediate outcomes, such as social learning (Newig, Günther and Pahl-Wostl 2010), conflict resolution (Klijn, Steijn and Edelenbos 2010), and trust-building (Schneider *et al.* 2003). Hence, networks may foster the mobilisation and exchange of resources between dispersed actors and ultimately collective action and joint problem-solving (Innes and Booher 2004).

Although described separately, I do not assume these intermediate outcomes work in isolation. Rather, they can be seen as forming a web of interlinkages (*cf.* Newig *et al.* 2018). The empirical inquiry addresses these interrelations and patterns of co-occurrence and assesses them in the analysis, in order to explore how, together, they constitute pathways through which the different dimensions of participation impact on the environmental standard and social acceptance of governance outputs.

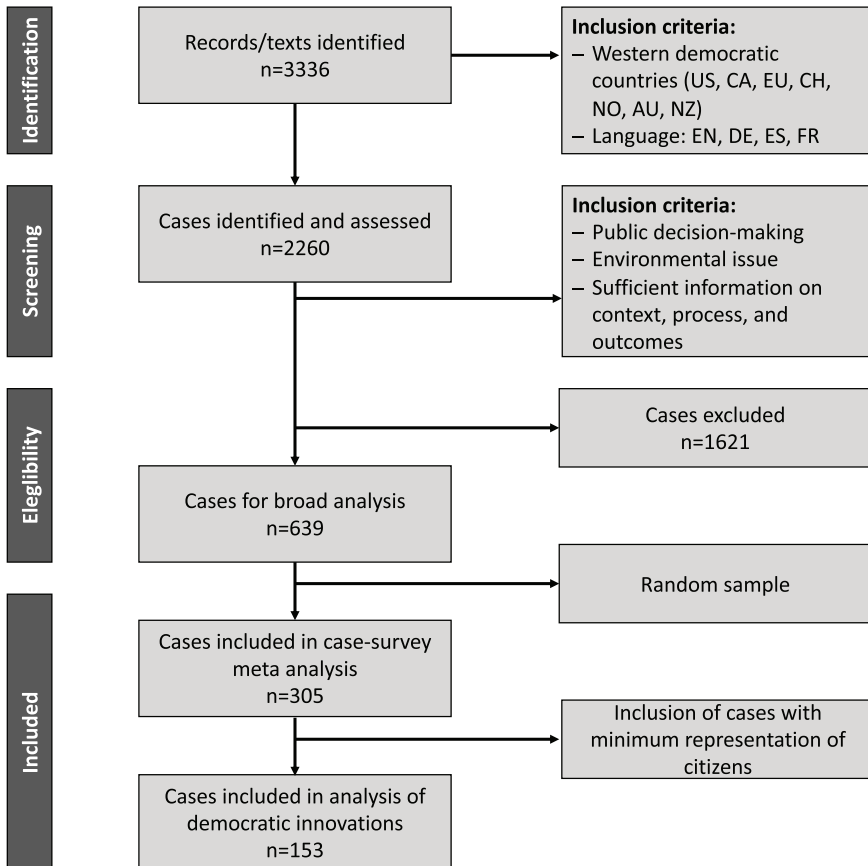
## **DATA AND METHODS: DIGGING THROUGH THE SCAPE DATABASE ON PARTICIPATORY AND NON-PARTICIPATORY ENVIRONMENTAL DECISION-MAKING**

To approach the research question, I rely on the SCAPE database on participatory and non-participatory environmental decision-making (Newig *et al.*

2021), which was compiled using a meta-analysis of qualitative case studies (case-survey method) (Larsson 1993; Yin and Heald 1975). The transformation of qualitative information from narrative case study texts into quantitative data was the core of this method, and provides a numeric interpretation of the rich case material. This standardisation makes this method particularly suitable for synthesising emergent findings in a field dominated by dispersed, single small-N case studies, such as the field of democratic innovations. Within this database, a ‘case’ is defined as a ‘public environmental decision-making process oriented towards reaching a collectively binding decision. A case can be to a lesser or greater extent participatory, ranging from classical political-administrative decision-making to highly inclusive instances of collaborative co-governing.’ (Jager *et al.* 2020: 387). Departing from this definition, the database was built in three consecutive steps (for a more detailed description, see Jager *et al.* 2020; 2021):

1. *Case study identification and selection*: cases in the database were identified through a comprehensive search of several scientific databases and catalogues. The search included published as well as grey literature and focused geographically on Europe, North America, Australia and New Zealand. The systematic search and selection process is displayed in detail in Figure 9.2. Main criteria for inclusion in the database were that cases actually describe a case of public (as opposed to, for example, private) environmental governance, and that it contained sufficient information on all aspects of the case (context, process, outcomes).
2. *Coding scheme development*: a comprehensive coding scheme was developed for the transformation of qualitative case narratives into quantitative data (Newig *et al.* 2013). It contains more than 250 variables that together map the ‘degree’ of participation, together with a detailed assessment of governance outputs, their acceptance, and further social and collaborative outcomes, as well as main contextual factors, thus providing the basis for this analysis. Most variables were coded on a five-point quantitative scale (from 0 to 4, indicating the degree to which the variable reaches a theoretical maximum to be expected under realistic optimal conditions). Additionally, each variable is assigned an extra code measuring the reliability of the case information upon which each variable coding decision was based (from 0 = no information/no variable code to 3 = explicit, detailed and reliable information). This additional information gives an indication of the reliability of the underlying case information.
3. *Case coding*: On the basis of the coding scheme, each case was coded independently by three different coders to allow for divergent interpretations of the case and to increase the reliability of the data. After initial

coding, the three coders met to discuss discrepancies between their codes, aiming to address technical errors and to explore various interpretations but not necessarily to reach consensus. The different codes were, in a last step, aggregated by averaging across the three coders' interpretations. Intercoder reliability – measured through the estimator  $G(q,k)$  (Putka *et al.* 2008) – and intercoder agreement – measured through  $r_{WG}$  (James, Demaree and Wolf 1984) – for the data used in this analysis are both at 0.8, indicating an overall reliable data quality.



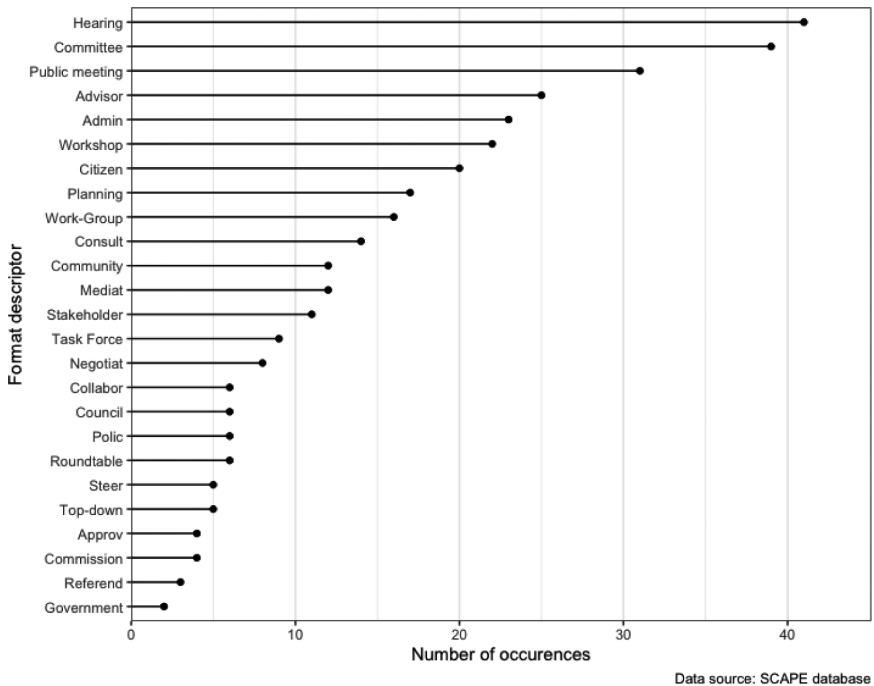
**Figure 9.2.** PRISMA flowchart of case identification and selection

Source: (Moher *et al.* 2009).

Country codes: AU=Australia, CA= Canada, CH=Switzerland, EU=European Union member states (incl. United Kingdom), NO=Norway, NZ=New Zealand, US=United States.

Language codes: DE=German, EN=English, ES=Spanish, FR=French





**Figure 9.3.** Self-description of participatory process formats within case database

Note: Terms on the left depict search terms employed to browse process formats as stated by case authors, e.g. 'Consult' to account for 'Consultation meeting' or 'Consultative group', etc. Up to three process types per case allowed.

Although this dataset was designed to assess the role of public participation and collaboration in environmental governance more broadly, without a specific focus on democratic innovations, it may provide a unique opportunity to assess the environmental and social consequences of these governance formats. To concentrate on processes that correspond to the characteristics of democratic innovations outlined above, I only include in this analysis those 153 cases in which citizens had the opportunity for some form of direct involvement and representation in the decision-making process,<sup>2</sup> as opposed to those processes that include civil society merely through organised interests. A quick appraisal of the self-descriptions of these formats (Figure 9.3) reveals that hearings, committees and public meetings are the most frequently employed process types.

### Variable specification

In line with the definition of democratic innovations stated above, I map the main procedural characteristics of democratic innovations along three

dimensions: participation; deliberation; and influence (Elstub and Escobar 2019), which serve as independent variables in this analysis. Detailed definitions of all variables and select descriptive statistics are provided in Table 9.1.

Participation and the *involvement* of non-state actors is approached through the representation of citizens and civil society actors in each given case. In detail, this variable elicits the extent to which the field of participants mirrors the interest constellation in the full public. It is measured on a scale from 0 to 4, where 0 indicates that a stakeholder group is not represented at all, while 4 means that a stakeholder group is well represented in terms of number and acceptance of representatives (Newig *et al.* 2013). Values between 0 and 4 in turn indicate partial and imperfect representation. *Deliberation* measures the degree

... to which deliberation in the sense of a 'rational' discourse among participants took place. [This] refers to a process of interaction, exchange and mutual learning preceding any group decision. During this process, participants disclose their respective (relevant) values and preferences, avoiding hidden agendas and strategic game playing. Agreements are based on rational arguments, and principles such as laws of formal logic and analytical reasoning (Newig *et al.* 2013: 44; *cf.* Fung 2006; Renn 2004).

This variable was measured on a 0 to 4 scale, with 0 meaning no such communication took place and 4 indicating that the decision-making process was characterised by continuing deliberation among participants. Finally, *influence* is understood as the 'degree to which the participants ... actually developed and determined the output' (Newig *et al.* 2013: 44), that is, the extent to which participants had a say in the shape and content of the decision. The variable is measured on a 5-point scale calibrated as above, with 0 indicating participants did not have direct influence and 4 meaning participants fully determined the output.

The main dependent variables are the environmental standard of governance output, as well as its acceptance. Governance output refers to the end product of a decision-making process, for example, in the form of a management plan, a permit, a law and so on. In 144 of 153 cases, decision-making produced an output, and in the remaining nine it did not.

To allow for comparison across a variety of cases, the concept of 'regime effectiveness' conceptualised by Underdal (2002) is applied to governance outcomes. In this approach, regime effectiveness is measured against the yardstick of a hypothetical collective optimum, 'one that accomplishes ... all that can be accomplished – given the state of knowledge at the time'

(Underdal 2002: 8). Hence, the environmental standard of the governance output is defined as the ‘degree to which the environmental output aimed at an improvement (or tolerated a deterioration) of environmental conditions .... This is to be assessed moving from the “business as usual” scenario (projected trend) towards a hypothetical “optimal” (or “worst case”) condition.’ (Newig *et al.* 2013: 49). To assess the output in this way, coders first determined the business-as-usual scenario, that is, a scenario reflecting what would be likely to happen assuming no change in current trends and practices. If the governance output would imply a continuation of this scenario, this would result in a variable value of 0. Changes induced by the governance output are then measured on a scale from -4 to 4. Extreme values of -4 and 4 imply that the governance output corresponds either to a ‘worst-case’ scenario or to a hypothetical optimum, respectively. The actual variable value for each case then indicates to what extent the governance decision aims to deviate from the business-as-usual scenario and aspires to reach a collective optimum (or worst-case).

At the same time, the environmental standard is assessed from two perspectives: a rather eco-centric *conservation* perspective, and a more anthropocentric perspective of *natural resource protection*. While the conservation perspective aims ‘to preserve, protect or restore the natural environment and ecosystems ... largely independently of their instrumental value to humankind’ (mean=0.82), the natural resource protection perspective aspires ‘to protect, preserve, enhance or restore stocks and flows of natural resources that are of instrumental value to humans, and provide for their sustainable use’ (mean=1.00) (Newig *et al.* 2013: 10). As both perspectives are highly correlated ( $r=0.90$ ,  $p<.001$ ), an index for the *Environmental Standard of the Output* was constructed from their means ( $\alpha = .95$ ). Finally, *acceptance* assesses whether those affected by the environmental problem and the final decision accepted the governance output (*see* Table 9.1). This variable represents the average acceptance judged across all stakeholder groups identified within the case.

Descriptions and details of the intermediate outcomes are summarised in Table 9.1.

**Table 9.1.** Description of intermediate social outcome variables

Variable name	Description	Scale	Mean (SD)
<b>Participation</b>			
Involvement	Extent to which the composition of participants in the process mirrors the interest constellation in the public. Full representation is reached when there are a sufficient number of representatives and when those representatives are fully accepted as such by their constituencies.	0..4	1.49 (0.49)
Deliberation	Degree to which deliberation in the sense of a 'rational' discourse among participants took place. The notion of deliberation refers to a process of interaction, exchange and mutual learning preceding any group decision. During this process, participants disclose their respective (relevant) values and preferences, avoiding hidden agendas and strategic game playing. Agreements are based on rational arguments, and principles such as laws of formal logic and analytical reasoning.	0..4	1.87 (0.96)
Influence	Degree to which the participants [...] actually developed and determined the output.	0..4	2.30 (1.00)
<b>Intermediate social outcomes</b>			
Social Learning	Social Learning Degree to which participants, stakeholders, or broader society learned about the issue such that they gained new or improved understanding or knowledge of the issue, enabling them potentially to contribute to future joint problem-solving efforts ('social learning' in the sense of Reed et al. (2010).	0..4	2.03 (0.72)
Individual Capacity-building	Degree to which the skills and capabilities of individual participants or stakeholders were enhanced through involvement in or engagement with the decision-making process. These skills and capabilities may be specific to the issue at hand, or incidental and applicable to a range of social situations.	0..4	1.74 (0.77)
Trust-building	Degree to which trust relationships were created or strengthened among participants (and potentially beyond), which can be expected to "facilitate coordination and cooperation for mutual benefit" (Putnam 1995: 67, see also Ansell and Gash 2007). "Trust is the willingness to accept vulnerability based on positive expectations about another's intentions or behaviors" (McEvily, Perrone, and Zaheer 2003).	-4..4	0.84 (1.29)

<b>Variable name</b>	<b>Description</b>	<b>Scale</b>	<b>Mean (SD)</b>
Network Formation	Degree to which social networks were created or built up (or undermined) among participants and beyond [...]. Networks are defined here in the sense of social capital building, which can be expected to “facilitate coordination and cooperation for mutual benefit” (Putnam 1995: 67) regarding capacity to address the problem or similar issues	-4..4	1.22 (0.94)
Building Shared Norms	Degree to which social capital among participants (and potentially beyond) was created or strengthened in the sense of “informal values or norms shared among members of a group that permit cooperation among them.”	-4..4	0.75 (0.78)
Conflict Resolution	Degree to which an existing conflict was resolved or worsened or a new conflict developed, considering also the nature of change in any pre-existing conflict of values and/or distribution.	-4..4	0.91 (1.30)
Mutual Gains	Degree to which win-win solutions were developed during the decision-making process (i.e. degree to which the output provided mutual gains). Win-win (or Pareto optimal) solutions are those that provide gains (or at least: no losses) to all involved parties. These are always positive-sum solutions compared to the non-collaborative alternative. Win-win solutions include solutions where compensation is provided to those who would otherwise suffer losses. Win-win solutions are not necessarily limited to the environmental issue at hand, but may be linked to alternative issues and competing interests on and off the table, as well as to future decisions (Wondolleck and Yaiffee 2000: 50).	0..4	1.57 (0.94)
<b>Outcomes</b>			
Environmental standard of the output	Degree to which the environmental output aimed at an improvement (or tolerated a deterioration) of environmental conditions [...]. This is to be assessed moving from the ‘business as usual’ scenario (projected trend) towards a hypothetical ‘optimal’ (or ‘worst case’) condition.	-4..4	0.91 (1.26)
Acceptance	Did stakeholders oppose, accept or support the decision? This variable is an average over all stakeholders identified in the case.	0..2	1.58 (0.40)

Note: Definitions are derived from Newig *et al.* 2013. The right-hand column displays the arithmetic mean over all cases, with standard deviations (SD) in parentheses.

## Data analysis

To address the research question of how democratic innovations and public participation contribute to the environmental performance of governance, and how intermediate outcomes mediate this relationship, I rely on exploratory factor analysis and structural equation modelling.

A correlation analysis of the seven intermediate outcomes supports the earlier assumption that those factors form a web of interlinkages (mean correlation = 0.53; max = 0.77). To capture the structure of this web and reduce the dimensionality of the data, I conduct an exploratory factor analysis. The scree plot of eigenvalues and a parallel analysis (Hayton, Allen and Scarpello 2004) suggest two factors to describe the data structure adequately. The resulting two latent variables, specified through oblique rotation, will be used in the further analysis.

The conceptual model underlying this analysis poses specific methodological challenges, as it assumes indirect and mediated relationships between variables. To account for this complexity, I use a structural equation modelling (SEM) approach that explicitly allows for accommodating and testing such relationships. More specifically, I rely on a piecewise SEM approach (Shipley 2009; Lefcheck 2016), which allows incorporation of a wide range of distributions and sampling designs, and smaller data sets, and further includes an exploratory component that helps to uncover misspecifications and overlooked paths. Therefore, this method enhances our theoretically informed path analysis with exploratory momentum to detect unexpected pathways and variable relations.

## ANALYSES AND RESULTS

### Interlinkages between intermediate outcomes

Through the exploratory factor analyses, I identified two distinct but correlated factors to adequately represent intermediate outcomes (*see* Table 9.2). I label the first factor *Convergence of perspectives* as it mainly includes those intermediate outcomes that express the ways in which actors' perspectives, positions and values converge or diverge during a participatory process (that is, Identification of Mutual Gains; Conflict Resolution; Trust-Building; and Building Shared Norms). The second factor comprises variables that assess the degree to which participants learn and build capacities and networks during the process (that is, Individual Capacity-Building; Social Learning; Network Formation), which is therefore termed *Capacity-building*. These two newly identified latent variables serve as intermediate variables in the model, mediating the effects that participation may have on governance outputs and their acceptance.

**Table 9.2.** Intermediate social outcomes – results of the exploratory factor analysis, oblique rotation (oblimin), factor loadings  $>.4$  or  $<-.4$  in bold.

Variable	Factor 1 'Convergence of Perspectives'	Factor 2 'Capacity Building'
Mutual Gains	<b>0.91</b>	-0.15
Conflict Resolution	<b>0.89</b>	-0.02
Trust-building	<b>0.67</b>	0.37
Building Shared Norms	<b>0.64</b>	0.32
Individual Capacity-building	-0.03	<b>0.90</b>
Social Learning	0.03	<b>0.83</b>
Network Formation	0.04	<b>0.77</b>
<i>Eigenvalues</i>	2.66	2.53
<i>Per cent of variance</i>	0.38	0.36
<i>Reliability (Cronbach's alpha)</i>	0.87	0.81

Note: results of the exploratory factor analysis, oblique rotation (oblimin), factor loadings  $>.4$  or  $<-.4$  in bold.

### Main analysis: how do democratic innovations impact on environmental governance outputs?

On the basis of our conceptual model and the exploratory factor analysis, I ran a piecewise SEM. Given the exploratory phase of this modelling technique, additional relevant paths could be identified between power delegation and both dependent variables, as well as between involvement and the acceptance of the governance output.

Relevant indicators show that the final model (N=143) demonstrates a reasonable overall fit.<sup>3</sup> As the final results in Figure 9.4 show, the model has high explanatory power with R-square ranging for the various outcomes between .30 and .59.

The results show that involvement, deliberation, and influence have quite diverse effects on the intermediate and final outcomes, highlighting the added value of the chosen approach. Deliberation shows strong effects on both capacity-building ( $\beta=.45$ ,  $p<.001$ ) and convergence of perspectives ( $\beta=.27$ ,  $p=.001$ ). The involvement of citizens and civil society actors, however, has only a weak significant effect on capacity-building ( $\beta=.14$ ,  $p=.04$ ), while the influence of participants shows a strong positive effect on the convergence of perspectives ( $\beta=.52$ ,  $p<.001$ ).

Moving to the environmental standard of the output, only the convergence of perspectives displays a significant positive effect ( $\beta=.22$ ,  $p=.04$ ), but not

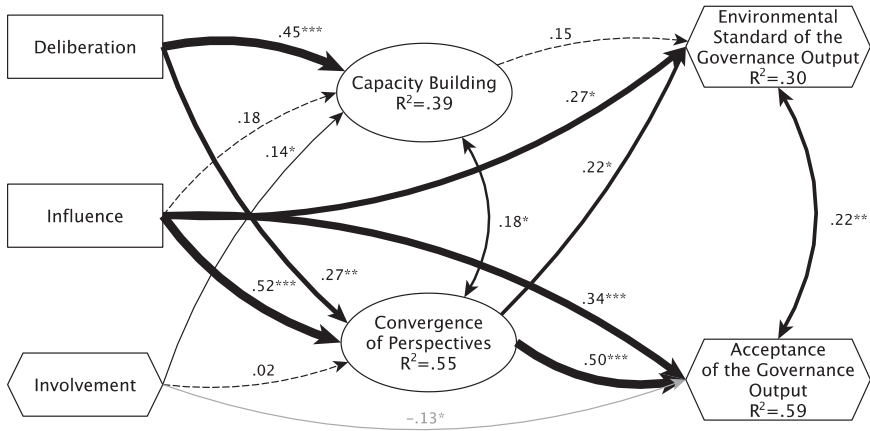


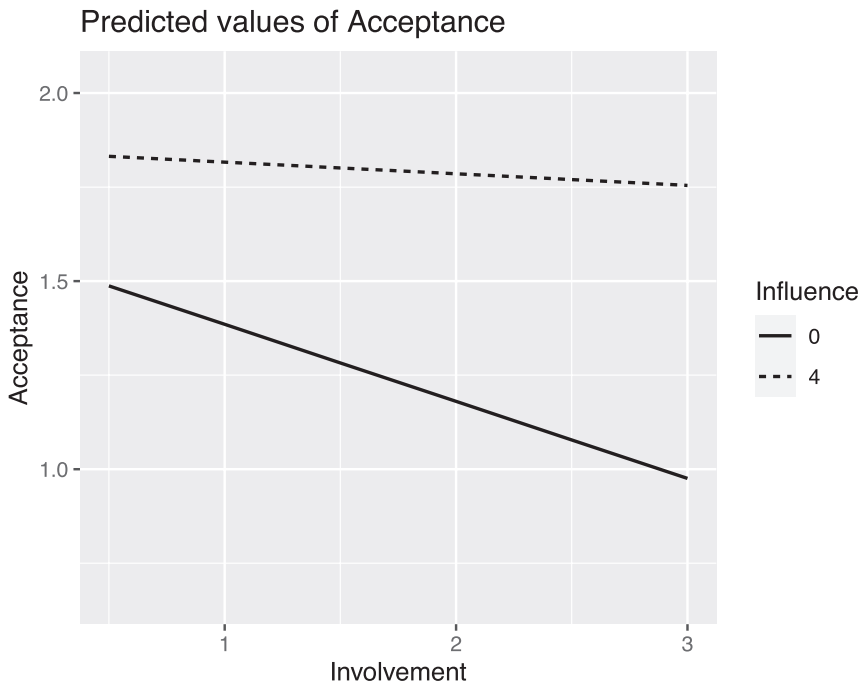
Figure 9.4. Structural equation model results

Note: Rectangles represent measured variables; ellipses are latent variables; and hexagons represent composite variables. Arrows depict (standardised) beta values; arrows are weighted by the size of beta values. Dashed lines represent insignificant effects; grey lines negative effects. Significance thresholds: \* $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$ .

the intermediate variable of capacity-building. However, an even higher effect can be detected for the unmediated effect of influence on the environmental standard of the output ( $\beta = .27$ ,  $p = .01$ ), indicating that there might be further ways, beyond the ones tested here, in which empowering citizens and stakeholders may benefit the environmental output.

Finally, acceptance is also strongly influenced by the convergence of perspectives ( $\beta = .50$ ,  $p < .001$ ), and also by the influence that participants have over the outputs ( $\beta = .34$ ,  $p < .001$ ). However, another unanticipated significant effect appears here: a small, but significantly negative effect of the involvement of citizens and civil society actors and the acceptance of the output ( $\beta = -.13$ ,  $p = .02$ ). This effect indicates that higher representation of these actors within a decision-making process diminishes the acceptance of the output of that process. For a rough follow-up of this unexpected effect, I looked at the analysis of acceptance in closer detail and ran a linear regression with acceptance as dependent and convergence of perspectives and the interaction of influence and involvement as independent variables. Figure 9.5 shows this interaction effect between influence and involvement in particular. The Figure depicts the linear relationship between involvement and acceptance in cases where participants' influence on the decision is very high (dashed line) or very low (bold line), controlling for the convergence of perspectives. If influence is high, that is, participants have full power over the decision, predicted values for acceptance are more or less constant, or decrease only slightly with increasing levels of involvement (dashed line). In cases





**Figure 9.5.** Interaction plot with acceptance as dependent, and the interaction of involvement and influence (plus convergence of perspectives) as independent variables

*Note:* Grey shading depicts 95% confidence intervals.

where influence is low, however, a more pronounced negative effect can be observed, with higher levels of involvement leading to decreasing acceptance levels (bold line).<sup>4</sup> This suggests that the negative effect of involvement is particularly pronounced in those cases in which participants are granted little influence over the output, which is discussed below.

## DISCUSSION AND CONCLUSIONS

This study aspired to gain insights into the questions if and how democratic innovations and public participation lead to environmentally favourable and socially acceptable outcomes, paying particular attention to the pathways through which intermediate social outcomes mediate this relationship.

A first analysis of the interlinkages among intermediate outcomes revealed that these outcomes form two distinct, but related, clusters: one capturing the capacities participants and stakeholders built up during the participatory

process (including individual capacity-building; social learning; and network formation) and another expressing how actors realise their common ground and how their perspectives converge (including conflict resolution; trust-building; mutual gains and shared norms). The composition of these clusters highlights that immediate and individual gains interact with more deep-rooted and societal factors to form a bigger picture. The latent variable of capacity-building, for example, also includes, apart from social learning and individual capacity-building, network formation, emphasising the structural component of learning processes (Bodin, García, and Robins 2020). On the other hand, immediate gains, such as win–win solutions and conflict resolution, co-vary with more deep-rooted dynamics such as trust-building and shared norms, highlighting the essential function of trust and social capital as ‘lubricant and glue – that is, they facilitate the work of collaboration and they hold the collaboration together’ (Bryson, Crosby and Stone 2006: 47).

These two clusters of intermediate social outcomes were then used as latent variables in a structural equation model to trace the pathways through which the dimensions of participation – involvement of citizens and civil society, deliberation, and influence of participants on the output – impact the environmental standard and social acceptance of governance outputs. Overall, the results support the general hypothesis that democratic innovations and public participation positively affect both the environmental standard and the social acceptance of governance outputs. Looking at the specific dimensions of participation in detail, it becomes apparent that these work through diverse pathways. In line with conceptual assumptions, deliberation appeared as a strong predictor for both capacity-building and the convergence of perspectives, emphasising the pivotal role of high-quality communication for realising an array of social outcomes, such as learning, conflict resolution or trust-building. These social outcomes, in turn, serve as mediating factors through which deliberation influences the environmental standard and the acceptance of governance outputs.

In terms of the influence that participants have over the governance output, a different pattern emerges. This participatory dimension shows a strong significant effect only for the convergence of perspectives, indicating that social outcomes, such as conflict resolution, trust-building and identifying win–win solutions, depend on participants having some space to interact, to manoeuvre, and to determine decisions. But beyond its significant influence on these intermediate outcomes, influence has also shown substantial and significant direct effects on the environmental standard and social acceptance of the governance output. This strong role of political power indicates that taking participants seriously as political agents over their environment and their decisions is an important factor for realising governance outcomes that both benefit the environment and are considered acceptable (Kochskämper *et al.* 2018; Emerson, Nabatchi and Balogh 2012). For organisers of democratic

innovations, these findings suggest that strong commitment to the process, and to participants' ideas and solutions, are instrumental for arriving at environmentally and societally successful decisions.

The only other variable with a significant effect on governance outputs, both their environmental standard and social acceptance, was the intermediate outcome of convergence of perspectives. These findings are in line with previous research that claims that convergent perspectives in the form of win-win solutions, gained trust or resolved conflict made a high environmental standard more likely (Innes and Booher 1999), and increased the social legitimacy and acceptance of decisions (Birnbaum 2016). On the other hand, the results did not show any significant positive effect of capacity-building and learning for environmental standards, nor for the acceptance of governance outputs (*see also* Heikkilä and Gerlak 2013; Newig *et al.* 2019). While this does not mean that such social outcomes are without individual, collaborative, and societal value (Scott and Thomas 2017), it suggests that there may be other mechanisms at work through which public participation may enhance the environmental standard and acceptance of governance decisions.

Finally, the analysis yielded somewhat unexpected results concerning the involvement of citizens and civil society actors. While a broad representation of these actors had a small, but positive effect on capacity-building during the process, it appears to be detrimental for the acceptance of governance output. One interpretation of this result could be that increased involvement might also imply a larger variety of interests and perspectives. Such a situation of increased heterogeneity of viewpoints might lead to more veto-players and a decreased decision space that appears acceptable to all those involved, in turn making broadly accepted decisions less likely (Newig *et al.* 2018). In this vein, broad representation may run the risk of uncovering or fuelling new conflicts between participants, or of making previously uninformed stakeholders aware of their opposition to a given governance solution (Coglianese 1997).

A rough additional analysis gave further insight into this negative effect of involvement, as it highlighted that this effect is particularly pronounced in cases in which participants have little influence over governance outputs. These findings may give some tentative insights into how acceptance and social legitimacy may be gained (*cf.* Birnbaum, Bodin and Sandström 2015). While substantial influence over a governance decision may encourage a feeling of ownership, or foster the compatibility of the decision with participants' goals and thus contribute to its wider social acceptance (Brody 2003; Newig *et al.* 2018), a similar effect could not be observed for a broad representation of citizens and stakeholders. In fact, representation without influence may lead to situations in which participants feel detached from the process and the resulting decisions; in turn, this may decrease acceptance of that decision. For organisers of democratic innovations, this suggests that merely assuring

representation may not be enough to design a successful process; instead, neglecting the further procedural qualities of the process and accounting for the heterogeneity of perspectives may even aggravate the situation and lead to an outcome with little societal support and acceptance. In any case, more research will be needed to validate and understand these potentially negative effects of participation.

To conclude, this analysis has shown how different participatory dimensions of democratic innovation enhance the environmental standard and social acceptance of governance outputs, highlighting, in particular, the role of social outcomes mediating this relationship. I detected a generally positive effect of participation on most of these societal and environmental outcomes, especially where deliberation quality is high and where participants are granted meaningful decision powers. The analysis provided further insights into why actors more or less accept governance outputs, depending on the participatory qualities of decision-making processes.

## NOTES

1 This paper departs from the research approach and argumentative structure of a previous study (Jager *et al.* 2020) that analyses a similar question in the broader context of collaborative governance. Data and methods have been adapted to fit this study's narrower focus on democratic innovations and citizen participation.

2 This was assessed through the variable 'representation of citizens' >1 (on a scale from 0 to 4).

3 Fisher's C=5.565, p=0.696.

4 This trend can also be observed, in a slightly less pronounced way, when not grouping by the extreme values of influence, but when using mean +/- 1 standard deviation as grouping values.

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## *Chapter Ten*

# **The Political and Economic Effects of Brazilian Participatory Budgeting: Intensification or Degradation over Time?**

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### **MOTIVATION**

There are a number of arguments to support a more deliberative and participatory form of democracy. The World Bank<sup>1</sup> claims that many of the key components of participatory and deliberative<sup>2</sup> democracy are capable of inducing better local governance; deliberative and participatory procedures, they argue, can improve tax revenue and economic development, reduce corruption and, in the long run, may induce a more equitable distribution of income.

From an empirical standpoint, there are many different experiences in local institutions, some along participatory lines, some deliberative, some combining both. Most of these experiments, like the Neighbourhoods Councils in Italy or the New England town meeting, seem to be incapable of maintaining a high level of participation in the long run. However, in the 1990s, some Brazilian cities began to implement a new form of budgeting based on participation that, in some instances, has been capable of sustaining thousands of participants and high level of inclusion of minorities for more than 20 years. Table 10.1, leveraging the Brazilian Participatory Budgeting Census, the original data I collected for this study, shows the number of cities implementing participatory budgeting (PB) in each year from 1989 to 2020.

**Table 10.1.** The rise and decline of participatory budgeting in Brazil

	1989– 92	1993–6	1997– 2000	2001–4	2005–8	2009– 12	2013– 16	2017– 20
<b>Number of cities implementing PB</b>	11	29	62	129	119	99	55	7

*Notes:* The time periods reflect the years of implementation of PB. Municipal elections were held in 1988 and every four years thereafter. Participatory budgeting is usually initiated in January of the year after the elections, with some rare exceptions. A city is included in the census only if it has completed at least two years of PB within each four-year interval, following the definition given by Sintomer *et al.* (2008) definition of PB.

*Sources:* Participatory Budgeting Census Update (Spada and Holz 2020).

This characterises the Brazilian experience as one of the most successful and long-lasting experiments of municipal participatory democracy yet developed and offers an ideal case study for investigating the dynamic of intensification/degradation of democratic innovations.

The literature on Brazilian participatory budgeting and, more generally, democratic innovations, is mostly composed of case studies. There are only a few large-N studies (Marquetti and Bêrni 2006; World Bank report 2008; Gonçalves 2014; Touchton and Wampler 2014; Touchton, Wampler and Peixoto 2021) that empirically investigate the effects of municipal participatory budgeting on public spending, poverty, infant mortality rate and tax compliance. Most of this literature is focused on Brazil, due to the richness of available data at the city level, with a few exceptions (Olken 2010). The current literature on PB, and more generally on democratic innovations, assumes almost automatically that the impacts of these processes will intensify over time. This assumption is intuitive if we consider democratic innovations as a medical treatment for ailing democracy, but it is also somewhat at odds with the fact that less than a dozen PB processes survived more than eight years, and only four survived for 20 years, as Table 10.2 shows. If duration is positively correlated with intensification of impact, then the support for the current assumption that time promotes impact is driven by a very small subset of the sample.

**Table 10.2.** The implementation of participatory budgeting among cities with more than 50,000 inhabitants between 1989 and 2012

	1989– 92	1993– 96	1997– 2000	2001– 04	2005– 08	2009– 12
<b>Number of cities implementing PB</b>	11	29	62	129	119	99
<b>Cities that adopted PB</b>	11	22	45	90	54	46
<b>Cities that adopted PB for the first time</b>	11	22	43	85	45	31
<b>Cities that re- adopted PB</b>			2	5	9	15
<b>Cities that continued implementing PB after 4 years</b>		7	11	25	37	19
<b>Cities that continued implementing PB after 8 years</b>			6	8	14	16
<b>Cities that continued implementing PB after 12 years</b>				4	6	6
<b>Cities that continued implementing PB after 16 years</b>					4	5
<b>Cities that continued implementing PB after 20 years</b>						4
<b>Cities that abandoned PB</b>		4	12	23	64	66
<b>Cities that abandoned PB after 4 years</b>		4	11	18	51	34
<b>Cities that abandoned PB after 8 years</b>			1	3	11	22
<b>Cities that abandoned PB after 12 years</b>				2	2	9
<b>Cities that abandoned PB after 16 years</b>					0	1
<b>Cities that abandoned PB after 20 years</b>						0
<b>Cities with a population larger than 50,000 inhabitants in 1992 (excluding Brasilia)</b>	464	468	468	468	468	468

*Notes:* The time periods reflect the years of implementation of PB. Municipal elections were held in 1988, 1992, 1996, 2000, 2004, 2008 and 2012. Participatory budgeting is initiated in January of the year after the elections. The cities considered are those that have a population larger than 50,000 in 1992, excluding Brasilia; four cities became independent in 1992.

*Sources:* Participatory Budgeting Census (Spada 2012).

In this chapter, I propose a comprehensive analysis that investigates intensification and degradation effects of municipal participatory budgeting in Brazil. I look both to impact indicators commonly studied in the previous literature (public expenditures and tax collection), but also to impact on political competition. The latter analysis is driven by the observation that participatory budgeting includes a significant investment in communication and social events, which might have a spillover effect on the visibility of the organisers and their chance of being re-elected. The claim that PB was just an expensive permanent electoral campaign was also a common critique made by opposition city council members I interviewed in my fieldwork in 2008, 2009 and 2012.

Most academics identify a general decline in the quality of processes after 2012, due to a combination of political changes and economic shocks; thus, I focus the analysis on 2012, generating a conservative estimate of the impact of PB concentrating on the ‘golden age’ of PB in Brazil. The panel data analysis, due to the low quality of data before 1992, centres on the subsample of processes implemented between 1993 and 2012 and shows that participatory budgeting slightly alters the structure of public expenditures.

Participatory budgeting doesn’t seem to have any effect on tax revenues, contradicting some of the theoretical, anecdotal, and experimental evidence proposed by many researchers (*see*, for example, Rhodes 2000; Wagle and Shah 2003; Buerman and Amelina 2014; Touchton, Wampler and Peixoto 2021).

However, the analysis shows robust evidence that adopting participatory budgeting has a positive effect on the probability of re-election of the party of the mayor. Most interestingly, the impact of PB on public spending and political competition is driven by its first four years of implementation, contradicting some of the existing knowledge about the long-run effects of PB (Gonçalves 2014; Touchton and Wampler 2014) and some of the general intuitions we have about the benefits of the institutionalisation of democratic innovations. The results problematise our understanding of the benefits of cultural institutionalisation of these processes and reopens a debate that has somewhat disappeared from the literature about the cons of institutionalisation of radical democracy institutions.

## WHAT IS PARTICIPATORY BUDGETING?

According to the World Bank, participatory budgeting is a process through which citizens present their demands and priorities for civic improvement and influence the budget allocations made by their municipalities through discussions and negotiations.<sup>3</sup> This mechanism has the peculiar characteristic

of establishing a link between the technical formulation of the budget and the participatory process. It complements representative institutions rather than substituting for them. Usually, the municipal budget is decided by a handful of bureaucrats; participatory budgeting is an attempt to open this process to the citizenry.

Since its inception, there have been a number of variations in the design of participatory budgeting, making it very difficult to pin down a unique model. This variation increased exponentially when PB spread outside Brazil (Porto De Oliveira 2020; Ganuza and Baiocchi 2012). A global systematic census of PB does not exist; partial, expert-based, existing estimates traced an exponential diffusion of the process starting in the mid 2000s and identified more than 10,000 active cases in 2019, of which around 4000 were still active during the pandemic (PB Atlas 2019 and 2021).<sup>4</sup>

The Brazilian PB census uses the well known procedural definition introduced by Sintomer *et al.* (2008) to identify PB processes; this approach is not designed to distinguish between high-quality processes and low-quality ones and thus has significant limitations. Wampler (2009), exploring the variation of quality of Brazilian problems, suggests that there could be three main different types of participatory budgeting: those that are implemented by policy entrepreneurs; those that are implemented by policy advocates; and those that are implemented by adopters who treat PB as mere formalities. Wampler's paper systematises the emerging consensus among academics that a number of the PB processes adopted in Brazil are *para inglês ver*,<sup>5</sup> a common Portuguese phrase that signifies, more or less, a window-dressing process, a façade. In these cases, the percentage of investment really decided by the population is quite small; effective participation is restricted to an elite of community leaders that are often co-opted by the government of the city and the whole process is tightly controlled by the executive of the city.

Therefore, it is important to keep in mind that the results presented in this article are due to the average effect of significantly different participatory governance innovations; they should not be taken as indicative of the effect of best practices and instead should be considered as the average results that can be expected when considering 'good' and 'bad' PB processes together.

## THE QUANTITATIVE LITERATURE ON PARTICIPATORY BUDGETING

As I mentioned before, there are only a handful of systematic statistical analyses investigating the emergence and the effects of PB on a large sample of Brazilian cities. A first group of studies focused on the adoption of PB and on the survival of the process as a proxy metric of success. Teixeira (2002),

analysed the outcomes of PB among small rural municipalities. She identifies a substantial number of cases in which PB was abandoned, and thus failed according to the proxy metric. She points out three main factors that sustain the success of PB: the importance of a strong network of civil society organisations; the political will of the ruling party; and, finally, the human and economic resources available to the municipality.

Avritzer and Wampler (2005), analysing PB experiences from 1989 to 2004, suggest five possible factors driving adoption and survival: the presence of a mayor affiliated to the Worker Party (Partido dos Trabalhadores/PT); the size of the municipality; its location; the level of development measured through the HDI index; and, finally, civil society–political society relationships. Wampler (2007), expanding the previous analysis, proposes a static probit model on all the 200 cities that have a population greater than 100,000 individuals. The model points out that the emergence of PB is significantly correlated with the presence of a PT majority. More interestingly, excluding from the sample the cases in which PT had a majority, the analysis leads to the surprising result that PB was adopted more often in cities in which the left was weak and conservative forces held power. Wampler concludes that these conservative municipal governments ‘were seeking to gain governing and elections benefits from their association with a program that is known for its emphasis on social justice, transparency, and direct participation’. The impact of partisan politics on the diffusion of PB is widely studied, while the impact of PB on political competition is an under-studied topic.

When we look at more direct measures of impact, Marquetti and Bêrni (2006) proposed the first systematic study of the fiscal effects of participatory budgeting, investigating all the 60 cities of the southern state of Rio Grande Do Sul with a population larger than 30,000 inhabitants. They present two separate cross-sections, one for the period 1997–2000 the other for the period 2000–4. They find that cities adopting PB tend to spend more on education, ‘culture, sport and leisure’ (this is one of the aggregate entries of the Brazilian balance sheet) and housing. They also find an interesting interaction between the availability of resources and the effects of PB on overall public spending. Poor cities that adopt PB tend to spend less than those not adopting it. Among the cities with more resources, those that adopt PB spend more resources than those that do not. They explain this phenomenon by claiming that PB forces the government to provide an optimal amount of public goods. In poor cities, they assume that citizens prefer to pay lower taxes and receive a smaller amount of public goods than what is usually offered. In larger cities, citizens prefer a larger amount. Given the size of the sample, their results must be considered with care.

Zamboni (2007) employs the Brazilian random audit system to compare random audit outcomes in cities implementing PB and cities not

implementing PB, finding mixed results. Timmons and Garfias (2015), again employing data from random audits, shows that cities in which corruption was revealed have a higher chance of adopting PB. This study highlights that city governments often perceive PB as an engagement strategy to signal a break with past practices and a fresh start. The latter reinforce the need to further investigate the impact of PB on political competition and communication strategies. Is PB an effective tool for winning elections?

A World Bank study (WB 2008) using a difference-in-difference matching model covering the period 1990–2000, investigates the effect of participatory budgeting on poverty measures and fiscal revenues. The matching process constructs a synthetic control group that is most similar to the city adopting participatory budgeting. Additionally, the model controls for the effect of the share of votes obtained by the Worker's Party, to avoid leftist redistributive politics confounding the effect of PB. Both propensity score and kernel matching techniques are compared. The results show that participatory budgeting influences various poverty-reduction indexes, while it has no effects on fiscal revenues. Importantly, the effect on poverty is driven by cities that have implemented the process for the entire ten years, that is, a small subset of the sample given that only 13 cities initiated PB in 1989.

Two more recent papers on the effect of participatory budgeting, Gonçalves (2014) and Touchton and Wampler (2014), instead find significant impacts of PB on healthcare spending and infant mortality rate. The first explores the entire galaxy of more than 5000 municipalities in Brazil between 1990 and 2004; the second centres instead on cities with a population larger than 100,000 inhabitants over the period 1989–2008.

Outside Brazil, Olken (2010) investigates the impact of participatory meetings on the provision of public goods at the local level in Indonesia. The study is path-breaking for its innovative methodology but it is difficult to apply its conclusions to Brazilian PB, due to extreme differences in the participatory procedures implemented by the researcher. Buerman and Amelina (2014) present the results of an experimental study conducted in Russia that identifies a positive effect of PB on tax collection, but the effect is moderated by the provision of civil servant training; thus it is difficult to understand what does generate the tax revenues, more training of civil servants or PB?

In this study, I expand the previous empirical investigations of Brazilian PB in three ways: first, I introduce city-level fixed effects, capturing city-level heterogeneity and thus compensating for omitted city-level variables.<sup>6</sup> Second, I investigate the effect of participatory budgeting on the probability of re-election of the party of the mayor, something that has never been studied before. Third, I employ an interaction term that allows me to distinguish between the effect of a new PB process and the effect of a PB process that has been inherited from the previous term. The latter innovation is important

to understand the difference between the short- and long-term effects of PB and thus explore the intensification/degradation hypotheses.

## THE DATASET

One of the main contributions of this research is the Brazilian Participatory Budgeting Census (Spada 2012).<sup>7</sup> This novel dataset identifies instances of participatory budgeting from 1989 to 2012 in medium to large Brazilian cities, is geo-located and can easily integrate a number of existing datasets that contain detailed information on economic, social, political and demographic variables for every municipality in Brazil.<sup>8</sup> The dataset is based on two separate data-collection efforts conducted in 2008 and 2012, which combine an online pre-screening of city websites with a telephonic survey.<sup>9</sup> First research assistants scraped the internet for any available document and webpages about participatory budgeting in the target sample of cities. Then the potential candidates were surveyed telephonically. A city is coded as having adopted participatory budgeting only if the process respects the five criteria identified by Sintomer *et al.* (2008). The dataset builds upon previous data-collection efforts by Torres Ribeiro and de Grazia (2003) and Avritzer and Wampler (2005, 2008). Currently, this is the largest existing dataset on a municipal democratic innovation and offers the almost unique opportunity to investigate quantitatively the diffusion and impact of a democratic innovation for more than twenty years (from 1989 to 2012).

This chapter integrates the Participatory Budgeting Census with information gathered from the Instituto de Pesquisa Econômica Aplicada (IPEA) and from various state-level electoral tribunals (Tribunal Regional Eleitoral/TRE) that possess information on executive elections held before 1996.

Brazilian elections at the municipal level are held every four years; the first municipal elections after a 20-year-long dictatorship took place in 1988.<sup>10</sup> The qualitative literature shows that participatory budgeting is a stable process within each electoral period. In two of the cities – Hortolândia (SP) and Itaúna (MG) – which I visited in 2009, the process had lasted three years (2004–7) and was then simplified (2008) and subsequently abandoned at the beginning of the new electoral term. This is a common pattern for citywide PB processes, confirmed also by the literature of PB processes outside Brazil (Alves and Allegretti 2012). Thus, the Census contains six time periods: 1989–92; 1993–96; 1997–2000; 2001–4; 2005–8; and 2009–12.

The sample of cities investigated is composed of all the cities with a population of more than 50,000 inhabitants. The initial sample generated in 2008 cross-checked the previous data-collection efforts conducted during the period 1989 to 2004 by other authors. The second census, conducted in 2012,



instead focused only on the period 2009 to 2012 and on new cities that had achieved 50,000 inhabitants and had not been investigated before. In 2008, 568 cities were investigated; in 2012 the sample was expanded to 590.

This essay employs in its main statistical analysis only the subset of 468 cities that achieved 50,000 inhabitants in 1992, because this set of cities is stable: no cities created or merged within the time period are analysed with statistical methods;<sup>11</sup> however, robustness checks have been conducted employing the entire 2008 and 2012 censuses. For a detailed description of the sample and an investigation of the diffusion of PB in Brazil, see Spada 2014.

## MODEL SPECIFICATION AND RESULTS

In this section, we employ a simple linear model with fixed and time effects, that is equivalent to a difference-in-difference model, estimated adjusting the error for clustering at the state level to investigate the effects of PB. The model specifications can be represented by the following equation:

$$Y_{i,t} = \alpha_i + POL_{i,t-1}\beta + PB_{i,t} \# PB_{i,t-1}\gamma + ECON_{i,t-1}\delta + \epsilon POP_{i,t} + PERIOD_t\eta + \theta_{i,t}$$

POL is a matrix containing the political variables (victory of the PT; mayor's share of votes);  $PB_{i,t} \# PB_{i,t-1}$  is a matrix that contains a dummy that assumes value 1 if the city is adopting a PB process in the previous four years, the same dummy lagged, and an interaction term between the two dummies;<sup>12</sup> ECON is a matrix containing the two economic variables measuring fiscal autonomy (tax share of revenues) and financial viability (total expenditures over total revenues); POP is a vector containing population data; PERIOD is a matrix containing three period dummies; and  $\alpha_i$  is a fixed effect capturing city-level heterogeneity. The city-level fixed effects ( $\alpha_i$ ) should be capable of reducing the effect of any omitted variable bias. Introducing Brazil-level time effects imposes common factors that might shape the entire country, such as the improvement of the economy and the victory of the PT in federal elections. Adding, instead, state-specific time-effects reduces the significance of all the economic results and strengthens the significance of the political results. Adding *per capita* GDP does not alter the results, but the reliability of such measure for small cities is unclear; that is why I prefer to include population, tax share of revenues and the financial viability index, which are proxies for the state of the economy of a municipality; these proxies are generated by aggregating budgeting data that is audited.

Table 10.3 presents the results of the effect of PB on the share of public spending devoted to healthcare, education, and capital investments. Table 10.4 focuses on the effect of PB on the tax share of revenues and the effect of PB on the probability that the party of the mayor wins the election again.<sup>13</sup>

Note that the result of the latter regression remains robust when employing a logit function (available upon request).

Table 10.3 shows that the implementation of participatory budgeting,<sup>14</sup> after controlling for city-level fixed effects and time dummies, has no average significant impact on the share of the expenditures devoted to health and sanitation. This result becomes significant (Pvalue 0.044) when analysing the entire sample of 590 cities in the Budget Census that have achieved 50,000 inhabitants in any time period and not just in 1992; and it becomes strongly significant (Pvalue 0.008) if I exclude from the sample cities adopting PB in previous time periods (results available upon request). The latter implies a potential difference between the impact of new or re-adopted PB processes, *versus* continuing ones.

In Table 10.3, columns 2 and 3 confirm the intuition that the short-run effect in cities adopting PB for the first time is different from the effect of continuing to adopt PB. PB has a positive short-term effect (+0.02) that disappears over time and becomes negative (0.02-0.03=-0.01). While the interaction terms show interesting results, such results are not robust, and they become not significant if I exclude from the sample cities adopting PB for more than two time periods; that is, this result is driven by the few cities that abandon PB after having implemented it for three or more time periods. Overall, these results complement the results that have been presented by Gonçalves (2014) and by Wampler and Touchton (2014), by highlighting that the change in healthcare share of spending is mostly centred in the first four years of implementation of a PB process.

Columns 4, 5 and 6 of Table 10.3 investigate the effects of PB on the share of spending devoted to education. They confirm the results shown by Gonçalves (2014) that PB has a small negative impact on education's share of spending. The effect of the implementation of PB (column 4) is substantially identical to the effect of first-time adoption (results available upon request). The table additionally shows that the cities that abandon a PB process after four years have larger reductions in education spending than those that continue the process. Interestingly, these results are robust to excluding from the sample cities adopting PB for more than two time periods, that is, the sample that assumes that the second lag of PB is equal to zero. These results are consistent with the presence of a lock-in effect of PB on the pattern of the expenditures on education in its first four years. If PB is abandoned, whatever change had been implemented on education carries over. Columns 7, 8 and 9 of Table 10.3 investigate the effect on the capital investment share of the budget and they reveal no significant effects. Altering the sample does not change this result. Similarly, when we look at the tax share of revenues in Table 10.4, we find a non-significant effect of the implementation of PB (column 1), and a short-run negative effect that is then offset by a long-run positive effect

**Table 10.3.** The effects of PB on health, education and capital investments share of total budget expenditures

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
VARIABLES	Health share of exp.	Health share of exp.	Health share of exp.	Education share of exp.	Education share of exp.	Education share of exp.	Capital inv. share of exp.	Capital inv. share of exp.	Capital inv. share of exp.
PB (1 if PB implemented in previous 4 years)	0.01 (1.49)	0.02** (2.40)	0.01 (1.66)	-0.01** (-2.53)	-0.02** (-2.30)	-0.01** (-2.16)	-0.01 (-1.41)	-0.01 (-1.67)	-0.01 (-1.42)
LagPB (1 if PB implemented only in years -5 to -8)		0.02***	0.02**		-0.03***	-0.03***		0.03*	0.03*
PB#LagPB (1 if PB implemented in the previous 8 years)		(2.98)	(2.06)		(-3.45)	(-4.02)		(1.89)	(1.81)
LagPTwin (1 if Mayor belongs to the PT)		-0.03*	-0.03**		0.02	0.01		0.01	0.00
Lag(Mayor's vote share)		(-2.03)	(-2.12)		(1.16)	(1.03)		(0.51)	(0.05)
			0.01		0.00	0.00			-0.00
			(1.14)		(0.04)	(0.04)			(-0.04)
			0.03		0.03	0.03			0.08***
			(1.34)		(1.26)	(1.26)			(3.11)

(continued)

(continued)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
VARIABLES	Health share of exp.	Health share of exp.	Health share of exp.	Education share of exp.	Education share of exp.	Education share of exp.	Capital inv. share of exp.	Capital inv. share of exp.	Capital inv. share of exp.
<b>Population</b>			-0.00 (-0.56)			-0.00 (-1.41)			0.00 (1.20)
<b>Lag(Financial Viability)</b>			0.00***			0.00***			0.00***
<b>Lag(Tax Share of Revenues)</b>			(6.18)			(3.84)			(4.69)
			-0.03 (-0.73)			-0.16*** (-3.61)			0.05 (1.29)
<b>City fixed effects</b>	Included	Included	Included	Included	Included	Included	Included	Included	Included
<b>Time dummies</b>	Included	Included	Included	Included	Included	Included	Included	Included	Included
<b>Constant</b>	0.00 (0.24)	0.00 (0.21)	0.00 (0.12)	-0.00 (-0.15)	-0.00 (-0.11)	0.02 (1.20)	0.01 (1.13)	0.00 (1.07)	-0.04** (-2.75)
<b>Observations</b>	2,562	2,558	2,440	2,566	2,562	2,444	2,662	2,658	2,528
<b>R-squared</b>	0.78	0.78	0.78	0.80	0.80	0.81	0.37	0.38	0.39
<b>Number of groups</b>	468	468	467	468	468	467	468	468	468

Note: The sample contains the 468 cities with a population larger than 50000 inhabitants in 1992. Robust t-statistics in parentheses estimated assuming clustering at the state level. \*\*\* p<0.01, \*\* p<0.05, \* p<0.1. The financial viability index is the ratio of expenditures over revenues.

**Table 10.4.** The effects of PB on tax share of revenues, continuity of the party in government

VARIABLES	(1)	(2)	(3)	(4)	(5)	(6)
	Tax Share of Revenues	Tax Share of Revenues	Tax Share of Revenues	Continuity of the Party in Gov.	Continuity of the Party in Gov.	Continuity of the Party in Gov.
<b>PB (1 if PB implemented in the previous 4 years)</b>	-0.00* (-1.72)	-0.01* (-1.91)	-0.01** (-2.69)	0.13*** (4.49)	0.17*** (4.22)	0.10** (2.54)
<b>LagPB (1 if PB implemented only in years -5 to -8)</b>		-0.01*** (-3.10)	-0.01*** (-3.19)		0.04 (1.12)	0.03 (0.76)
<b>PB#LagPB (1 if PB implemented in the previous 8 years)</b>		0.01* (1.97)	0.01** (2.19)		-0.15*** (-2.89)	-0.19*** (-3.60)
<b>LagPTwin (1 if Mayor belongs to the PT)</b>			-0.00 (-0.04)			0.21*** (5.83)
<b>Lag(Mayor's vote share)</b>			0.01 (1.25)			0.44*** (4.31)
<b>Population</b>			-0.00 (-0.54)			-0.00 (-0.61)
<b>Lag(Financial Viability)</b>			-0.00 (-0.27)			-0.00** (-2.48)

(continued)

(continued)

VARIABLES	(1)	(2)	(3)	(4)	(5)	(6)
	Tax Share of Revenues	Tax Share of Revenues	Tax Share of Revenues	Continuity of the Party in Gov.	Continuity of the Party in Gov.	Continuity of the Party in Gov.
<b>Lag(Tax Share of Revenues)</b>						0.28 (1.20)
<b>City Fixed Effects</b>	Included	Included	Included	Included	Included	Included
<b>Time dummies</b>	Included	Included	Included	Included	Included	Included
<b>Constant</b>	0.12*** (59.70)	0.12*** (58.71)	0.12*** (22.79)	0.22*** (8.08)	0.22*** (7.96)	0.07 (1.17)
<b>Observations</b>	2,685	2,681	2,551	2,804	2,800	2,644
<b>R-squared</b>	0.10	0.11	0.10	0.04	0.04	0.06
<b>Number of groups</b>	468.00	468.00	468.00	468.00	468.00	468.00

Note: The sample contains the 468 cities with a population larger than 50,000 inhabitants in 1992. Robust t-statistics in parentheses estimated assuming clustering at the state level. \*\*\* p<0.01, \*\* p<0.05, \* p<0.1. The financial viability index is the ratio of expenditures over revenues

(columns 2 and 3). The latter results are not robust to altering the sample by restricting PB lags to be equal to zero, and by expanding the sample to the entire PB Census of 590 cities. The fact that PB has no impact on tax revenues in Brazil had already been detected by the 2008 World Bank study. However, these results contrast a recent experiment conducted in Russia (Buerman and Amelina 2014). Thus, it is possible that PB induced by international organisations or external donors in countries that have a low state capacity might generate a positive impact on tax collection. When we look at columns 4, 5 and 6, we find that PB has a significant positive impact on the probability that the party of the mayor wins the election again at the end of the term. These results remain significant when considering the entire sample of the census and when investigating first-time adopters. Most interestingly, the impact of PB is positive in the first time period (+10%) but continuing to adopt PB for a second time period generates a mixed effect. In column 5, the total effect remains positive ( $0.17+0.04-0.15=0.06$ ) but, in column 6, presenting the model that includes all the controls, it becomes negative ( $0.10+0.3-0.19=-0.06$ ). This change is generated by the inclusion of the dummy that identifies the cities controlled by the *Partidos dos Trabalhadores* (results available upon request). Considering the full census sample or excluding from the sample cities implementing PB for more than two time periods does not alter the results.

## DISCUSSION

With a few exceptions, the current literature on the effects of participatory budgeting, and democratic innovations more generally, is based on case studies of best practices. This generates a bias towards positive outcomes in our general understanding of these phenomena (Spada and Ryan 2017). A typical example is the body of knowledge accumulated on Porto Alegre. According to many observers, the quality of PB in Porto Alegre declined after 2004 when the PT lost the elections; consequently, very little academic research has been conducted on Porto Alegre in subsequent years and thus we know very little about the current state of this process (Baierle 2007; Abers, Brandão, King and Votto 2018). Additionally, many PB processes do not survive more than four years, as shown in Table 10.2, and rarely do researchers conduct case studies on abandoned processes, generating a bias toward long-lasting processes.

Quantitative analyses, similar to the one presented in this paper, overcome such problems by investigating a larger variety of successful and unsuccessful, short and long-lasting practices. The obvious limit of these methodologies is that they identify only an average effect of PB processes that is often not as inspiring as the study of 'real utopias'. However, quantitative studies

offer an important and fundamental reminder of the variety of these processes and contribute to the overall literature on participatory democracy by identifying potential baseline effects generated even by the worst process. They also remind us of the difficulty of ‘transplanting’ democratic processes and promote the generation of innovative solutions to increase the robustness of democratic innovations to varying local conditions.

This investigation is no exception: its results, *ex post*, are not very surprising. But in 2008, when I presented the first iteration of this multi-year project, nobody believed that PB could have an impact on the probability of re-election of the mayor and there was the maintained assumption that PB effects would grow over time as long as the implementation continued. Most Brazilian scholars I interviewed had localised information going back to 1996, the year in which, in many cities controlled by PT, mayors implementing PB lost the elections; and their intuitions, rooted in the long-lasting best practices of Porto Alegre and Belo Horizonte, were only just starting to vacillate under the changes occurring in such cities that were still understudied and unknown.

Anecdotal evidence has repeatedly shown that Brazilian cities adopting PB rarely provide a full account of the fate of approved projects beyond the first few years. No reliable data exists on the amount of funds allocated to PB but my best educated guess, based on the self-reported information included in the 2012 PB Census survey, is that in medium to large cities, the most developed PB processes influenced around 20 per cent of the city investments,<sup>15</sup> while in the least developed ones it is as little as 1 per cent. Overall, therefore, the average PB ‘treatment’ can only have a very small effect on public spending and mostly consists of a new type of participatory communication campaign.

Thus, it is not surprising that the analysis identifies that the most robust effect of PB processes is on the probability of re-election of the mayor and that, on average, such effects disappear over time. The first few years of PB are characterised by a novelty effect, by many promises, and sometimes by an attempt to break with the past. By solving a few initial glaring problems identified by the participants, PB can generate significant returns in terms of organisers’ image. These ‘wins’ are constantly presented in the documentation of PB processes that I have encountered in many field projects and, in the short run, might overshadow the fact that many other projects selected by the participants have not been implemented.

The findings of this study focusing on the ‘golden age’ of Brazilian BP are consistent with existing anecdotal evidence emerging from Lisbon and New York City PBs, started respectively in 2008 and in 2011, that shows that both processes are facing significant challenges that are not easily solved and thus contradict again the idea of intensification of democratic innovations over time (Su 2017; Politico 2022).



Additionally, in many cases, non-window-dressing PB processes over time are routinised, generating an oligarchy of participants (Spada and Ryan 2017; Abers, Brandão, King and Votto 2018; Montambeault 2019). Sometimes the emergence of such oligarchy is almost inevitable, due to the lack of capacity in civil society to provide new community leaders year after year. Sometimes, communities themselves have an incentive to support the generation of these oligarchies because the PB process requires significant learning by doing and specialised skills. Less experienced community representatives are, in most cases, less effective in securing funds for community projects than experienced ones. City governments rarely have incentives to counter these forces, and sometimes have incentives to promote co-optation of PB participants.

Thus, the existing evidence points in the direction of an average deterioration of many PB processes over time and thus it is not surprising that the effect of PB might also change over time. While this anecdotal evidence is in line with the results of this paper, many scholars that specialise in best practices view the impact of participatory practices as increasing over time and some quantitative analyses support this view (Wampler and Touchton, 2014; Gonçalves 2014). However, after controlling for city-specific fixed effects, and reducing the effect of some of the unobservable and time effects that might influence the impact of best practices, the statistical analysis I present shows the opposite. The model that supports the intensification thesis use static matching approaches, while the approach I used in this chapter is a dynamic difference-in-difference model, including both time and city-level fixed effects.

The impact of PB on healthcare spending, education spending and politics disappears or is reduced when PB is sustained for more than four years. The latter result can help explain the unusual pattern of adoption of participatory budgeting in Brazil, which combines a high adoption rate with a similarly high abandonment rate (Table 10.2).

While it is easy to connect a small increase in healthcare and sanitation spending with an immediate reduction in infant mortality rate in developing countries, the mechanisms that might drive the impact on elections are still unclear. In small cities, where the percentage of participants is a sizeable amount of the total voters, we can speculate that PB exerts influence directly on the participants and these affect the elections. In larger cities, like Porto Alegre with a population of more than 1.5 million and a number of participants that varies between 14,000 and 20,000 depending on the year, such an explanation is not enough. It is theoretically possible that participants in PB are community leaders, or influencers, and thus that they represent, or influence, a larger section of the population. As a city councillor of the *Partidos dos Trabalhadores* in Porto Alegre told me during a plenary assembly in 2009 'PB is a machine that captures community leaders, and when you are at

the opposition it is almost impossible to sever the privileged relationship that PB generates between the government and the participants.’

Lastly, PB might offer a powerful plebiscitarian support to city-level policies. An opposition party, a civil society organisation or an individual might find it extremely difficult to criticise the acts of city governments that are sanctioned by a participatory process engaging thousands of participants.

But all these mechanisms cannot explain why PB has an effect only in the short run. The most likely explanation is probably the simplest. PB generates, in its first years of implementation, mechanisms that allow the collection of the dreams and hopes of citizens and civil society groups. By implementing some of these dreams, PB generates an extremely powerful message of responsiveness and accountability to the entire city. This message can be leveraged effectively to win re-election and establish the city government as innovative. However, over time, the novelty of the process fades and the cost of maintaining it inevitably increases. Window-dressing processes generate delusions and discontent, while best practices generate increasing numbers of participants and thus inevitably accumulate over time an increasing number of unfulfilled demands.

The current strategy to counter such inherent fragility of PB processes is to ‘manage the expectations of participants’ with various techniques, from limiting the scope of a PB process that effectively becomes a small grant programme (US, European and North American model), from opening new channels of engagement to capture new and non-disillusioned participants (multi-channel PB), to ‘sharing the blame’ by invoking the idea that PB is a dynamic process and that participants are themselves responsible to improve it. But such solutions carry the risk of taming the most radical aspects of the process, reducing its capacity to promote social justice, as noted by the research on diffusion and adaptation of PB by Baiocchi and Ganuza (2014).

When looking at the implication of this study beyond PB, it is difficult to assess the significance of this study for the mini-publics literature, the other design of democratic innovation that has achieved some spread across the world: very few have reached the level of institutionalisation that PB has achieved in Brazil, and most institutionalised Citizens’ Assemblies, such as the one in Ostbelgien, are early pilots (Niessen and Reuchamps 2019). Looking at the ‘Lego-blocks’ of the design of the two processes, the main differences lie in the engagement system, the number of participants and the quality of deliberation. Mini-publics primarily select the participants via a lottery and engage a very small number of people, generating a high quality of deliberation; PB, however, in most incarnations is open to all and engages a large number of people – China and some Italian cases that use lotteries being the exception.

The mini-publics’ lottery might defend the process from some form of capture from outside interest groups and might prevent the emergency of an oligarchy of participants over time, but it will not defend them from the internal

co-optation that was one of the main problems identified by Wampler's study of Brazilian façade processes (Wampler 2009). Moreover, both democratic innovations are ultimately consultative (no matter what the law says) until an effective auditing system that can take the organisers to court is included in the law. Most municipalities implementing PBs ran into trouble exactly for cherry-picking the implementation of projects chosen by participants and generating a growing backlog of non-implemented processes over time, exactly in the same way the French government is currently facing critiques for the lack of implementation of the Citizens Convention on Climate Change recommendations. Thus, it stands to reason that institutionalised mini-publics might face very similar challenges to PB over time.

At the core of the problem lies the fact that, in the short run, it is extremely difficult to distinguish window-dressing democratic innovation processes from non-window-dressing ones. Democratic innovation processes are not audited and citizens rarely have the capacity to generate effective monitoring. The next generation of democratic innovations needs to focus on accountability and transparency if it aspires to achieve a more long-lasting and effective institutionalisation.

## NOTES

1 See the Empowerment Project and the Participation and Civic Engagement Projects at <http://web.worldbank.org>.

2 The most recent experiments of participatory institutions have some form of deliberative assembly in them; nonetheless, it is important to maintain the distinction between these two types of institutions because each of them can exist in isolation and there is a general tension between participation and deliberation that has been discussed extensively in the literature: see Cohen and Fung (2004); Lafont (2017); and Fishkin (2021).

3 World Bank's *Empowerment Case Studies: Participatory Budgeting in Brazil* available at [http://siteresources.worldbank.org/INTEMPowerment/Resources/14657\\_Particip-Budg-Brazil-web.pdf](http://siteresources.worldbank.org/INTEMPowerment/Resources/14657_Particip-Budg-Brazil-web.pdf).

4 The PB Atlas is an expert-based project that attempts to estimate the global number of PBs in the world. The data and publications related to the project can be found online at <https://www.pbatlas.net/index.html>.

5 'So that the English can see'. The origin of this expression is potentially related to a law against slavery passed by the Brazilian Regency Government in 1831, under pressure from the English Crown. The law was not applied for twenty years.

6 Using regional-level fixed effects as in Touchton and Wampler (2014) is a less conservative approach that might overestimate the effect of PB.

7 The census is available on dataverse (licensed under **CC BY-NC-SA 3.0**); see <https://dataverse.harvard.edu/dataset.xhtml?persistentId=doi%3A10.7910%2FDVN%2FEDSNJS&version=&q=&fileTypeGroupFacet=&fileTag=&fileSortField=&fileSortOrder=>

8 There are three main reasons to limit the study to medium to large cities. First, the qualitative literature (Teixeira 2002) indicates that the institutional variance of PB is smaller for medium and large cities. Second, small cities (defined by the Brazilian law as cities with fewer than 50,000 inhabitants) obey different rules regarding the transparency of balance sheets in the time period considered (art. 63 Lei Complementar 101 2000). This contributes to a continued lower quality in the public finance data available for these cities. Third, a larger number of small cities emerge during the considered time period. The census contains the sample constituted by the union of municipalities that achieved a population larger than 50,000 in 1992, 1997, 2000, 2004 and 2007. A total of 590 cities are present in the current census, this is just a minority of the ~5500 Brazilian municipalities, but it accounts for more than 60% of the Brazilian population. This paper presents tables and results using the most conservative subsample, the one comprised of only the 468 cities that had more than 50,000 inhabitants in 1992. The results shown in this study become even stronger with larger, unbalanced samples. These results are available upon request.

9 Two additional surveys were conducted in 2016 and 2020 so a new version of the Census will be published on dataverse also covering the subsequent periods. Table 10.1 uses some of the new data from this update (Spada and Holtz 2020).

10 In 1985, only 201 cities elected their mayor.

11 When cities split or merge in a time period it is unclear how to properly attribute the effect of lagged city-level independent variables.

12 These three dummies allow us to analyse the effect of a new participatory budgeting process and the effect of a process that carries over from the previous period.

13 The use of a linear specification with a binary dependent variable, the so-called linear probability model (LPM), is sometimes criticised. A LPM can lead to predictions outside the interval  $[0;1]$ , generating 'impossible' probabilities. Nonetheless, the LPM gives good estimates of the coefficients near the centre of the distribution of the regressors: it fails only to provide good estimates of extreme values of the regressors. When the objective is to estimate the effect of each regressor on the dependent variable, as in this study, the fact that some predicted values are outside the unit interval is of secondary importance (Wooldridge 15.2, 2002), and the LPM provides a series of advantages over nonlinear specification. The LPM requires a weaker set of assumptions than nonlinear models, and it allows a direct and simpler interpretation of the regressors, particularly when there are interaction terms. When dealing with Panel Data, the LPM doesn't suffer of the incidental parameter problem (Wooldridge: 484) and allows for proper treatment of individual heterogeneity using fixed effects; and it further allows correction for the presence of clustered errors.

14 The first specification lumps together first-time adoption, re-adoption, and continuation of a PB process.

15 There are few cases in small cities in which PB is said to be allocating 100% of the investment. But it is important to keep in mind that already, in medium cities with a population of around 50,000, PB is often nicknamed *calçamento participativo* (participatory street paving) because most of the larger projects that can be implemented are mediated by federal and state procedures that carry specific conditions.

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## *Chapter Eleven*

# **The Sin of Omission? The Public Justification of Cherry-Picking**

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### **INTRODUCTION**

What happens to the outputs of participatory processes organised by public authorities – to the recommendations, ideas and proposals that emerge from citizens who have given their time and energy to contribute to the political process? As contributions to this book make clear, this is not the only form of impact that can flow from participation but it is an important one. After all, if everyday people are invited to participate but the final political decisions fail to reflect the ideas they have proffered adequately, the value of participation is surely degraded. This will be the case whether we hold participation to be intrinsically or instrumentally valuable.

This chapter takes as its starting point the findings of the innovative Cherrypicking project, in which the authors participated, which provides consistent evidence of the way in which local authorities ‘selectively listen’ to citizens’ proposals emerging from institutional participatory processes oriented to policy-making (Font, Pasadas and Smith 2016; Font, Smith, Galais and Alarcon 2018). The logic behind this notion of selective listening (Sintomer, Herzberg and Röcke 2008) or cherry-picking (Smith 2009: 93) is the idea that the probability of a citizen proposal being implemented is not random but is due to certain characteristics of the proposals, the design of the participatory process, and/or the socio-political context in which these proposals arise. As we further explain below, implementation has to do, above all, with the content of the proposals more than with the characteristics of the

municipalities. Results show that the design and type of participatory process matter as well, but to a lesser extent. However, the findings of the Cherrypicking project have been incomplete because one element in the relationship between proposals and political decisions has been lacking in the analysis – namely, the extent to which decisions are accompanied by justification.

The normative question driving our analysis in this chapter, then, is whether selective listening can ever be legitimate from a democratic perspective. In line with the expectations of many scholars and practitioners of participatory processes (for example, OECD 2020: 118), our answer is that justification emerges as a critical element in any normative judgment about the legitimacy of action on the part of public authorities. In other words, the democratic deficit generated by the lack of implementation may be mitigated if the appropriate justifications are given. But this crucial dimension is often overlooked in assessing impact. Cherry-picking in which authorities provide a public explanation of their actions is normatively distinguishable from cherry-picking with no explanation.

Our published work to date has been silent on this critical element of participatory practice. Our aim in this chapter is to analyse the extent to which lack of justification by public authorities is present and to understand the drivers of such (non)action. To what extent do public authorities provide a public explanation for their course of action? What factors push authorities to give or omit justifications? We explore these questions in two ways. The first draws on extensive data on a broad range of Spanish participatory processes. Following the approach of our earlier Cherrypicking analysis, we ask whether characteristics of the municipality, process or proposals themselves are explanatory factors in the lack of justification. The second approach reports on a complementary online survey undertaken with local public officials, elected representatives and civil society actors, asking them explicitly what they think explains omission of justification. The evidence we present suggests that justification is too often omitted by public authorities and that this is driven by a range of factors, including available resources, political will, electoral dynamics and process design. Mechanisms of justification have not received enough attention from those who wish to promote more impactful participatory democracy. We end the chapter by considering the implications of our findings on justification for the design and application of participatory institutions.

## **THE DEMOCRATIC CHALLENGE OF CHERRY-PICKING**

This chapter is located within debates about the policy consequences of participatory processes organised by public bodies. We are operating here

with a restrictive understanding of participation in relation to ‘invited spaces’ (Gaventa 2006) and also a restrictive account of policy consequences (Pogrebinschi and Ryan 2018). Our focus is on the relationship between the proposals made by participants and the extent to which they are picked up by the public authorities that have created these invited spaces. This means that we are not attending to the contribution participatory processes can make to more ambitious outcomes of social change and solutions to social problems like inequality, corruption or the climate crisis (Boulding and Wampler 2009; Olken 2010; Spada, Chapter Ten of this volume). Our analysis is also limited in the way we understand the impact on the policy process. Focusing on the implementation of proposals means that we have little to say about other elements of the policy cycle, such as agenda-setting. We do not assess the content of the proposals. Regardless of whether they are proposals that would transform the life of a neighbourhood or, instead, go completely unnoticed by the public, the argument is that public authorities should provide some kind of public explanation or justification of their actions, particularly where they modify or abandon proposals. While we admit the limits of our ambition, the question of whether decisions of public authorities developed in a participatory context are responsive to citizens’ voices is highly pertinent for anyone who is interested in the impact of participatory processes.

The Cherrypicking project focused on the fate of policy proposals that emerged from local participatory processes across Spain (Font, Smith, Galais and Alarcon 2018). It is a ground-breaking project that looks systematically across a range of different participatory processes in different political domains, in order to analyse the extent to which proposals are translated into the political decisions of public authorities. In empirical terms, the project tracked what happened to a large and diverse set of proposals (just over 600) coming out of 39 participatory processes in 25 municipalities across three Spanish regions: Andalusia, Catalonia and Madrid. These processes were collapsed into four types or categories: *participatory budgeting*; *strategic planning*, including programmes such as (or similar to) Agenda 21, which have a predetermined duration; *advisory councils*, a type of deliberative body composed mainly by associations and interest groups; and, lastly, *other temporary processes*, such as popular consultations.<sup>1</sup> The mundane character of both the processes and proposals needs to be reinforced. The tendency within studies of participatory processes is to select exemplary cases that have had significant policy impacts (Spada and Ryan 2017). This does not reflect the characteristics of everyday forms of participatory politics. Most of the proposals we are dealing with are not particularly ambitious or expensive and would not dramatically transform local societies. Rather, they are relatively modest and feasible ideas that any of these municipalities could develop with their existing resources or with some limited external financial support.<sup>2</sup>

In all cases, these are proposals that have been officially recognised and been accepted as the final output of participatory processes.

The initial descriptive headline result of the project indicates that just over a third (35 per cent) of the proposals had been fully implemented with no or very minor changes from the original formulation; almost another third (31 per cent) had been partially implemented or developed with significant deviations from the original proposal; and the same number again (31 per cent) had been rejected or ignored by the public administration.<sup>3</sup> Within this global analysis of 39 processes, differences in the fate of proposals emerge. The diversity is striking: from four processes where all proposals had been fully implemented (two of them based on a single proposal) to three processes where none of the proposals analysed had been fully implemented. In between, we find significant room for cherry-picking, with different mixes of proposals fully implemented, partially implemented or modified or completely abandoned (Fernández-Martínez 2015; Font, Smith, Galais and Alarcon 2018).

How to make sense of these results? Is this a pessimistic or optimistic finding for participatory democracy? Some of our *a priori* more pessimistic audiences in terms of expectations of public authorities (including most of the research team itself) were surprised to see that a majority of the proposals have discernible policy consequences (fully or partially implemented). Others, with higher expectations of the impact of participatory democracy, were enraged to see that a majority of proposals have not been fully respected.

Normative assessments rest very much on our expectations of democracy. We are governed by institutions in which our representatives are granted a degree of independence in making judgements about public action (Manin 1997). No legal obligation exists for representatives to follow the recommendations of citizens, even those that emerge from invited spaces that public institutions have organised or commissioned. On the contrary, Spanish local law does not permit anyone except elected councillors to make binding decisions. The fact that a majority of implemented decisions reflect, at least in part, the ideas generated by participants in these processes could be seen as a sign of the vitality, usefulness and integration of participatory practices in the context of a representative democracy.<sup>4</sup>

The alternative perspective assumes that the *raison d'être* of participatory institutions is to link policy-making more closely to the emergent views of citizens. Even if they do not have mandatory force, the more or less explicit political messaging around participatory processes made by organisers and the media is the expectation that their results will have policy consequences. Participating in this type of process is one of the ways to achieve political influence. Citizens and political representatives are aware of this. In turn, the promoters or organisers of these processes – mostly civil servants – resort

precisely to this promise of political influence to attract and mobilise participants. Previous studies have shown how an inflation of expectations or aggrandisement takes place on the part of the promoters in the initial stage of some participatory processes (Fernández-Martínez, García-Espín, and Jiménez-Sánchez 2020; Polletta 2016). What follows is that any deviation from full implementation is seen as a failure, the result of a broken promise and a potential source of growing frustration and disaffection amongst the citizenry.<sup>5</sup> In these terms, most of the cases analysed fall some way short of achieving what they promised, reinforcing the view that (local) political elites are selective in what they respond to; in so doing, they potentially undermine the legitimacy of the local democratic process.

Additional evidence from the Cherrypicking project that bolsters this critical viewpoint emerges from further analysis of the explanatory factors behind the pattern of uneven uptake of proposals by public authorities (Font, Smith, Galais and Alarcon 2018). We could not find evidence that the contextual characteristics of the municipality impacts on the chances of a proposal being implemented. Being a richer or larger municipality or having a left-leaning mayor or a longer tradition of participatory activity, for example, does not increase the likelihood of proposals being implemented. The form of participatory process has some effect – for example, the proposals that emerge from participatory budgeting are more likely to be implemented when comparing with advisory councils, strategic programmes or other temporary/*ad hoc* processes. But the most systematic evidence is that the fate of proposals is strongly conditioned by a proposal's content: those that are more expensive and/or more disruptive are less likely to be implemented; those which have support from both elected and bureaucratic actors in the municipality or that are accompanied by external funding are more likely to be implemented.

From a more managerial perspective, these results make sense. Proposals that imply more continuity and are less expensive are much easier to integrate into the political system. Choosing those proposals that have support from participants, politicians and the local administration can be considered more legitimate and indicate a strong integration between participatory and representative forms of democracy.

But in an arena already imbued with imbalances of power, cherry-picking in itself, and specifically its strategic use by local politicians, brings into question the very rationale for supporting participatory institutions. These processes appear to be another way for local elites to achieve their desired ends in ways that co-opt citizens into their agenda rather than opening up new ways of doing politics.

While these are robust findings, an element is missing to make a judgment as to the legitimacy of cherry-picking, namely, the extent to which a public justification is offered to explain the course of action.

## FROM CHERRY-PICKING TO JUSTIFICATION

Public justification is a central principle in grounding democratic legitimacy, whether this is in accounts of deliberative democracy (Gutmann 1996) or more realist perspectives on the responsiveness of government (Manin 1997). Much of the contemporary strain placed on democratic representation is linked to the lack of meaningful connection and communication between representatives and citizens. To this end, we find arguments for the importance of more ‘recursive representation’ (Mansbridge 2018; Williams 2000), in which ongoing communication and mutual justification is recognised as an essential ingredient in building trust and understanding between representatives, public officials and citizens. Such a recursive account of representation offers one way of ameliorating the apparent tensions between participatory and representative accounts of democracy. Even those from a Burkean tradition, who hold to a ‘trustee’ perspective on the importance of independence of judgment in democratic representation, would be hard pressed to defend a lack of explanation to a constituency that had been explicitly invited to provide its recommendations. In other words, it is possible that cherry-picking might be redeemable democratically if authorities justify their actions publicly. Selective adoption of proposals is likely to be more democratically legitimate where a public justification is offered as to why certain proposals have been abandoned or modified. Emerging empirical evidence supports this contention: citizens reward responsiveness where they are convinced that politicians have paid attention to their concerns (Esaiaasson, Gilljam and Persson 2017)

What do we find in practice? Is cherry-picking redeemed by justification? As part of the original Cherrypicking research project we collected data on whether the public authority provides a justification of its decision to modify or reject proposals.<sup>6</sup> We do not have details about the content of the justification and thus the relative merits of the reasons proffered but the very existence of a publicly accessible explanation is a necessary element in justificatory practices.

Our analysis rests on the presence or absence of justification for 276 proposals that were modified or abandoned, discounting those that were still in progress at the time of the fieldwork or where no information was forthcoming from informants. Our data shows a consistent pattern. For those proposals that were partially implemented or modified (31 per cent), under one-third (31 per cent) were accompanied by a public justification for that course of action.<sup>7</sup> For those proposals that were rejected or ignored (31 per cent), a little over one-third received a public explanation (34 per cent). The average across both sets of proposals is that two-thirds lacked any public justification on the part of public authorities. The evidence, then, is that cherry-picking

is more often than not accompanied by a lack of justification. Where debate over the legitimacy of selective listening is understandable, the extensive lack of justification for decision-making is much harder to defend from a democratic perspective.

What drives this omission of justification? We explore this question in two ways. The first follows the approach of the earlier Cherrypicking analysis, asking whether characteristics of the municipality, process or proposals are explanatory factors in the lack of justification. The second reports on a complementary online survey undertaken with local public officials, elected representatives and civil society actors, asking them what they think explains the omission.

### **WHAT DRIVES JUSTIFICATION – CONTEXT, PROCESS OR PROPOSALS?**

We are working in the dark in terms of the drivers of non-justification. We are not aware of any studies that look systematically across cases at this critical phenomenon for impact. We draw inspiration from a body of research that potentially bears a family resemblance: case studies that analyse the reasons why participatory processes are abandoned. Our assumption is that the drivers of abandonment could be similar to those that explain the lack of justification. Quite simply, both abandoning participatory processes and non-justification indicate an instrumental disregard towards participatory democracy on the part of public authorities. Within the literature on abandonment, dynamics of electoral politics emerge as a key theme (Cooper and Smith 2012). First, change in ruling political parties leads to discontinuities (Alves and Allegretti 2012). As governing parties change, so too their commitments to participatory processes established by previous mayors. The critical factor here is the change of government, regardless of the ideology of the incoming or outgoing party. Similarly, we can reasonably expect new governments to be more likely to ignore the proposals generated through processes established by their predecessors (Bherer, Fernández-Martínez, García Espín and Jiménez Sanchez 2016). Second, coalition government is seen as conducive to supporting participatory processes in which they can become important elements in coalition negotiations (Fernández-Martínez, García-Espín and Jiménez-Sánchez 2020). A corresponding logic would be at work for justifications, with particular partners putting pressure on the coalition to act.<sup>8</sup> It seems reasonable to think that the greater the influence, the greater the pressure to justify the non-implementation of the proposals. Third, the proximity of elections is likely to have an impact, with governing parties more likely to abandon commitments to participatory exercises that may lead to challenges



to their platforms. Similarly, we can expect that such proximity has a negative impact on the willingness of governing parties to acknowledge their lack of implementation of proposals where it may impact on their electoral fortunes.

In addition to these three factors related to electoral dynamics, we include two other contextual factors: region and municipality revenue *per capita*. We do not expect that different regions have an effect on justification since participatory practices are sufficiently diverse at this level of jurisdiction. However, the level of wealth of a municipality may easily translate into greater available resources (both human and economic), facilitating administrative capacity to provide a justification for a particular course of action.

At the process level, the evidence comparing justificatory practices across different types of participatory processes is scarce. What we do know is that one of the defining features of participatory budgeting as a democratic innovation in Brazil is the way in which a specific moment of justification on the part of the governing mayor and administration is embedded in its annual cycle (Baiocchi 2005; Smith 2009). Plenty of evidence has emerged that in the transfer of participatory budgeting to Europe, many of its defining features have been watered down (Sintomer, Herzberg and Röcke 2008; Baiocchi and Ganuza, 2017). Whether participatory budgeting as it is generally practised in Spain still has that justificatory characteristic is certainly worth testing. We might also expect some differences in those processes that are more permanent in character compared to those that are more transitory, given that public officials will have regular contact with participants in more permanent processes and thus anticipate the need to provide explanation of their actions; whereas no such regular interaction exists in more transitory processes.

At the proposal level, two characteristics can reasonably be considered as potential drivers of public justification. The first is where a proposal aligns with existing policy commitments. Our contention is that public officials will be more likely to explain their inaction where they are more sympathetic to the orientation of a proposal. Those proposals that are more challenging to existing practices are less likely to receive a justification where they are not implemented. Finally, the extent of support across civil society for the particular proposal may well determine responsiveness on the part of public officials. Developing the concept of societal accountability, Smulovitz and Peruzzotti (2000: 150) recognise the way in which civil society organisations and social movements are able to exercise a measure of control through their power to ‘destroy the political capital and reputation of public officials’ through social mobilisations and media exposés. Our expectation is that where broad social support for a proposal exists, we will find motivation to provide justification for partial implementation or non-adoption.



## Data and variables

Table 11.1, below, summarises the independent variables and their distribution for the 276 proposals that were not fully implemented across 39 participatory processes. The dependent variable captures the difference between those proposals for which a publicly accessible justification has been offered (value 1) and those proposals which have not received any explanations (value 0).

We code five variables at the municipal level, with particular focus on electoral dynamics. First, the extent of *continuity in governing arrangements*, distinguishing between complete continuity,<sup>9</sup> partial continuity<sup>10</sup> and clear government change between the emergence of proposals and their implementation (or lack thereof). Second, *government stability* in the period 2011–15, namely, single-party majority government or coalition government. Third, *proximity to elections* from the moment when proposals emerged, distinguishing between less than one year, between one and two years, and more than two years. And finally, we add *region* (Andalusia, Catalonia or Madrid) and *municipal revenue per capita* as control variables. For *municipal revenue per capita* we distinguish between a low revenue level of up to 900 Euros per inhabitant (value 0); a medium level of between 901 and 1200 Euros (value 0.5) and a high level of above 1200 Euros (value 1).

At the process level we focus on the *type of participatory process*. Here, we distinguish between different institutional designs, namely, participatory budgeting, strategic planning, other permanent mechanism (mostly advisory councils) and other temporary processes. Participatory budgeting and advisory councils are designed with the purpose of being permanent. In contrast, strategic planning (mainly Agenda 21)<sup>11</sup> and processes such as popular consultations about specific policy issues are temporary.

At the proposal level, we consider three dichotomous variables. The first is the *continuity of the proposal* capturing the extent to which a particular proposal challenges (value 1) or is line with (value 0) existing policies and practices of the municipality. Second, we capture the presence (value 1) or absence (value 0) of *broader external support for the process*. Lastly, we include *outcome*, distinguishing between proposals that are rejected (value 0) and partially implemented/modified (value 1).

## RESULTS

Table 11.2 displays the results of a logistic regression; Figures 11.1 and 11.2 graphically represent the effect-size of the significant variables.

**Table 11.1.** Independent variables

		%
<b>Continuity at the political level</b>	Complete continuity	18.8
	Partial continuity	25.4
	Clear government change	55.8
	<b>Total</b>	<b>100 (N276)</b>
<b>Government stability / strength 2011–15</b>	Single-party majority government	48.2
	Coalition government	51.8
	<b>Total</b>	<b>100 (N276)</b>
<b>Proximity to election</b>	Less than one year	54.7
	Between one and two years	33.3
	More than two years	12.0
	<b>Total</b>	<b>100 (N276)</b>
<b>Region</b>	Andalusia	47.5
	Madrid	17.8
	Catalonia	34.8
	<b>Total</b>	<b>100 (N276)</b>
<b>Municipal revenue per capita</b>	Low	33.0
	Medium	35.9
	High	31.2
	<b>Total</b>	<b>100 (N276)</b>
<b>Type of participatory process</b>	Participatory budgeting	21.7
	Strategic planning	50.7
	Other permanent mechanisms	11.6
	Other temporary experiences	15.9
	<b>Total</b>	<b>100 (N276)</b>
<b>Broader external support</b>	No	61.4
	Yes	38.6
	<b>Total</b>	<b>100 (N246)</b>
<b>Continuity of proposal</b>	Does not challenge existing policy positions	48.8
	Challenges existing policies and practices	51.2
	<b>Total</b>	<b>100 (N260)</b>
<b>Outcome (final fate of not fully implemented proposals)</b>	Rejected	65.9
	Partially implemented / modified	34.1
	<b>Total</b>	<b>100 (N276)</b>

At the municipal level, we find three significant results. The most significant variable for the lack of justification is *municipality revenue per capita* ( $p = 0.002$ ). In those municipalities with more income per inhabitant, the probability of providing an explanation for non-adoption is greater. The better resourced a municipality, the more likely it is to justify its actions. The second significant variable at the political level is *government stability or strength* ( $p = 0.019$ ). The absence of countervailing power or veto-points in single-party majority government reduces the need to provide justification.

**Table 11.2.** Logistic regression of the drivers of justification (N=239 proposals)

Variables	Coef. / Std. err.	Odds ratio	
<b>Continuity at the political level</b>	Clear government change (Ref)		
	Complete continuity	-.929 / 1.457	.395
	Partial continuity	.247 / .738	1.280
<b>Government stability / strength 2011–15</b>	Single-party majority government	-1.719** / .734	.179
<b>Proximity to election</b>	Less than one year (ref)		
	Between one and two years	.542 / .741	1.720
	More than two years	1.938** / .914	6.945
<b>Municipal revenue per capita</b>	0 = Low; .5 = medium; 1 = high	3.956*** / 1.293	52.276
<b>Region</b>	Madrid (Ref)		
	Andalusia	1.877 / 1.218	6.536
	Catalonia	.090 / 1.055	1.095
<b>Type of participatory process</b>	Participatory budgeting (Ref)		
	Strategic planning	-1.691** / .759	.184
	Other permanent mechanisms	2.530** / 1.160	12.557
	Other temporary experiences	.057 / .783	1.059
<b>Broader external support</b>	Yes <sup>b</sup>	1.955*** / .466	7.062
<b>Continuity of proposal</b>	Does not challenge existing policy positions	-.191 / .416	.826
<b>Outcome (final fate of not fully implemented proposals)</b>	Partially implemented / modified <sup>d</sup>	-.457 / .411	.633
	Constant	-3.776 / 2.029	.023

Note: \* $p < 0.1$ ; \*\* $p < 0.05$ ; \*\*\* $p < 0.01$ . Nagelkerke = 0.530 a. Reference category = coalition government; b. Reference category = no; c. Reference category = challenges existing policies and practices; d. Reference category = rejected.

Third, *proximity to elections* ( $p = 0.034$ ) suggests that where partial or no implementation happens at least two years away from the next election, this increases the likelihood of public justification by public authorities.

Figure 11.1 shows in more detail the effect-size of these three significant variables at the municipal level. Figure 1a shows a clear gap between low- and medium/high-income municipalities. The difference between medium- and high-income municipalities is moderate, which suggests that reaching a threshold of income mitigates its effect on justification. Figure 1b illustrates how the probability of giving a justification increases by around 25 per cent in coalition governments compared to single-majority regimes. Lastly, Figure 1c shows how the probability of offering justification is significantly reduced in those cases in which the elections are close in time.

Although the result does not reach statistical significance, *continuity of government* does not operate in the expected direction. In a sense, this mirrors the earlier single-majority-party driver. A simple political logic emerges: governing parties that do not need to rely on others for support and/or which have a degree of stability feel less need to explain their selective listening. Additionally, distance from elections provides a more conducive context for justification, arguably because it generates no or limited electoral threat. Without the threat of the public sanction of elections, the political judgement of administrations is that silence is more harmful than not providing justification for abandoning or modifying proposals.

At the process level, we find that design also has a relevant impact. Taking participatory budgeting as the reference category, both strategic planning and permanent advisory bodies such as advisory councils are significant ( $p = 0.026$  and  $0.029$ , respectively). Nevertheless, the direction of these two participatory processes differs: justifications are less likely to occur in strategic planning, more likely in advisory councils. Figure 11.2a shows some resonance with our earlier Cherrypicking findings, in that strategic planning processes fair worse than participatory budgeting (Font, Smith, Galais and Alarcon 2018). A significant difference from these earlier findings is the

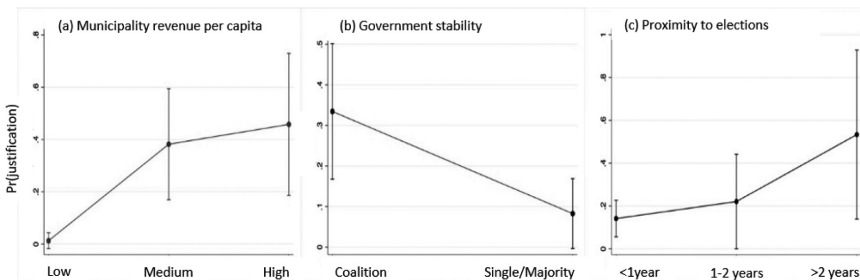
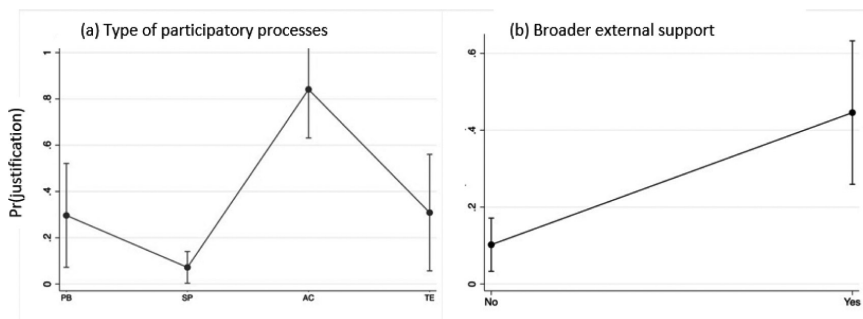


Figure 11.1. Effects displays of significant variables at municipal level



**Figure 11.2.** Effects displays of significant variables at process and proposal level

performance of advisory councils, which provide the best format for justifications. The effects indicate a large distance between the practices of the four types of processes, above all, between strategic planning and permanent advisory bodies. However, we need to place this finding in context. Our earlier Cherrypicking findings indicated that advisory councils performed relatively poorly in terms of the rate of implementation of their proposals compared to participatory budgeting. In other words, practices of justification are strong in a participatory body where there is a high level of cherry-picking. So, while advisory councils in Spain are often dismissed for their lack of obvious political impact (Brugué, Font and Ruiz 2021), their permanent nature arguably means that social pressure exists on public officials to give an account of their actions to civil society participants. This argument is reinforced if we look at the proposal level: the effect of broader external support is clear and strong ( $p = 0.000$ ). Figure 11.2b shows that the probability of giving justifications increases by around 30 per cent where broader external support for a proposal exists.

In conclusion, then, the data indicates that a fairly familiar political logic is at work in explaining practices of justification, one that is driven by the presence of resources, electoral-party motivations and pressure from civil society.

## THE PERSPECTIVE OF LOCAL ACTORS

Based on our initial finding of the extent to which justification is lacking, we sent a short online survey between June and September 2017 to 140 informants who had provided information on the fate of proposals for the Cherrypicking project. We explained the headline finding that for over 60 per cent of proposals not fully implemented by municipalities in Spain, no public

explanation was provided. We then asked informants why they thought this was the case. Initially, we solicited their responses through an open question, which was then followed up with a battery of statements that capture different possible explanations.<sup>12</sup> Our response rate was 55 per cent, with 78 per cent of respondents being public servants working mainly on urbanism, welfare, environment and citizen participation. The rest of the respondents were members of political parties and civil society organisations. In the case of public servants, the criterion to select them as main informants was that the proposals corresponded to their department or public policy area.

In response to the open question about the main causes of the lack of justification, four themes make up the most common explanations. The first is the lack of interest and political will (24 per cent of the cases); the second, which resonates with our earlier analysis, a lack of institutional resources (20 per cent). In the words of our informants, participation is caught between 'the low valuation of these types of processes' and 'the administrative burden on local authorities'. A third thematic (17 per cent) highlights the absence of a formal protocol for responding to the results of participatory processes and the lack of clarity within public authorities as to who is responsible for responding, especially when 'these types of projects are managed collectively ... there is no individual consciousness about the responsibility to inform, and it is thought that others should do it.' The fourth set of explanations rests on the desire to avoid public acknowledgement of failure (13 per cent), with respondents highlighting 'the feeling of failure or embarrassment when not successfully delivering a proposal'; 'the lack of courage because for political reasons no one wants to leave in writing something that is not going to be done'; or 'it is considered that making public non-fulfilment discredits more than credits over time'.

Other reasons which are less extensively proffered include a lack of empathy towards participants and citizens in general. For example, one official noted 'the people responsible for the implementation are not aware of the feelings of frustration that people who have participated in the participatory process can feel'. Another noted 'the lack of respect for the process itself'. Again, reflecting the results of our regression analysis, a number of respondents point to the effect of changes in government – for instance, 'incoming governments do not usually take over the processes initiated by the previous ones', while another referred to 'the lack of continuity in the government teams ... even if the changes are people of the same political party'. Other reasons that emerge but are even less common include: the perception that citizens do not actively demand explanations; disagreement between politicians and public servants; the excessive number of proposals; lack of accurate information; political instrumentalisation; and a lack of a culture of participation and accountability.

Having solicited perspectives through an open question, we then presented a barrage of statements that might explain non-justification (Figure 11.3). Combining strongly agree and agree categories, more than 75 per cent agree that deficits in justification are due mainly to the lack of a protocol for monitoring the fate of proposals. 68 per cent agree that a change of government hampers follow-up. Other explanations that receive over 50 per cent support include the lack of political will, no clear explanation as to why no response is forthcoming and the desire to avoid conflictual situations. The popular open answer of the lack of time is not supported by the majority of respondents; neither is the assumption that the issues are so complex that it is not possible to give explanations.

### DESIGNING JUSTIFICATION

Our empirical analyses expose the structural challenges to ensuring justification of the actions of public authorities. From the regression analysis and the perspective of local actors, the dynamics of local politics clearly play a critical role in at least two ways. First, the manner in which different governing party arrangements and proximity to elections affect justificatory practices. And second, the extent to which support for a proposal from civil society has an impact on the actions of authorities. This political explanation is complemented by a set of drivers that relate to the internal practices of

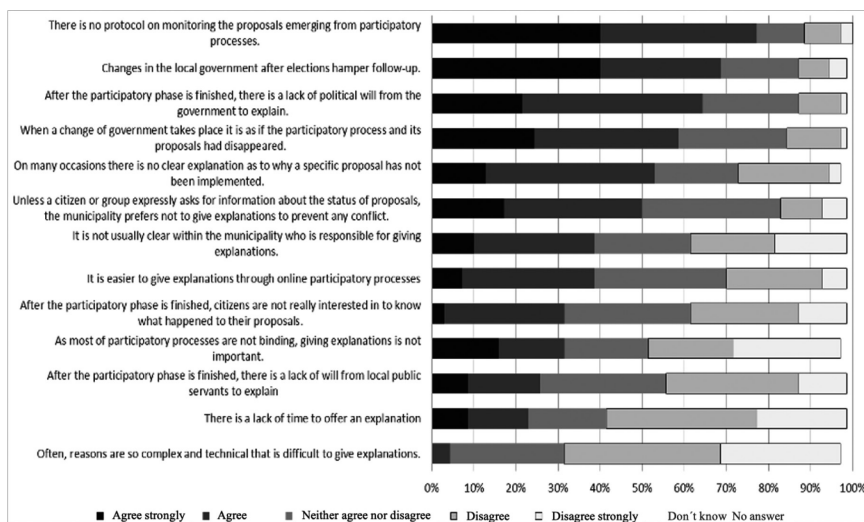


Figure 11.3. Level of agreement about the drivers of lack of justification

administrations, notably the available resources to follow up, the attitudes of public officials towards participatory politics and the lack of protocols and responsibilities for providing justifications.

How might we begin to shift practices of justification? Clearly civil society pressure is one effective approach, although the extent to which that can be harnessed consistently will vary across participatory processes. Ensuring more internal resources for action and changing the attitude and practices of public officials are also both challenging targets, although some participatory processes have included attempts to build the capacity of public officials to respond to the proposals that emerge (Dean, Boswell and Smith 2020).

It is the process-design finding that offers a more immediate opportunity to improve practice – to alter the incentive structure for public administrations to provide public justifications. In other words, incorporating justification into the design of participatory processes. Considerations of the institutional design of participatory processes has afforded most attention to the ways in which citizens are engaged and develop recommendations. Much less focus has been on how the proposals that emerge are then integrated into the political process, in particular the way in which justification can be built into the participatory process. The significance of this element of participatory design can be teased out through consideration of two democratic innovations that have captured the imagination of practitioners, activists and academics in recent years: participatory budgeting and citizens' assemblies.

In the original design of participatory budgeting in Porto Alegre that emerged in 1989, great care was taken to ensure public justification of actions on the part of the executive (Baiocchi and Ganuza 2017; Smith 2009). First, as part of the annual budgeting cycle, community representatives were tasked with overseeing the implementation of successful proposals. These representatives were elected on an annual basis and so ensuring that the administration provided a justification for its actions was critical to their standing in their community. Second, the mayor and senior officials appeared at annual open area-meetings across the different parts of the city, in which they were required to give a public account of their activities and, specifically, progress on the implementation of public works proposed through the participatory budget. Recent accounts of the withering of participatory budgeting in part highlight the weakening of these justificatory practices. One of the weaknesses in the transfer of participatory budgeting to Europe has been the lack of attention to the creation of moments of justification by the public authority, although our data suggest that this form of participatory practice still outperforms some other designs in this regard.

If participatory budgeting was the *cause célèbre* of participatory democrats in the 1990s and early 2000s, arguably, current fascination rests with citizens' assemblies or 'mini-publics', in which randomly selected participants learn,



deliberate and come to recommendations on often controversial and complex issues of public policy. While the practice of deliberative mini-publics goes back over half a century (Setälä and Smith 2018), it is the Irish Citizens' Assembly 2016–18 that has led to a step-change in expectations, with its role in reforming the constitutional status of abortion. Since then, we have seen a 'deliberative wave' (OECD 2020), with more extensive use of deliberative mini-publics at different levels of governance and on a range of policy issues, most recently, the climate crisis. The Irish Assembly would appear to side-step the public justification challenge since its recommendations went to a binding national constitutional referendum. But that is to overlook the fact that the Assembly dealt with a range of issues, a number of which did not receive an official response from government. Cherry-picking emerged, some of which was not accompanied by justification.

This challenge of justification has become even more pertinent with the prominence of climate assemblies that often generate a significant number of recommendations (Boswell, Dean and Smith 2023). The scope for cherry-picking without justification is extensive. This is certainly the case in France, where only a limited number of often modified proposals from the Convention Citoyenne Pour Le Climat made it into the Climate and Resilience Bill considered by parliament.<sup>13</sup> Modification and rejection of proposals has not been consistently accompanied by public justification. And this is in a context of a high level of public debate and civil society scrutiny. Other assemblies have had much less public attention and thus even more space for selective listening and the avoidance of justification.

The design challenge here for citizens' assemblies and other deliberative mini-publics is that once the recommendations have been made and passed to the political authority, little oversight exists to press for public justification. We are beginning to see emergent practices as this gap is recognised. In France, for example, the Convention reconvened after a number of months to pass public judgement on the responsiveness of government,<sup>14</sup> a practice that has been adopted by Scotland's Climate Assembly. While the relationship between government and assembly is less contestatory in Scotland and thus more conducive to public justification by the executive, the timings of these reconvened assemblies means that implementation of most proposals will still be in process. The French association 'Les 150', L'association des Citoyens de la Convention Climat, established by members of the Convention, is playing an ongoing role in providing critical oversight, exercising public pressure on government to explain its (in)actions.

The ground-breaking Permanent Citizen Dialogue established in East Belgium in part is designed to promote public justification (Niessen and Reuchamps 2020). A few months after each citizens' assembly provides its recommendations, a special parliamentary committee brings together relevant

parliamentarians, government ministers and members of the assembly, during which an account is offered of the actions that will be taken forward. Just as with the French Convention, often not enough time has passed for full implementation to have happened; so the accountability provision will often only capture future intentions. However, a permanent Citizens' Council has the explicit role of providing ongoing oversight of government and parliamentary responses to recommendations and thus can reasonably expect public justifications over time. Like the example of participatory budgeting, an incentive to provide justifications has been explicitly designed, putting social pressure on political actors to justify their actions.

## CONCLUSION

Cherry-picking is a problem for democracy. How much of a problem depends on the way in which we conceive of democracy and the responsibilities and independence of representative institutions. In other words, conditions may exist in which cherry-picking can be justified. But justification is key. Our evidence suggests that where public authorities respond selectively to proposals, justification is often lacking for non-adoption or modification. This is driven by party-electoral dynamics, resources, attitudes and practices of administrative actors, the unequal and intermittent pressure from civil society and the lack of formal protocols. For participatory democrats, this gap in justificatory practices is a significant sin of omission and one that demands attention in the analysis of the impact of participatory processes. Tackling the dynamics that lead to this lack of justification is challenging. The design of justificatory practices within participatory processes emerges then as a critical area for attention on the part of participatory democrats. Democracy without systematic justification by the powerful is really no democracy at all.

## NOTES

1 Methodological details appear in Font, Pasadas and Smith (2016) and Font, Smith, Galais and Alarcon (2018).

2 The two largest policy categories are urban planning and environment and involve actions like asphaltting streets, introducing other minor urban changes, environmental awareness campaigns or reorganising local facilities to make them more environmentally friendly. *See* Fernández-Martínez (2015) for details.

3 For the remaining 3 per cent we have no or missing information.

4 On some of the tensions that incorporating participatory institutions in a representative democracy involves, among others, *see* Hendricks (2016).

5 See Goldberg (2021) for a different perspective. According to her results, citizens would prefer that the results of participatory exercises not be binding. Jacquet (2019) reaches a similar conclusion, pointing out that citizens prefer to give deliberative mini-publics a complementary function rather than a decisive one. On frustration as a result of failed participatory processes, including lack of implementation in the explanation of this frustration, see Fernández-Martínez, García-Espín and Jiménez-Sánchez (2020).

6 It is a limitation of our research design that we did not ask public authorities if they provided a justification when they fully implemented a proposal. Normatively, such an explanation has weight.

7 Justifications could take place in quite different formats, with the only requirement being that they are publicly accessible, such as a document available on the authority's website, a press conference or a public meeting with participants.

8 For a similar argument, see Font and Galais (2011).

9 Same mayor and same party/coalition.

10 Mayor or most important party in government remains.

11 For details on (Local) Agenda 21, see Font and Subirats (2000).

12 These statements were developed before the results of the logistic regression were available and so do not incorporate the insights they provide.

13 See the website of Les 150, L'association des Citoyens de la Convention Climat, for updates on the fate of proposals, available at: <https://www.les150.fr/>.

14 See also Mazeaud and Gourges (Chapter Three in this volume), to find other, less clear-cut examples of these practices in the French case.

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## *Chapter Twelve*

# **The Impact of Democratic Innovations in Latin America**

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### **INTRODUCTION**

Latin America has witnessed the continuous emergence of democratic innovations in the last thirty years. The widespread deficits of representation in the region led to intense democratic experimentation and institutional innovation from the 1990s onwards, turning Latin America into a vibrant laboratory of citizen participation aimed at improving democracy (Selee and Peruzzotti 2009; Cameron, Herschberg and Sharpe 2012; Pogrebinschi 2021c). Initiated by government, civil society, international organisations, or private stakeholders, these new institutions, processes, and mechanisms of citizen participation constitute an integral feature of Latin America's democracy (Pogrebinschi, 2023).

While there has been extensive research on democratic innovations in Latin America, fewer efforts have been directed to investigate their impact. Moreover, most scholarship has relied on case studies and very little comparative research has been undertaken. Comparing democratic innovations is crucial to understanding their impact (Ryan 2021). Comparative studies of democratic innovations in Latin America usually focus on one single participatory institution within the same country or across a small number of countries. Furthermore, comparative research on citizen participation in Latin America mostly focuses on participatory budgeting (Wampler 2007; Goldfrank 2011; Baiocchi, Heller and Silva 2011; Wampler and Goldfrank 2022) or policy councils (Coelho 2007; Serdült and Welp 2015; McNulty 2019; Mayka 2019), with a stronger focus on the causes of participation rather than on its consequences. Fewer studies concentrate on the impact of democratic innovations at the macro democratic level (Pogrebinschi and Samuels 2014) and even more rarely do they adopt a comparative methodology (Pogrebinschi

and Ryan 2018). Those works are also limited to the analysis of a single family of democratic innovations within one country.

While comparative analyses of democratic innovations in Latin America don't focus on their impact on democracy, those works dedicated to investigating impact lack a comparative approach. Moreover, just as the field of democratic innovations has been built predominantly around studies of participatory budgeting (Ryan 2021), research on citizen participation has disregarded the extensive variety of institutional designs that have evolved across Latin America's various countries (Pogrebinschi and Ross 2019b; Pogrebinschi, 2023). This chapter seeks to fill this gap.

This chapter presents the first large-N cross-national comparison of the impact of democratic innovations. Relying on the LATINNO dataset (Pogrebinschi 2021a) and its criteria for measuring impact (Pogrebinschi 2021b), we analyse the impact of 3,713 cases from 18 Latin American countries. These democratic innovations comprise a wide range of institutional designs that rely on different means of citizen participation and were implemented at the local, regional, and national levels over thirty years. Our analysis relies on seven different criteria to measure impact, ranging from volume of participation to policy output. Assuming that large-scale research is crucial to complement existing comparative endeavours (Ryan 2019), we seek to contribute to the growing scholarship on the consequences of citizen participation while providing a broad picture of democratic innovations in Latin America.

We begin with a brief review of the main existing frameworks for assessing the impact of democratic innovations, only to point out that their high normative standards render them unsuitable for large-N comparative research. We move then to present the LATINNO dataset and the variables that have been designed to measure impact in that large data collection endeavour. After that, we undertake a short comparative analysis drawing on each of the seven variables designed to measure impact. The cross-country comparison enables us to observe regional trends concerning impact and lack of it while illustrating them with examples of both successful and unsuccessful cases.

## **EXAMINING THE IMPACT OF DEMOCRATIC INNOVATIONS**

While research on democratic innovations has evolved quickly in recent years, there is still no agreement on a unified set of criteria for assessing and measuring the impact of participatory institutions and processes. Several important efforts are directed toward the theorisation and definition of benchmarks; but most face three major limitations. First, they are often grounded on a limited set of participatory institutions and small-N case study research.



This renders some criteria unsuitable for evaluating a large-N set of participatory practices whose institutional design is substantially dissimilar, or which have been developed in different social and political contexts. Second, criteria evolved for evaluating deliberation are prevalent over those for gauging other means of citizen participation. Therefore, many criteria proposed or applied so far are not fit to assess democratic innovations that rely on other participatory means, such as digital engagement or citizen representation. Third, the specialised scholarship has so far focused more on the evaluation of institutional designs than on its outputs. Consequently, there are more studies concerned with how participatory processes impact participants than with how citizen participation impacts policies and democracies.

The first major framework designed to assess democratic innovations was Fung's 'functional consequences of mini-public designs' (2006), later reconceptualised as 'democratic values' (2015). Fung argues that citizen participation may advance three major values, namely, legitimacy, justice, and effective governance. Smith (2009), in his turn, proposes that innovations should be compared based on how they realise four 'democratic goods' (inclusiveness, popular control, considered judgment, and transparency) and two 'practical goods' (efficiency and transferability). Michels (2011) relied on an extensive literature review to propose that citizen participation may have effects on influence, inclusion, skills and virtues, deliberation, and legitimacy. Geissel (2012) proposes four dimensions for assessing how participatory institutions affect the quality of democracy, including input legitimacy, democratic process, effectiveness, and civic education. Geissel and Gherghina (2016) rely on existing frameworks to refine criteria to measure input, throughout, and output legitimacy against the backdrop of three case studies, coming up with six yardsticks (inclusive participation, agenda-setting options, quality of deliberation, impact on new constitution, citizens' awareness and improved perceived legitimacy). Jäske and Setälä (2020) offered a functionalistic approach to the evaluation of democratic innovations according to their functions inside democratic systems, namely their ability to contribute to agenda-setting, collective will, decision-making and accountability processes.

While this body of work is central to scholarship on democratic innovations and frameworks have evolved over time to complement and improve one another, most criteria seem to be oriented toward normative standards, many of which stem from the theory of deliberative democracy and the practice of mini-publics. While such criteria are enormously useful to case studies that seek to assess the kind of deliberative practices and participatory institutions that have been taking place in Europe and North America over the last years, their evaluative power is more restricted when applied to large-N comparative research. When one deals with a large number of cases

that have taken place at different levels (local, regional, and national), across several countries with diverse social and political contexts (for example, a continent or sub-continent such as Latin America), during a long period of time, and involving a vast range of institutional designs (for example, institutions, processes, mechanisms) and means of citizen participation (for example, deliberation, digital engagement, citizen representation and direct voting), less normative criteria are required. The empirical evidence available is often limited in detail in large-N comparisons, also restricting the ability of researchers to qualitatively assess cases and quantify impact. If one wants to avoid a massive amount of missing information that may bias empirical analysis, and avoid the use of data that lack validity and reliability, then it is necessary to adopt more practical criteria to measure and compare the impact of a large number of democratic innovations.

### THE LATINNO DATASET

The LATINNO dataset is the first systematic attempt to map, measure, and compare democratic innovations in Latin America. The dataset comprises 3,744 cases implemented in 18 countries between 1990 and 2020 (Pogrebinschi 2021a).<sup>1</sup> The use of a single conceptual framework and methodology enables large-scale comparisons between democratic innovations in different countries, at distinct levels, and with diverse institutional designs and means of participation.

The analytical core of the LATINNO database is a pragmatic approach to democratic innovations, which is grounded on the assumption that citizen participation is a means to achieve a democratic end (Pogrebinschi, 2023). The ‘means of participation’ comprise deliberation, citizen representation, digital engagement, and direct voting; while the ‘ends of innovations’ include accountability, responsiveness, rule of law, political inclusion, and social equality (Pogrebinschi 2021c: 12–13 and Pogrebinschi, forthcoming). The dataset considers democratic innovations as ‘institutions, processes, and mechanisms whose end it is to enhance democracy by means of citizen participation in at least one stage of the policy cycle’ (Pogrebinschi 2021c: 11). In order to be included in the dataset, a case has thus to meet three criteria: citizen participation (as individuals or organised in CSOs), democracy-enhancement, and impact on policy cycle (*idem.*).

Each case of the LATINNO dataset was coded for 43 variables, divided into three main groups based on the type of information provided: context, institutional design, and impact. The *context* variables register information on the conditions of emergence of democratic innovations. The *institutional design* variables reflect their formal features and procedural aspects. Finally,

the *impact* variables grasp the actual implementation of democratic innovations and their concrete consequences (Pogrebinschi 2021b).

LATINNO does not code every single implementation of the same institutional design (for example, health councils adopted in each of Brazil's 5570 cities) as a separate case, except when there is significant variation in design. The cases with numerous replications of a single design have their context and institutional design variables mostly coded with information from the very first case implemented. However, given the scarce availability of evidence on impact, impact variables are coded using the existing reliable evidence, which often refers to different replications of a case. We explain the impact variables in more detail in the next section.

### LATINNO'S IMPACT VARIABLES

The LATINNO database includes seven variables designed to measure the degree of actual implementation of democratic innovations, the extent to which such implementation has been successful, as well as the consequences of such implementation for public policy and democratic quality. This set of variables contributes to understanding the effectiveness of democratic innovations while addressing the problems they were designed for and the extent to which they engendered results able to affect policy-making. We describe each of the seven impact variables below according to LATINNO's Codebook (Pogrebinschi 2021b).

1. *Number of occurrences* specifies the number of times and/or places a democratic innovation was implemented within a country.
2. *Volume of participation* reflects the absolute number of participants that have taken part in the democratic innovation. Due to the enormous diversity of institutional designs included in the dataset, there is no intrinsic impact-associated value (for example, low/high) for this variable.
3. *Implementation* assesses the degree of execution of a democratic innovation. There have been democratic innovations created by law or constitutions, for example, that only existed on paper. This variable indicates whether the democratic innovation has not been implemented at all, or whether it has been partially or fully carried out.
4. *Fulfilment of aim* indicates the extent to which the concrete goal for which the innovation was designed has been fully achieved, partially achieved, or not met at all. For example, participatory budgeting aims to enact a (collaboratively drafted) public budget. If this budget is not enacted or ends up being enacted by the administration disregarding the participatory process, then the innovation has not fulfilled its aim. If only some of the

citizens' proposals have been taken into consideration, the budget partially fulfils its aims. The aim is fully achieved if the enacted budget is the same as would have resulted from the participatory process, that is, citizens' proposals have been entirely agreed upon.

5. *Outputs* specifies whether the democratic innovation has generated an output or not. Outputs may comprise, for example, drafted policies, policy recommendations, initiatives, decisions, guidelines, plans, reports and so on.
6. *Outcomes* indicates whether a policy has been enacted or implemented by competent authorities as a result of the democratic innovation. This variable has thus only been coded for those cases whose output was a (drafted/recommended) policy.
7. *Impact on ends* gauges the extent to which democratic innovations affect different dimensions of the quality of democracy. The variable assesses the impact (positive, partial, or non-existent) of a democratic innovation on the primary end (that is, accountability, responsiveness, rule of law, political inclusion, or social equality) it has been designed to achieve.

Note that only fully implemented cases could have the fulfilment of their aims assessed, while only those cases that fulfilled their aims to some extent could have their impact on ends evaluated. Following the same logic, outcomes of cases were only assessed depending on their coded output. Impact variables are thus interdependent. A lack of available information for coding one of them may imply the impossibility of coding others.

All impact variables have been coded only when there was sufficient empirical evidence from a reliable source available. In the absence of reliable evidence, the information was considered missing and the variable has not been coded. Due to the strict criteria used to search information, analyse it, and code cases, out of the three sets of variables comprised by the LATINNO dataset, impact variables are those that register the highest rate of missing values (Pogrebinschi and Ross 2019b). Furthermore, despite challenges imposed by the methodology in the data collection, the coding team perceived that, overall, there was limited information available regarding evaluation of democratic innovations. For those reasons, the total number of cases is considerably reduced when impact variables are analysed separately, as we will do in the next section.

## MEASURING AND EVALUATING DEMOCRATIC INNOVATIONS IN LATIN AMERICA

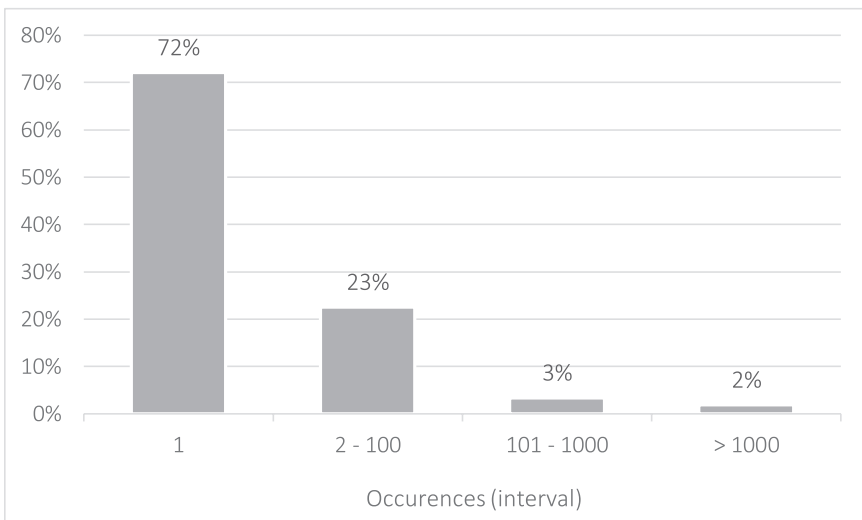
In what follows, we analyse each of the seven impact variables separately, observing main trends and providing examples of both successful and

unsuccessful cases. In order to pursue cross-country comparison, we left aside 31 transnational cases (those involving more than one country) and limited our analysis to democratic innovations implemented at the national, regional and local levels within the 18 countries. This left us with a total of 3,713 cases.

### Number of occurrences

How often have democratic innovations taken place in Latin America? Are democratic innovations implemented only once, regardless of their duration, or how much have they been replicated in different places or times? Considering the available information (N=3,520), as much as 72 per cent of democratic innovations have been implemented only once within single countries. A little less than one-fourth, or more exactly 23 per cent, have taken place more than once but fewer than a hundred times. Democratic innovations have been implemented more than 1,000 times (or in more than 1,000 places within a single country) only in 2 per cent of the cases, as indicated by Figure 12.1.

The number of times and places a democratic innovation has been implemented is a feature directly related to its institutional design. It can be taken as a measure of impact only insofar as it enables one to assess the scope and reach of the effects of a democratic innovation. While one can assume that a successful institutional design might be implemented many times within a country as a result of such success (as happened with participatory



**Figure 12.1.** Number of occurrences (N=3,520)

budgeting), this is not always the case. Some democratic innovations have been implemented hundreds or thousands of times throughout a country as a result of their institutional design (for example, community councils in Venezuela) or due to a law that made their replication mandatory (for example, development councils in Guatemala). Likewise, a national-level council that deliberates on national policies or provides oversight for an entire country would also not be implemented more than once due to its institutional design.

The number of occurrences is thus a variable to which no value (for example, low or high) should be attributed to measure impact and compare democratic innovations. A high number of occurrences does not necessarily imply high impact and single or few occurrences do not mean low impact. A referendum that took place only once is not necessarily less impactful than a local policy council that has been replicated in thousands of cities. Their impact is qualitatively very different and renders the comparison of quite different institutional designs inappropriate.

The level of implementation of a given democratic innovation is an institutional design feature that can be directly related to the number of occurrences. More than half of the cases with a single occurrence have been implemented at the national level. Those are mostly national policy councils, which are participatory institutions that bring together state officials and civil society representatives to deliberate on policies that will take effect on the entire country. Typical examples include national health councils in Argentina, Chile, Colombia, El Salvador, and Peru, and national development councils like those in Brazil, Colombia, Honduras, Mexico, Nicaragua, and Panama. In addition to those deliberative innovations, many single-occurrence democratic innovations that take place at the national level rely on digital engagement. The latter include mostly digital oversight institutions, which are usually citizen observatories that monitor government performance. Typical examples include anti-corruption observatories, many of which have taken place in Argentina, Bolivia, Costa Rica, Honduras, Mexico, and Panama.

The vast majority of democratic innovations that occurred twice or more were implemented at the local level. Democratic innovations at the sub-national level are often replicated in numerous municipalities, villages, communities, or neighbourhoods within the same city. The most frequent institutional designs are management councils and deliberative councils, whose replication is, in many cases, mandated by law.

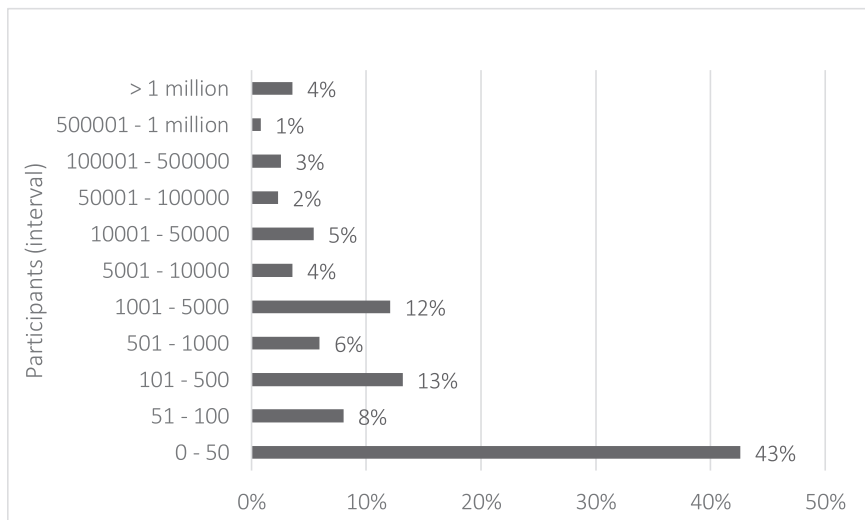
Management councils are mostly institutions of policy implementation that entitle citizens and CSO representatives to join authorities in taking decisions concerning, for example, resource management, investment prioritisation, local project-execution, and administration of service delivery (Pogrebinschi, 2023). Illustrative examples of these are water-management committees or boards implemented in urban and rural communities in such countries as

Ecuador, Honduras, Mexico, Nicaragua, and Peru. Local health councils in Brazil, Colombia, Panama, Paraguay, Peru, and Venezuela are also emblematic cases of multiple-occurrence management councils. Local deliberative councils with multiple occurrences are local participatory institutions that promote co-ordination between municipal authorities and civil society representatives. Municipal education councils in Brazil, Chile, Colombia, and Nicaragua are representative examples of such participatory institutions, which sometimes are in charge of the formulation of municipal education plans and the implementation of local educational policies.

### Volume of participation

How many people have participated in democratic innovations across Latin America? The available data (N= 2,272) reveals that 43 per cent of cases involved no more than 50 participants, while as much as 19 per cent of cases involved massive participation gathering more than 5,000 citizens, as displayed in Figure 12.2.

The volume of participation in democratic innovations is also a feature directly related to its institutional design and should not automatically be taken as a measure of impact. A referendum that counted the direct vote of many millions of people can be considered more legitimate than a democratic innovation that engaged no more than a few hundred citizens. However, among the latter one finds, for example, a growing number of digital democratic



**Figure 12.2.** Volume of participation (N=2,272)

innovations that enable citizens to participate in the drafting of a new legislation that will take effect in an entire country. While a referendum requires millions of votes to ratify or reject legislation drafted without citizens' influence, some few hundred citizens may actively participate in the formulation of the legislation itself. In this regard, one could argue that crowd-sourced law processes are more impactful than referendums or plebiscites.

Most democratic innovations in Latin America have taken place with relatively small publics, in which fewer than 500 participants were involved. In half of those cases, democratic innovations relied on deliberation as a primary means of participation. A reduced number of participants enables deliberation, as it facilitates interaction, exchange of ideas, preference-expression and co-ordination to reach joint agreements or recommendations (Mansbridge 2015). In most cases, institutional designs included deliberative councils and deliberative tables. In these democratic innovations, participation is restricted to either self-nominated or appointed representatives from civil society. Examples include Honduras's National Council for Sustainable Development, which comprises 22 members from the public and private sectors, academia, and civil society, and Chile's Intersectoral Table on Disability and Covid-19, which aimed at proposing solutions to respond to the needs of people with disabilities during the pandemic.

Almost one-third of democratic innovations with fewer than 500 participants relied on citizen representation as a primary means of participation. Representative councils are among the most recurrent institutional designs. Formats involving citizen representation consist of bodies and institutions in which civil society's representatives or delegates have seats to participate in co-governance or governmental processes to speak on behalf of the group they represent (Pogrebinschi 2016). An illustrative example is the National Forum of Indigenous in Costa Rica, constituted by one female representative and one alternate for each of the eight indigenous territories to monitor the agreements derived from the First National Meeting of Indigenous Women.

Democratic innovations that gathered more than 50,000 participants are mostly those that rely on direct voting as their primary means of participation. These include the conventional direct democracy innovations, such as citizens' initiatives, referendums, plebiscites and popular consultations. These institutional designs are implemented as direct channels of participation in which citizens are entitled to vote on relevant policy issues or express their support or opposition (through their signatures or votes) on a specific initiative. Given their institutional design and the fact that voting is mandatory in many Latin American countries, democratic innovations that rely on direct voting tend to have very high levels of participation.

Democratic innovations with participation above 50,000 citizens also often involve digital engagement as a primary means of participation. Forms of collaborative administration, digital oversight and policy platforms are among

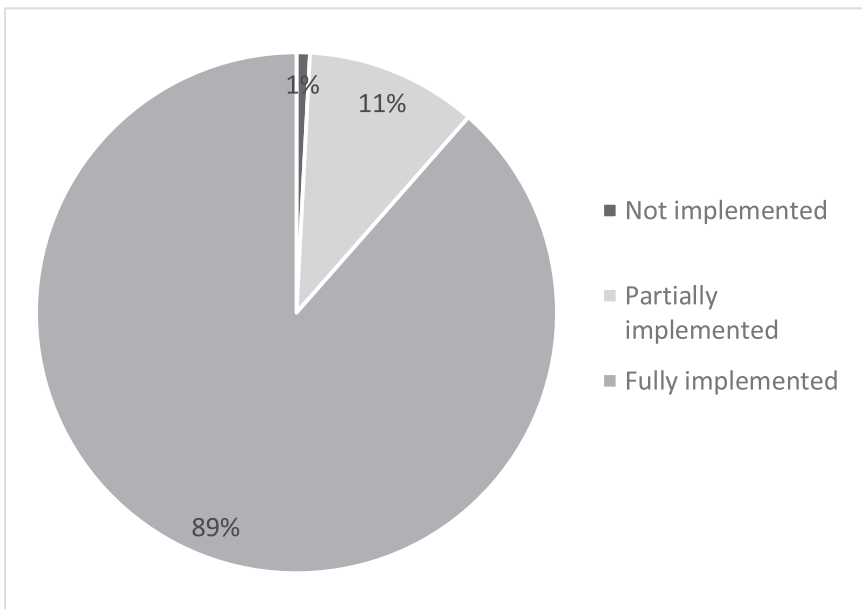


the most frequent institutional designs. They require active participation through internet platforms or smartphone apps, enabling citizens to do things as different as report problems to the authorities, monitor public administration and service delivery, or deliberate on policy proposals with other citizens. An illustrative example is the Colab app and digital platform in Brazil, through which citizens can directly report problems in public services to the local administration, as well as evaluate service delivery, participate in public consultations, and propose ideas to local authorities.

## Implementation

Have democratic innovations in Latin America been effectively implemented or have they remained just on paper? Based on the available information (N=3,623), as much as 89 per cent of democratic innovations in Latin America were fully implemented, while 11 per cent were partially implemented and only 1 per cent were not implemented at all, as shown in Figure 12.3.

Democratic innovations that have been fully implemented follow the main patterns of the dataset, due to their elevated number. We will thus look at those cases that have not been implemented despite having been planned or legally adopted or which have been only partially implemented, not achieving their initial planning or legal conception in full.



**Figure 12.3.** Implementation (N=3,623)

The very few democratic innovations that have been planned on paper but not implemented at all are concentrated mostly in three countries: Bolivia, Honduras, and Colombia. Within each of these countries though, the rate of non-implementation is no more than 4 per cent of all cases. Colombia is the country with the third-highest number of democratic innovations in Latin America, while Honduras has the sixth-smallest number of cases. Given that the non-implemented innovations are spread over time and are not concentrated in specific periods, the reasons for non-implementation do not seem to be related to the specific context of these countries.

Although the number of non-implemented democratic innovations is almost insignificant in face of the entire dataset, their analysis points to some interesting facts. First, the data shows that the government was involved in all but three cases of non-implementation. Yet, governments were involved in about 70 per cent of democratic innovations implemented in Latin America since 1990 (Pogrebinschi, 2023); hence, those few non-implemented cases do not diminish its role in promoting citizen participation. On the other hand, the data show that civil society rarely left a democratic innovation lacking implementation.

Second, as much as 80 per cent of non-implemented democratic innovations were fully formalised, that is, they had been written into the constitution or laws. Legislation promoting citizen participation and making mandatory the implementation of democratic innovations is thus no guarantee that they will see the light of the day. Looking at those cases more closely, we see that most have never been implemented because their rules of procedure were never formally created. The absence of normative regulations to organise those democratic innovations (mostly national-level councils) created a lack of institutional structure and conditions that hindered them in initiating their operation. Such is the case, for example, for Colombia's National Council of Support for Citizen Oversight and Bolivia's National Socio-Environmental Monitoring Committees.

Partially implemented democratic innovations comprise cases that were not implemented as planned or did not achieve all the stages or goals initially planned (Pogrebinschi 2021b). These cases are mostly concentrated in Chile, Ecuador, Costa Rica, Mexico, Colombia, and Argentina. The last three countries are among the top four with the highest numbers of democratic innovations, so one can expect them to have the higher rate of partially implemented cases. Only 37 per cent of partially implemented democratic innovations were fully formalised, that is, created by constitutions or legislation.

At a closer look, we see that many of the partially-implemented democratic innovations comprise deliberative councils, which were implemented only halfway for several reasons. In some cases, the number of councils in practice was lower than initially planned. For example, when councils had to be

adopted by different government entities, not all of them followed through. In some cases, councils were expected to be enacted at different government levels but, in reality, were only implemented at one. Some councils were never or only rarely summoned to convene. In other cases, councils started to operate but disappeared early.

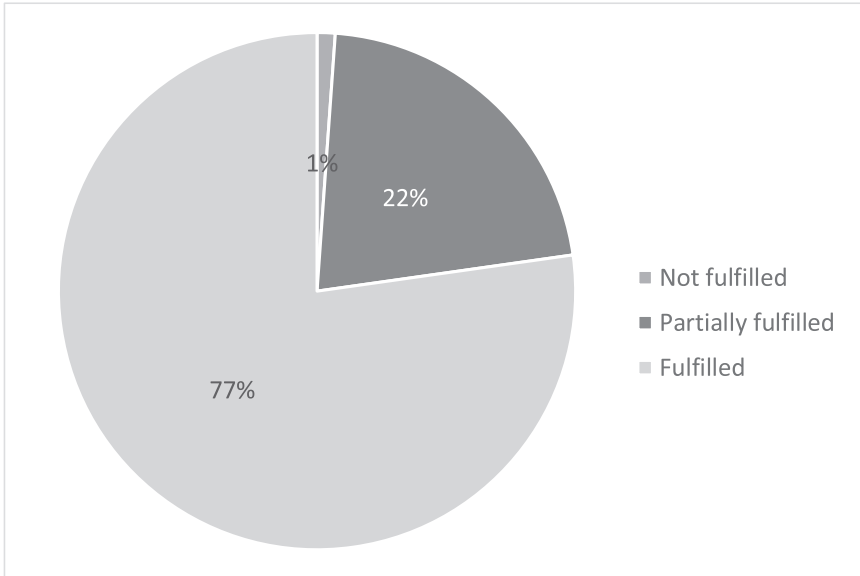
Digital democratic innovations are also among those that have been only partially implemented. Smartphone applications or digital platforms either did not reach the expected scope, were not followed up or updated, had no maintenance, registered numerous errors, or were discontinued shortly after being implemented. Examples are Brazil's Vigilante Project App, which aimed to involve citizens in the monitoring of police abuse and was discontinued due to lack of funding. Honduras' digital platform The Observer, which aimed to involve citizens in fact-checking, shut down after one of its journalists received death threats.

### **Fulfilment of aims**

Have democratic innovations in Latin America fulfilled their aims? There is a large variety of goals and aims that democratic innovations seek to fulfil, such as drafting a policy, enacting a law, preparing a budget, providing recommendations, or producing a report. Considering the cases for which there is reliable evidence (N=3,181), as much as 77 per cent of democratic innovations across the 18 countries have fully achieved the aims for which they were designed. A total of 22 per cent of cases have only partially achieved their aims, and no more than 1 per cent have not fulfilled their aims at all, as shown in Figure 12.4.

Half of the democratic innovations that did not fulfil their aims are concentrated in Uruguay, Peru and Honduras. Most of these cases were promoted at the national level. They involved governmental actors in their design while mainly relying on deliberation and direct voting as their primary means of participation. As much as two-thirds of democratic innovations that did not fulfil their goals were formally institutionalised in legislation. Among these, citizen initiatives, deliberative tables and deliberative councils were frequent institutional designs.

Why have democratic innovations failed to achieve the aims they were designed for? As for the citizen initiatives, which typically focus on gathering signatures to submit bills to the legislature or oppose the enactment of laws, we detected various reasons for non-fulfilment. In some cases, citizen initiatives did not gather the necessary number of signatures to be admitted by the legislature. This was the case for five referendum requests that, due to insufficient signatures, never reached the Uruguayan Congress. Even when the initiatives made it to Congress, legislators rejected or archived them. The latter



**Figure 12.4.** Fulfilment of aims (N=3,181)

was the case of the Cheaper Chamber Bill (*Camara mais Barata*) in Brazil, which aimed to cut expenses from local legislators and introduce mechanisms of participatory oversight of Brasília's state legislature. After being presented and supported by numerous civil society organisations, Brasília's legislature decided to archive the project.

In what concerns deliberative tables, which are short-lived participatory institutions created with clearly defined goals and targeting specific groups or policies (Pogrebinschi, 2023), some could not fulfil their goals because they were abruptly suspended by protests or because participants withdrew after expressing dissatisfaction with the process. Such was the case of Colombia's Deliberative Roundtable on National Strikes, which was discontinued after various discontented participants withdrew. As for deliberative councils, which aim to promote policy co-ordination between public authorities and civil society representatives, we observed that some were dissolved or had their functions transferred to other institutions before achieving their initial goals. Such was the case for Mexico's Citizen Participation Council of the Attorney General's Office. In other cases, the councils either did not receive enough endorsement from political institutions to achieve their aims or lacked clear operational rules, which led to a corrupt administration. The latter was the case for Peru's National Film Advisory Commission.

Regarding democratic innovations that only partially fulfilled their aims, we see that most of them have also been only partially implemented. These participatory designs were mostly developed by national governments in Colombia, Brazil, Ecuador, Argentina, Costa Rica and Chile. Most partially fulfilled democratic innovations promoted deliberation and digital engagement as their means of participation. There are various reasons for a partial fulfilment of aims. Sub-national councils, for example, operated in some municipalities or districts with relative success and achieved their goals, but were barely convened in other localities (for example, Colombia's Rural Development Municipal Councils). Other councils experienced a lack of economic and human resources. The limited availability, inactive participation, absence of commitment, and inconsistent attendance of some members weakened councils' capacity to reach agreements and decisions. In other cases, governmental authorities' lack of interest and absence of initiative to convene councils hindered their scope. Such was the case of Colombia's Departmental Culture Councils and District Councils for Cultural Facilities (Muñoz 2004). In some cases, lack of co-ordination with other councils or governmental authorities prevented the further development of councils (for example, Argentina's Municipal Advisory Council of Paraná).

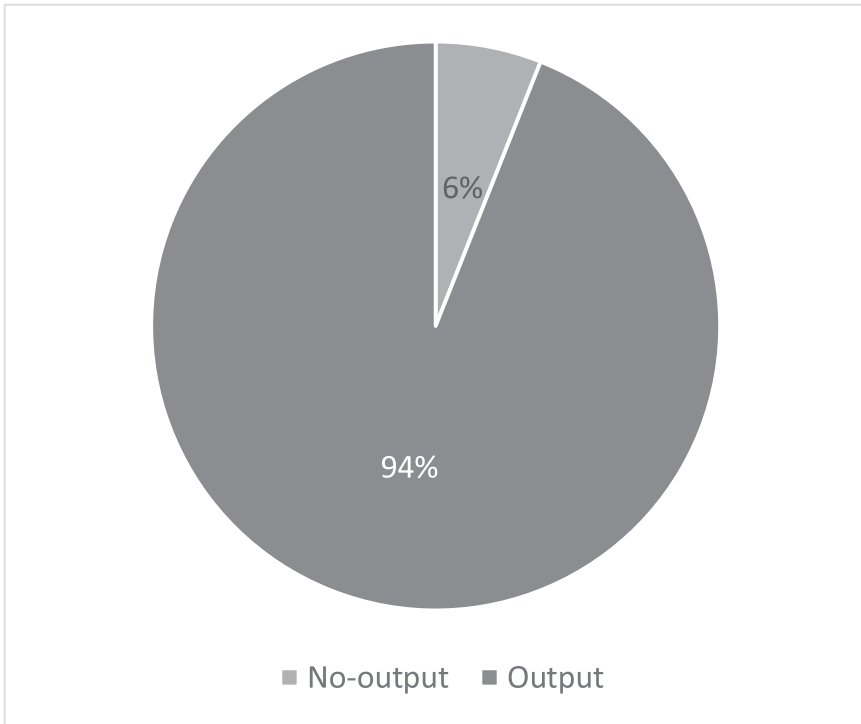
Reasons for the partial achievement of aims also coincide with those that explain an incomplete implementation of a democratic innovation. Looking at participatory planning processes, for example, we see that some initiatives had multiple aims, and often successfully accomplished some but not all of them. The progressive but slow achievement of goals prevented some democratic innovations from being successful achievers. In other cases, the overrepresentation of certain groups affected the fulfilment of originally planned aims. For instance, in Colombia's Citizen Mobilization for Higher Education initiative, the disproportionate participation of educational-sector representatives prevented the successful consideration and inclusion of other relevant groups. While Uruguay's National Biosafety Framework National Coordination Committee and Working Groups achieved a successful development project, during its elaboration, several organisations abandoned the process, claiming that the government was not seriously considering their views and proposals.

Most democratic innovations that fulfilled their aims to some degree (entirely or partially) were designed to have regular occurrences, meaning that they took place periodically or permanently. Deliberative councils, for example, hold regular meetings to discuss the policy issues they were designed to address. The frequency of meetings, constant occurrences and continuous dynamics enabled by these democratic innovations eases the fulfilment of the aims they were designed for. While frequency might not

be a sufficient condition to ensure the success of a democratic innovation (Donaghy 2013), a low rate of recurrence might compromise the capacity of democratic innovations to solve complex policy issues or reach agreements. Consistent with this argument, most democratic innovations that failed to fulfil their initial aim only took place once. The most frequent one-off democratic innovations are direct voting mechanisms, such as citizens' initiatives, referendums and plebiscites.

### Outputs

To what extent have democratic innovations in Latin America generated outputs? Depending on the aim and end of democratic innovations, their outputs may comprise policies, laws, decisions, recommendations, guidelines, reports, evaluations, drafts of policy, and plans, among others. Taking into account the cases for which there is available evidence (N= 2,274), only 6 per cent of democratic innovations in Latin America did not engender some sort of output, as indicated in Figure 12.5.



**Figure 12.5.** Output (N=2,574)

Outputs are the results of a democratic innovation, that is, anything that comes out of its activity. In other words, output is whatever is yielded by citizen participation once the aim of a democratic innovation is achieved to some degree. Outputs vary a lot according to what innovations have been designed for. Not all democratic innovations have been designed to include citizens in the definition and formulation of policies: many aim to implement or evaluate existing policies by means of citizen participation (Pogrebinski, 2023). In many of those cases, an output may not be expected at all (and this also explains the smaller N in the output analysis, given that 940 cases are coded as non-applicable), while in others it may have multiple forms. Consider the example of a democratic innovation that seeks to increase accountability and aims to monitor the implementation of policies or the performance of political institutions in charge of implementing them. This innovation may be designed in such a way that the participatory monitoring does not engender any concrete outputs besides such activity. Or it may be designed with the intention of producing reports or evaluations containing the results of the participatory monitoring, in which case those would be considered their outputs.

The 155 democratic innovations that did not produce an output were concentrated in Mexico, Colombia, Guatemala and Panama. These cases were implemented almost in the same proportion by governments (43 per cent) and civil society organisations (37 per cent) alone. Only 32 per cent of these innovations were inscribed in legislation or constitutions, so lack of formalisation may play some role in the absence of outputs.

Democratic innovations that failed to yield an output aimed mainly at citizen representation and digital engagement as their primary means of participation. Digital democratic innovations such as digital campaigns, policy platforms, and crowd-sourced mapping are among those that produced no output. Examples are Honduras's #3of3HN digital campaign, which pressed electoral candidates to voluntarily make public their patrimony and fiscal declaration; and Ecuador's Citizen Datathon, which involved citizens in collecting data on community problems to improve decision-making in the implementation of public programmes. Among management councils that rely primarily on citizen representation and depend on co-ordination between different government and civil society actors, we see cases in which those participatory arenas served more as spaces for channelling proposals rather than for creating them. Such is the case of Mexico's Community Promotion Committee of Opportunities' Social Programme, which mainly operates by channelling requests from beneficiary families to the national co-ordinators of the programme.

In what concerns the vast majority of democratic innovations that yielded some sort of output, they follow the main patterns of the dataset, thus leaving fewer clues to what is behind their results. More than half of democratic

innovations that generated an output were implemented at the national level, by governmental authorities, and relied on deliberation as their primary means of participation. Most of them involved citizens in the agenda-setting and policy-formulation stages of the policy cycle.

Among democratic innovations that yield policy outputs, that is, outputs directly related to the drafting of policies, we see a strong presence of participatory designs that addressed minority groups, such as indigenous people, women, black people and young people. Most cases with that profile are oriented to a policy result, indicating that the promotion of political inclusion by participatory means can often be achieved only through policy. Their diversity of designs is quite high, usually combining citizen representation and deliberation. One interesting example is the youth deliberative tables implemented in Argentina, Bolivia, Chile, Guatemala, Honduras, Nicaragua and Panama. These democratic innovations aimed to involve young people in the discussion of issues such as education, health, discrimination, environment and employment. Outputs included proposals to complement existing legislation or reform legal frameworks, as well as to create new laws and public programmes. For instance, Chile's Regional Dialogues for Children and Adolescents was carried out in 2015 to bring together children and teenagers to deliberate on their rights. The output of this participatory policy process was collected by the National Children's Council, substantiating the draft for the Law of Guarantees for Children's Rights, which the Presidency later sent to Congress.

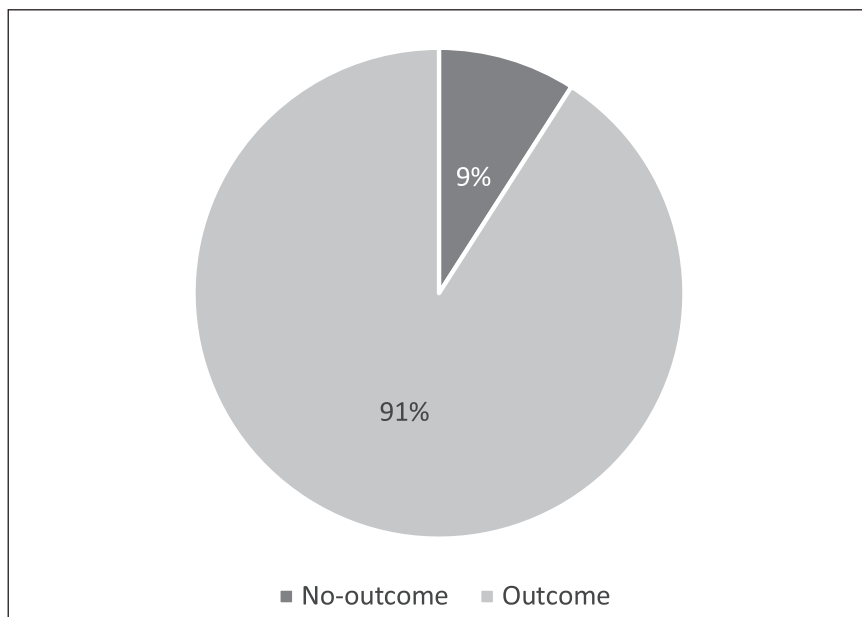
## **Outcomes**

To what extent have democratic innovations resulted in implemented policies and enacted laws? Considering the cases with available information for those innovations whose output was a policy or law, as much as 91 per cent have actually enacted or implemented it, as shown in Figure 12.6.

Outcomes are policies and laws that have been enacted and/or implemented as a result of democratic innovations. The number of cases drops considerably when one looks at outcomes, coming down to about a third of the entire dataset. Besides lack of reliable evidence, this is so because only democratic innovations whose outputs are policy-related do engender outcomes. If one takes into account the entire dataset (N= 3,713), then no more than 29 per cent of all democratic innovations implemented in Latin America between 1990 and 2020 have had an outcome, that is, they resulted in an enacted law or implemented policy.

Democratic innovations that have not yielded an outcome, that is, the 108 cases whose output aimed at a policy or law that was not enacted or implemented, are concentrated in Brazil, Colombia, Guatemala, Uruguay, and Nicaragua. Most were national-level democratic innovations in charge of the government, while one-third were implemented by civil society alone.





**Figure 12.6.** Outcomes (N = 1,189)

No more than 44 per cent were formalised in legislation and most relied on deliberation and direct voting as their primary means of participation.

If innovations produced a policy output, why was it not enacted or implemented? Regarding referendum and plebiscite, the answer is easy: outputs did not turn into outcomes due to results in which ‘no’ was the winning choice. The negative result of the referendum or plebiscite prevented the subsequent implementation of the proposed policy reform. As for citizen initiatives, reasons coincide with the causes that explain the non-fulfilment of aims: initiatives never reached Congress or, when they did, were either archived or rejected. There are also cases in which citizen initiatives’ drafts were presented and later accepted by Congress but the enacted version considerably differed from the original proposal presented by citizens. Such was the case of El Salvador’s Citizen Initiative for Pensions, in which the Legislative Assembly introduced a considerably modified version of the original draft presented by civil society organisations.

Regarding deliberative innovations, the answers are more complex and diverse. There are cases of deliberative councils that, although formalised in legislation or the constitution, enact only non-binding decisions, thus limiting their policy impact. Such is the case of Colombia’s Territorial Planning Councils, which display a weak ability to negotiate the implementation of their proposals with governmental authorities, in addition to limited organisational

and material resources and the absence of support from critical stakeholder groups (Mayka 2019). In other cases, such as Colombia's Regional Competitiveness Commissions, the proposed policy outputs were unrealistic or unfeasible or were not comprehensive and inclusive of the different levels of government (BID 2012). Furthermore, and in addition to the councils' limited resources and technical expertise, the lack of communication with important governmental actors led to the councils' weak co-ordination and connection with pre-existing transversal policies (BID 2012).

In some cases of participatory planning, processes that involved citizens in several stages of deliberation on long-term policies, actions, or plans (Pogrebinski, 2023), outcomes were not produced because authorities failed to legislate and outputs remained as preliminary draft laws. This often happened because participatory processes were not binding and government officials were not obliged to adopt their results. Such was the case of the Dominican Republic's Consultations for the 2006 Constitutional Reform. In other cases, such as Panama's State Commission for Justice, outcomes made it to Congress only to be rejected later. There are also cases in which the bad quality of citizen participation accounts for the absence of outcomes. In Chile's Revision of the Municipal Regulatory Plan, citizen participation was ineffective, and the process was primarily focused on informing citizens rather than hearing their opinions (Participedia, n.d.). In Guatemala's Integrated Management Plan of Water Resources, in addition to weak citizen participation, initiatives were not implemented due to a lack of co-ordination among important actors and agencies (Global Water Partnership 2013).

Democratic innovations that yielded outcomes are mostly at the national level and predominantly involved the government in some way. The large majority (83 per cent) were formalised by governmental programmes or by existing legislation. Most of them prioritised deliberation as their primary means of citizen participation. Examples of outcomes abound.

Honduras' Economic and Social Council was created in 2001 to foster dialogue and consensus between the public and private sectors, trade unions, and peasant organisations. While the Council's decisions are not binding, it has accomplished important changes including the approval of a mechanism to fix the minimum wage, the reform of several articles of the Labour Code, the signing of the Grand National Agreement for Economic Growth with Social Equality, and the tripartite minimum wage agreement. Guatemala's participatory planning process to elaborate the Municipal Policy for Public Safety in the Department of Escuintla brought municipal authorities together with citizen representatives, with the aim of reducing violence and criminality levels in the town of Santa María Cotzumalguapa. This participatory process concluded with the formulation and implementation of an Annual Action Plan, which represented a new model of democratic municipal security in Guatemala (García 2007). El Salvador's Permanent Bureau on the Rights

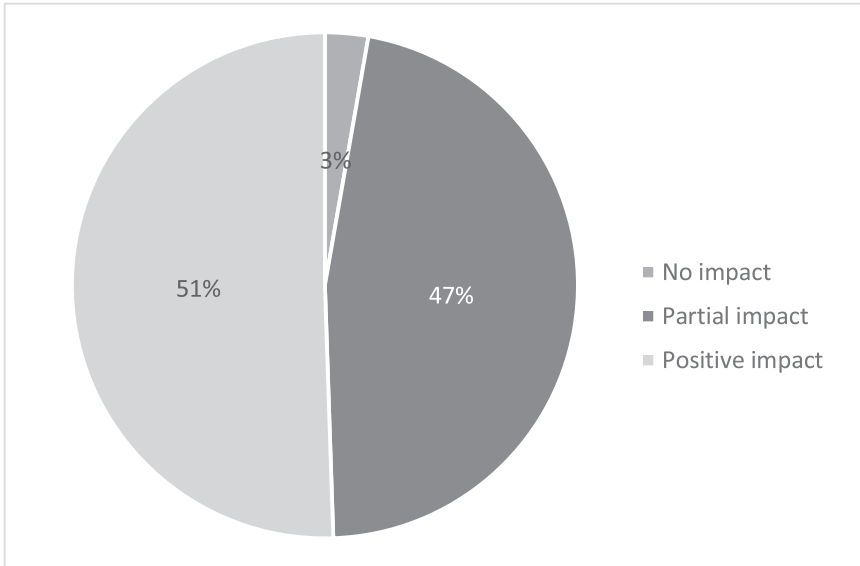
of Indigenous Peoples, a representative council composed of 28 different indigenous groups with the aim of monitoring and safeguarding indigenous peoples' rights, successfully presented to the National Legislative Assembly in 2008 an proposal of constitutional reform for the recognition of the indigenous communities, which was enacted in 2012 and implemented in 2014. Guatemala's National Policy on Climate Change was deliberated on in two working groups composed of various representatives of civil society, the public sector, academia, and international organisations, who collaboratively drafted the policy, which was enacted in 2009. Argentina's *A Toda Costa* sustainable development plan for the coastal region of the province of Santa Fe was drafted in 2016 through a participatory process where citizens deliberated in face-to-face meetings and through an online platform.

### **Impact on ends**

To what extent have democratic innovations in Latin America impacted on dimensions of the quality of democracy? Once democratic innovations fulfil their aims, generate outputs and, in many cases, also yield outcomes, they may also achieve their ends, that is, impact on one of the dimensions of the quality of democracy. Considering cases for which there is reliable evidence ( $N = 1,597$ ), about 51 per cent have had some positive impact on their ends, 47 per cent managed to have a partial impact, and only 3 per cent had no impact at all.

A few things must be considered when interpreting Figure 12.7. The number of cases (1,597) reflects the total of observations for which there is evidence reliable enough to evaluate whether one or more of the ends pursued by democratic innovations (accountability, political inclusion, responsiveness, social equality, and/or rule of law) has been achieved. The absence of evidence for assessment should by no means indicate the lack of impact, especially because most of the existing impact assessments tend to focus on cases with positive impact. Research on democratic innovations usually emphasises successful cases: there are fewer studies that highlight their failures (Spada and Ryan 2017).

The data show that, in almost all cases (97 per cent) for which there is evidence, democratic innovations have had some impact on their ends. In 47 per cent of those cases, such impact has only been partial, meaning that positive impact was not completely achieved as intended or that not all ends aimed at (when more than one) have been attained. While this seems to imply *prima facie* that democratic innovations have a large impact on the quality of democracy, one must keep in mind that the  $N$  in analysis is much smaller than the actual dataset. Considering the entire dataset ( $N = 3,713$ ), there is evidence that at least 22 per cent of cases have had a positive impact on their ends and 20 per cent a partial impact.



**Figure 12.7.** Impact on ends (N=1,597)

Most democratic innovations that failed to have an impact on their ends focused primarily on enhancing political inclusion or responsiveness.<sup>2</sup> Implemented mostly by governments at the national level, those cases concentrate primarily in Colombia, Guatemala, Ecuador, and Venezuela. Most of these innovations' primary means of participation were deliberation and citizen representation. As much as 77 per cent of those cases were formalised by legislation or policy. Institutionalisation seems not to play a relevant role when it comes to the potential of democratic innovations to impact the quality of democracy.

Why did these initiatives fail to affect the ends they were designed to achieve? Regarding some representative councils whose ends were mostly focused on political inclusion, minority groups expressed that government authorities were not fulfilling their duties and showed a lack of interest in what they had to say. Such was the case of Colombia's Permanent Bureau of Consultation, where, despite their active participation, indigenous communities denounced that the government failed to fulfil the agreements reached, including those in which they aimed for the respect of their rights as indigenous peoples (Asociación de Cabildos Indígenas del Norte de Cauca 2017). Similarly, members of Colombia's High-Level Advisory Committee for Black, Afro-Colombian, Raizales, and Palenquero Communities expressed that such democratic innovation was ineffective as a participatory space. Those minority groups felt excluded or patronised by the authorities,

whose highly hierarchical, clientelist, and bureaucratized dynamics prevented their effective and autonomous participation (Corte Constitucional de la República de Colombia 2014). In other instances, such as Peru's Committee on Indigenous Affairs, pre-existing governmental bodies with overlapping functions limited its access to resources and effective decisiveness, preventing the committee from successfully enhancing political inclusion (Alza and Zambrano 2015).

Evidence of lack of impact when a democratic innovation primarily aims at enhancing responsiveness points also to different reasons, such as the failure of governments to meet the needs of target groups or to include their opinions and demands on legislation about which they have been consulted. Guatemala's Integrated Management Plan of Water Resources failed to create strategies for water management mainly because the topic was never prioritised by political authorities. However, this topic was crucial for local communities, which lacked resources and co-ordination to effectively voice their needs (Global Water Partnership 2013). In Costa Rica's Prior Consultation of Indigenous Peoples on the Indigenous Education subsystem, a decree to reform the indigenous education subsystem was approved without the mandatory consultation of affected indigenous peoples. Similarly, Ecuador's Prior Consultation for Hydrocarbon Activities in Oil Blocks 20 and 29 failed to receive inputs from communities and other stakeholders (Carrión 2012).

Among democratic innovations that aimed primarily to promote social equality, there are other causes behind the failure of deliberative councils to produce an impact on their intended end. They were mostly ineffective in improving the living conditions of their main target groups. Such was the case of Argentina's General Council of Mental Health, which, due to a lack of strategies and resources, failed to achieve any significant progress in responding to the situation of mental health patients and their living conditions in Buenos Aires (Centro de Estudios Legales y Sociales 2007). Similarly, Colombia's National Council of Social Security Health failed to protect the right to health of Colombian citizens. Reasons behind its ineffectiveness include the constant exchange of members and the lack of efficient norms (Restrepo 2013). In other cases, the progress reached was not aligned with the original ends and aims of democratic innovation. For example, Argentina's Security Council and Crime Prevention designed several security plans; however, none of these focused on prevention and their design was not fully participatory (Otamendi 2015).

The procedures of democratic innovations may limit their effectiveness. In Honduras's Advisory Council for the Poverty Reduction Strategy, the internal constraints and the rigidity of the inner procedures limited citizen participation and restricted its impact on social equality (Cuesta 2004). Second, weak influence, difficulty of access, limited resources, precarious functioning, and lack

of articulation, coordination, and communication with crucial actors reduce the effectiveness of democratic innovations such as national policy councils (Muñoz 2004; Departamento Nacional de Planeación 2015; Mayka 2019). Third, the non-binding character of outputs and the limited involvement of participants may reduce impact, such as happened in Colombia's Dialogue for Creating the Protocol for the Coordination of Mechanisms that ensure Respect and Safeguard of Peaceful Protests (Garzón 2018). Fourth, the lack of diffusion of democratic innovations, the adoption of inefficient mechanisms to channel citizens' voices, and the short duration of participatory processes may prevent full impact. In Peru's Open Government Action Plan, the low participation of local governments in reviewing the plan and the reduced number of individual citizen comments on the action plan limited the responsiveness it aimed for. Fifth, a lack of focus on the actual end of the democratic innovation may limit its effectiveness. In Colombia's Educational Parks, whose main aim was to promote social equality through the development and promotion of educational workshops, participants focused more on the process of presenting competitive proposals, ignoring the overall aim of improving access to education and promoting the development of citizens' educational capacities (Osorio 2015). Sixth, the unstable functioning of democratic innovations may be behind their limited impact. The intermittent functioning of Honduras's Nominating Board of the Electric Energy Regulatory Commission has prevented its effective coordination with other crucial actors, limiting its responsiveness (LATINOSAN 2010). Seventh, the accomplishment of democratic innovations is not enough to enhance the end they are designed to pursue. Colombia's National Guarantees Table reached and achieved significant agreements and actions to protect human rights but it failed to prevent and reduce the number of attacks perpetrated against human rights defenders, thus not fully contributing to improving the rule of law (Tapia and Hernández 2016). Eighth, a lack of political trust may also inhibit the success of democratic innovations. In Honduras, the high level of mistrust of citizens toward governmental institutions prevented the Grand National Dialogue from achieving accountability (CESPAD 2015).

Regarding democratic innovations that achieved a full, positive impact on their pursued ends, most successful cases aimed at increasing social equality and responsiveness. These democratic innovations are concentrated mainly in Brazil, Argentina, Peru, and Colombia, and rely mostly on deliberation. Factors behind the positive impact on the ends of these democratic innovations are varied, combining contextual factors, institutional aspects, and design features, as one can see from the examples below.

Paraguay's Pyrawebs digital campaign successfully promoted the rule of law by protecting citizen privacy and internet freedom, preventing Congress from enacting a bill that facilitated data retention and mass surveillance (Palero 2015). Peru's Healthy Cities increased social equality through the legal protection and recognition of recyclers. Their activities led to the enactment

of Law 29419 in 2009, which recognised and regulated the economic activities of recyclers and increased their quality of life (Ciudad Saludable, n.d.). Colombia's Anti-Bureaucracy Crusade was organised by the country's national government in 2011 to promote accountability by allowing citizens to identify the most useless and complicated procedures within the state, in order to simplify them and reduce corruption. The high participation of citizens and the quality of their inputs resulted in the Anti-Bureaucracy Decree, through which 40 per cent of national red tape procedures and formalities were eliminated (Gobierno de Colombia 2012). Honduras's Municipal Observatories for Coexistence and Citizen Security aimed to strengthen the rule of law by reducing violence. Implemented in the country's 30 municipalities with the highest levels of criminality, these observatories reduced homicide levels by 34.1 per cent through collectively defined actions that brought together civil society, the private sector, and governmental authorities (PNUD 2019).

## CONCLUDING REMARKS

Assessing the impact of democratic innovations is not an easy task. On the one hand, there is so far no consensus within the specialised scholarship on a single set of criteria for evaluating participatory institutions. On the other hand, there is very little empirical evidence on impact available to which such criteria could be applied. While the field of democratic innovations has little research on impact, it also lacks comparative studies on democratic innovations. Existing comparative research tends to focus on the same or a few institutional designs, and very few studies have so far accomplished a comparison of democratic innovations across countries. Moreover, there are not many studies that investigate the impact of citizen participation on policies and macro-level policies. In the face of all that, it is hard to estimate the real impact that those 'new practices and processes consciously and purposefully introduced with the aim of improving the quality of democracy' (Geissel 2012) have on actual democracy.

In this chapter, we have tried to leave aside normative criteria designed to assess what democratic innovations *should* do and presented some practical criteria to enable the evaluation of what democratic innovations actually do. Relying on the LATINNO dataset and its variables designed to assess the impact of democratic innovations, we looked to democratic innovations implemented in 18 countries of Latin America over 30 years in search of answers to simple questions.

Although there is a wide variety of democratic innovations in Latin America, we found that most are implemented only once at the national level and with relatively small publics of less than 500 participants. The few democratic innovations that have been implemented more than twice have

taken place at the local level. And although the latter may sometimes be implemented thousands of times throughout a country, mass participation is not common in the region. Only 19 per cent of the cases gathered more than 5,000 participants and those have been mainly democratic innovations that relied on direct voting or digital engagement.

Democratic innovations in Latin America have been, in general, fully implemented, rather than remaining as nice ideas on pieces of paper. Analysing the few non-implemented cases, we found, however, that formal institutionalisation and mandatory adoption of democratic innovations do not always ensure that they will see the light of day. We also found democratic innovations that have been only partially implemented as planned and also only partially fulfilled their aims. Yet, most democratic innovations across the region have fully achieved the aims they have been designed for.

Democratic innovations that yielded outputs were mostly deliberative and implemented by national governments. Among those that yielded policy outputs, that is, a policy to be implemented or a law to be enacted, many address minority groups (for example, indigenous people, women, black people and young people), indicating that the promotion of political inclusion by means of citizen participation may only be achieved through policy. As for the cases that failed to produce outputs, we found that only one-third were inscribed in legislation or constitutions, suggesting that lack of formalisation may play a role in the absence of outputs.

Only 29 per cent of all democratic innovations implemented in Latin America since 1990 have generated an outcome, that is to say, resulted in an implemented policy or enacted law. However, considering only cases that aimed for such an outcome and for which there is available information, we found that as much as 91 per cent of those have actually enacted a law or implemented a policy. This high proportion of outcomes could explain why as much as 97 per cent of democratic innovations have had some impact on their ends, affecting diverse dimensions of the quality of democracy. Yet, we also know that the evidence available for evaluating democratic innovations is biased towards successful experiences and limited to a few case studies, hence limiting the scope of large-N comparative analysis.

## NOTES

1 The countries covered by LATINNO are Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela.

2 For a description of the five ends of democratic innovations, *see* Pogrebinschi 2021b and 2021c, and also Pogrebinschi, 2023 for how some democratic innovations combine more than one end, according to the problem they seek to address.



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## *Chapter Thirteen*

# **Conclusion. Democratic Innovations and Impact: Reflections and an Agenda for the Future**

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### INTRODUCTION

This book started from the observation that we know very little about the impacts of democratic innovations (henceforth: DIs). In response to declining performance as well as declining levels of satisfaction with the institutions and processes of representative democracy, many political actors, as well as scholars, have called for more participatory reforms and DIs to complement representative democracy. They see DIs as a way to involve citizens more directly in political decision-making and hope that DIs could improve policies, enhance trust in politics and restore democracy. For example, considering policy-making on complex problems, they expect that governments would be better able to address and solve policy problems by taking citizens' perspectives, worries and ideas into account. Expectations of DIs are high.

But what are DIs and can they fulfil these expectations? DIs include many different practices and procedures (Elstub and Escobar 2019); the list is now almost endless. In this volume alone, there are examples of citizens' assemblies, citizens' panels, different forms of participatory budgeting, citizens' initiative reviews and several other formats of participatory procedures. Although there is an ever-increasing variety of DIs and a growing body of empirical research on these innovations, empirical insights into the impacts of DIs remain sparse. This book aims to fill these gaps and to examine how DIs affect policies, political actors and institutions and also have more general impacts on performance.

The book contributes to the literature in several ways: critically, by not taking the positive effects of DIs for granted but also pointing out their down

sides; substantively, by presenting empirical research from many countries; methodologically, by using different methods to measure impact; and theoretically, by developing theories that might explain (non-)impact.

This concluding discussion proceeds as follows. We start with the different types of impact, referring to the typology already laid out in the introduction of this book, namely, impact on policies, actors and institutions – adding impact on democratic and social performance. We then discuss the reality of impacts in relation to the high expectations of them, by summarising the main insights from the various chapters of the book. Thereafter, we discuss some critical reflections on the role of impact and present ideas for future research as well as for the world of politics based on and inspired by this edition.

## **DIFFERENT TYPES OF IMPACT**

We can imagine a wide variety of impact of DIs (Felicetti, Niemeyer and Curato 2016) and in this collection there is similar variety of understandings of what impact means. In line with the editors and as suggested in the Introduction, we differentiate between impacts on policies, impacts on actors – citizenry/public, politicians/civil servants – and impacts on institutions. We add the category of impact on general performance because several authors scrutinised such effects, which do not fit into the categories of policies, actors or institutions, for example, equality or transparency (for further suggestions, *see also* Parry and Ercan, Chapter Six of this volume). In this section, we explain the different impacts and exemplify briefly which chapters refer to which impact.

### **Impact on policies**

In many chapters, impact is understood as impact on policies, meaning the translation of recommendations provided by DIs into policies. For example, the Cherrypicking project (discussed in Chapter Eleven by Fernandez-Martin *et al.*) analyses the extent to which policy proposals that emerged from local participatory processes across Spain were translated into political decisions of public authorities (*see also* Font Fábregas *et al.* 2018). Pogrebinschi and Ávila-Acosta (Chapter Twelve) refer to the policy impacts of DIs in Latin America. Carrick and Elstub (Chapter Seven) investigate the impact of climate assemblies in the UK on policy-making and Vrydagh (Chapter Four) looks at the impact of a mini-public in Belgium on policies in the context of education.

### Impact on actors

Some chapters focus on impacts of DIs on *citizens and the wider public*. Until recently, most studies examined the effects of DIs on participants. Today, we find growing interest in the impacts of DIs on citizens beyond participants. For example, Gastil and Knobloch (Chapter Five) analyse the effects of the Oregon Citizens' Initiative Review on community engagement, civic awareness, knowledge and efficacy among citizens. Carrick and Elstub (Chapter Seven) scrutinise the effects of Climate Assemblies on the wider public in terms of public awareness. Similarly, Felicetti and Niemeyer (Chapter Eight) study mini-publics as 'deliberation-makers' and suggest that the discursiveness of mini-publics can help the broader public to make sense of complicated issues.

Impacts of DIs on *politicians and civil servants* have, up to now, seldom been scrutinised. In this edition, Parry and Ercan as well as Carrick and Elstub (Chapters Six and Seven) tackle this topic. Other contributors in this edition, however, who look at politicians, do not examine the impacts of DIs but describe how politicians instrumentalise DIs (*see below*). According to Spada, for example (Chapter Ten), mayors seem to implement some DIs such as participatory budgeting, because they hope they will help them to be re-elected.

### Impact on institutions

In the Introduction to this edition, the editors suggest examining the impact of DIs on institutions. They apply a broad, sociological definition of the term institutions, beyond public agencies and including all formal regulative rules as well as 'taken-for-granted understandings of political phenomena'. Thus, the editors also subsume under the term institutions the 'norms among civil servants about whether and how citizens ought to be involved in drafting politics or shared beliefs among politicians about how and to what extent citizens are able to engage with complex policy issues'. There is some overlap with 'impact on politicians and civil servants' (*see above*) referring to individuals, whereas 'impacts on institutions' referring to collectively shared norms and beliefs. Yet, the chapters in this edition show how incredibly difficult such a distinction is from a methodological perspective – at least considering available data. Very few chapters refer to this kind of impact. Some chapters mention parliamentary debates but less attention is paid to institutions understood as public agencies, rules or the shared norms and beliefs of politicians and civil servants.



### **Impact on democratic and social performance**

The editors of this collection have not explicitly discussed impacts on democratic and social performance and seem to subsume this category under policy impact. However, we think that performance is an extra category. In fact, many debates and publications within research on DIs focus on criteria which fit best under the general category of performance, as, for example, impacts discussed in Chapters One, Nine and Ten, by Ryan, Jager and Spada respectively, who apply the term ‘goods’. Like many other scholars, these authors expect DIs to enhance, for example, equality, inclusion, ‘acceptance of governance output’ (Jager), effectiveness, transparency or accountability as well as sustainability and climate protection. Although such grand schemes render empirical studies challenging, several authors look at this kind of impact. For example, Spada examines participatory budgeting in 568 Brazilian cities considering performance on health and education. And, in a study of 153 cases of citizen participation in environmental decision-making in Western countries, Jager considers whether participation leads to environmentally favourable and socially acceptable outcomes, that is, to more sustainability and legitimacy (*see also* Jacquet and van der Does 2021).

## **REALITY VERSUS HIGH EXPECTATIONS**

Expectations of the potential impact of the fast-growing formats of DIs are high; too high, as many of the chapters in this edition show. In this section, we summarise the empirical findings on these impacts, distinguishing between policy impact, impact on political actors, impact on institutions and impact on general performance.

### **Impact on policies**

The policy impact of DIs appears to be rather low in general. Research on Spanish cases by Fernandez-Martinez, Font and Smith as well as Vrydagh’s study on the Ouderpanel (‘parent panel’), the reform of the high school system in Flanders, show that public authorities listen selectively to the proposals emerging from DIs (*see below* on cherry-picking). In the Spanish cases, roughly a third of the proposals had been fully implemented with no or very minor changes from the original formulation; another third had been partially implemented or developed with significant deviations from the original proposal and another third had been rejected or ignored by the local authorities (Fernandez-Martinez *et al.*, Chapter Eleven). Similarly, in Belgium, only a few suggestions were picked up. And in the British case



presented by Carrick and Elstub, DIs seem to have impact at most on the ‘agenda-setting stages’. All in all, most authors agree that impact on policies is relatively small.

However, there are also exceptions: Parry and Ercan, who looked at the policy impact of five deliberative mini-publics in South Australia, conclude that the majority of recommendations were supported by the government. Pogrebinschi and Ávila-Acosta also find that as much as 77 per cent of DIs across the 18 countries in Latin America have fully achieved the aims for which they were designed. For those cases for which information was available and the output was a policy or law, as much as 91 per cent have actually enacted or implemented the recommendations. At the same time, the authors conclude for South America that ‘when considering the total innovations per country and their performance regarding the outcome, the overall observation is that the enactment or implementation of outcomes, including legislative and policy initiatives, remains low in the region’.

Why is impact on policies in most cases, with few exceptions, very low? The authors of this edition put forward various ideas to explain the lack of consequences.

Impact on policies is most likely low because, until recently, initiators and organisers of DIs seem to care more about procedure (‘how do we participate?’) than about linkages to decision-making. In other words, strategies and mechanisms for ensuring that the results developed by DIs feed into decision-making have been neglected. The questions of how the results of participation will be picked up, by whom and what responses will be provided have been ignored. For example, Mazeaud and Gourgues conclude, based on their previous work on regional DIs in France, that ‘the institutional insertion, the uses and therefore the effects of participatory mechanisms are largely blind spots in their production’. And *without connection of DIs to decision-making bodies*, it is not surprising that impact of DIs on policies is low.

In explaining why some proposals are implemented and not others, Fernandez-Martinez *et al.* find evidence that the implementation of proposals is strongly related to the content of the proposal and to the interest of policy-makers: those proposals ‘that are more expensive and/or more disruptive are less likely to be implemented; those which have support from both elected and bureaucratic actors in the municipality ... are more likely to be implemented’ (Fernandez-Martinez *et al.*). Similar, Vrydagh concludes that the DI Ouderpanel was subject to *cherry-picking*. He found that ideas that correspond to the initial expressed positions of decision-makers received the largest share of uptake and that proposals that diverged from their policy agenda were disregarded (similar to Carrick and Elstub).

Finally, several authors add another perspective, namely, the design and the quality of the DIs themselves. Looking at Australian cases, Parry and Ercan are sure ‘that the design choices are a crucial factor in achieving different types of impacts’. Jager ‘detected a generally positive effect of participation ..., especially where deliberation is high and where participants are granted meaningful decisive powers’. He shows that convergence of perspectives and good deliberation *within DIs* are conducive conditions for policy impact. Similarly, Felicetti and Niemeyer identify the importance of the deliberative quality of a DI. They compared two cases, a mini-public in Italy that voted on its output and a mini-public in Australia with a ‘deliberate then propose’ approach. The authors suggest that the deliberative quality of a DI might be a factor influencing the impacts of DIs on policies. However, other studies could not find a clear correlation between deliberative quality and policy impact of DIs (Curato and Böker 2016). Also Mazeaud and Gourgues illustrate in their cases that in France the ‘procedural quality’ of a DI had hardly any influence on policy impact. Obviously additional factors play a crucial role. For example, Niemeyer and Felicetti concluded that also ‘the local context and the type of problem at hand’ should be taken into account. Comparative research is surely needed to get a deeper understanding of what influences the impacts of DIs on policies.

### **Impact on actors**

Another approach is to look at the impact of DIs on *citizens*, on their knowledge, skills and engagement. As already mentioned above, a lot of empirical knowledge is available on the impacts of DIs on participants. But much less research has been done on the impacts of DIs on the whole citizenry and the wider public.

In their study of the Oregon Citizens’ Initiative Review, Gastil and Knobloch (Chapter Five) confirm existing findings on the positive impacts of DIs on participants, including long-term impacts. And with respect to the broader public, the authors show that citizens who read the Review’s reports increased their issue knowledge as well as their political self-confidence and confidence in government: the ‘wider electorate saw impacts to their attitudes and knowledge despite their relative distance from the review’. Similarly, in their research on mini-publics in Australia, Parry and Ercan find effects on broader public debates through extensive coverage in the media. They also demonstrate how mini-publics enhanced confidence in the deliberative process and trust in government. Spada reports signs that the implementation of DIs enhances citizens’ support for the authorities who implemented them, particularly mayors. The probability of mayors being re-elected increased due

to ‘significant investment in communication and social events that might have a spillover effect on the visibility of the organisers’.

As already mentioned, research on the impact of DIs on *politicians and administrative staff* is still rare. Parry and Ercan, looking at Australian cases, describe how DIs ‘can affect the confidence of government agencies, stakeholders and bureaucrats in the public’s capacity for deliberation’. Carrick and Elstub investigated the impact of the Climate Assembly UK (CAUK) on members of parliament and government. Select Committee members, particularly, developed support for CAUK and its recommendations during the process.

### **Impact on institutions**

The editors of this collection also suggested taking impact on institutions – including laws and shared understandings, norms and beliefs among politicians and civil servants – into account. The findings by Parry and Ercan as well as by Carrick and Elstub give some hints, but it remains unclear whether the change of opinion was a shared transformation of norms or referred mainly to opinion changes of individuals. We have little information whether the changes really involve fundamental change of shared norms among politicians and civil servants as collectives.

### **Impact on performance**

Several authors in this edition tackle impact of DIs on general performance. For example, Parry and Ercan examine the impacts of DIs on legitimacy (based on the framework by Goodin and Dryzek 2006). Jager comes to the conclusion that public participation may indeed enhance the environmental standard and social acceptance of governance outputs. When the public assess the implementation of a DI as legitimate, political trust increases (*see also*: for Finland, Karjalainen 2015; for Spain, Font and Blanco 2007) In contrast, as, for example Carrick and Elstub show, if there is no follow-up to a DI, citizens may get disappointed and refrain from further participation in future participatory processes. When citizens considered participatory procedures manipulative and without influence, positive effects on perceived legitimacy were small or non-existent (*see also below*).

## **CRITICAL REFLECTIONS ON THE ROLE OF IMPACT**

Many chapters contain more fundamental discussions and critical analyses of the role of impact. In the following lines, we summarise three perspectives:

the theoretical and methodological challenge of identifying impacts; the risk of manipulation and instrumentalising of DIs; and the problem of cherry-picking.

### **Theoretical and methodological challenges of identifying impacts of DIs**

The editors have already pointed out in their Introduction that any research on DI's impact is a demanding endeavour. All research on the question of what influences policies, political actors, institutions and performance struggles with similar challenges. It is difficult to identify causal relations between any potentially influential variable, like DIs, and subsequent changes, as Parry and Ercan also point out. It is for example almost impossible to know what policies might have looked like without a DI taking place.

Within DI research, there is a danger of overemphasising or even generalising particular impacts of particular DIs in particular contexts. For example, in Chapter One, Ryan argues that scholars of DIs 'have too often been allowed to use observations to produce superficially novel theories rather than distinguish the veracity of one hypothesis over an alternate'. An even more fundamental objection comes from Parkinson in Chapter Two. According to Parkinson, the lack of (communicative) impact might be explained with a still missing theory of communication in this research field. 'It is possible that communications found persuasive in context A among community A will not be appropriate and sayable in context B with community B, let alone understood.' These criticisms should make us aware of the limitations of empirical research on DIs but should not prevent us from continuing our work.

### **Impact of DIs in light of manipulation and instrumentalisation**

We often take for granted that authorities who initiate DIs have good intentions. A more critical perspective provided by some authors in this edition helps us to understand better why participatory processes are increasingly popular and yet their effects are often negligible. Without applying all of the following terms, the chapters report on the manipulation and instrumentalisation of DIs, materialised, for example, in symbolic participation, 'particainment' – which means participation as entertainment without influence – as well as distracting, pacifying and co-opting participation. DIs take place, citizens are kept busy in feel-good participatory events, but their involvement is in vain because decision-making bodies are not interested in listening. Citizens get involved in DIs but this involvement has no effect on actual political decisions. Or citizens are invited to discuss topics of little importance, for example, where to put a park bench. At the same time, they are excluded from

decision-making on important issues, such as the vast destruction of parks in the country. Decision-makers ‘manipulate’ DIs and instrumentalise them for their own purposes.

A critical reflection on this is made by Mazeaud and Gourgues. They argue that DIs are also an instrument of the managerial state and they ‘show that governmental institutions only accept participatory innovations on the condition that they neutralise its effects on public action’. DIs are often not introduced in response to a problem but are strategies applied to consolidate the power of the authorities. DIs are implemented to create an impression of citizens’ involvement without any attempt to give them a say. Vrydagh summarises existing studies to clarify that DIs ‘can be subject to different forms of manipulation’. A similar point is made by Spada, who states that DIs are sometimes ‘window-dressing’ innovations, in which cases effective participation can only be limited (similarly, *see* Hess and Geissel 2016). Scholars are just beginning to examine the manipulation and instrumentalisation of DIs and this volume is a welcome start.

#### *On the selective policy impact of DIs (cherry-picking)*

Evidence in this book shows that the uptake of policy recommendations and proposals stemming from DIs is often limited. Government authorities appear to listen selectively to citizens’ proposals, which is often described illustratively as cherry-picking. Cherry-picking is generally criticised, because it generates the impression that a DI was not implemented to learn about citizens’ perspectives but just to misuse citizens’ involvement to create a false appearance of legitimacy. In this regard, an interesting point is made by Fernandez-Martinez *et al.* in Chapter Eleven. They argue that ‘the democratic deficit generated by the lack of implementation may be mitigated if the appropriate justifications are given’. Theoretically, ‘it is possible that cherry-picking might be redeemable democratically if authorities justify their actions publicly’; yet, in the cases under research, the majority ‘lacked any public justification on the part of public authorities’. The authors also provide an unprecedented list of independent variables, which explain the (non-) provision of justifications. They conclude that (non)provision is ‘driven by party-electoral dynamics, resources, attitudes and practices of administrative actors, the unequal and intermittent pressure from civil society and the lack of formal protocols’ and give inspiring insights for ‘designing justification’. We are just starting to understand the mechanisms, reasons and the consequences of cherry-picking. We are also just starting to understand under what circumstances selective listening might be justified. This collection and especially the chapter by Fernandez-Martinez *et al.* provide instructive ideas for more comprehensive insights.

## WHAT IS MISSING: IDEAS FOR FUTURE RESEARCH AND THE WORLD OF POLITICS

We now offer in this conclusion some ideas for the future of research and the world of politics – based on and inspired by the chapters of the book. Considering future research, three priorities have to be addressed: first, the development of advanced theories and methods; second, more focus on long-term impacts, including potentially negative effects; as well as, third, more focus on the conditions for (positive) impacts.

First, we need *better theories as well as methods* to investigate the consequences of DIs from a comprehensive and comparative perspective. We have to develop better, stronger and more precise theories and to apply more sophisticated methodological approaches in order to identify the impacts of DIs within different contexts. This book is an important step: it brings together a lot of empirical research using both case studies and large-N quantitative studies. The next steps might be to enhance the conceptualisation of impact, to specify variables as well as causal relations and to develop shared operationalisations.

Second, more research is needed on *multifaceted, long-term effects*, as for example discussed in the Chapters Five and Ten by Gastil and Knobloch and Spada, *as well as on negative impacts*. Authors have focused for too long on individual, mostly short-term and mainly positive effects of single DIs. To get the big picture, we need to move on to more complex approaches and this volume paves the way. Interestingly, most cases discussed in this collection do not prove negative impacts of DIs. Negative impacts occur when DIs are not set up appropriately and when DIs are ignored, manipulated or instrumentalised. For example, Jager argues that involvement of citizens in DIs without giving them substantial influence may lead to situations in which participants become frustrated. Similarly, Fernandez-Martinez *et al.* emphasise that the lack of impact without justification might lead to feelings of detachment. And Mazeaud and Gourgues point out the risk of considering citizen participation merely as a government strategy for retaining power. Implementing DIs as a strategy without taking citizens' ideas seriously can lead to cynicism and distrust among the wider public. These negative impacts are not the result of the DIs themselves but occurred due to the lack of influence of DIs. However, we might also look out for negative impacts of DIs themselves, for example unbalanced recommendations or increased polarization.

These findings lead us to the third gap: more research on the *conditions for (positive) impacts* is urgently needed. We have to 'ask why and under what conditions DIs succeed in producing change', as Mazeaud and Gourgues put it. Up to now, this debate mostly referred to just a few factors. The authors in this volume dig deeper and provide instructive findings identifying several

potential variables: They indicate, first, that formal embeddedness in the political system is crucial to generating positive impacts (*see*, for example, Cassick and Elstub in Chapter Seven). Second, the commitment of representatives is key. Whether practices of citizen deliberation have an impact depends largely on politicians, for example, whether and how they institutionalise deliberative practices; whether they supply sufficient resources; and how they cope with citizens' recommendations (*see also* Geissel and Hess 2018; 2017). Other scholars focus on the capacities of DIs themselves, for example, Vrydagh, who points out the capacity of DIs to generate innovative ideas for problem-solving, to bring in alternative perspectives and to challenge existing policy positions. As mentioned above, Felicetti and Niemeyer consider the deliberative quality of a DI as key. These are constructive suggestions for conducive conditions, which have to be organised and developed into a comprehensive conceptual framework.

All these examples show that we need a more complex approach when we want to understand the conditions under which DIs have (positive) impact. Such an approach requires clear specifications for the different types of impact (on policies, actors, institutions, system performance) and specifications of potential conditions (for example, institutional embeddedness of DI, commitment of politicians, 'problem-solving capacity' of DI). This volume is a first step to combine the current 'piecemeal' into a comprehensive model.

### **Suggestions for the future in the world of politics**

Considering the future in the world of politics, we suggest two closely intertwined political reforms. First, DIs are often criticised for being applied in an insular way, which induces low impact on policies, actors (beyond participants), institutions and system performance. Accordingly, scholars advocate systematic integration into institutions and processes of representative democracy. Thus, political actors should not just initiate and implement DIs as such but should always ensure that DIs are *embedded in and connected to decision-making* procedures.

Second, the examples discussed in this book show that *ad hoc*, unregulated DIs have more difficulties in generating impact. *Clear rules and regulations on how to initiate DIs and how to feed their recommendations into decision-making* would encourage significantly more consequential DIs. The rights of citizens to get involved in political decision-making via DIs should be guaranteed by law – and should not depend on the goodwill and courtesy of single politicians. This would include, for example, regulations considering options for citizens' initiatives to stop, to change and to initiate a law as well as regulations enabling citizens to demand the implementation of a dialogue-oriented procedures within a given unit (village, city, federal state,



nation-state). It should be clear from the start how citizens' recommendations will be acted upon: 'There should be laws and rules around their instigation and stipulated conditions of how their recommendations should be dealt with' (Carrick and Elstub). It is noteworthy that laws allowing citizens to initiate DIs are already in place in a few countries and regions, such as in the Austrian state of Vorarlberg. But rules on the follow-up are missing in general (*see also* Pogrebinschi and Ávila-Acosta, Chapter Twelve).

## FINAL REMARKS

This volume is one of the first to bring together studies empirically assessing the impacts of DIs on policies, actors, institutions and performance. We can only praise the editors for putting together the incredibly instructive collection. The chapters answer many questions and advance our knowledge considerably. At the same time, they identify several research gaps.

The study on the impacts of DIs will be one of the main tasks of future political science. Dissatisfaction with representative democracy is rising as are demands for more citizens' involvement. However, we have to be careful. Not every DI will work well in every context (Geissel 2023). In order to make useful recommendations for the implementation of DIs, we need more comprehensive conceptualisations, more methodological approaches and more empirical findings on their impacts. This also means bidding farewell to blind enthusiasm for a specific DI or for DIs in general. Impartial, unbiased, methodologically robust research is necessary to make democracy fit for the future with appropriate DIs.

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