Eight Ways to Institutionalise Deliberative Democracy: Overview

Claudia Chwalisz
Innovative Citizen Participation Lead, OECD

#delibWave | @oecdgov | @ClaudiaChwalisz | claudia.chwalisz@oecd.org

This guide for public officials and policy makers outlines eight models for institutionalising representative public deliberation to improve collective decision making and strengthen democracy.

Deliberative bodies like citizens' assemblies create the democratic spaces for broadly representative groups of people to learn together, grapple with complexity, listen to one another, and find common ground on solutions.

Increasingly, public authorities are reinforcing democracy by making use of deliberative processes in a structural way, beyond one-off initiatives that are often dependent on political will. The guide provides examples of how to create structures that allow representative public deliberation to become an integral part of how certain types of public decisions are taken.

Why is deliberation different?

Better policy outcomes because deliberation results in considered public judgements rather than public opinions.

Most public participation processes are not designed to be representative or collaborative. Deliberative processes, on the other hand, create the space for learning, deliberation, and the development of informed recommendations, which are of greater use to policy and decision makers.

It gives public officials and policy makers **greater legitimacy** to make hard choices.

These processes help policy makers better understand public priorities, and the values and reasons behind them, and identify where consensus is and is not feasible. Evidence suggests that they are particularly useful in situations where there is a need to overcome political deadlock and weigh trade-offs.

Enhance public trust in government and democratic institutions by giving citizens a significant role in public decision making.

People are more likely to trust a decision that has been influenced by ordinary people than one made solely by government.

Why do representative deliberative processes work?

1. **Independence**:
   Thanks to civic lotteries, the members of a deliberative body can avoid being 'captured' by interest groups or influenced by powerful or wealthy people and organisations.

2. **Cognitive diversity**:
   Research has shown that, for developing successful ideas, diversity is more important than the average ability of a group.

3. **Favourable conditions for quality deliberation:**
   Information, time, and skilled facilitation lead to informed, detailed, and rigorous recommendations, which consider trade-offs.

4. **A focus on the common good:**
   The members are not there to represent any particular interest group, company, political party, etc. They are there to collectively develop recommendations for the common good.

5. **High levels of trust:**
   People have lost trust in politicians and experts, but they do trust everyday 'people like them'. At the end of a deliberative process, it is its members - a microcosm of the population - who explain their recommendations to the public.

Why institutionalise?

1. **To allow public decision makers to take *more* hard decisions *better*,** as well as more decisions with long-term impacts (such as on climate change, biodiversity, emerging technology, urban planning, infrastructure investment, and other issues of this nature).

2. **To enhance public trust.** Public trust has been declining for decades. A one-off deliberative process can make a difference, but it is the regular practice of public deliberation that gives people and decision makers the opportunity to build mutual trust.

3. **To make representative deliberative processes easier and less expensive.** Costs and resources are saved by not starting from scratch every time.

Institutionalisation also reinforces democracy.

Adding public deliberation and civic lotteries to democracy **extends the privilege of representation to a much larger group of people.**

These processes **strengthen people's agency, harness collective capacity, and awaken a collective consciousness** that connects people to one another and to something bigger than themselves.

It often leads to **increased levels of political efficacy** amongst members of deliberative bodies as well as the broader public.

Seeing 'people like me' participating in complex public decision making **can have a similar effect on those not directly involved** but aware of the process.

Institutionalisation **scales the positive impact** that participation has on people's perception of themselves and others, strengthening societal **trust and cohesion.**

8 ways to institutionalise deliberative democracy

OECD

1. Combining a **permanent** citizens' assembly with **one-off** citizens' panels

2. Connecting deliberation to **parliamentary committees**

3. Combining **deliberative** and **direct** democracy

4. **Standing** citizens' advisory panels

5. **Sequenced** deliberative processes **throughout the policy cycle**

6. **Requiring** public deliberation **before certain types of public decisions**

7. **Giving people the right to demand** a deliberative process

8. Embedding deliberative processes in **local strategic planning**

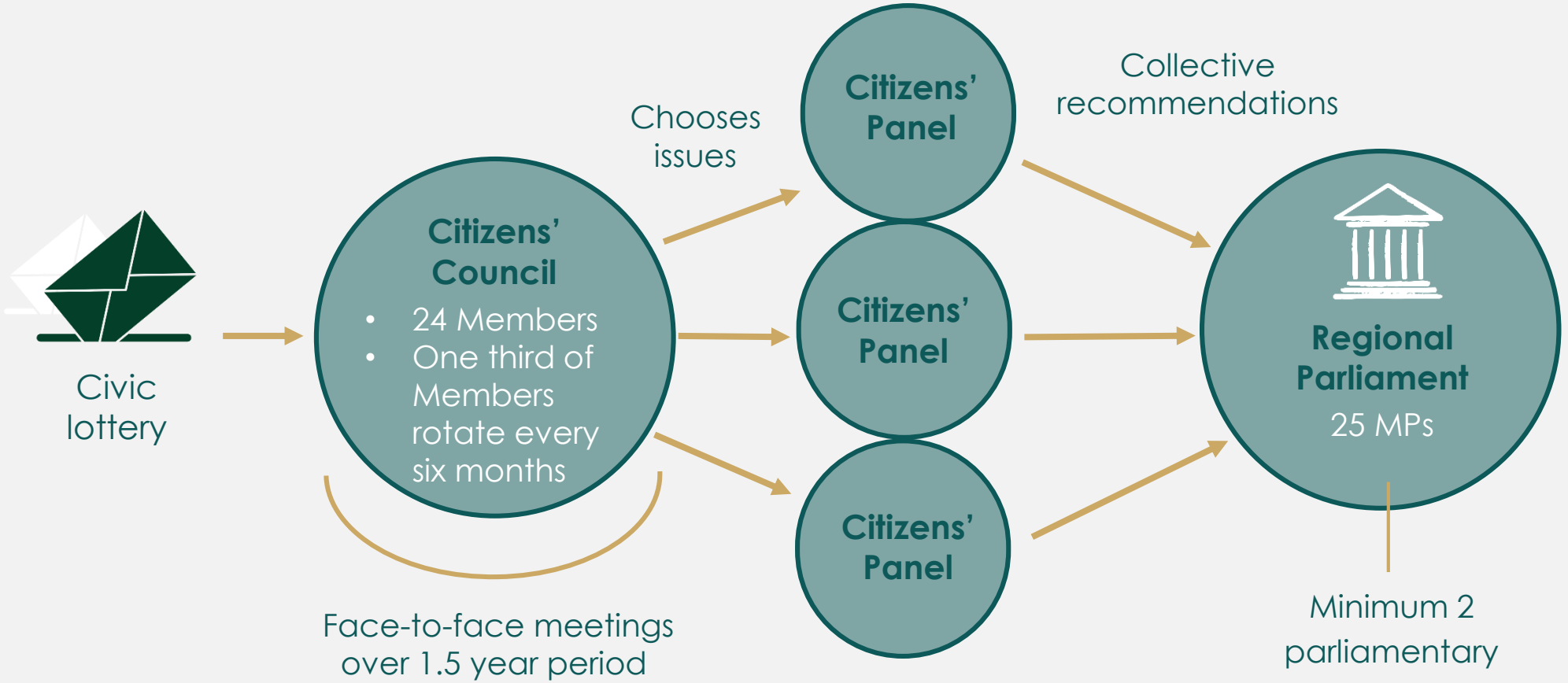
EIGHT WAYS TO INSTITUTIONALISE DELIBERATIVE DEMOCRACY

INSTITUTIONALISATION MODEL	DESCRIPTION
1. Combining a permanent citizens' assembly with one-off citizens' panels	A permanent citizens' assembly has the agenda-setting power to initiate a one-off citizens' panel and decide the issue for which it should provide recommendations.
2. Connecting representative public deliberation to parliamentary committees	Parliamentary committees that bring together citizens selected by civic lottery and parliamentarians to work together on an issue across party lines.
3. Combining deliberative and direct democracy	A process where a broadly representative group of people evaluates a proposed ballot measure and provides arguments for both sides of the issue to all voters with their ballot papers.
4. Standing citizens' advisory panels	A representative deliberative process with a wider remit covering numerous issues and longer time-span for providing informed input on an ongoing basis (e.g. 2 years).
5. Sequenced representative deliberative processes throughout the policy cycle	An interconnected series of citizens' assemblies occurring sequentially with different functions, at different stages of the policy cycle.
6. Giving people the right to demand a representative deliberative process	A representative deliberative process (like a citizens' panel) can be initiated if a certain number of people sign a petition.
7. Requiring representative public deliberation before certain types of public decisions	Legislation or regulation that requires a representative deliberative process to take place before any change in law in relation to a specific issue.
8. Embedding representative deliberative processes in local strategic planning	Legislation that establishes a requirement for representative deliberative processes to develop local strategic documents, like council and financial plans.

CHARACTERISTICS OF EIGHT INSTITUTIONALISED DELIBERATIVE DEMOCRACY MODELS

INSTITUTIONALISATION MODEL	LINKED TO	MANDATE	WHO INITIATES	LEVEL OF GOVERNMENT USED TO DATE	COUNTRIES WHERE USED TO DATE
1. Combining a permanent citizens' assembly with one-off citizens' panels	A legislative body	Agenda setting Initiating citizens' panels Monitoring implementation of recommendations Asking written questions	Embedded into law/ongoing	Local, regional/state	Belgium, France
2. Connecting representative public deliberation to parliamentary committees	A legislative body on a working level *(Deliberating directly with parliament members)*	Providing recommendations Voting on recommendations	Citizens MPs	Regional/state	Australia, Belgium
3. Combining deliberative and direct democracy	A referendum/ballot measure	Drafting a collective statement of key facts for the voters' pamphlet	Public authority	State	United States
4. Standing citizens' advisory panels	An executive body on a working level	Providing ongoing citizen input on a specific issue	Public authority	Local, regional/state	Canada
5. Sequenced representative deliberative processes throughout the policy cycle	A legislative body	Different and evolving mandate for each assembly in the sequence (proposing objectives, developing recommendations, evaluation)	Public authority	Local	Colombia
6. Giving people the right to demand a representative deliberative process	A legislative body	Providing recommendations	Citizens Public authority	Regional/state	Austria
7. Requiring representative public deliberation before certain types of public decisions	Type of decision	Providing recommendations	Legal requirement	National	France
8. Embedding representative deliberative processes in local government	Planning stage of the policy cycle	Providing recommendations	Legal requirement	Regional/state	Australia

1a.Ostbelgien Model



Secretariat
Full-time parliamentary staff devoted to organisation of CC and CPs

1b. Paris Citizens' Assembly

Civic lottery

Citizens' Assembly

- 100 Members
- 16 years +
- Residents of Paris
- 1 year mandate

Current Affairs Questions + *Vœux*
Evaluation Mission
Local Bill of Citizens' Jury

Chooses issue

Citizens' Jury
17 Members

Local Bill Proposal

Paris Council

163 Councillors

Min. 2 meetings/year in plenary
Working group meetings regularly, at interval determined by members

Chooses theme of Paris **Participatory Budgeting**

Required to provide **written response** at time of submission and one year later

Secretariat
Full-time council staff devoted to organisation of CA and CJs

Oversight committee

- Representatives of CA
- Representative from each political party
- 4 deliberation experts

2a. Deliberative Committees

Citizen initiated (1,000 signatures)

OR

MP initiated

Civic lottery

Deliberative Committee

- 45 residents of Brussels + 15 MPs
- 16 years+

Information evening + minimum 4 days of face-to-face meetings

Citizens – secret vote

Collective recommen-dations

MPs – public vote

Brussels Parliaments

89 MPs

MPs involved in the committee follow up on recommendations within 6 months

Response

Deliberative Committee reconvened for one day. Government and parliament are obliged to respond to all recommend-dations

Secretariat

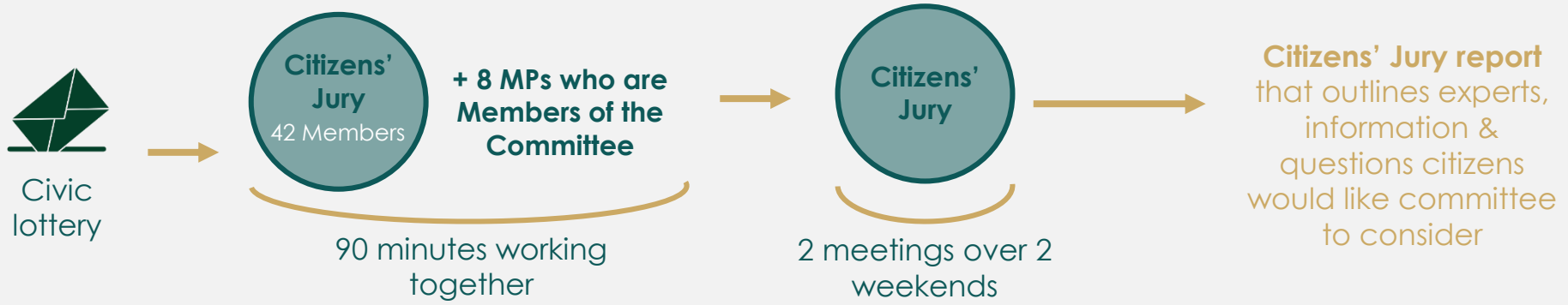
Full-time parliamentary staff devoted to organisation of committees

Oversight committee

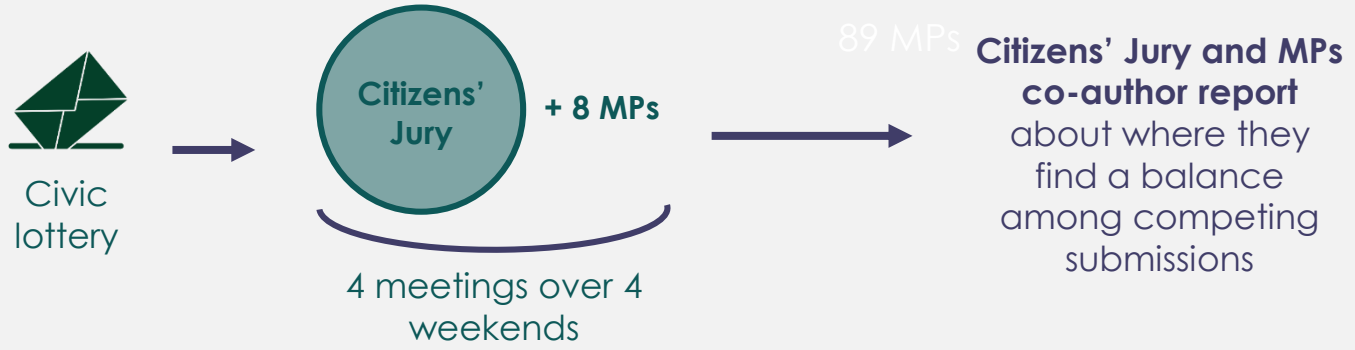
- 2 parliamentary staff
- 4 experts on topic of deliberation
- 4 deliberation experts

2b. Options for adding public deliberation to NSW Committees

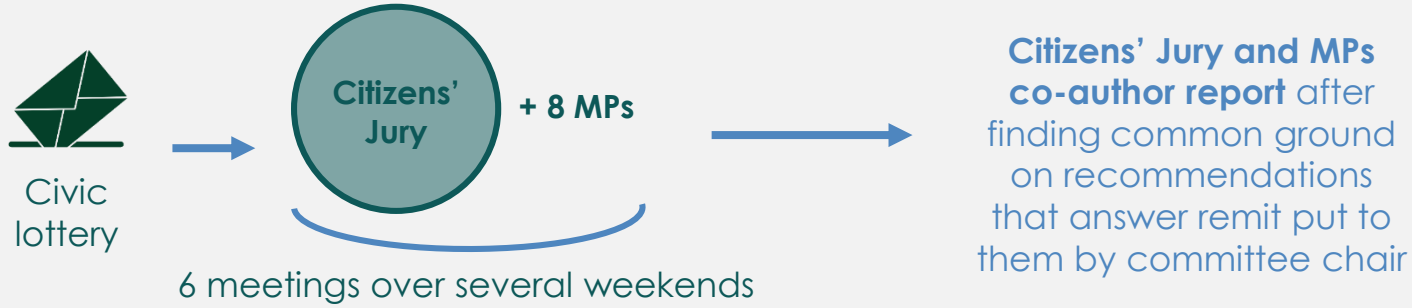
OPTION A: Considered input from citizens



OPTION B: Balance of submissions



OPTION C: Citizens' Jury in partnership with Committee



3. Citizens' Initiative Review

Face-to-face meetings for 4.4 consecutive days on average

Civic lottery to select 24 people

Training programme

- Fundamentals of deliberation and evaluating information

Learning and evaluation

- Q&A with pro/con campaigns, and with independent experts
- Assessing information for costs and benefits

Editing and Refining Information

- Discussing and drafting evidence statements

Drafting Pro/Con Statements

- Prioritising and explaining evidence
- Drafting rationales for voting for/against the initiative

Collective statement of key facts

Voters' Pamphlet

4. Toronto Planning Review Panel

Civic lottery

Panel

- 28-32 Members
- Residents of Greater Toronto Area
- 2 year mandate

4 days of learning + training
11 full-day meetings (one every two months)

Ongoing citizen input on issues of planning and transportation

Toronto City Planning Division

5. Bogotá Itinerant Citizens' Assembly

Civic lottery

Citizens' Assembly

- 110 Members
- Mandate to propose objectives for addressing urban planning challenges
- Divided into 6 commissions

2 weeks of learning (mix of synchronous + asynchronous activities)
2 days of deliberation

Collective proposals delivered to next Citizens' Assembly

Civic lottery

Citizens' Assembly

- 60 Members (18 of which were also in first assembly)
- Mandate to develop policy recommendations linked to the objectives

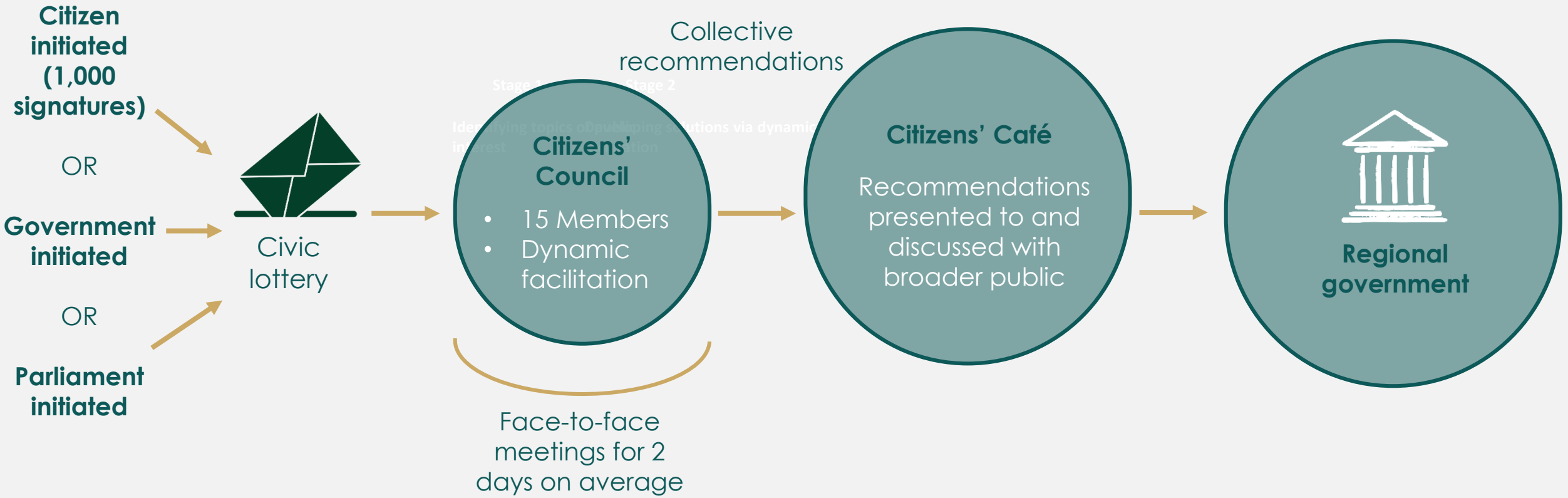
2 weeks of learning (mix of synchronous + asynchronous activities)
2 days of deliberation

Collective recommendations

Bogotà City Council

45 Councillors

6. Vorarlberg Citizens' Councils



7. French law on bioethics 2011

French law on bioethics 2011

Obligation to organise public debates and deliberations (*états généraux*) for any change in the laws relating to bioethics

National Consultative Ethics Committee (CCNE)

+

Parliament

***États généraux*:**

- Consultations and conferences comprised of citizens selected to represent diversity of the public
- Online submissions and surveys
- Representative deliberative processes

8. Victoria Local Government Act 2020

Victoria Local Government Act 2020

All local councils must engage the community through deliberative practices on four strategic documents:

1. Planning and financial management plan
2. Community vision
3. Council plan
4. Financial plan

Deliberative engagement practices must follow characteristics of good design:

- ✓ Clear scope and objective
- ✓ Access to information
- ✓ Representativeness
- ✓ Impact
- ✓ Transparency throughout the process

Considerations for implementation:

Just as there are numerous considerations for the successful running of parliaments and other democratic institutions, adding public deliberation and civic lotteries to democracy requires certain commitments and infrastructure to be effective:

1. **Sustainable political commitment.**

2. **A self-governing and systemic approach that depoliticises as many aspects as possible.**

3. **Measures to enable sustainable involvement of the public:** Elements that can support this include – but are not limited to – **a special position for alumni of deliberative processes, maximum visibility through public communication, and paid leave from work** to participate in these processes (such as is the case with jury duty in many countries).

Support from and capacity of public servants is imperative to deliver ongoing, quality public deliberation and follow-up.

Public authorities should establish an office permanently in charge of deliberative processes.

Such an office could be funded by the public authority, but at arm's length to stay unbiased and trustworthy.

Professional staffing of such an arm's length body might be by civil service employees or universally respected and impartial civil society organisations or universities under contract.

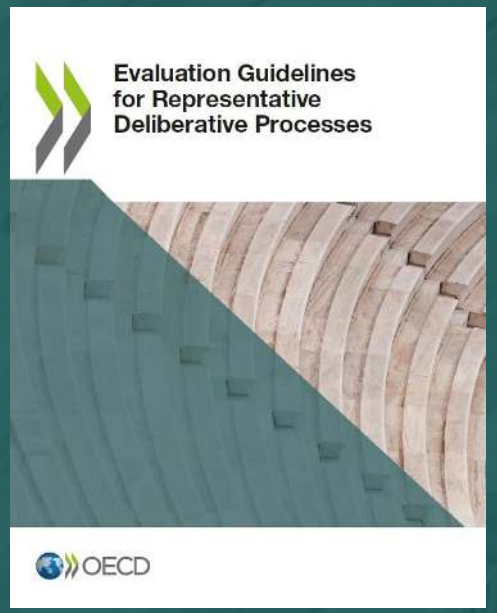
Remit of an independent office in charge of public deliberation:

- **Setting and ensuring compliance with standards of good practice** for deliberative processes for public decision making that are in line with the OECD Good practice principles and are adapted to the context;
- **Advising decision makers** who are considering the uses of public deliberation in their work;
- **Building knowledge in the government and public institutions** more broadly by training civil servants to be smart commissioners and neutral hosts. There needs to be a clear delineation of functions: those who initiate the process; those who organise and run it, and those who supervise it;
- **Monitoring and evaluating institutionalised deliberative processes and their impact** to ensure that collective learning ensues and that the outputs are responded to and have influence on public decision making, using the OECD Evaluation guidelines for representative deliberative processes;

Remit of an independent office in charge of public deliberation:

- **Ensuring follow-up to the recommendations;**
- **Managing a budget** dedicated to funding deliberative processes;
- **Investing in the skills and capabilities of civil society organisations** that could be capable of organising, running, and facilitating a deliberative process, since institutionalisation implies a greater need for more operators;
- **Regularly reporting findings from representative deliberative processes to government and parliaments** to ensure the cumulative benefit of deliberative processes are related to the parliamentary or government cycles; and
- **Regularly reporting on the implementation of recommendations** from deliberative processes to its members and the public, as well as explanations for why action has not been taken.

OECD Deliberative Democracy Toolbox



Step 1
DISCOVER

Step 2
IMPLEMENT

Step 3
EVALUATE

Step 4
EMBED

For further information:

Alessandro Bellantoni
alessandro.bellantoni@oecd.org

Claudia Chwalisz
claudia.chwalisz@oecd.org

@OECDgov

#delibWave

oe.cd/delib-wave

medium.com/participo