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The future council

New forms of democratic participation

Decisions on large−scale infrastructure projects and sustainable energy development must draw on dialogue−based processes. "Future councils" can provide a basis for political identity through the expression of regional cohesion and clarify the implications that large infrastructure projects have at a local level.

Representative democracy in crisis

At first glance it seems as if the citizens of western industrial societies have lost interest in democratic participation. Dwindling voter turnout, a steep drop in membership among the established political parties, sinking levels of trust in those in power: citizens' growing disappointment in representative politics over the last three decades is clear. There is talk in the political sciences of a crisis in parliamentary representative democracy or even of a creeping process of "de−democratization" (Colin Crouch). Post−democratic regimes look less and less to input generated by political participation and increasingly found their legitimacy on the basis of their output, according to the maxim "citizens deliver votes, politicians deliver results". However, such regimes will run into more and more difficulties in a society that is, on average, better educated and connected than ever before. Indeed, the typically uncompromising, top−down rule of elected representatives is increasingly coming up against resistance and protest. Trust in the efficacy of policy is plummeting, especially when it comes to dealing with the complexity of major issues such as climate change. Whether or not the natural and social environment can be sustained within the established parameters of political representation becomes questionable. Meanwhile, the physical world, biological nature and the future generations whose reproduction and quality of life today's decisions will massively affect, are not represented at all.

Wind energy: NIMBY? Photo: Bkmzde. Source: Wikimedia

Citizens' declining interest in traditional forms of participation through political parties and elections is, however, countered by a reassuring increase in the significance of new forms of participation. As surveys have convincingly shown, it is no longer sufficient for citizens to hand over control to political decision makers at each election; they now want to join in the conversation and not be reduced to mere onlookers. For them, it is about debating alternatives and reclaiming the scope for political action. More than ever, citizens want to engage in shaping the circumstances of their lives, whether with regard to urban districts, local communities or regions, or to plans for the public sphere. They are searching for new modes of political participation and demand direct involvement −− with increasing success.

Since the 1990s there has been a significant increase in the practice of innovative forms of citizen participation. The concept of "citizen participation" encompasses all those actions and types of behaviour that citizens engage in of their own free will, with a view to influencing the political and administrative system at various levels.[1] "New" or "innovative" forms of citizen participation are all those that have yet to be conclusively defined −− in contrast to fully constituted, legally regulated forms of participation such as the consultations that take place in the framework of planning procedures, or the classical mechanisms of direct democracy such as the referendums or public petitions conducted at a local authority level.

A considerable number of new, dialogue−based participation processes offer proof of this trend −− from the Citizens' Assembly that promoted electoral reform in British Colombia, Canada, through the consensus conferences convened in Denmark for the purposes of technological assessment, to local initiatives that support civic engagement in disadvantaged districts in many European and North American cities. Such processes, which often involve several rounds and depend on the support of moderators and, potentially, experts (whether academic or otherwise), are geared toward carving out common policy solutions that incorporate a responsible attitude toward the future −− that is, beyond short−term (election campaign) interests. Citizens are increasingly seizing the opportunity to participate in order to articulate their concerns and influence local, regional or national policy. In addition, online tools and technologies have recently become available, allowing larger numbers of citizens to cooperate. Although the "participatory revolution" that began in the 1970s has suffered repeated setbacks, fundamentally it has provided a remedy to the alienation that citizens have expressed with varying degrees of intensity in relation to traditional institutions of democracy in all OECD states.[2]

Participatory/deliberative democracy

Exponents of a participation−centred theory of democracy identify new openings for democratic participation in the hope of overcoming the multifaceted crisis of representative democracy. As such, it is the input involved in the formulation of political demands and objectives that is key to both the theory of participatory democracy, at the height of its influence in the 1970s and 1980s, and to the (closely related) deliberative approach, which has remained pre−eminent since the 1990s. Furthermore, both underline the intrinsic value of participation and of communication oriented toward reaching an understanding, as well as the associated, integrative influence of democracy. The exchange of arguments and, ideally, the ensuing consensual decision come to the fore in deliberative participation. Participants in the discussion weigh up alternative positions on the premise that they consider each from various

viewpoints. Deliberative processes are purely consultative, concluded within a limited period of time, and so far are not (for the most part) institutionalized. They complement conventional political institutions and societal arrangements without structurally changing them. Admittedly, whether this is sufficient for confronting the crisis in representative democracy is an open question. But the normative core of the theory of participatory democracy is more radical: the goal being the participation of as many as possible in as much as possible −− and thus, the comprehensive democratization of politics and society as a whole. In *lieu* of purely consultative processes, forms of shared decision making or co−governance are preferred, which grant citizens actual decision−making power within democratic power structures (as in, for example, the practice of participatory budgeting in Porto Alegre). The question is, to what degree the political culture and the political will in western democracies allows for such a far reaching democratic cultural shift to take place. Nonetheless, the institutionalization of citizen participation would be the first step in the direction of participatory democracy.

The spectrum of dialogue−based forms of participation that have been tried to date is large indeed. Variants range from large scale town hall meetings with several thousand participants to formations such as citizen councils, planning cells and consensus conferences with between ten and 30 citizens. Around 20 dialogue−based procedures and methods have now established themselves −− complemented by a growing number of online and Internet−supported participatory processes.[3] These different forms distinguish themselves from one another according to duration (from a single day to several months), the number of participants (from ten to several thousand), as well as the way in which participating citizens are recruited and selected (self−selection, random or targeted selection).

Dialogue−based participation is oriented toward consensus and allows for the differentiated formulation of political demands and objectives within a relatively protected environment −− protected from commercialization in the hands of the media and the influence of powerful actors and lobbies. Indeed, civic participation is capable of offering an important counterweight to dominant, organized interests.[4] Opposing interests can be integrated and particularistic interests held in check, such that polarization and conflicts are kept to a minimum. In the specialist literature, participatory processes are considered capable of producing extremely valuable results with regard to highly complex issues, such as the opportunities presented by and limitations of nanotechnology.[5] Given that they throw up highly divergent perspectives and information, these processes are able to enhance the basis for political decisions and heighten the chances of citizens accepting such decisions. The potential of dialogue−based processes is well documented, especially with regard to incorporating the (often underestimated) knowledge of citizens into the political process and fostering the civic competencies of those involved.[6] Nevertheless, aside from certain pilot projects and regions, the practical institutionalization of political participation outside parliaments and political parties is not yet widespread.

In the absence of participatory culture

Since "Stuttgart 21"[7] and, above all, the "energy transition" or *Energiewende* that followed nuclear disaster in Fukushima, every politician in Germany has called for more participation and every infrastructure project is subject to demands for greater collaboration. The surge in rhetoric is rooted in reality: it has become increasingly difficult to realize infrastructure projects comparable

in size and nature to the redevelopment of Stuttgart Central Station. This also applies to airport extensions in Frankfurt am Main, Munich and Berlin, all of which have faced resolute legal resistance and street protests. A project as complex and multifaceted as the *Energiewende*, which began in Germany along with Denmark and even China and involves the widespread conversion from fossil (and nuclear) energy sources to renewable energy by the year 2050, as well as the pursuit of energy−saving and efficiency programmes and of sustainable life styles and economic development, not only requires "acceptance" among the citizenry at the end of the process but broad−based and continual cooperation with the citizenry from the beginning. Even if most of the related pilot projects emphatically or implicitly serve the purposes of "manufacturing consent", they have the potential to generate democratic legitimation (as input).

So far, so good −− and so difficult. The question of how these general aims are to be fulfilled is accompanied by all sorts of ambiguities and much insecurity. On the one hand, there has been a well equipped toolkit ready and waiting for decades, which provides for all the variants and nuances of participation, from dialogue−based consultation to running referendums.[8] Increasing numbers of elected officials appreciate the benefits of working together with an interested citizenry, since doing so offers them insight into the needs and opinions of various groups, as well as the chance to draw upon the knowledge of local people and anticipate opposition or identify possible stumbling blocks associated with particular projects early on. On the other hand, citizen participation has yet to become a self−evident part of the political process; nor have political elites, administrative bodies and citizens themselves adapted their routines to incorporate it as such. Participatory processes are only initiated episodically and often purely with the aim of improving relations between the citizenry on one side and policy makers and administrators on the other −− without any real scope for action, since the crucial decisions have already been made. The non−binding and non−institutional character of these processes makes them prone to arbitrariness and manipulation by the political actors who convene them. There is therefore a danger that, while it may seem as if dialogue takes place, the whole process is in fact ignored, instrumentalized or even misused as a means of retrospectively legitimating decisions that have already been taken. And to date, there is no legal framework for determining how and when participatory processes ought to take place.

It is this systematic institutionalization of citizen participation and the creation of an associated, self−evident culture of participation that is missing. Nonetheless, there are highly promising initiatives aimed at the gradual institutionalization and development of legal frameworks for citizen participation at a local and regional level. A case in point is the westernmost federal state of Austria, Vorarlberg, which in 2013 incorporated not only direct but also participatory democracy into its constitution. Another example is the city of Heidelberg, which has published guidelines delineating a sophisticated system for the gradual institutionalization of participatory processes at a local level (Stadt Heidelberg 2012).[9] Other regions and local authorities are following suit.

Factors that limit the scope for citizen participation include the availability of resources for citizens. Time, educational background, political interest and technical capabilities (for online participation) play a considerable role in determining the extent to which citizens are prepared to engage. If one wants citizen participation to take on a democratic form that extends beyond the

usual "participatory elite", one has to involve groups that have been deprived of education. This will not be achieved by a mere plea for more people to participate. Societal frameworks and incentives should be created that give all citizens the opportunity to participate. Various measures are conceivable that would make time for voluntary engagement and political participation. These might include the nationwide introduction of a voluntary political year,[10] a system of compensation for expenses or an option to take leave of absence for voluntary and political engagement. Arenas for democracy should not open up only during the formulation of political demands and objectives, but as early as possible: in schools and institutions of further education.

The potential of participatory democracy is further limited by an established logic, pertaining to both thought and action, that accompanies representative politics. This was demonstrated at a Bertelsmann Foundation conference in 2011, where 100 experts and interested individuals from government ministries at federal and state levels, as well as state chancelleries, discussed the question, "How can a culture of citizen participation find its way into policy and administration?" The majority agreed on the main obstacles as being lack of willpower, the absence of openness to and readiness for change, scarcity of resources (both money and personnel), anxiety and resistance, as well as a lack of knowledge about participatory processes. Half of participants estimated that it would be another ten years before a new culture of citizen participation established itself.[11] One thing is certain: the desire for participation and the readiness of citizens for political engagement is there and will not dwindle in the foreseeable future. Either politicians and administrators grasp that they can channel this engagement into constructive outcomes oriented toward the general good −− through, for example, making opportunities for dialogue−based participation available −− or it will express itself increasingly in unrest, protest and political stalemate.

Citizen participation is not a passing fad but part and parcel of far reaching, societal change. It requires clear political intentions and the targeted cultivation of administrative and policy skills, as well as the swift (semi−)professionalization of all participating actors (moderators, service providers and so on). Ultimately, it is about establishing a constructive culture of participation that strengthens public spiritedness and an overarching sense of social responsibility. For elected representatives, this means a departure from a purely top−down politics and the transition to dealing competently with open exchange and collaborative processes. Administrative and political entities must be able to recognize citizens' skills and share decision−making powers in certain areas. Citizen participation will only meet with success if politicians and administrative officials are clear that the involvement of citizens is about working together and not against one another.

Basic requirements for successful modes of participation

With regard to the *Energiewende*, more participation is justifiably being called for, and not least by the ethical review commission established with a view to reaching consensus on phasing out nuclear energy. These calls have focused attention on, above all, the need for dialogue−based processes to precede controversial decisions being made on large infrastructure projects scheduled for the coming years. Conflicting concerns relating to sustainability also have to be reckoned with, in which "green" objections relating to conservation issues prevail against "green" infrastructure measures (such as wind farms, hydropower facilities, overhead power lines, underground tunnels and so on). Here it is not only about the weighing up of specific properties and benefits but

also making fundamental decisions as to the general direction of development.

An example of this is the decision pending on investments in wind farms and the extension of facilities enabling the use of wind−generated electricity. These investments are supported and promoted by the German government. The operators of the electrical grid currently envision building four large transmission routes stretching from the North Sea and the Baltic Sea to southern Germany. However, most of the 1500 or so written submissions from citizens and organizations express a preference for decentralized electricity generation over an extended transmission network, raise serious concerns over how the areas they live will be affected, and wish to see conservation issues receive greater attention, especially where the pylons intrude upon conservation areas.[12]

On the one hand, this is about weighing up the technically viable alternatives: wind versus solar power, for instance, or saving electricity versus establishing a "green electricity industry". The position of consumers who become members of "energy cooperatives", and therefore producers, is also up for negotiation, along with issues concerning quality of life, dominant lifestyles and their alternatives, place−making concepts and suchlike. All of these have to be considered in connection with generational concerns, so that one can speak in this regard of "agendas for the future". It is these agendas that provide the symbolic background, the underlying basis on which to discern the significance of the facts. The art of public debate (and of the politician's handicraft) lies in neither substantively curtailing such agendas nor allowing them to become too vague. Given that these agendas for the future involve rather abstract and technical targets, which themselves depend upon the selection of technologies and legislative measures (as in the cases of both climate protection and the *Energiewende*), thinking in terms of generations is the best way to elaborate and anchor such agendas in relation to real life.

Further multilevel complexity has to be considered with regard to who decides on energy sector infrastructure −− the local community, a regional association, the national plenum or "Brussels"? The closer the decision−making process is to the local level, the greater the influence of the Nimbies[13]; the further away the decision−making process is from those affected by the decision, the more difficult it becomes to ascertain its legitimacy. Received notions of federalism are usually of little help at this juncture, since federalism tends to lead to deadlock between different levels in the governmental system with overlapping responsibilities for dealing with problem areas.

The *Energiewende* is a multidimensional, long−term project, the outcome of which can only be predicted on the basis of some approximate data and the availability of certain development paths. Its success (in ecological as well as economic terms) depends on its reception by and the level of cooperation displayed among end users, consumers and citizens; all of whom, in view of the urgency and complexity of the issues, will have to cultivate a strong sense of responsibility extending beyond their own specific and short−term interests.[14] Contrary to impressions, or to how things may seem to the politicians, administrators and business people who initiated the *Energiewende*, this is a project not only of concern to engineers and experts: it entails substantial social and political mobilization and is therefore "everybody's project".

Another example for consideration is the gravely problematic instance of the shelved search for a suitable, permanent disposal site for nuclear waste in

Germany. In this case too, citizens, who have grown justifiably mistrustful, have to be involved from the beginning. In the wake of too many lies and cover−ups, and the all too arrogant dismissal of legitimate objections and alternative suggestions, this existential question now requires a huge, national effort to ensure participation at the highest level if Nimbyism is not to further delay the selection of a site.[15] Objections to the Federal Network Agency's plans to extend the electricity transmission network and to other planning proposals within the framework of the *Energiewende* are further justified since, ultimately, the settlement of disputes contributes to social integration. But projects that do not prompt conflicts from the beginning must also be subject to measured, dialogue−based processes that facilitate the formulation of political demands and objectives and are carefully tailored to suit the matter in hand. As such, the following requirements should be taken into consideration:

− The participation process must have as its basis a clearly defined goal (for example: to inform, to consult, to generate joint decisions).
− All information must be made freely and unconditionally available to participants. At the same time, the public must be kept informed as to the goal(s), partners, participants and the stage the participation process has reached.
− The limits of cooperation and the question as to who takes the final decision must be established from the beginning and clearly communicated.
− A degree of genuine flexibility in relation to the form that proceedings take must be on offer and citizens must be involved early on (preferably during the decision−making process).
− The initiators must ensure that participants in proceedings receive reliable feedback (at least with regard to the details of the procedure that are public); i.e. they must account for which outcomes of the participatory process are taken into consideration in subsequent decision−making processes −− and which are not, and why.
− The professional supervision and moderation of the participatory process.
Unfortunately, these requirements are rarely fulfilled. The guidelines and instruments for dialogue−based citizen participation are available but all too seldom and scantily applied in practice.

However, the deficiencies of today's participatory culture must not be allowed to persist: there is work to be done. Dealing with the *Energiewende* demands two things. First, a general debate at both national and supranational levels concerning the direction and dynamics of associated development −− for example, the question as to what level of priority should be given to redeveloping older buildings in order to improve energy efficiency as against the construction of new zero−energy and energy−plus buildings; or whether to opt for the centralized supply of electricity through a European SuperSmart Grid (SSG) or the decentralized supply of energy under the control of local authorities and cooperatives. And secondly, the debate must be anchored in a raft of local and regional participatory projects. Standards of debate on such matters in parliaments and the media are nowhere near as high as they should be, while energy sector research and infrastructure policy has until now been satisfied to stop at manufacturing consent rather than fostering real participation. Citizens must address decisive measures that will be fundamental to deciding the direction taken on these matters: how to achieve the transition from nuclear and fossil fuels −− through centralized or decentralized solutions, through the promotion of growth on a renewable basis or through greater energy efficiency and energy self−sufficiency. But they must also collaborate effectively with regard to the application of such strategies in a local community or region. A much more comprehensive discussion of our

economic model is required, especially regarding its dependency on such a high volume of resources. One might, for example, discuss a social and ecological economic policy as an alternative to a Keynesian policy geared toward growth, as well as the need to reduce consumption. Such questions cannot of course be couched in highly abstract terms: they have to be weighed up with reference to concrete examples of specific projects.

On both levels, it is not only technological innovations that need discussing but the future of society at large; that is, not simply how a given urban population can drastically reduce carbon emissions during the course of the next couple of decades, but rather the kind of lives people wish to lead ten or 30 years hence and the overall direction in which they would like to develop. There must therefore be a sufficient level of participation that makes perspectives on the mid− to long−term future the centre of attention, and that leads to their expression in a fitting discursive form, such that this discourse is picked up by legislative and executive bodies. In short, a discourse that ensures such perspectives form a basis for decision making.

The establishment and organization of "future councils"

We propose a "future council" whose core activity lies in the formation of a dialogue−oriented agenda, but, at the same time, enables a collective learning process to run its course within a given group; such that, if successful, the council wins a place for itself alongside those legislative, judicial and executive entities, as determined by the conventional separation of powers, and is consulted on the formulation of demands and objectives and on decision−making processes accordingly. Thus the council would distinguish itself from single−issue debates or episodic participatory proceedings relating to a specific infrastructure project, in that it would concern decisive, agenda−setting measures and scenarios. But it would also distinguish itself from the mediation of disputes in which parties find themselves at loggerheads, in that it would anticipate and field debate on possible conflicts. Furthermore, citizen participation would be institutionalized and rendered binding in a future council.

The long−term nature of the *Energiewende* requires (a) the establishment of a national committee or "mini−populus" with a relatively small number of members and an iterative approach to its work, such that a learning process can take place through consultations among changing constellations of participants with a view to establishing a stable core of long−term participants. In contrast to many of the formalized and informal institutions under the somewhat neo−corporatist former Federal Republic of Germany or to the "Berlin *Räterepublik*",[16] the future council can be neither a "council of the wise" nor purely a stakeholder assembly that only draws upon the expertise of citizens on specific points. Instead, "ordinary" citizens must be centrally represented in the future council from the beginning (and not merely stakeholders with a more or less fixed opinion and agenda) and be able to furnish themselves with the requisite expertise and sources of information. It would be conceivable for members to be selected at random in accordance with socio−demographic criteria such as age, gender and education, so that participants reflect a cross−section of the population as accurately as possible. Some leave of absence, releasing participants from their professional duties and/or an allowance for expenses could also be considered. The future council would certainly have to be professionally administered and require a certain level of finances: materials for the dissemination of information must be prepared, debates must be moderated, experts called in, results acquired and made public

for the purposes of discussion. The proceedings of the council would not be televised, but it is crucial that they are continually documented online and, where possible, reported upon in the media.

The multidimensional nature of the *Energiewende* also requires (b) that as many regional and local committees support the work of the future council as possible. These can provide advice on the suitability of key measures and infrastructure options for specific locations, enabling the future council to make informed decisions and track and evaluate their implementation accordingly. This decentralization allows local knowledge to flow into the national and European planning process, as opposed to forming the basis for hotbeds of local resistance or being lost to the Nimby principle: *Energiewende* yes, but not in our neighbourhood. Such reactions (in some circumstances understandable and legitimate) would be balanced by considerations and needs over and above the local.

Future councils can provide a basis for political identity through the expression of local and regional cohesion and help clarify the implications that large infrastructure projects have at a local level. This is not about winning acceptance for decisions made centrally. It has far more to do with allowing local, historically informed knowledge (itself more often than not the product of direct experience) of processes of social transformation and innovation to be reckoned with as input and to duly influence the output. Large scale and supra−regional modernization projects must in this respect be adaptable or they will either fizzle out or produce resistance. As regards the division of powers, the future council does not possess an imperative mandate, however must be listened to. And in order to make it impossible for political actors and surveys of public opinion to ignore it, in addition to the consideration of its recommendations in parliamentary debates, it should also be compulsory for the future council to receive feedback from the government.

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1 Cf. Max Kaase, "Politische Beteiligung/Politische Partizipation", in: Uwe Andersen and Wichard Woyke (eds.), *Handwörterbuch des politischen Systems der Bundesrepublik Deutschland*, 5th ed., Leske und Budrich, 2003, 495−500.

2 Dirk Jörke, "Bürgerbeteiligung in der Postdemokratie", *Aus Politik und Zeitgeschichte* 1−2, 2011, 13−18.

3 Patrizia Nanz and Miriam Fritsche, *Handbuch Bürgerbeteiligung. Verfahren und Akteure, Chancen und Grenzen*, Bundeszentrale für politische Bildung, 2012.

4 Archon Fung and Eric O. Wright, *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*, Verso, 2004.

5 Maria Powell und Daniel L. Kleinman, "Building Citizen Capacities for Participation in Nanotechnology Decision−Making: The Democratic Virtues of the Consensus Conferences Model", *Public Understanding of Science*, 17, 2008, 329−48.

6 Yves Sintomer, *Le pouvoir au peuple. Jurys citoyens, tirage au sort et democratie participative*, La Decouverte, 2007; Loic Blondiaux, *Le nouvel esprit de la democratie: Actualite de la democratie participative*, Seuil, 2008.

7 The controversial, multi−billion euro railway and urban development project in Stuttgart, the centrepiece of which is the heavily contested redevelopment of Stuttgart Central Station. See: Tim Engartner, "Stuttgart 21: Back to the future" at: http://www.eurozine.com/articles/2010−11−17−engartner−en.html

8 See: http://participedia.net/

9 Stadt Heidelberg, "Leitlinien für mitgestaltende Bürgerbeteiligung in der Stadt Heidelberg", Stadt Heidelberg Amt für Stadtentwicklung und Statistik, August 2012; available online at: http://www.heidelberg.de/servlet/PB/show/1227274/12_pdf_Buergerbeteiligung_LeitlinienEnd.pdf

10 This would complement the existing "voluntary social year" (a state−funded voluntary work programme) in Germany and Austria; or the "Federal Voluntary Service" in Germany. The American equivalent, the Corporation for National and Community Service, offers a further point of reference.

11 Bertelsmann Stiftung, "Aktiv für Bürgerbeteiligung", 21 February 2011; available online at: http://www.bertelsmann−stiftung.de/cps/rde/xchg/SID−A8DF8DEF−A76C09D1/bst/hs.xsl/nachrichten_105504.htm

12 See: www.netzentwicklungsplan.de

13 Residents who oppose proposed developments in accordance with the principle "not in my backyard" −− NIMBY.

14 WBGU (Hans−Joachim Schellnhuber/Dirk Messner/Claus Leggewie/Reinhold Leinfelder/Nebojsa Nakicenovic/Stefan Rahmstorf/Sabine Schlacke/Jürgen Schmid/Renate Schubert), "World in Transition: A Social Contract for Sustainability", Wissenschaftlicher Beirat der Bundesregierung Globale Umweltveränderungen, 2011; available online at: http://www.wbgu.de/fileadmin/templates/dateien/veroeffentlichungen/hauptgutachten/jg2011/wbgu_jg2011_en.pdf.

15 Claus Leggewie and Patrizia Nanz, "Mehr Beteiligung für die Energiewende", *Süddeutsche Zeitung*, 22 November 2012; available online at: http://www.participationinstitute.org/2012/12/mehr−beteiligung−fu%CC%88r−die−energiewende−suddeutsche−zeitung/

16 An ironic comparison of the period in which Gerhard Schröder established various "councils" or commissions on everything from ethical questions to the reform of labor relations to the historical, quasi−Soviet *Räterepublik* of 1918 −− ed.

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