



Presidency of Georgia Council of Europe November 2019 – May 2020 Présidence de la Géorgie Conseil de l'Europe Novembre 2019 – Mai 2020



Speech of Andy Williamson, Council of Europe expert in participatory and digital democracy, Isle of Skye, United Kingdom

Strengthening Participation at a Time of Uncertainty

The unprecedented situation we find ourselves in during this pandemic has put a strain on many of our democratic functions, including citizen engagement and participation. As well as the obvious strains on health and resources, it has created significant challenges that impact the way our democracies work. This is not 'business as usual': public gatherings are cancelled and consultations must be rethought. Yet much of the work of governments must continue despite the challenges of remote working, social distancing and, of course, the obvious risk to the health and wellbeing of staff and the public.

Governments are focusing their efforts on fighting the pandemic and supporting citizens. In some cases, either intentionally or otherwise, this has led to a drawing in of control and the suspension of normal oversight. Hungary has been accused of exploiting the situation to take stronger control over the country, the Italian Senate has demanded that the country's government consult it and the <u>French National</u> <u>Commission for Public Debate</u> warns that, in France at least:

The democratic debate appears totally absent from the management of the health crisis... Furthermore, thinking of overcoming the crisis and building the 'after' without citizens is doomed to failure: the inclusion of society in the formulation of public policies is the key to success for effective risk management and disasters.

They are right: the coronavirus pandemic is an opportunity to reconsider how we do democracy, to re-imagine how citizens can become more involved in the decisions that affect their lives. It is a chance to innovate and develop new methods of engagement between government and civil society. A chance, too perhaps, to strengthen social capital within societies and to think differently about the ways our country, regions, cities and communities can work, including how to increase civic participation.

We are seeing innovations already, through necessity. Most parliaments must continue to function, even if this is in a limited way and, for this to happen, new procedures are required. Ukraine, the UK, Spain, Brazil and Norway have all amended their laws to allow for remote sittings. In some instances, more flexible interpretation of laws and procedure can assist with remote working, such as in Estonia. Parliaments are adopting a hybrid model, where part of a plenary session is hosted in the chamber but most members attend remotely. Spain, Brazil, South Africa and the UK are now using such a system for their plenaries and many others for committees. This model presents challenges in terms of moderating debates fairly and in managing voting, as well as for security.

Parliaments, central and local government must all consider how they will work. Highland Council in the UK has suspended its planning committee: during the pandemic, decisions will be made by a Planning Officer and the committee's Chair. This is a pragmatic solution but entails a lack of scrutiny and the removal of public debate. It is certainly far from ideal, hardly a sustainable solution and lends itself to future legal challenge, should a controversial decision be arrived it in the absence of due process. Elections are another area where democracy is challenged. The UK's local government elections have been delayed. Where elections have gone ahead, they have created significant problems, such as in Poland. Freedom of Information (FoI) laws have been suspended or diluted. New Zealand has relaxed FoI legislation to ensure that public bodies are not penalised for missing response times when there is a good reason for it. Scotland has gone further, extending the response time from 20 to 60 days.

There is an emerging divide in the public sector. Those public bodies who have taken digital transformation seriously, who have embraced the values of openness and transparency, coupled with a cultural shift towards wider public engagement and collaborative practices are demonstrably best placed to advance. This is in part because they have the strategies and infrastructure in place but also because these early adopters are faster to recognise the opportunities that present.

Civil society organisations face many challenges too and it can be difficult to function at this time. They too must observe laws regarding safe working practices and practices that civil society relies upon to hold government to account are at risk. Civil society must continue to advocate and hold to account, they must also be vigilant to discrimination and marginalisation. There are examples emerging of how governments are attempting to politicise the crisis. But even the unintentional reality is that some groups will be at greater risk during this time and these will often be the ones already at the margins of society. Extremism often rises at times of national crisis, seeking to exploit the situation. We are already seeing this in Germany, Sweden and the US, where the far-right is attempting to leverage lockdowns and restrictions for their own ends and where immigrants and minorities are being blamed for the situation we find ourselves in. It is the role of a strong civil society to defend against this and to promote a strong and inclusive response to the pandemic.

For civil society, it is important to monitor the actions taken by public bodies and to ensure that the pandemic is not used as a smokescreen to draw back on openness and transparency initiatives. It should shine a bright light on the actions of government, keeping a watchful and, where necessary, critical eye. Civil society can be a strong advocate for change and it can be a strong advocate for community cohesion; for supporting public services and for working with the response.

Whilst we talk about the health and economic impacts of the pandemic, we can also see benefits for social cohesion and the potential to harness this new found sense of community for wider, sustainable engagement. We can, if we choose, imagine a new future where participation in democracy and civic engagement are stronger. What is interesting about the current situation is that solutions around technology have emerged that, only three-months ago, would have been dismissed as unsatisfactory or unsuitable. The pandemic has challenged us and changing our attitude to what can be done remotely. How long this will last is a matter of conjecture, but it does present an opportunity for innovation and radical thinking about the role of citizens in shaping the future.

A group of French MPs have called for a national plan to engage with citizens postlock down. They argue that there must be an open and broad conversation about how to re-imagine what society looks like in the future. This is about not missing the chance to rebuild differently and collaboratively, rather than recover what was there before.

This is a chance too for public bodies to recognise the value of citizens and civil society at this time and focus on how to engage and collaborate successfully under the current constraints. This most likely involves working with a more limited 'playbook' of engagement techniques. We can't hold public meetings in a hall, but we can hold them over Zoom. We can't get out and about but we can look at the social networks that already exist in a community and consider how these can be used as conduits to take messages out to wider audiences and to bring views back in.

When physical contact is difficult or impossible, we need to build digital networks to maintain (and strengthen) what is already there. Digital tools take on a new significance in this landscape and so must digital literacy and inclusion. More than ever, it is critical for individuals and communities to have reliable internet access and the skills to participate. Collaborative remote working can take on a new value and potential when we can't come together physically. This can be as simple as developing ideas and initiatives through <u>Google Docs</u>, to working together on idea generation (using online whiteboards, such as <u>Miro</u>), to hosting digital conversations through tools like <u>Zoom</u>.

Strategically too, this is a chance to rethink how we overcome the challenge inherent in almost all civic participation, that of the 'usual suspects'. A public affairs TV show in Scotland has been forced to move away from a live studio audience. It has chosen to create an audience that joins live via Zoom. In a geographically disperse country, this is suddenly a chance to bring in audience members from places that would not realistically attend a physically studio. It has given the producers a chance to rethink representation and engagement. It has also given them permission to bring in panellists from further afield as, again, there is no need (or expectation) for people to be physically present. Food for thought as we consider reshaping our participation might work at this time.

The pandemic response is also seeing new partnerships, primarily across the healthcare sector, in the UK. Universities are stepping in to do testing, manufacturing businesses are switching to production of ventilators or protective equipment. Even Formula 1 racing teams have re-purposed their engineering teams to work on designing (and refining) medical equipment. Civil society is using its existing networks to expand contact with the vulnerable and to manage the delivery of food, medicines and information. All of this is building a strong civic infrastructure that can persist beyond the current lockdown, if we allow it to. Now is the time to consider how we leverage this as a tool for stronger public engagement.

Going forward, there needs to be both a political response and an administrative response to the crisis within local government bodies. There may need to be compromises around public engagement but equally there are opportunities to seek out and experiment with innovative new solutions. Just as parliaments have used the pandemic to experiment with new online models, so too can local government. Networks that exist with civil society can be used to manage a new response to civic participation at a time of uncertainty and, done well, this will strengthen trust and engagement in the long term. Sharing of data and information is more important than ever; re-building our societies and economies in new and imaginative ways must be done together and the more we share the greater the possibility of this happening. Perhaps it is ironic that a time of social distancing, is leading to a potential blooming in participation and civic engagement. Our biggest challenge will be to ensure that this is not lost.

Further reading and resources:

- <u>Collecting Open Government Approaches to COVID-19 (Open Government</u> <u>Partnership)</u>
- <u>Coronavirus: guidance to governments on respecting human rights,</u> <u>democracy and the rule of law (Council of Europe)</u>
- <u>Covid-19 Information Hub (Democratic Decay)</u>
- Parliaments in a time of pandemic (Inter-Parliamentary Union)

Dr Andy Williamson is an expert in democratic engagement, digital democracy and innovation. He is a Consultant to the Council of Europe and Senior Researcher at the Centre for Innovation in Parliament.