MAPPING DELIBERATIVE DEMOCRACY IN COUNCIL OF EUROPE MEMBER STATES

COUNCIL OF EUROPE
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Prepared for the Division of Elections
and Participatory Democracy,
Department of Democracy and Governance,
Council of Europe

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Cover design and layout:
Documents and Publications Production Department (SPDP), Council of Europe

Photos: Pixabay and Shutterstock

Contents

ABOUT THE AUTHORS	7
EXECUTIVE SUMMARY	8
INTRODUCTION	10
A CONCEPTUAL FRAMEWORK FOR DELIBERATIVE DEMOCRACY	12
CONTEXT FOR DELIBERATIVE DEMOCRACY	14
SITUATING DELIBERATIVE DEMOCRACY	19
FINDINGS OF THIS REPORT	22
PROPOSAL FOR AN EFFECTIVE DELIBERATIVE INITIATIVE	32
CONCLUSION	35
APPENDIX A – CHECKLIST FOR GOOD PRACTICE IN DELIBERATIVE INITIATIVES	37
APPENDIX B – LIST OF INITIATIVES	40
APPENDIX C – DIGITAL PARTICIPATION PLATFORMS	44
BIBLIOGRAPHY	45

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Acknowledgements

The authors are grateful to all the people and organisations who contributed to this report, either by sharing information on their initiatives or by giving up their time to be interviewed. We particularly appreciate the support, contributions and advice from Daniel Popescu, Markus Adelsbach and Cornelia Perle, who led and co-ordinated the project on behalf of the Council of Europe. Additional feedback has been received from both Council of Europe staff in Strasbourg and the Organisation's offices in the region, such as those in Ukraine, Bosnia and Herzegovina and Georgia. The authors wish to thank Dominik Hierlemann and Anna Renkamp from the Bertelsmann Stiftung for their valuable inputs. We would also like to thank the initiative owners and experts who generously provided us with background and insights, including Claudia Chwalisz (OECD), Gazela Pudar and Irena Fiket (Institute for Philosophy and Social Theory, University of Belgrade), Jeff Lovit (independent expert), Karl-Heinz Lambertz (East Belgium regional /Council of Europe rapporteur), Marcin Gerwin (Citizens' Assemblies, Poland) and Michael Lederer (Vorarlberg Government, Austria).

Executive summary

Deliberative democracy is not new per se, but it has recently grown in prominence. It is seen by proponents not only as a way to achieve better policy outcomes but also to as a way to build public trust in democratic processes. Deliberation is a subset of participation, one of a range of interventions open to policy makers and legislators who want to hear the voices of citizens; it sits alongside methods such as public forums, petitions and participatory budgeting. Deliberative initiatives are in depth and deeply immersive, aiming to develop tangible recommendations as to what governments should do. This means that, to be effective, deliberative democracy must align and closely integrate with the policy cycle, and public bodies must accommodate it in a genuine way. In short, deliberative democracy offers the potential to improve democracy but it also creates challenges that require a change of both process and culture. Importantly, too, this report does not position deliberative democracy as a replacement for representative democracy, but as a way to make representative democracy more open, accessible, trusted and effective.

While evidence on the practical benefits of deliberative democracy is largely anecdotal and critical research limited at this stage, there are clear and emerging indications that it can be a valuable tool for better governance and that it can be an effective way of bringing the voices of citizens into the heart of government. It is not, however, a panacea; deliberative initiatives require a new understanding of the relationships in our society, the acquisition of new skills (on all sides) and a cultural change across the public sector to listen and to act on what the public are saying.

The Council of Europe has been working in this field over the last few years. It recognises the importance of civil participation in the democratic process and sees that opportunities for direct participation are increasing. However, these must adhere to standards and good practice if trust is not to suffer and the gap between public expectations and policy is to be bridged. In particular, reference could be made to the Committee of Ministers' Guidelines for civil participation in political decision making (CM(2017)83) and its Recommendation CM/Rec(2018)4 on the participation of citizens in local public life.

It is also important to refer to the recent work of the Parliamentary Assembly and its Recommendation 2212 and Resolution 2397 (2021) entitled "More participatory democracy to tackle climate change", adopted in 2021, as well as to the recent report of the Congress of Local and Regional Authorities of the Council of Europe, and its Recommendation 472 (2022) and Resolution 480 (2022) entitled "Beyond elections: the use of deliberative methods in European municipalities and regions", adopted at the 42nd Congress Session in March 2022

Such documents have made important progress in standard setting for civil participation mechanisms. However, new trends, especially those related to deliberative democracy, need to be embedded in this previous pattern. "Bottom-up" deliberative initiatives could be an effective way to engage citizens in public decision making and to improve the delivery of public services, but current initiatives will benefit from harmonised guidance from public institutions in terms of the standards that need to be adhered to.

Guidelines are needed to support policy makers in using these new practices. Skills which are often not available in the public sector (such as recruitment of participants and facilitation) can be learned or brought in by working with non-governmental organisations (NGOs), and participants too must be educated to be effective deliberators. If all of these can be achieved then, as the Organisation for Economic Co-operation and Development (OECD) argues (OECD (2021)), deliberative initiatives can become "a regular part of democratic governance". This can only occur if they are fully connected to the policy system and if elected representatives are engaged and open to new methods. Where no mechanism for adopting the findings of such initiatives exists, there is a risk that they become placebos that can ultimately damage an already fragile trust in democracy.

This report proposes that public bodies must recognise that participation and deliberation are aspects within a wider democratic framework and must incorporate these approaches in a timely way. Better, grounded research is needed to show how, where and when deliberative initiatives can be used, and work is needed to codify their purpose and use within democratic frameworks, recognising the rich diversity of democratic cultures and processes across Council of Europe member states.

Deliberative methods must become normative tools within the policy cycle and deliberative initiatives properly resourced and planned. Such initiatives must be transparent, auditable and accountable to ensure that participant selection is appropriate, evidence is not biased and outcomes not dictated or predetermined. It is vital, too, that the cycle of participation is always closed by providing feedback on what actions have resulted from the recommendations and by building public engagement into the process.

For citizens, these deliberative initiatives are a learning experience and their design must reflect not only appropriate onboarding but also space for "just-in-time" learning. Good facilitation is vital to steer debate and ensure that all voices are heard, and recruitment must ensure that minority voices are present, listened to and respected. It is vital at this relatively early stage of deliberative democracy to increase opportunities for learning and evaluation – both within organisations and as a shared body of knowledge for all.

This research has shown that there is merit in pursing deliberative democracy initiatives; however, further support is needed for this field to develop and mature and standards must be defined if there is to be sustained trust in such processes. In particular, embedding deliberative initiatives appears easier where democracy is strong and well resourced; it is inevitably more difficult where democratic processes are emergent or weak and where there is no strong culture of civil participation and therefore attention must be paid to this.

Next steps

This research makes the following recommendations for next steps that the Council of Europe (and others) can take to promote the effective use of deliberative democracy:

1. The role and purpose of deliberative democracy, and how it can function within a representative democracy, needs to be better articulated by those in government, to those in government. The Council of Europe can take a leading role in this.
2. There is a need for guiding standards to support those wishing to use deliberative democracy and to encourage wider trust in the process. This will help ensure that processes are credible and legitimate, support public sector agencies to host such processes and ensure that good practice is collected, and that knowledge transfer can occur.
    a. Such guidance should be flexible and non-prescriptive but needs to define the key attributes of a deliberative process and the minimum viable product for it to be considered credible (the recommendations in this report form a basis for this).
    b. In addition to guidelines, it would be beneficial to encourage the development of a deliberative "playbook" to support those who want to design and implement deliberative initiatives in a practical and straightforward way.
3. Much of the body of literature referring to deliberation is strongly slanted towards academia and is both theory-heavy and inaccessible – in terms of language and physical access, since much is behind subscription paywalls.
    a. Support is needed for more independent, grounded research and for proper evaluation that can be applied directly to initiatives for learning and design purpose.
    b. Research needs to be independent of initiative convenors to overcome any inherent or implied bias – it is vital that these new methods are open to full scrutiny if learning is to occur.
    c. Research needs to be open and accessible to practitioners and policy makers.
4. Work is needed to explore how to embed deliberative initiatives into emerging democracies; this must address civic education, the role of NGOs, political structures and funding.
5. Deliberative democracy is an emerging area and it is important to support innovation and innovative practices in the area; there is no single script for running a deliberative process and creating opportunities to innovate and learn will strengthen the democratic sector.

Introduction

Deliberative democracy – the process of direct deliberation by citizens of a policy or legislative area – is not new per se but it has recently grown in prominence. It is seen by proponents not only as a way to achieve better policy outcomes but also a way to build public trust in democratic processes. Deliberation is a subset of participation. In the range of interventions open to policy makers who want to hear the views of external parties, it sits alongside methods such as public forums, petitions and participatory budgeting. However, it is distinguished from these by (most often) being undertaken by a subset of citizens recruited to represent the broader demographic and who are able to reflect differing (and diverse) views from across society on issues that affect the wider society. It differs too in that these processes are in depth and deeply immersive; participants are expected to hear a wide range of evidence on the chosen topic, debate this and develop recommendations as to what government (or parliament) should do. To be effective, deliberative democracy must align closely with the policy cycle and public bodies must accommodate it in a genuine way. In short, deliberative democracy offers the potential to improve democracy but it also creates challenges that require a change of both process and culture.

The Council of Europe recognises the importance of civil participation in the democratic process and the fact that the opportunities for direct participation are increasing. New methods of deliberation, such as citizens' assemblies, are seen as a positive development but they must adhere to standards and good practice if trust is not to suffer and the gap between public expectations and policy is to be bridged. As noted in the report to the Parliamentary Assembly of the Council of Europe relating to its Recommendation 2212 and Resolution 2397 (2021) entitled "More participatory democracy to tackle climate change", embedding "bottom-up" deliberative initiatives could be an effective way to:

> enhance citizens' trust in public decision making as well as its legitimacy, transparency, inclusiveness and responsiveness. It would also result in greater support for public action.

The rapporteur, Mr George Papandreou, also suggests that:

> [a]mongst the forms of participatory democracy which can complement and enrich the work of representative institutions, citizens' assemblies are the best placed to harness the collective wisdom and allow citizens to reclaim the public space, providing the authorities with useful information on people's preferences and indications on how to reconcile a multitude of conflicting interests.[1]

This report is, therefore, timely. It sets out to map the landscape for participation and deliberation across the Council of Europe member states. It does so not to provide an exhaustive catalogue of initiatives; rather the aim is to use these initiatives and expert interviews to understand what a deliberative initiative "looks like", how such initiatives can be designed and implemented and what challenges public bodies face in moving towards aspects of public deliberation. This report identifies the themes that have emerged from the analysis, discusses critical challenges that deliberative practitioners must address and identifies some key requirements for public bodies that might wish to develop deliberative initiatives that are effective and credible and for NGOs wishing to hold, support or participate in deliberative initiatives. It then makes a series of recommendations to support further work in his area by the Council of Europe in order to promote and strengthen deliberative initiatives. Before doing this, it discusses some key aspects of deliberative (and democratic) theory to present a background to the discussion.

Participation versus deliberation

The authors see deliberative democracy as a subset of participatory democracy, where direct civic deliberation is the core process. This study has included in its review participatory initiatives which are not deliberative per se but either contain an element of deliberation (for example, some participatory budgeting initiatives do so) or have design aspects that offer some transferable value to deliberative initiatives. Furthermore, choosing a participatory or a deliberative method is not an "either/or": these methods are often complementary and used together, either in a serial fashion (perhaps, a petition leads to the creation of a citizens' assembly) or in

1. See: https://pace.coe.int/en/files/29517#trace-3.

parallel. The purpose of this report is to understand and make recommendations for deliberative practice but, again, these recommendations can be transferable to broader participatory initiatives as well.

Participatory methods are often designed to draw out the voices of a wider, often unlimited, group of people, whereas deliberative initiatives frequently have fewer participants selected to be representative of the wider society, are about listening and debating and are (usually) focused on a specific topic.

Key terms used

Many of the terms used around participation and deliberation are ambiguous and contestable; noting this, this report uses the following definitions.

Civil participation	The engagement of individuals, NGOs and civil society at large in the decision-making processes of public authorities. Civil participation in political decision making is distinct from political activities in terms of direct engagement with political parties and from lobbying in relation to business interests. It may also be referred to as "civic participation".
Citizen	An individual person residing in a geographic community (the term makes no assumptions about nationality and purposefully excludes more rigid definitions such as indigeneity, voting rights or nationality).
Civil society	Individuals and NGOs linked by common interests and collective activity.
Deliberation	Thoughtful consideration of an issue through a facilitated group process.
Deliberative democracy	A form of democracy where deliberation is inherent in the decision-making process.
Deliberative methods	Tools and processes that enable a group of people to deliberate over specific issues.
Government	Central government.
Legislature	See "parliament".
Local government	Local or regional government responsible for a geographic area.
Parliament	An elected body that makes laws and holds a government to account.
Policy	The principles by which a government is guided in its management of public affairs, established as a plan of action or through legislation. The development of policy (from inception to law) is referred to herein as the "policy cycle".
Public sector	Government, local government and other public institutions and bodies.
Representative	1 – A person who is elected to represent the wider public, such as a member of parliament or a local councillor.
	2 – The group demographic accurately reflects the society that it represents, such as a citizens' jury where a long-list of randomly selected members who are then profiled to ensure diversity and balance (in terms of age, gender, ability, education, geography, etc.)
Representative democracy	The system of democratic governance whereby decisions are made by representatives who receive their mandate through a ballot.

Summary

This chapter briefly frames deliberative democracy and positions it in terms of wider participatory initiatives, thereby contextualising the report. Key definitions are provided to assist the reader. The following chapters will provide a conceptual overview of deliberative democracy, firstly by providing a contextual framework and then by providing some background to deliberative democracy within the wider democratic landscape, including the challenges and necessary conditions. Once this theoretical overview has been explored, the report situates deliberative democracy within a continuum of participation and then goes on to examine the key themes emerging from the case studies and expert interviews. In the final chapters, the criteria for successful deliberative democracy are framed and key attributes for good practice presented, before the report's conclusions and recommendations for future actions are put forward.

A conceptual framework for deliberative democracy

Proponents of deliberative democracy often talk about "representatives" and a "representative sample"; they emphasise the importance of the cohort engaged in deliberation being a representative sample of the population at large (in terms of geography, age, gender, sexual orientation, (dis)ability and ethnicity). This is, of course, an extremely important concern, however the term is potentially confusing as it clashes with the concept of "representative democracy", the system within which deliberative democracy is situated.

It is important to distinguish "representatives" of the people – those who are duly elected – from a "representative sample". Indeed, in the growing disaffection for mainstream politics, the very lack of "representativeness" is an issue; for example, parliaments are predominantly male and minority voices can find it challenging if not impossible to be heard.

Pitkin (1967) saw political representation as being the activity of making citizens' voices, opinions and perspectives "present" in the public policy-making processes. She fails to capture the concept of citizen-enabled representation through deliberative initiatives per se but does identify four pillars of representation which are useful in determining both the adequacy and legitimacy of a representative process.

1. Formalistic representation (the institutional arrangements), including how representatives are recognised and given standing and how they can be held to account.
2. Symbolic representation refers to how the representatives are seen by others and what they are perceived to represent: how are they legitimised and accepted?
3. Descriptive representation looks at whether those who are representing views look like those they are supposed to represent. In the case of a deliberative process, this might be widened to see whether the group as a whole reflects the society that they are from.
4. Substantive representation is a way of assessing whether those representatives say what you would expect them to say and the extent to which they advance policy outcomes that serve "the best interests" of the wider population.

Pitkin's four characteristics can be remodelled in terms of legitimating participants in a deliberative process and framing such a process as being "representative" in both senses. In building a model of good practice around deliberative democracy it is possible to identify characteristics that would be expected to be present and normative. An initiative can be considered deliberative when:

- there is a formal mechanism in place that openly describes how a forum is established, how it will operate, who will run it, how participants are recruited and how the outcomes will inform formal policy or legislative processes. Without this, the process cannot be seen as reliable;
- representatives participating in initiatives are selected through a transparent and open process and such a process ensures that those selected are legitimately taking part;
- the process ensures broad representation so that initiatives resemble a microcosm of the society they have been established to represent. This includes creating space for minority and hard-to-reach voices, not just echoing mainstream opinion;
- while in any debate one can expect to hear atypical opinions, it would be expected that the views of the initiatives broadly chime with those of ordinary citizens (there is a historical context in English law that uses the fictional "man on the Clapham omnibus" for such purposes).[2]

2. The "man on the Clapham omnibus" is a hypothetical ordinary and reasonable person, used by the courts in English law where it is necessary to decide whether a party has acted as a reasonable person would. The character is a reasonably educated, intelligent but nondescript person, against whom the defendant's conduct can be measured (see: https://en.wikipedia.org/wiki/Man_on_the_Clapham_omnibus).

In this sense, four overarching rationale for participatory (and deliberative) engagement are possible.

1. To overcome perceived inadequacies (or failings) in the current democratic process. Such a model can be led by either government or civil society, however, they are occasional and not formally embedded in the policy or legislative process.
2. Making the process more formalised, participatory processes are established within existing democratic frameworks in order to widen participation and/or to create better policy outcomes. Petitions are an example of this.

Casting the net wide, as deliberation becomes more normative, it is possible to consider the following.

3. Deliberative initiatives are implicit within a re-imagined democratic framework. This might, for example, include the constitutionally mandated use of citizens' assemblies within pre-legislative scrutiny or as an adjunct to parliamentary inquiries.
4. Deliberative initiatives are established by third-party actors as a "false-flag" attempt to manipulate public opinion or policy outcomes. There is no evidence of this happening, but only because such processes at present have limited value and influence; if they become more established (and therefore potent within the policy process) then the propensity to corrupt or wholly manipulate outcomes will increase.

This latter example points to a potential challenge for public authorities, which can be overcome (or at least mitigated) by transparency and clear frameworks for deliberative practice.

It is important to recognise that, at present, deliberative initiatives are novel and have limited impact on the policy process. It is percipient to recognise how representative democracy has been damaged by actual or perceived improper bias and influences, even outright corruption, and ensure that deliberative initiatives do not succumb to the perception of impropriety.

Summary

This chapter highlights the critical importance of understanding what is meant by "representation" in a deliberative setting and defines characteristics that assist in defining a normative deliberative initiative. These frame the forthcoming discussion and, in doing so, this chapter highlights challenges as well as opportunities for deliberative practice.

Context for deliberative democracy

Since the 1980s many of our "developed" democracies have shifted away from a prevailing culture of community towards a culture of individualism. Alongside this, new democracies have emerged, replicating the representative systems seen elsewhere. The first quarter of the 21st century has been marked by a radical shift online, and with it the rise of the instant, 24-hour news cycle, social media and disinformation. We live today in the most "connected" time ever seen, yet we appear more disconnected from each other than ever. The extent of connection and disconnection, trust and disillusionment varies, but is seen in falling voter turnout, the rise of alternative extremist political parties and social unrest. It is manifested in the voices of those who argue that representative democracy is no longer fit for purpose, that it is a hegemony of the rich and powerful, excluding other voices. It is also manifest in the rising popularity of alternative methods of civic participation, particularly among young people.

Our democratic paradox is that the most connected society in history often feels more splintered and disconnected (or connected in less tangible, less formal ways) – this is often described as a "democratic deficit".

The argument is often heard that people do not trust government (or parliament) but it is important to recognise that the reverse may also be true: governments often distrust the public and prefer the expertise of select groups of (often ex-government) consultants, NGOs and experts. A lot of this mistrust arises from the rationalisation of public services into efficient "business units", the concomitant rise in the role of a technocratic elite and the rise in media bias and misrepresentation. This has come at the expense of participation and trust. Even when the public are consulted this is narrowly scoped and restricted in terms of time and space, and the primacy of expert opinion can lead to a devaluing of citizens' views. All of this reinforces feelings of dislocation and disengagement – of "dis-trust".

Democracy is, of course, contestable and what it means can differ among people and across communities, countries and cultures. There is no "one-size-fits all" and within our rich tapestry of democratic life terms such as "participation" and "deliberative democracy" carry a wealth of baggage and mean different things to different people. It can also be argued that participatory and deliberative methods are both an answer to the aforementioned democratic deficit and a structural improvement in how policy is made. **Greater participation may lead to increased trust and more interest in democratic governance, thereby reducing or negating the democratic deficit; it may also contribute to better policy outcomes.**

Deliberative democracy is not a new concept, it dates back to Ancient Greece, but it is one that is "coming of age". Modern methods arose through "citizens' juries" in the United States and Germany in the 1970s, "consensus conversations" in Denmark in the 1980s and citizens' assemblies that first took place in Canada in 2004, based on a model known as "mini-publics". The more recent rise in their use and prominence is driven by a number of key contextual factors, which are discussed here.

Rapid emergence of the internet and digital tools

The rise of the internet and mobile technologies, and the growth in information, social networks and news that this has enabled, is a double-edge sword: information overload and the rise of disinformation are well documented but conversely the ability to participate in democracy without the constraints of time and place creates significant opportunities to reimagine how democracy can work. The internet might not change an individual citizen's motivation to participate but it can lower the barriers to that participation.

The UK House of Lords cites that, because its committees became "virtual" during the Covid-19 pandemic, it has been able to bring in a broader and deeper range of expertise to their inquiries as there is no assumption that people will have to be physically present in London. The Norwegian Storting likewise observed that civic society organisations report having better access to parliamentary committees as a result of the move to online hearings and this pattern is repeated across other parliaments (IPU 2020).

While many will argue that face-to-face deliberation is more effective than online, even this would not be as useful without the ability of the internet to provide connectivity and community-building between events, to aid recruitment, to provide access to evidence in a timely way and to connect participants to a much broader pool of expertise.

Democratic systems are not responsive to citizens' desire to be involved

Dissatisfaction with democracy is widespread, only showing improvement in a very small number of countries. In the first 20 years of this century, democratic trust has generally been in decline. One area that shows a statistical reversal of this trend is in the former Soviet-states of eastern Europe, though this change is small and relatively static, emerging from a very low base. Emerging democracies, such as Moldova and Ukraine, show significant cause for concern in terms of low levels of satisfaction and trust and the picture is little better in post-accession EU states, such as Hungary, Poland and Romania. In many cases there has been a wave of optimism through the 1990s followed by a steady decline into dissatisfaction and mistrust (Foa, Klassen, Slade et al. 2020).

Evidence from research such as the UK's Audit of Political Engagement show that people feel disconnected from democracy and want more of a say in what happens, but that they then want to leave it to politicians and government to do the work (Hansard Society 2019). Over time, the public have become more dissatisfied with democracy, feel more powerless and, as a result, are more likely to disengage. The rise in alternative social movements reflects this but so does an attempt by governments to introduce more participatory methods as an effort to reconnect with the public. **The political and governance systems we have today are not as a rule innovative and responsive; they have been established over years, often centuries, are slow to move, insular and top-down. Embedding participatory and deliberative methods within these systems requires them to change procedurally and culturally and this requires culture change and strong leadership.**

Socio-cultural changes and the rise of new social movements

As mentioned elsewhere, the shift to individualism and rising inequalities has triggered distrust and disillusionment and has led to dissent. There is a sense that the formal systems of governance are at best overly indulgent of powerful voices, such as business, at the expense of citizens and, at worst, that they are corrupt and cannot be trusted. Today, we not only see a system of governance that is struggling to maintain legitimacy and relevance but also a significant (and increasing) body of citizens who want change and are prepared to act to create this change. On one side, this has seen a rise in populism and, on the other, of new social movements driven by a number of core events:

- the Occupy movement, demonstrating against financial institutions and demanding change;[3]
- the me too[4] and Black Lives Matter[5] movements, demonstrating against discrimination; and;
- the environmental movement, including "school strikes"[6] campaigning against climate change and for a proactive approach to the environmental future of the planet.

The latter in particular has achieved a crossover into policy areas and this has led to climate-related issues being a prime choice for deliberative initiatives, most notably in France and the UK. **Politicians and policy makers must increasingly respond to an angry public who demand not only change but a say in how that change happens.**

Trust in democratic institutions

That trust in political and democratic systems is falling or remains low is an often articulated and generally accepted finding and is discussed above. However, measuring trust is challenging and unreliable. Broadly, "trust" points to a moral confidence in institutions and is difficult to capture empirically. It is complex and affected by multiple factors, from the micro level (personal experience and circumstances), the perceived behaviour of politicians, what is said in the media, social media and disinformation, to macro-level socio-economic patterns, as well as the national (or local) cultural and historical context. Trust is not universal, but neither is distrust; the countries of Scandinavia report high levels of public trust, as do Austria and Cyprus, while the UK, France, Germany and Spain (for example) report lower levels, and Italy and countries in eastern Europe lower still (Foa, Klassen, Slade et al. 2020). Some of this could be because of historical social contracts (or lack thereof) and, in other cases, a level of "false reporting" (not wishing to appear negative). Melios (2020) reports that perceptions of corruption affect trust significantly, as do approaches to "austerity" and it is clear

3. See: https://en.wikipedia.org/wiki/Occupy_movement.
4. See: https://metoomvmt.org/.
5. See: https://blacklivesmatter.com/.
6. See: https://en.wikipedia.org/wiki/School_Strike_for_Climate.

that, in emerging democracies, early optimism has been replaced by scepticism as populist politics rises and political corruption remains a clear problem.

Advocates of deliberative democracy point to its potential to increase trust, a claim also made by other forms of participatory democracy. As far back as 2004 it was suggested that deliberative democratic processes could:

- facilitate political learning;
- promote change in interpretable individual and collective opinion on the policy issues discussed; and
- increase political efficacy, which has the potential to indirectly strengthen other aspects of citizenship, such as political interest and civic and political participation (Delli Carpini, Cook and Jacobs 2004, p. 334).

However, there remains little evidence to support such claims beyond the anecdotal accounts of participants and then only in the immediate aftermath of an event. While this is often reported by event organisers and, therefore, caution is required, this limited evidence suggests that the trust levels of some direct participants increases and that their propensity to become democratically engaged can increase. There is no strong evidence of whether this new-found trust and activism lasts or spreads; is there a ripple effect from the centre out and, if so, how strong and how sustained? And while anecdotal evidence suggests direct participants can be motivated to become more politically active this is also true of non-deliberative methods, such as e-petitions and participatory budgeting.

Theuwis, van Ham and Jacobs (2021) carried out a meta-analysis into the effects of deliberative initiatives on participants, although this research is inconclusive. They note that the impact of participation in a "mini-public on political attitudes" is ambiguous but that citizens do feel more politically capable after participating in such a process, growing "more self-efficacious during policy deliberation and decision-making". The authors note that there were insufficient data to test any change in levels of trust in or satisfaction with the democratic process as a result of participation.

What is clear is that a culture of democratic participation must be cultivated and developed. In this sense, one simple deliberative intervention applied irregularly to a small group of individuals is not going to repair long-term damage to public trust and nor is it alone going to reverse the decline and restore public trust in democratic process. Melios (2020) asserts that trust is inherently affected by the public's ability to coalesce around macro issues – this can be through protest or the ballot box. Could deliberative mechanisms be a "release valve" where the public can directly input into the policy process and become more engaged? A laudable aim but perhaps too ambitious in the short term.

Legitimacy of the democratic system

Democratic legitimacy comes in a variety of ways; it comes from the legislature being elected by citizens, giving it the constitutionally defined right to make laws. A political government is legitimate because it is derived from the members of the legislature with the most votes, and legitimacy can come from the practice of successful implementation of the public's wishes. The system of government is separate from the political side and attains legitimacy through historical and constitutional contexts. The same goes for courts of law. Further, there is an interplay between head of state, government, parliament and the legal system that is established constitutionally, clearly defined and well-understood – even if there is disagreement about it. Within this, a set of normative conditions allocates roles and responsibilities. All of this gives the systems of governance (nationally and locally) legitimacy and with that opens them to a level of scrutiny and to being held to account for their actions.

The place and role of citizens within a traditional model of governance has all too often been limited to elections but is affected by public opinion and other societal norms – there is an implicit understanding that the governance system will act in accordance with the broad socio-cultural norms of the society and in its best interests. Participatory democracy challenges and changes this legitimacy, deliberative democracy even more so; they generate a need to consider how the voices of citizens are included in the decision making (policy and legislative) processes in a way that has not happened before. Embedding citizens directly within the policy process is empowering and connecting and can help build social capital. Achieving this might be challenging and require a cultural shift as well as procedural, legal, even constitutional change. If civil participation is to be effective, it is important for it to be afforded the same legitimacy as other aspects of the democratic framework.

How social capital affects participation

While trust is an individual thing, it is also useful to look more broadly at social capital and how this is embodied in the key relationships that exist between individuals or organisations across civil society. Access to society is negotiated via a range of background factors that include socio-economic status, geographical circumstances, ethnicity, religion, age, gender and sexual orientation. If democratic conversations are open only to an inside elite, no matter who that elite is, then power across the democratic system is not evenly distributed. Voices are not heard.

An ideal civil society, one which is resilient and strong, reflects an interconnection of individuals and groups, with varying degrees of formality and structure. There is room in this model for the established NGOs but there is also an inherent shift away from monolithic structures so that new, viral, disruptive social movements can come and go, can challenge assumptions and values, contesting "the modality of the social use of resources and cultural models" (Touraine 2000). If legislators do not have all the answers, and NGOs cannot fully represent citizens, then there is a need for curating the voices of individual citizens. For this to be effective there must be ways to engage with the formal processes of government.

The role of civil society in democracy

A strong civil society is a sign of a healthy democracy but the pressures on a changing public landscape challenge the opportunities for citizens to be engaged, debate and modify their beliefs. The Council of Europe's guidelines on civil participation make it clear that civil society organisations are key actors in democratic systems (and become more important in participatory models), however, civil society is often challenged and its legitimacy sometimes contested.

There has been a shift towards the professionalisation of civil society as a response to neoliberalism and its resultant socio-spatial polarisation. In emerging democracies, there has been a strong practical and ideological push towards building democratic interfaces with NGOs rather than directly with citizens. There is, of course, nothing wrong with this approach per se, however, the challenge of deliberative democracy is to bring individual citizens directly into the policy or legislative process in a way that truly values their opinions and experiences (this can, of course, be mediated via NGOs). Done properly, more participatory and deliberative democracy is not a placebo, not a way of quieting the public mood, nor is it way of bypassing other "expert" voices. It can lead to better and more responsive services, stronger social capital and less disengagement from the democratic process (Skidmore, Bound and Lownsbrough 2010).

The impact of deliberation on policy

If increased trust is evasive and hard to measure, the effect of participatory and deliberative democracy is easier to measure in terms of its impact on policy. Or, at least, the relationship between policy makers, elected representatives and citizens. The impact and effectiveness of the participatory and deliberative process is directly related to the timing of it within the policy cycle, how effectively it is coupled with the policy process, the methods used and the attitudes of those in control of the process. If more participation is to be embedded within the policy process it is necessary that, as the OECD (2017, p. 190) notes, "citizen participation strategies should be integrated in national open government efforts". However, only 16 of the OECD's 38 member countries have developed such a strategy.

As far back as 2008, the Hansard Society/Ministry of Justice Digital Dialogues project highlighted the benefits of what can happen when citizens and government collaborate on complex policy issues (Miller and Williamson 2008). It demonstrates that this can be beneficial to both sides and shows why there is a need for a more sustained public deliberation with government. Standing in the way of this "effective engagement", the authors point out, are significant barriers on both sides. On the government side, these include a lack of "buy-in" to the principles of true engagement, and a culture that is inherently averse to risk – and which perceives engaging with a non-expert public as high risk. For the public, it is primarily issues of accessibility, knowledge and trust.

There is an opportunity to reconfigure, to reset the relationship between democratic systems and citizens, by developing closer relationships between the two sides and for the system to value this (and therefore being willing to promote, even privilege) the voices and experiences of citizens. Going further, in deliberative initiatives, government actors are supporting groups of citizens to make informed decisions about complex policy areas and these outcomes feed directly into the policy process.

Transparency and open government

It is a key tenet of the representative democratic system that entities within it should be transparent, auditable and able to be held to account. Yet there persists much opacity in government. This can be overcome through open government (where the public service proactively releases data and information) and freedom of information laws (where the public are able to discover what has not been released). Open government has been spurred on considerably by the use of internet-based technologies; open data lie at the heart of an open and transparent government. Data, however, account for the "what", not the "why" or the "how".

As far back as 2002 the British Government suggested that the internet could support a restructuring of the relationship between citizens and state:

> an e-Democracy policy should be viewed in a context of those political and constitutional reforms, which seek to devolve power, extend citizens' rights and improve the transparency and accountability of government and politics.[7]

Open data have the benefit of increasing the transparency of government, providing better opportunities for public scrutiny of government transactions and outcomes. However, they are only effective if civic actors have the skills to analyse and manage the data, and data for data's sake are not inherently useful. Both open data and engagement through social media suffer from the primary restriction of earlier phases of digital engagement, namely ownership and control.

The UK NGO mySociety created "FixMyStreet" in 2008, marking a radical and significant departure in the relationship between local government and citizens. For the first time it gave a sizable portion of the general public not just direct access to their local government but direct control over what civil servants were hearing. It has also evolved into a platform that can hold these councils to account for their actions (or lack of actions). While examples such as this appear minor, they were enablers for initiatives elsewhere, not just in established democracies in the UK but also in the emerging democracies of eastern Europe, for example tracking MP's activities in Serbia. These initiatives allowed citizens to engage with government, to monitor budgets, track what their elected officials were doing and to monitor what was happening.

This process has, to some degree, become formalised through the Open Government Partnership (OGP), established in 2011 by the governments of Brazil, Indonesia, Mexico, Norway, the Philippines, South Africa, United Kingdom and the United States. The OGP aims to provide a platform for those inside and outside of government to develop initiatives that promote transparency, empower citizens, fight corruption and harness new technologies to strengthen governance. Working at national (state) and subnational level, it is designed as a partnership between government and civil society. An "action plan" for each country is co-developed and must contain tangible outcomes that the plan can be independently assessed against. The OGP process has been responsible for accelerating participatory and deliberative practices; it acts as a forum for dissemination and support and can impress a sense of urgency (or create pressure) on governments to advance their own openness and transparency agendas.

While open government is not a prerequisite for effective deliberation, it is helpful because it ensures that data are available and, above all, that there is a culture of sharing and openness that can build into and enhance a culture of collaboration. The OGP can be a useful vehicle for both governments and civil society actors who wish to promote deliberative methods. They can do this by developing tangible commitments in the national OGP action plan which then become measurable and for which the country is answerable.

Summary

This chapter has presented some theoretical background to the rise of deliberative democracy in an attempt to situate democratic participation and deliberation within a wider context. The next chapter will discuss how deliberative democracy itself relates to other forms of civil participation. This is followed by a detailed discussion of the findings of the research.

7. Cabinet Office (2002), "In the service of democracy", HM Government, UK online, London.

Situating deliberative democracy

To engage authentically and maximise the potential to achieve a useful outcome, we must understand the appropriateness of the models of participation available; one size does not fit all and what works at any given place or point in time is determined by multiple factors (see the previous chapter). Different methods have different strengths and weaknesses. The cases reviewed for this study were wide and varied; they included participatory methods as well as deliberative initiatives. Some worked, some were less successful. This is unsurprising; there is no "best practice" solution than can be applied universally because each topic, time, place and culture is, in some way, unique. It is important to recognise the conditions in which engagement is taking place, to select the most appropriate method and to adapt the process to maximise the opportunities present.

It is clear from the initiatives reviewed here that there are many different approaches that can be taken and that the participation methods chosen will affect what is heard and the outcomes of the process. As the table below identifies, democratic activities range from the passive (communicating outwards) to the participatory (involving people) to the deliberative (having people make decisions).[8]

Informing the public and other stakeholders, keeping them up to date with what is proposed and/or happening.	Passive
Consulting directly by going out and seeking public feedback on the proposals or input to the process.	Participatory
Involving the public directly in the process, ensuring they are given a voice and that their concerns are recognised and acknowledged.	Participatory
Collaborating by working in partnership with the public.	Participatory/deliberative
Empowering the public by putting decision making in their hands.	Deliberative

Some, such as Arnstein (1969), also make it clear that there are levels before "informing" which are at best described as "non-participation". There is nothing inherently wrong with what might be seen as the lower levels of participation; they are valuable parts of the rich milieu of democratic practice – when used appropriately. In reality, methods might be used together, often sequentially. To put this is in context, the table below derived from the IAP2 (International Association for Public Participation) Spectrum of Public Participation, describes a ladder of participation and aligns this with a sample of participatory and deliberative methods:

Level	Method	Description	Benefits	Risks
Informing	Media campaigns	Ensures that there is widespread public awareness of an issue.	Brings issues to peoples' attention.	On their own, there is no scope for participation or engagement, only reaction.
Consulting	Written consultations	Traditional method that can easily be extended online and to new media.	Elicits a wide range of opinions over a longer time period.	Lacks a deliberative element; can be seen as too formal; favours those who are well resourced.

8. Derived from the IAP2 Spectrum of Public of Participation (see: www.iap2.org).

Level	Method	Description	Benefits	Risks
Consulting	Advisory groups	Small ongoing reference groups of experts and stakeholders.	Allows for focused discussion on a topic.	Can be biased and seen as elitist.
Involving	Town hall meetings	Face-to-face (or digital online equivalent) public meetings.	Gets people together to hear a range of views.	Time and space constrained; attracts usual "suspects" and can be dominated.
Involving	Focus groups	Small groups, focused qualitative discussions.	Analyses specific issues.	Tends not to be representative.
Involving	Crowdsourcing	Collectively gathers and evaluates (or ranks) ideas online.	Draws out creative and original ideas and allows the public to evaluate and prioritise.	Ideas can be dominated and voting biased by interest-group campaigning.
Collaborating	Citizens' juries	Juries or panels convened to hear evidence, deliberate and make recommendations. Typically involves a smaller cohort and shorter process than a citizens' assembly.	Representative, deliberative and able to hear a wide range of voices.	Needs strong processes and methods or risks failure.
Collaborating	Citizens' assemblies	A group brought together to discuss an issue and reach a conclusion. Participants reflect the wider population and have the time and opportunity to learn about and discuss a topic, before developing recommendations.	Good for in-depth discussions about complex topics where there is a need to achieve a reasoned and objective conclusion.	Timely and expensive. Limited value unless they are connected to the formal policy process.
Collaborating	Neighbourhood forums	Face-to-face small group meetings, usually involving citizens, officials and representatives.	Focuses on local issues in small group discussions. At best, can empower local communities to act for themselves.	Time and space constrained; attracts usual "suspects" and can be dominated.
Empowering	Participatory budgeting	Though it can vary in focus and scale (from involving to empowering), participatory budgeting involves communities coming together to allocate budgets for initiatives or services that directly affect them.	Allows informed decision making, community cohesion and collaborative democracy. Can include deliberation.	Can be time-consuming and resource-heavy; often what is done is too limited to be really participatory and it often lacks deliberative aspects.
Empowering	Hackdays and hackathons	Co-creative gatherings where people from a range of backgrounds actively prototype solutions. These gatherings first emerged among open-source software developers in the late 1990s and have since been used to solve social and democratic challenges.	Provides creative and energising spaces where innovative ideas will emerge.	Prototypes are just that; without investment in follow-up hackdays rarely deliver real benefits.

Level	Method	Description	Benefits	Risks
Empowering	Deep democracy	Immersive deliberative gatherings where actors with substantially opposing (even hostile) views come together to listen, discuss and resolve differences. This model emerged from South Africa at the end of the Apartheid era and has been used in conflicts, such as that in Northern Ireland, and for overcoming complex and contested issues in local municipalities (such as that of Roma in Sweden).	Deeply immersive and strongly facilitated; provides safe spaces to explore differences.	Very challenging and intensive processes that need a lot of pre-planning and follow-up; all participants must be willing to modify their beliefs to participate effectively.

Summary

Participation and deliberation are aspects within a wider democratic framework which traditionally saw democratic practice as being about informing or consulting. However, it is broadly agreed that there is value in increasing the level of civic participation. It is argued that this builds trust and can produce better policy outcomes. Moving beyond consultations, participatory initiatives have been designed for collaboration and citizen empowerment. Deliberative initiatives extend this process further, encouraging citizens to debate issues and develop recommendations for policy (or action) themselves.

Public bodies wanting to engage more deeply with citizens through deliberative initiatives should:

- explore where deliberative initiatives can have most impact;
- explore which deliberative method offers the greatest potential to inform the policy process;
- recognise that valid ideas can emerge from government, NGOs and informal citizen groups and that therefore it is important to have processes in place to hear the voices of all these groups.

Findings of this report

The previous chapters have discussed the democratic landscape in a theoretical way to create a picture of the conditions in which democracy, broadly speaking, functions today in Council of Europe member states. This placement of democracy is important as, within it, participatory and deliberative methods are emerging as alternatives and supplements to traditional policy and legislative processes. The previous chapter highlights the continuum of participation that exists, from informing through to empowering. Deliberative democracy sits very much at the active end of the continuum, where civic participation is at the heart of the policy process and where citizens' voices contribute directly and are heard. Before that, the report focused on key issues dominant in the literature that broadly situate modern democracy, and within it participatory and deliberative methods.

This chapter will identify themes and factors that have emerged from the case studies examined and interviews conducted in the framework of this study and which are complimentary to the more theoretical discussion above but are themselves more tangible. These themes shape and guide the procedures and mechanisms for effective deliberative practices, giving them structure, legitimacy and purpose, and this chapter will present, under each heading below, a series of recommendations, stemming from the literature, case studies and interviews, which are suitable for policy makers and practitioners.

In order to understand the participatory and deliberative landscape, this review mapped participatory and deliberative initiatives (both online and face-to-face) within Council of Europe member states. These include initiatives of national government, parliament and local/regional government. This review was based on a qualitative assessment and desk-based research and assumed that the number of deliberative initiatives would be limited at this point in time. A list of 58 participatory and deliberative initiatives was generated and an initial analysis performed to select initiatives that were considered to be innovative, novel or able to offer some key learnings, from which 33 were chosen for more in-depth study. Cases were drawn from the following countries/regions (a full list of cases is provided in Appendix B).

Country	In-depth cases	Additional cases
Albania	1	1
Armenia	2	1
Austria	2	-
Belgium	2	2
Bosnia and Herzegovina	2	-
Czech Republic	1	-
Denmark	-	2
Estonia	1	1
Europe-wide	2	3
Finland	2	1
France	3	1
Georgia	3	-
Germany	1	1
Iceland	-	1
Ireland	1	-
Moldova	-	1

Country	In-depth cases	Additional cases
Netherlands	-	1
Poland	2	2
Serbia	1	-
Slovakia	-	1
Spain	-	2
Sweden	1	-
Ukraine	2	2
United Kingdom	4	2

This was not an exercise to exhaustively map all participatory initiatives, rather to understand the operational environments, interrelationships, project structures and other emergent attributes of successful deliberative initiatives (and, recognising that "success" is challenging to measure, highly contextual and contestable, the authors have avoided terms such as "best practice"). In addition to the literature review and analysis of cases, interviews were carried out with several key stakeholders. As an additional attempt to provide a more systematic approach to the list of cases, examples have been categorised to highlight how the relevant case demonstrates innovative practice.[9] In this regard, institutionalisation, innovation, revisited representation and openness have been chosen as umbrella terms that encompass the different cases in this study. Such categories provide insight into aspects of any deliberative initiative. While institutionalisation means that consolidation (and systemic integration) has been achieved, innovation is inherent to such projects as they try to enrich traditional political socialisation patterns. Some of the cases propose revisiting the concept of representation and all of them intend, as a final goal, to encourage and empower citizens.

It is useful to be aware that, as discussed above, deliberative democracy is not a new concept, but its practical application is relatively new, emerging in the latter part of the 20th century but becoming prominent only in the last few years. Its usage is emergent and still forming; this lack of maturity is both an opportunity for innovation and a challenge for policy makers. It means that there is a lack of rigorous longitudinal research on the pros and cons of deliberation. Though the body of knowledge is steadily growing, there is a shortage of critical discourse around current deliberative practice. Much of what is written is from the perspective of those who are already in favour, either because they genuinely see it as a solution to the democratic crisis enfolding us or because they are simply against the existing mechanisms of the state. We must be careful not to be swayed by unevidenced evangelism, no matter how convincing it might at first appear, and to be driven by an (as yet minimal) evidence base. Part of the maturation process for deliberative democracy must, therefore, include building up that evidence.

The following sections discuss the key themes that emerged from the research and presents some practical recommendations for policy makers and practitioners. While representative democracy is a consolidated model that was built over earlier centuries, deliberative formats are new and so the identification of new trends becomes crucial but also challenging. The identification of recommendations for good practice supports the evolution of deliberative initiatives.

Codifying deliberation within a regulatory framework

Experts interviewed in this research were clear about the need for precision in defining what deliberation was, how it was to occur and where it fitted within the democratic framework – in other words, when it could (or even must) be used and how the outcomes feed into the wider process, including who must consider this evidence and how it should be responded to.

The deliberative initiatives reviewed here were largely one-offs, though many were run over extended periods. In Ireland, although citizens' assemblies have become well-established mechanisms within the state system to inform change, they are run individually without any overarching co-ordination and topics are decided on by government. Despite this, they have shown considerable success in pushing several challenging issues forward

9. The categories are explored in greater detail and a discussion of the how selected case studies demonstrate this categorisation is provided in the Appendix B.

to the public referendum stage, thereby creating tangible change in Ireland (Courant 2021a). The Parliament of the German-speaking Community of Belgium has established a permanent citizens' council with a rotating membership and has given this initiative powers to set its own agenda for debate.

There is a continuum of deliberative practice that emerges in our research.

1. Light-touch, one-off events, often to broaden thinking around an emergent policy area or specific (local) issue.
2. A one-off formal process to support an emerging policy area, ad-hoc inquiry or legislative review.
3. A permanent process running a series of inquiries.
4. A supplement to elected representation through a citizen-based deliberative process.

All of the above require codification within the democratic framework so that their purpose, use and power are clear and unambiguous. It is mooted in some quarters that citizens' assemblies can replace existing elected representative bodies; this argument is not pursued here and deliberative initiatives are considered solely within the context of existing representative democratic systems.

Most of the examples reviewed here are situated at levels 1 and 2 in the above continuum and, with that, have no formal power to influence policy or law directly. They are, in effect, advisory bodies. Having some form of codified criteria for deliberative initiatives should not be a "tick-box" process or a bureaucratic exercise; the value lies in clearly situating the role of deliberation within the democratic framework so that there is an awareness of when it can be used and an understanding that it is one of the many normative tools available to the public sector.

Initiative owners and sponsors must be clear about how and where a deliberative process is situated and be able to clearly articulate answers to the following questions.

- What is the purpose of the deliberative exercise?
- What is the optimum point in the policy cycle to use deliberative methods?
- Who owns the process and who is responsible for overseeing a successful outcome?
- Is the process transparent, accountable and auditable from start to finish?
- How are the recommendations of the initiative going to be used?

Recommendations

- Clear guidelines need to be set out which show how, where and when deliberative initiatives are used.
- Deliberation must be embedded within the overall democratic framework.
- Regulations and guides must be created to ensure that initiatives are effective, legitimate, transparent and auditable.

Choosing the topic for deliberation

Deliberative initiatives are an effective way of addressing policy issues that traditional political processes have been unable to resolve. However, the agenda for deliberation must be clearly defined and manageable. It must also be appropriate. Farrell (2022) argues that in the Irish model, government has exercised too much control over topic selection and this has resulted in topics being unsuited or inappropriate to deliberation. He argues that "[t]he agenda should, at least, be sensible and ideally also [address] an issue of sufficient weight to merit the outlay of resources and time". Deliberative initiatives are seen as a way of exploring big public policy issues (such as climate change) but also as a way of addressing challenging topics, such as abortion, that have divided politicians (and communities). It is also possible for participants to have a say in the agenda, as is the case in Belgium.

Recommendations

- The topic must be clear, unambiguous and manageable.
- The topic should be of sufficient merit to justify the use of a resource-intensive process.

Selecting the appropriate method to maximise effectiveness

There are many ways to involve the public more – and more effectively – in democratic processes, whether in determining policy or as part of a legislative inquiry. There is a current trend towards deliberative democracy, and overall this is seen as a good thing, for the reasons already discussed. Public bodies should not choose to use deliberative initiatives simply because they are fashionable – they must understand the problem that they are addressing, the range of options available and the challenges that they will face. Only once the individual circumstances have been assessed and understood can one comfortably and confidently decide that deliberation is the most effective way forward. The decision will be based on:

- the problem that should be resolved;
- the type of questions the initiative wants to answer;
- at what point in the policy cycle this is occurring (and the most appropriate time in that cycle to use deliberative tools);
- the time, budget and resources available;
- the skill set available to run a deliberative process;
- the opportunity and means available for the outcome of the process to be impactful.

Deliberative methods offer specific advantages in certain situations. However, they are not a panacea and they do not of themselves solve the problems that democracy is facing, nor do they on their own radically shift the policy focus to be more citizen-centric and open.

Deliberative tools sit within a continuum of activities that, when used at the right time in the right way, can all contribute to better policy and legislative outcomes. A deliberative process is complex and interconnected and it is vital that it is fully understood and well planned before it starts. Those organising successful deliberations have considered and clearly articulated the following criteria before starting the initiative.

- **Purpose** – why is this happening and what will the deliberation set out to achieve?
- **Aim** – why is deliberation (and not some other method) being used at this time?
- **Integration** – how does the deliberative process integrate with earlier consultations, policy papers and participatory methods and how will it inform future processes?
- **Fit** – is the method chosen the best available to achieve the desired outcomes at this point in the policy cycle and does it offer the maximum potential to usefully inform?
- **Resources** – what resources are needed to make this process work and to support the deliberations?
- **Working modality** – how, when and where will the deliberation happen? Who will be involved, how will evidence be determined for it and what are the processes for participants to request further evidence or to hear from different witnesses?
- **Recruitment** – how will recruitment take place?
- **Communication** – how will the deliberative process communicate with participants, key stakeholders, the media and the wider public?

Recommendations

- Fully understand the individual circumstances of the initiative in order to choose the right method.
- Understand where deliberation supports the wider policy process and how it can integrate with other methods.
- Ensure that the initiative is well thought-out and that solid planning has been undertaken.
- Provide sufficient resources for the chosen method.

Embedding deliberation within the policy cycle

The OECD (2020) suggests that institutionalising deliberative initiatives enables governments to take "more hard decisions and at lower cost". It improves practice by ensuring collective learning and experimentation, and can potentially increase trust in government, strengthen democracy and enrich society's democratic fitness by creating more opportunities for more people to significantly shape public decisions. It can only achieve this if

the deliberative process is formally and firmly connected to the wider policy process. Deliberative initiatives in Gdansk, Poland have developed mechanisms for recommendations to be drafted into proposals to be taken forward by the city council.

There is also the possibility to use deliberative methods in conjunction with parliamentary inquiries, as has happened in the UK. Going further, some proponents of deliberative democracy suggest that a citizens' assembly could become an additional chamber of national parliaments (or local councils), thereby giving citizens a direct role in the legislative process.

Participatory planning initiatives in Prague, Czech Republic have been used as a way to bring together different stakeholders and have evolved into a "participation manual" that can support wider engagement and participation by citizens in the democratic processes. Similarly, Council of Europe projects in Ukraine have led to training partnerships, bringing together civil society and local government to learn how to collaborate on solving problems. In Belgrade, Serbia a citizens' assembly to address pollution suffered from a lack of commitment and no participation by political representatives, meaning that many of the assemblies' questions remained unanswered and there was no pathway for the recommendations to be adopted.

There is no "one-size-fits-all" approach to deliberation. As the OECD (2020) observes, it depends on the context, purpose and process. Three existing routes to institutionalising deliberation that they propose are:

1. a permanent or ongoing structure for citizen deliberation;
2. requirements for public authorities to organise deliberative initiatives under certain conditions; and
3. rules allowing citizens to demand a deliberative process on a specific issue.

Recommendations

- Enabling legislation (or formal guidelines) may be needed to define the scope and requirements for deliberative initiatives, how they work, their role and powers.
- Enabling legislation may be required to permit access to potential participants.
- Understand the resources required from the public sector side and plan for the acquisition of new skills (such as facilitation).

Defining the scope and remit of the initiative

It was noted above that the topic must be appropriate for the method, but deliberative initiatives can be designed to be narrow, looking at a single issue over a relatively short period of time, or broad, seeking to define a new direction of travel for a place or nation. Citizens' assemblies around climate change in England, France and Scotland are examples of a broad scope, as was the Citizens' Assembly of Scotland, which attempted to build a future vision for the country. An evaluation of the latter identified that "[a] key challenge faced by the Assembly was the breadth of the remit. The research found that this challenge permeated through all aspects of the Assembly" (Elstub, Escobar, Henderson et al. 2022). Farrell (2022) asserts that a number of the Irish citizens' assemblies have been given narrow topics that might not be best suited to such a process. He cites, as an example, a citizens' assembly question on the term of the president as being inappropriate. Courant (2021a), however, notes that a number of Irish citizens' assemblies have successfully addressed important, challenging and sometimes controversial topics, reaching a set of recommendations that the government has been able to accept and put forward to a referendum (a constitutional requirement in Ireland).

In Armenia, town hall meetings were used as a way to support wider participation in establishing the OGP national action plan. This method was intentionally designed to be "bottom-up" and bypass what were seen as traditional gatekeepers through a crowdsourcing process. In Poland, local citizens' assemblies have been held in a number of cities to explore subjects such as civil participation, flood management, air quality, forestry, climate change and phasing out fossil fuels, and transport. Conversely, there have been many impressive participatory democracy projects emerging in local and regional government in Ukraine but some case studies point to a "missed opportunity" to extend these into a more deliberative format.

Recommendations

- When designing deliberative initiatives, it is imperative that the scope is manageable and achievable, with host organisations being aware of information overload, the learning curve for participants and how initiatives are resourced.
- While it is tempting to be ambitious, it might be more effective for deliberative initiatives to be more narrowly focused, as long as this does not create exclusions in terms of the debate or evidence available. In this regard, it might be useful to promote local opportunities for deliberative initiatives as they are being developed, rather than overly ambitious initiatives at national level.

Governance and oversight of deliberative initiatives

The deliberative process must be managed, like any initiative. It must also integrate with other aspects of the policy cycle, with policy makers and elected representatives. From this perspective, having a clear remit and governance structure can allow the process to be more dynamic and respond to challenges that arise. It can also give the process greater credibility. Farrell (2022) and others have been critical of narrow remits and overt control of the process, yet leaving the initiative too open can also be counterproductive. Balance is needed, but so too is responsiveness to emerging issues and challenges. One way of overseeing the process is the use of "guardians", an approach adopted by the Citizens' Convention for Climate in France, or the role of the Conference on the Future of Europe Observatory and, within this, a High-Level Advisory Group to provide oversight and recommendations for improvements in the European Union's Conference on the Future of Europe.

Part of this governance process is ensuring that there is buy-in to the process from the participants, and the working modalities of the deliberative process should be finalised with them. Another part is ensuring that the process is designed to be as open and transparent as possible and that it is accountable and auditable to ensure fairness and to explicitly demonstrate that it was not biased or attempting to skew outcomes.

Recommendations

- Create a "light-touch" advisory group which can support the project team in the design and delivery of the initiative. Ensure that this group is made up of a mixture of public agency staff and external experts.
- Consider whether there is a need for independent oversight, such as a "guardian" to ensure that the process is legitimate.
- Consider who will chair the process; will this person be appointed (as has been the case in national-level assemblies in Ireland and Scotland) or will the group select their own leadership (which might only be effective for smaller, local initiatives)?
- Involve participants in designing how the day-to-day process will work.
- Build openness and transparency into all parts of the process as a way to demonstrate credibility and build trust.
- Ensure that there is a properly resourced and functioning secretariat to support day-to-day operations.

Managing the recruitment of participants

Broad participatory processes can be open to all (sometimes limited to residents of a particular geographic area, sometimes there are no limitations). This is useful for initiatives such as participatory budgeting but the more deliberative the process, the more important it is to plan for and carefully manage the recruitment of participants. Deliberative initiatives are intense and in depth and suited to small numbers.

- Recruitment of participants should result in the creation of a panel of citizens who are representative of the community at large – or at least the demographic affected by the topic of deliberation (such as young people).
- Following good recruitment practices gives the initiative credibility.

However, recruitment can be challenging and it is clear that public motivation to participate is generally low. The reasons for this are not well explored and motivation is caused (or inhibited) by multiple factors such as interest, trust and the (in)ability to participate due to other commitments. Landemore (2013, p. 1209) argues

that "more is smarter" and that selection should, therefore, be open and random. Others support the use of a random sample of participants but, practically, they also promote multistage recruitment methods that ensure a representative balance across smaller groups, the argument being that this gives the process a stronger sense of legitimacy. The municipality of Korsholm in Finland created a "citizens' initiative review" process ahead of a referendum. The intention behind this process was that a group of citizens should analyse and deliberate the topic of the referendum, looking at the available evidence, and then provide feedback to the wider population on the subject. The municipality approached a random sample of 1 400 eligible citizens but this resulted in only 73 positive responses (5%) from those offering to participate (from whom a panel of 24 was selected). Similarly, the Brussels citizens' assembly sent out 5 000 invitations to eligible citizens, resulting in 400 offers to participate (8%), of which 89 were selected. In the London Borough of Newham, which has established a permanent citizens' assembly process, the use of representative selection is enhanced by a rolling membership, where 50% of the subsequent assembly is new and 50% rolls over from the previous one.

Although a key attribute of most civic participation is that it occurs on a voluntary basis, we note that the 45 randomly selected citizens in the assemblies organised by the Francophone Brussels Parliament are remunerated. Covering the cost of participating (travel, accommodation, childcare, per diem expenses and, perhaps, loss of earnings), in a similar way to paying expenses to jurors, does not seem unreasonable; it is unlikely to influence someone's willingness to become involved but it might enable participation by those who would otherwise find taking part challenging and therefore widen the demographic reach.

One methodology for managing the recruitment process was described in the UK Government's Innovation in Democracy Programme (IiDP), which involved citizens' assemblies in three municipalities. This initiative recruited participants through a two-stage "civic lottery" process where invitation letters were sent to randomly selected households; from those who responded, a random stratified sample was chosen to match predetermined demographic criteria. In this case, once the public agency had determined the recruitment criteria, it was standard practice to delegate the recruitment itself to an independent agency (in the UK case, a market research company was used because they had significant experience in selecting representative samples and working with large databases of potential participants). A similar process was used in the EU's Conference on the Future of Europe (2022), where the recruitment was outsourced to a market research agency, who were charged with ensuring that there was a strong representation of young people on deliberative panels.

An alternative recruitment method is to "broadcast" the invitation to participate and then facilitate the response through multiple, short online or face-to-face sessions. One example of this was the FindingPlaces initiative undertaken in Hamburg. Participants were found by distributing around 40 000 flyers across a population of 5 million people and allowing people to self-select in order to participate. Small group sessions of up to 20 people (the average was 11) were then held. The downside of this approach is obvious; self-selection is likely to attract those with strongly held views. In this it fails to overcome the challenge that always faces deliberative democracy, that of hearing the "average" voice and involving people who will genuinely engage and be prepared to adapt their own views. Engaging with a polarity of opinions rarely produces an acceptable outcome unless the process is far more involved than the methods identified here. Consider the South African Truth and Reconciliation Commission, the deliberative initiatives that took place prior to this and, more locally, the application of a similar methodology in order to reach the Good Friday Agreement in Northern Ireland. These processes, often described as "deep democracy", are far more intense, challenging and long term than any ordinary deliberative process described here, but do represent an extreme on the arc of possibilities.

Creating a representative panel of 50 citizens requires the net to be cast wide. An invitation-to-participation ratio of 50:1 would not be considered abnormal: 5 000 invitations are likely to create offers from 250-500 eligible citizens, from which you can select a sample of +/-50 people that as closely as possible represents the public demographic and positions.

Recommendations

- Recognise that effective recruitment must start with a large base and anticipate a limited response.
- Legislation may be required to enable access to a central database of potential participants (the electoral register, for example) and use of this is likely to be strictly governed by privacy law.
- Consider reimbursing the cost of participation to ensure that this is not a barrier (also consider travel to and from events, how people can take time off of work to participate and childcare responsibilities).
- Consider who will be responsible for recruitment and whether this can be better undertaken by an external organisation with experience in selecting representative samples (such as a polling or market research company).

- Recognise that, regardless of who is responsible for recruitment, the process must be transparent, accountable and independently auditable.
- If the panel includes elected representatives as well as the public, such as in Belgium and Ireland, be clear about the ratio between the two and how the process can ensure that the views of elected representatives do not dominate the public debate.

Participant learning and the provision of evidence

The deliberative process requires a group to come together to hear a wide range of evidence on a topic and then to make recommendations based on what they hear. It is imperative that the process of selecting evidence is transparent and that a broad range can be presented; the process will fail the test of credibility if it does not address all sides of an argument. However, this means that citizens who most likely have little if any experience of hearing, weighing and debating (often complex) evidence must suddenly do so.

What limited evaluations there are of deliberative initiatives highlight that this can be a particular challenge for participants and that it can affect the outcome if not addressed. Those organising the process must consider what "onboarding" is required to prepare participants for the event, so that they understand what is being presented to them and the process for deliberation. This onboarding would include education in both the deliberative process and a neutral introduction to the topic(s) under consideration. The process itself is a learning experience for participants and supporting this "just-in-time" learning within the framework of the process is important too. The review of the Citizens' Assembly of Scotland on the future of Scotland (Elstub, Escobar, Henderson et al. 2022) noted that "by the end of the Assembly, [participants'] knowledge was greater compared with the general population".

An example of a poorly designed deliberative process is seen in Georgia, where the initiative allowed 10 minutes for authors of proposals to make presentations before these ideas were voted on. It is clear that this is ineffective and that time was insufficient but, going further, the process was undermined through weak and superficial processes failing to capture the debate. In the Austrian region of Vorarlberg, "citizen cafés" created by participants were allowed to define how the mechanism would work. It became clear early on that the chosen process was weak as it was quickly disrupted by a single interest group. Revising the format, the initiative used a "world café" model, splitting into smaller groups to debate and produce recommendations, leading to a more constructive deliberation.

Recommendations

- Recognise both the depth and complexity of evidence and build in review spaces with time for reflection to ensure that participants are able to stop, reflect on what they have heard and check in with the group process to see if anything needs repetition or more explanation.
- Consider the volume of information and the human ability to absorb and process it; information overload is a real issue but can be countered in the design of the initiative.
- Incorporate good facilitation in the design of the initiative to ensure that the process runs smoothly, participants are heard and supported and not overwhelmed by evidence.
- Evidence needs to be diverse and reflect a range of perspectives.
- Consider how to supply additional evidence if it is requested by the participants or when the participants do not feel that what they have heard is sufficient for them to form a decision.
- Recognise and accommodate opportunities for "just-in-time" learning.

Facilitation of the process and managing deliberation

As mentioned above, good facilitation is key to a strong and effective process. There is limited focus on the quality of facilitation in the cases examined but it should be emphasised that facilitation is a professional skill. The selection of suitably qualified and experienced facilitators is a key part of the design process. The Conference on the Future of Europe Observatory noted that allocation of time was a challenge for the deliberative components, that careful planning was required and that the debate took longer than the organisers expected.

The facilitators are there to manage the overall flow of the deliberative process, to support the participants and to ensure that obstacles are resolved, learning occurs and all voices are heard. Good facilitators also recognise

that disagreement and conflict occurs in deliberative spaces and that their role is to mirror, build and promote respectful dialogue. The design of the sessions within the deliberative process can itself encourage or impede debate; it is a hallmark of good deliberation that opposing views can be presented and strongly argued for and against in a respectful way, but too little time can cut this short and poor facilitation can lead to dominant voices taking over at the expense of others.

Within any group, there will always be a strong focus on cohesion and this often defaults to a search for a consensus that the majority can support. This is not always a good thing and consensus can equal the "least worst" option. Good facilitation and process design should be able to support disagreement and multiple positions, and discussion of these through to resolution (which might be that there is no single recommendation), rather than always trying to drive the debate towards a consensus that leaves some unhappy, even isolated or disengaged.

Recommendations

- Invest in good process design to ensure that the process is robust and respectful.
- Recognise that facilitation is a critical skill and ensure that facilitators are suitably experienced and trained.
- Ensure that facilitation holds and steers the debate but does not force conclusions.
- Allow space for rigorous debate and disagreement; facilitators are not there to achieve a consensus at all costs and the findings must honestly reflect all the views heard.

Impact of the initiative and promotion of public engagement

If the deliberative process is to have any direct impact, then it must have formal mechanisms in place to feed into the process that commissioned it (usually a policy cycle but this might also be a parliamentary or local government inquiry). How this will work, at what stages of the process and with whom are all questions that must be answered clearly in the design of the deliberative process and addressed in the governance mechanisms.

Impact must also be considered in terms of a secondary focus; that of the impact of the deliberative process on the public. Is there public interest in the topic that can be shared and, if so, how can media organisations and others be involved so that they share what is happening?

Public engagement is important for two reasons.

1. It raises the profile of the issue being discussed, including sharing the evidence that is being heard. This assumes that a deliberative process only exists because there is a wider public interest in the subject and therefore this process itself can be used to increase interest and knowledge.
2. It raises the profile of the deliberative process as a core part of the democratic framework, builds awareness that such a process exists and that "ordinary citizens" can take part. In this regard it is vitally important to promote not just the process, but also the outcomes of it, to demonstrate that it was an effective mechanism for influencing policy.

Recommendations

- Clearly define how the deliberative process will work with the key decision makers (for example, ministers and not just civil servants). Is the process informative or binding?
- Define and agree with both sides how the process will deliver recommendations and how these will be responded to.
- Show (and measure) what impact (direct and indirect) the deliberative process has had.
- Create a public engagement plan that promotes the process and publicises the results widely to the public (and the media).

Evaluation of and reflection on the initiative

Although the practical application of deliberative democracy is relatively new and growing in popularity, it must be used judiciously and appropriately; it is not a "silver bullet" that will of itself avert democratic drift, nor can it solve all policy questions. It is resource-hungry, complex and expensive to host and must be properly

integrated in the policy process to be effective. Building deliberation into our democracies requires process change and culture change; it requires politicians, civil servants and citizens to learn about new ways of working and sharing and it requires new skills.

It has long been held that that final phase of any participatory exercise is learning and reflection. The Miller and Williamson (2008) show the cycle of ideation, implementation and learning that comes with participatory methods. Deliberative initiatives, as a subset of these, are no different and, given the aim of using them as agents of democratic change, they must be fully accountable. Unfortunately, many of the initiatives reviewed here have not (as yet) lived up to this expectation; reviews and evaluations of deliberative initiatives have been light and often uncritical. Meta-analyses have tended to cite the same small pool of initiatives and repeat the same views expressed. This is, perhaps, typical of any emergent area but it is not sufficient if we are to build a critically valid body of knowledge that will lead to better targeted and more effective deliberative initiatives.

As well as the work of a small number of academics, the independent review of the Scottish Government's Climate Assembly (Elstub, Escobar, Henderson, et al. 2022) and the High-Level Advisory Group of the Conference on the Future of Europe Observatory (2022) provide rare critical and in-depth analysis and evaluation of a deliberative initiative. Such reports are vitally important as they are able to explain what worked, as well as what did not, and contextualise these evaluations for future learning. Part of the challenge here is that critical, in-depth research takes time to reformulate.

Recommendations

- Build evaluation and reflection into the design process from the beginning, creating space and opportunities to hear directly from participants, organisers and those giving evidence.
- Ensure that the review is open and critical; there is no value in ignoring the challenges since they generate improvement and learning.
- Make everything public and ensure that evaluations form part of a wider reflexive cycle within the public sector body concerned.
- Encourage independent academics to research and evaluate what you are doing and to share their findings.
- See every deliberative initiative as an opportunity for reflection and learning.

Summary

This chapter has presented the key themes to emerge from the case studies and interviews undertaken for this research. There are 11 thematic areas that range from the macro – ensuring that there is enabling legislation and that deliberative initiatives are properly linked to the process that they are expected to serve – through to the micro – the more operational (but no less important). Micro issues include the importance of a strong process and professional facilitation, ensuring that participants are fully empowered to participate effectively and that there is a plan for communicating within and outside of the initiative. The findings also highlight the importance of seeing deliberative initiatives as a learning space; whether this is through "just-in-time" learning for participants, training for public sector officials or effective, critical and openly shared evaluations.

The next chapter will take forward these findings and the theoretical discussion in earlier chapters to develop a practical proposal for effective deliberative democracy initiatives.

Proposal for an effective deliberative initiative

The pervious section has highlighted the key themes that have emerged from the review of deliberative initiatives in Council of Europe member states, building on an earlier theoretical discussion on critical factors affecting democratic systems (in general) and deliberative initiatives (specifically). The report so far has outlined a number of structural and procedural opportunities and challenges, reviewing current and past initiatives to focus on the broad question of what "good practice" in deliberation looks like. To this end, each subsection of the chapter above provides a set of recommendations that will be useful to practitioners, designers and public bodies wishing to implement deliberative initiatives (and which are summarised in a "checklist for good practice" in Appendix A to this report). Based on these findings, this section will highlight some of the strategic challenges experienced in delivering effective deliberative initiatives and offer a set of proposals that can be used to assess whether a deliberative initiative is coherent and well-designed. Such a guide can form the basis of an evaluation toolkit, as a guide to initiative designers and as a checklist for civil society.

Criteria and benchmarks for deliberative initiatives

Choosing between a participatory or a deliberative method is not an "either/or"; these methods can often be complementary and initiatives can be designed to use them together. The key factor in selecting deliberative methods within an initiative is that they appear to offer the greatest opportunity to hear from, and learn from, a wider, broadly representative group of people who are able to go deeply into a topic. There is always a risk that deliberative initiatives are open to manipulation or designed in ways that make a particular outcome inevitable. To overcome this, transparency at all stages is vital and clear frameworks for open, deliberative working must be built into the design. While deliberative initiatives remain relatively new and their impact limited the risks are low but it would be naive to fail to consider steps that ensure authenticity and prevent corruption.

It is worth noting at this point that this review points to it being easier to integrate deliberative initiatives into an already strong and established democratic framework, where participation and deliberation can complement, inform and enhance existing ways of making policy, and where civil participation takes place and the role of civil society is well defined. In situations where democracy is more emergent, tenuous or fragile, where there is less of a culture of participation, it is highly likely that extra resources, support and checks will be needed to successfully embed deliberation.

Guidelines are needed to support policy makers in using these new practices; skills often not available in the public sector (such as recruitment of participants and facilitation) can be learned or brought in by working with NGOs; and participants must be educated to be effective participants. If all of these can be achieved then, as the OECD (2021) argues, deliberative initiatives can become "a regular part of democratic governance" because they:

1. allow public decision makers to take *more* hard decisions *better,* as well as more decisions with long-term impacts;
2. enhance public trust; regular public deliberation gives people and decision makers the opportunity to build mutual trust;
3. offer economies of scale, in terms of both cost and resources;
4. strengthen society's democratic fitness.

These are laudable aims, though again it is important to stress that, given the emergent nature of deliberative democracy, they are more assumptive than evidenced. While the number of deliberative initiatives rises and they become more popular, it is important to note that they serve little purpose if they are not directly connected to the policy or legislative process that they are designed to inform. The Citizens' Convention on Climate Change,[10] launched by President Macron, made significant recommendations but the government's

10. See: https://www.conventioncitoyennepourleclimat.fr/.

response to these watered them down considerably. Farrell (2022) observes the same outcome in Ireland and, as Smith (2022) warns, "not enough attention has been placed on how to couple these deliberative initiatives with relevant policy systems to enhance their impact". This matters because deliberative initiatives with no mechanism for adopting the findings are pointless placebos that will not engage citizens and, in the long term, are likely to damage an already fragile trust in democracy. To resolve this challenge, Smith proposes that three elements are required.

- Couple participatory spaces with policy systems so that recommendations resonate with policy makers and there is a commitment to respond.
- Design processes so that there is oversight and scrutiny after the event, overseeing the response of government and other actors.
- The level of intervention needs to be appropriate – deliberative initiatives often offer policy solutions but at the same time address societal issues, such as climate change. In these instances, they must be able to consider systemic change at the macro level as well as more micro-policy details.

Where deliberative initiatives have occurred there is certainly emerging evidence that they can be directly useful if they are designed properly, run well and integrated into the wider policy process. The UK NGO Involve followed up their own experience of organising citizens' assemblies by asking local government convenors what their key success factors were (Swann, Lansdell and Colom 2021). They framed the answers in terms of practical, financial, political and environmental factors that must be considered and offered "tips" for those hosting assemblies.

- Ensure that hearing citizens' voices through participation and deliberation is fully legitimated within the democratic framework through laws.
- Check your commitment before you begin.
- Carefully scope the topic, the purpose and question design.
- Carefully plan for the representativeness and diversity of the assembly.
- Involve implementers and key decision makers throughout.
- Design for recommendations that are actionable, attributable, specific, and prioritised.
- Design a process that enables trust.
- Consider at the outset the resources and skills needed to implement recommendations.
- Have a communication strategy in place.
- Work with participants.
- Ensure there is an accountability mechanism in place.

In response to their own experience, the Scottish Government (2022) a published a set of values, principles and standards for participation, democratic innovations and citizens' assemblies. This is a useful guide for those running such initiatives and the section on values is of particular interest and proposes the following "qualities or standards of behaviour which all involved should seek to live up to":

- kindness;
- compassion;
- respect;
- inclusion;
- openness.

There are a number of challenges identified in this report that must be overcome if deliberative initiatives are to be effective and have impact. Elstub, Escobar, Henderson et al. (2022) highlighted some of these challenges when observing the Scottish Governments' Climate Assembly; they included information overload, evidence selection and decision forming. Smith (2021) identified barriers that prevent integration of deliberation within the policy cycle. Farrell (2022) also noted the executive limiting the scope of initiatives, using deliberative initiatives inappropriately and failing to adopt the findings when they do not suit a government's agenda as factors that could, over time, undermine such initiatives. Within the deliberative components of the EU's Conference on the Future of Europe Observatory (2022), the High-Level Advisory Group noted that "the broadness of the themes, lack of time, weak links between transnational and (sub)national debates, and ambiguity of purpose emerge as lessons to be learned for similar future exercises".

Good practice principles for deliberative initiatives

Good planning, strong design and well-developed and agreed principles can overcome these challenges. While such principles will vary with culture and circumstances, the findings of this report suggest that a core set of design characteristics exists that can be expected to be found in a well-designed deliberative initiative.

In this regard, a checklist is provided as Appendix A. It captures these requirements while presenting them in a ready-to-use tool for practitioners. In any case, attention should be paid to six main aspects: mandate, procedures and governance, recruitment, facilitation and deliberation, communication and engagement and finally ownership together with a continuous improvement.

The mandate should be clear, unambiguous and appropriate to the method chosen. Institutional commitment is also crucial in terms of involvement in setting the agenda, provision of explicit feedback by authorities and protection of the independence of the initiative. Related to the latter, rules and procedures need to be understandable to all participants. Moreover, particular attention should be paid to evidence sourcing that is balanced and transparent and to the fair involvement of lobbies and elected representatives or an independent oversight body.

Recruitment is a cornerstone of any deliberative democracy project, as random selection is both positive and challenging at the same time. Again, clear and public rules should apply to this aspect. Topics to be considered include having a sufficient number of potential participants to be contacted and from which to recruit; taking measures to overcome recurrent barriers to participation (such as childcare responsibilities, transportation); and never using coercion, to name but a few. Moreover, random selection will be accompanied by a learning curve for participants requiring a training strategy tailored to the audience.

Without a strong and well-resourced secretariat, it is less likely that all these tasks will be carried out in an efficient way. Beyond logistics, professional, independent and neutral facilitation – which can be outsourced – is also a requirement for all deliberative initiatives. Content-wise, consensus is not always the best outcome as it may hide significantly different positions. In addition, attention should be paid to the rights of minorities, how evidence is managed in order to facilitate brainstorming (in a way that is too complex or too simple, for example), how gaps are identified on the spot and how the discussion as such is not overshadowed by technical aspects.

In terms of communication and engagement, conclusions should be widely shared and the process open to audit. Concrete results should be linked back to the process too. Such an approach will improve the skills and awareness of participants in future projects.

As already noted, the checklist in Appendix A develops the good practices noted above and presents them as a set of criteria that can be used to assess deliberative democracy initiatives.

Conclusion

Deliberative democracy offers a clear opportunity to open up the democratic process to greater citizen involvement as a way to improve policy (and legislative) outcomes and to increase trust in the democratic process. While evidence of the benefits is largely anecdotal and critical research limited at this stage, there is a clear indication that deliberative democracy is and can be a valuable tool for policy makers and lawmakers when it used appropriately. It can be an effective way of bringing the voices of citizens into the heart of government and, as such, it has the potential to improve policy outcomes and build trust in the democratic process. It is not, however, a panacea and deliberative democracy is only one of many tools on offer. On their own, deliberative initiatives will not transform democracy, and using deliberative tools requires a new understanding of the relationships in our society, the acquisition of new skills (on all sides) and a cultural change across the public sector to accept what the public are saying.

To be effective, the mandate for deliberative initiatives must be clear and transparent and the findings they produce must have an impact (not just heard but acted upon). They must be established in such a way that they are transparent and accountable, with strong facilitation at the heart of the process. They must ensure open and free debate among participants who are ideally a microcosm of the people they represent, yet at the same time they must not force opinions or outcomes or silence minority voices. At a more strategic level, there is a need to build in critical evaluation as a tool to enhance learning and innovation and to verify legitimacy. Doing this is easier where democracy is strong, well established and well resourced; it is inevitably more difficult where democratic processes are emergent or weak and where there is no strong culture of civil participation.

Recommendations for policy makers and practitioners

This research has shown that there is merit in pursing deliberative democracy initiatives, however, further support is needed for this field to develop and mature and standards must be defined if there is to be sustained trust in such processes. As an extension of participatory democracy, this is an opportune time for the Council of Europe (and member states) to engage with deliberative initiatives and to promote their use in line with the following recommendations for the next steps in this process.

- The role and purpose of deliberative democracy, and how it can function within a representative democracy needs to be better articulated by those in government, to those in government. The Council of Europe can take a leading role in this.
- There is a need for guiding standards to support those wishing to use deliberative democracy and to encourage wider trust in the process. This will help ensure that processes are credible and legitimate, support public sector agencies in hosting such processes and ensure good practice is collected and that knowledge transfer can occur.
    a. Such guidance should be flexible and non-prescriptive but needs to define the key attributes of a deliberative process and the minimum viable product for it to be considered credible (the recommendations in this report form a basis for this).
    b. In addition to guidelines, it would be beneficial to encourage the development of a deliberative "playbook" to support those who want to design and implement deliberative initiatives in a practical and straightforward way.

- Much of the body of literature referring to deliberation is strongly slanted towards academia and is both theory-heavy and inaccessible – in terms of language and physical access, since much is behind subscription paywalls.
    a. Support is needed for more independent, grounded research and evaluation, that can be applied directly to initiatives as a tool for learning and design.
    b. Research needs to be independent of those organising and running initiatives to overcome any inherent or implied bias – it is vital that such new methods are open to full scrutiny if learning is to occur.
    c. Research needs to be open and accessible to practitioners and policy makers.
- Work is needed to explore how to embed deliberative initiatives into emerging democracies; this must address civic education, the role of NGOs, political structures and funding.
- Deliberative democracy is an emerging area and it is important to support innovation and innovative practices in the area; there is no single script for running a deliberative process and creating opportunities to innovate and learn will strengthen the democratic sector.

Appendix A

Checklist for good practice in deliberative initiatives

This report has identified several recommendations within the findings that are linked to the themes emerging from the research. These can be helpful for policy makers, practitioners and civil society in acting as a guide or "checklist" to help plan, implement and evaluate deliberative initiatives. They are collated below for convenience.

The checklist identifies 11 thematic areas that deliberative democracy projects need to consider in order to be considered legitimate, effective and transparent. Projects are different and dynamic and, as with any checklist, this set of criteria is not exhaustive. Neither will every question be appropriate to every topic. Organisers and evaluators are encouraged to see this checklist as a "baseline" set of questions that can be refined and developed to suit their circumstances.

Codifying deliberation within a regulatory framework

1. Are there clear guidelines to show how, where and when deliberative initiatives can be used?
2. Is deliberation embedded within the overall democratic framework?
3. Do regulations and guidelines ensure that initiatives are effective, legitimate, transparent and auditable?

Choosing the topic for deliberation

4. Is the topic clear, unambiguous and manageable?
5. Is the topic of sufficient merit to justify the use of a resource-intensive process?

Selecting the appropriate method(s) to maximise effectiveness

6. Are the methods chosen for the initiative appropriate to the aim, scope and mandate?
7. Is it clear where deliberation supports the wider policy process and how it can integrate with other methods?
8. Is the initiative well thought-out and has solid planning been undertaken?
9. Are sufficient resources available for the chosen method (and the scale of the initiative)?

Embedding deliberation within the policy cycle

10. Does legislation (or a set of formal guidelines) enable the process and support the scope and requirements for deliberative initiatives, how they work, their role and powers?
11. If participation is by random selection, is there access to an official register of eligible citizens (and is it accessible in a managed way)?
12. Is there understanding of the resources required from the public sector side?
13. Is there a plan for the acquisition of new skills (such as facilitation)?

Defining the scope and remit of the initiative

14. Is the scope manageable and achievable, with host organisations aware of information overload, the learning curve for participants and how the initiative is resourced?

Governance and oversight of deliberative initiatives

15. Is there an advisory group which can support the project team in the design and delivery of the initiative? If so, is this group made up of a mixture of public agency staff and external expertise?
16. Is there a mechanism for independent oversight, such as a role of "guardian", to ensure that the process is legitimate?
17. Is there a considered and defined process for appointing a chair?
18. Are participants involved in designing how the day-to-day process will work?
19. Are openness and transparency built in to all parts of the process to demonstrate credibility and build trust?
20. Is there a properly resourced and functioning secretariat to support day-to-day operations?

Managing the recruitment of participants

21. Is there a plan in place for recruitment and does it identify the entity best placed to undertake this?
22. Is the recruitment process transparent, accountable and independently auditable?
23. Does recruitment start with a large base and anticipate a limited response?
24. Does legislation enable access (if needed) to a central database of potential participants (such as the electoral register) and is use of this likely to be strictly governed by privacy law?
25. Has consideration been given to reimbursing the cost of participation to ensure that this is not a barrier (is there consideration of travel to and from events, how people can take time off work to participate and childcare responsibilities)?
26. If the panel includes elected representatives as well as the public, is there clarity about the ratio between the two and how the process can ensure that the views of elected represented do not dominate the public debate?

Participant learning and the provision of evidence

27. Does the design recognise both the depth and complexity of evidence and build in review spaces to ensure that participants are able to stop, reflect on what they have heard and check in with the group process to see if anything needs repetition or more explanation?
28. Have the volume of information and the human ability to absorb and process it been considered?
29. Have good facilitation practices been incorporated in the design of the initiative to ensure that the process runs smoothly, participants are heard and supported and not overwhelmed by evidence?
30. Is the evidence diverse, reflecting a range of perspectives?
31. Is there a mechanism to supply additional evidence if requested by the participants or when the participants do not feel that what they have heard is sufficient for them to form a decision?
32. Does the design recognise and accommodate opportunities for "just-in-time" learning?

Facilitation of the process and managing deliberation

33. Is the initiative robust, respectful and inclusive?
34. Does the design recognise that facilitation is a critical skill and ensure that facilitators are suitably experienced and trained?
35. Is it clear that facilitators hold and steer the debate but do not influence the conclusions?
36. Is it clear that facilitators are not there to achieve a consensus at all costs and that the findings must honestly reflect all the views heard?

37. Are there spaces for rigorous debate and disagreement?

Impact of the initiative and promoting public engagement

38. Is it clearly defined how the deliberative process will work with the key decision makers (for example, ministers and not just civil servants)? Is the process informative or binding?
39. Is it formally defined and agreed with both sides how the process will deliver recommendations and how these will be responded to?
40. Is it possible to show (and measure) what impact (direct and indirect) the deliberative initiative has had?
41. Is there a public engagement plan that promotes the process and publicises the results widely to the public?

Evaluation and reflection on the initiative

42. Are evaluation and reflection embedded into the design process from the beginning, creating space and opportunities to hear directly from participants, organisers and those giving evidence?
43. Is the review open and critical and does it identify issues and challenges (since they generate improvement and learning)?
44. Is everything made public to ensure that evaluations form part of a wider reflexive cycle within the public sector body concerned?
45. Does the initiative encourage independent academics to research and evaluate what you are doing and to share their findings?
46. Is there a culture within the initiative that sees every deliberative initiative as an opportunity for reflection and learning?

Appendix B

List of initiatives

The list of examples provided below does not aim to be exhaustive. It has been built up by identifying various initiatives and their characteristics in order to determine new, novel and innovative trends in deliberative democracy. A qualitative analysis was then carried out to provide a clearer structure and to gain better understanding of which factors may shape deliberative democracy. Four principles were used to help guide this: institutionalisation, innovation, augmenting representation and openness to new voices.

INSTITUTIONALISATION

Any project achieves a stability of sorts when it is institutionalised, and this happens with deliberative democracy in at least two important ways. Firstly, such projects are being enshrined in constitutions or formally regulated by other laws. Secondly, attention to methodological inputs is increasingly important and thus the projects gain in consistency.

Different examples reflect this reality. When it comes to the normative side, references to deliberative democracy have been introduced into the Vorarlberg Constitution, and the initiative in East Belgium seems to be fully embedded in an institutional process. Moreover, other examples (such as that in Gdansk) are recognised by public authorities as binding mechanisms, which is an indicator of institutional consolidation. In terms of methodology, the citizen panel in Poznan paid much attention to such matters using a clear rulebook, and the Council of Europe's toolkit for enhanced citizen participation in Ukraine, with aspects of gamification, shows how important it is to have a pre-established set of principles and good practice before starting the implementation on the initiative.

INNOVATION

Innovation means exploring new ways to improve former experiences and this is the key component of some examples, such as the first implementation of a Citizens' Initiative Review (CIR) in Korsholm, Finland, Deliberative Walks in Finland or Germany, Nature Interpretation to facilitate participation in Sweden, Nordic democracy festivals or an algorithm-based deliberative democracy initiative in Hamburg related to accommodation for migrants. While none of these examples aim at providing a comprehensive overview of deliberative democracy procedures, all of them focus on specific aspects that could be improved. Such innovations are likely to be replicated and duly customised in other examples and will hopefully achieve institutionalisation.

Research is also crucial for innovation and that is why the list of examples includes a research and development (R & D) project (such as CONCISE) that proposed deliberative tools to help understand and improve the research itself. Such projects create a bridge between theory and practice, which is essential for the development of different participatory tools. Likewise, innovations must be planned and tested. They cannot come out of the blue. In this respect, the contribution of the British IiDP project is remarkable. Finally, failures or bad practice should not be avoided since they offer lessons, as is the case with instances of poor implementation and or where male-dominated households bypassed deliberative methods that would give voice to women and young people.

REVISITING REPRESENTATION

At first glance, deliberative democracy complements both representative and other kinds of participatory democracy, but such intervention can be understood in many ways. Some examples go beyond traditional concepts of "representation", trying to substitute one form of representation for another as a way to augment existing models of representative democracy through innovative initiatives that broaden participation.

Firstly, initiatives exist where formal entities attempt to revisit their tasks by involving new actors and voices – renewed representation. Examples include the mixed parliamentary committees in Brussels, analogous cases in Newham or the way in which the French CESE (Conseil Economique, Social et Environnemental [Economic,

Social and Environmental Council]) is opening its internal decision making up to wider participation and scrutiny. Secondly, as noted above, other proposals go beyond this and see deliberative democracy as a mechanism capable of substituting representation, even when traditional procedures are still used during a transition period. The Brussels-based Agora party is one such approach.

Finally, deliberative democracy has been used to address topics where deep and nationwide discussions are necessary. Such tools are therefore meant to overcome barriers in the face of which traditional representation has apparently given up. Large debates in France or across the European Union and initiatives linked to climate change may follow these patterns. The Mostar and Valjevo projects share a similar approach where deliberative democracy fills significant gaps in citizen engagement in political matters.

OPENNESS

Deliberative democracy always intends to broaden the range of voices and citizens involved in public decision making. Such a goal may be achieved in different ways. Projects targeting specific groups or topics have proved useful since they customise a general methodology and take full advantage of it. This would be the case for initiatives devoted to youth engagement or other activities concerning very specific topics, such as urban planning in Prague, where its implementation has a deliberative component.

On another note, deliberative initiatives may wish to adjust traditional procedures, thereby emphasising the importance of discussions among stakeholders. Such is the case in some e-consultations that use deliberative hearings in Bosnia-Herzegovina or a similar approach using participatory budgeting in Ukraine, with a decisive deliberation phase for drafting the projects and for the follow-up. Likewise, initiatives that emphasise co-creation and shared agenda-setting are consistent with an open and flexible democracy.

Initiatives reviewed for this study			
Project name	**Country**	**Scope**	**Type of project**
INSTITUTIONALISING DELIBERATION			
Citizens' Panel, Poznan	Poland	Local	Citizens' assembly
Citizens' Assemblies, Gdansk	Poland	Local	Citizens' assembly
CivicLab Toolkit Best Practice	Ukraine	Other	Consultation
East Belgium Permanent Citizens' Council	Belgium	Regional	Citizens' assembly
Vorarlberg Citizens' Council	Austria	Regional	Citizens' assembly
INNOVATIVE PRACTICES			
Citizens' Assembly, Mestia	Georgia	Local	Citizens' assembly
Citizens' Initiative Review (CIR), Korsholm (Mustasaari)	Finland	Local	Citizen initiated process
Citizens' Assembly of Scotland	United Kingdom	National	Citizens' assembly
CONCISE project (R & D)	Europe	International	Consultation
Democracy festivals	Estonia	National	Citizen initiated process
FindingPlaces	Germany	Local	Consultation
Innovation in Democracy Programme (IiDP)	United Kingdom	Local	Citizens' assembly
Nature Interpretation	Sweden	Local	Simulation
StudentLab Deliberative Walk (DW) in Finland	Finland	Other	Citizen initiated process

Initiatives reviewed for this study			
Project name	**Country**	**Scope**	**Type of project**
REVISITING REPRESENTATION			
2020 UK Climate Assembly	United Kingdom	National	Citizens' assembly
Agora (political party in Brussels)	Belgium	Regional	Citizen initiated process
Citizens' Assembly in Valjevo on pollution problems	Serbia	Local	Citizens' assembly
Conference on the Future of Europe	EU	International	Citizens' assembly
Conseil Economique, Social et Environnemental (CESE) [Economic, Social and Environmental Council]	France	National	Consultation
Grand Débat National [Great National Debate]	France	National	Citizens' assembly
Mixed parliamentary committees	Belgium	Regional	Citizens' assembly
Mostar Citizens' Assembly	Bosnia and Herzegovina	Local	Citizens' assembly
Newham Permanent Citizens' Assembly	United Kingdom	Local	Citizens' assembly
Scottish Government's Climate Assembly	United Kingdom	National	Citizens' assembly
OPENNESS			
Action plan – Tirana, Albania, 2021-2023 Open Government Partnership	Albania	Local	Consultation
Council of Civil Advisors of the Batumi Municipal Council	Georgia	Local	Consultation
e-consultations and deliberative hearings	Bosnia and Herzegovina	National	Consultation
Goris Youth Project	Armenia	Local	Consultation
Local crowdsourcing for OGP	Armenia	Local	Consultation
Local Self-Government Index 2021	Georgia	Local	Simulation
Participatory budgeting in Kremenchuk (and other cities)	Ukraine	Local	Participatory budgeting
Vinohradská Street Urban Reform	Czech Republic	Local	Consultation
Werkstadt junges Wien [Children and Youth Strategy for Vienna]	Austria	Local	Citizens' assembly

Further initiatives identified but not reviewed in depth			
Project name	**Country**	**Scope**	**Type of project**
Active Citizen Platform	Armenia	Local	-
Besaya Citizens' Jury	Spain	Local	Citizens' jury
Bürgerrat Demokratie [Citizens' Council]	Germany	Regional	Citizens' jury
Citizens' Deliberation on Brain Science	Belgium	International	Citizens' jury
Citizens' panels [panel obywatelski]	Poland	Local	Citizens' panel
Civic Space Scan	Finland	Local	-
Council of Europe Advisory Council on Youth	Europe	International	Consultation
Consensus Conference on Brain Research	Denmark	National	Citizens' assembly
Consensus Conference on Breast Cancer	France	National	Citizens' assembly
Democracy festivals	Estonia	National	-
Elbasan Gender-responsive participatory budgeting	Albania	Local	Participatory budgeting
EU Citizens' Dialogue in The Hague	Netherlands	International	Citizens' assembly
European Citizens' Panels	Europe	International	Citizens' assembly
Folketinget Citizens' Initiative	Denmark	National	Citizen initiated process
G1000 crowdfunding	Belgium	National	-
Icelandic constitution-writing process	Iceland	National	Citizens' assembly
IDIS "Viitorul" participatory budgeting online platform	Moldova	Local	Participatory budgeting
Leeds Climate Commission	United Kingdom	Local	Citizens' assembly
Local e-petitions	Ukraine	Local	Petition
Observatorio de la Ciudad [The City Observatory]	Spain	Regional	-
Tashir Youth Council	Armenia	Local	-
Transnational Digital Citizens' Dialogue	EU	International	-
Trnava participatory budgeting	Slovak Republic	Local	Participatory budgeting
Vinnytsia School participatory budgeting	Ukraine	Local	Participatory budgeting
Wrocław Cultural Congress	Poland	Local	-

Further examples of participatory initiatives can be found on the Council of Europe online platform BePART. BePART is an online platform for practitioners from public institutions and civil society organisations for peer-to-peer exchange and learning about different participatory formats and tools on civil participation across the Council of Europe member states.

Appendix C

Digital participation platforms

As this list shows, there are many digital platforms for civic participation, some of which offer deliberative initiatives. The table below is not a complete list, it is an indicative set of products selected by People Powered[11] and ranked by experts in the field.[12]

Platform	Rating	Cost	Purpose/Complexity
76 Engage	48	NA	Multipurpose platform for simple processes
Assembl	55	$$$$	Niche: Deliberation
Bang the Table/Engagement HQ	47	NA	Multipurpose platform for complex processes
Cap Collectif	51	$$$$	Multipurpose platform for complex processes
Citizen Lab	77	$$	Multipurpose platform for complex processes
Civocracy	60	$$$	Multipurpose platform for simple processes
Cobudget	57	$$	Niche: participatory budgeting
Cocoriko	51	$$$$	Multipurpose platform for simple processes
CONSUL	76	$	Multipurpose platform for complex processes
CoUrbanize	51	NA	Niche: participatory planning
Decidim	79	$	Multipurpose platform for complex processes
Delib	59	NA	Multipurpose platform for complex processes
Democracy OS	55	$$$	Multipurpose platform for complex processes
Discuto	54	$$	Multipurpose platform for simple processes
Ethelo	58	NA	Niche: participatory budgeting
Fluicity	54	NA	Multipurpose platform for simple processes
Konveio	50	$$$	Niche: participatory planning
LiquidFeedback	53	$$$$	Multipurpose platform for simple processes
Loomio	58	$$$	Multipurpose platform for simple processes
Neighborland	64	$$$$	Multipurpose platform for complex processes
Participation/Decision 21	37	NA	Multipurpose platform for simple processes
Pol.is	65	$	Niche: deliberation
Social Pinpoint	54	$$$$	Multipurpose platform for simple processes
Your Priorities	77	$	Multipurpose platform for complex processes

11. For more information on digital tools for civic participation and an explanation of these rankings, see: www.peoplepowered.org/platform-ratings.
12. The rating (0-100) is based on an expert assessment of capacity requirements, feature set, accessibility, ethics and transparency, track record and reliability.

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Deliberative democracy – the process of direct deliberation by citizens of a policy or legislative area – is not new per se but it has in very recent times grown in prominence. It is seen by proponents as not only a way to achieve better policy outcomes but also to build public trust in democratic processes.

This study provides an overview of the conceptual framework for deliberative democracy and some general aspects to be considered within the wider democratic landscape, including the challenges and necessary conditions for successful deliberative processes. It explains how deliberative processes start and unfold, positions them in the wider context of other participatory initiatives and examines key aspects emerging from case studies and expert interviews.

The study is completed by a list of criteria for successful deliberative processes, good practice examples and a checklist for practitioners who intend to organise or to evaluate a deliberative process, which makes it a useful manual for practitioners from institutions and civil society.

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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