Eight Ways to Institutionalise Deliberative Democracy: Overview

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

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

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

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

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

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

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

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

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

Enhance public trust in government and democratic institutions by giving citizens a significant role in public decision making.
Why do representative deliberative processes work?

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

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

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

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

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

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

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

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

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

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

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

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

Institutionalisation scales the positive impact that participation has on people’s perception of themselves and others, strengthening societal trust and cohesion.
Combining deliberative and direct democracy

Standing citizens’ advisory panels

Sequenced deliberative processes throughout the policy cycle

Requiring public deliberation before certain types of public decisions

Giving people the right to demand a deliberative process

Embedding deliberative processes in local strategic planning

8 ways to institutionalise deliberative democracy
## Eight Ways to Institutionalise Deliberative Democracy

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

Civic lottery

Citizens’ Council
- 24 Members
- One third of Members rotate every six months

Face-to-face meetings over 1.5 year period

Citizens’ Panel

Collective recommendations

Regional Parliament
25 MPs

Citizens’ Panel

Minimum 2 parliamentary debates about recommendations

Citizens’ Council chooses issues

25-50 people chosen by civic lottery
Min. 3 meetings over 3 months

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

Response
Citizens’ Council monitors response to and implementation of Citizens’ Panels recommendations
1b. Paris Citizens’ Assembly

Civic lottery

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

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

Choose issue

Citizens’ Jury
- 17 Members

Local Bill Proposal

Choose theme of Paris
Participatory Budgeting

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

Paris Council
- 163 Councillors

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

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

Oversight committee
- Representatives of CA
- Representative from each political party
- 4 deliberation experts
2a. Deliberative Committees

Citizen initiated (1,000 signatures) OR MP initiated

Citizen initiated

Civic lottery

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

Citizens – secret vote

Collective recommendations

MPs – public vote

Brussels Parliaments
89 MPs

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

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

Response
Deliberative Committee reconvened for one day. Government and parliament are obliged to respond to all recommendations

Secretariat
Full-time parliamentary staff devoted to organisation of committees

Oversight committee
- 2 parliamentary staff
- 4 experts on topic of deliberation
- 4 deliberation experts
2b. Options for adding public deliberation to NSW Committees

**OPTION A:** Considered input from citizens

- Civic lottery
- Citizens’ Jury
  - 42 Members
  - + 8 MPs who are Members of the Committee
  - 90 minutes working together
- Citizens’ Jury
- Citizens’ Jury report that outlines experts, information & questions citizens would like committee to consider

**OPTION B:** Balance of submissions

- Civic lottery
- Citizens’ Jury
  - 4 meetings over 4 weekends
- 89 MPs
- Citizens’ Jury report about where they find a balance among competing submissions

**OPTION C:** Citizens’ Jury in partnership with Committee

- Civic lottery
- Citizens’ Jury
  - 42 Members
  - + 8 MPs
  - 4 meetings over 4 weekends
- 42 Members
- Citizens’ Jury and MPs co-author report after finding common ground on recommendations that answer remit put to them by committee chair

3. Citizens’ Initiative Review

Civic lottery to select 24 people

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

Training programme
- Fundamentals of deliberation and evaluating information

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

Editing and Refining Information
- Discussing and drafting evidence statements

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

Collective statement of key facts

Voters’ Pamphlet
4. Toronto Planning Review Panel

Civic lottery

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

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

Ongoing citizen input on issues of planning and transportation

Toronto City Planning Division
5. Bogotá Itinerant Citizens’ Assembly

Civic lottery

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

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

Collective proposals delivered to next Citizens’ Assembly

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

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

Collective recommendations

Bogotá City Council
45 Councillors

Civic lottery
6. Vorarlberg Citizens’ Councils

- **Civic lottery**
  - Citizen initiated (1,000 signatures)
  - OR
  - Government initiated
  - OR
  - Parliament initiated

**Citizens’ Council**
- 15 Members
- Dynamic facilitation

**Collective recommendations**

**Citizens’ Café**
- Recommendations presented to and discussed with broader public

**Face-to-face meetings for 2 days on average**

**Regional government**
7. French law on bioethics 2011

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

États généraux:
- Consultations and conferences comprised of citizens selected to represent diversity of the public
- Online submissions and surveys
- Representative deliberative processes
Victoria Local Government Act 2020

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

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

Deliberative engagement practices must follow characteristics of good design:

- Clear scope and objective
- Access to information
- Representativeness
- Impact
- Transparency throughout the process
Considerations for implementation:

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

1. Sustainable political commitment.

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

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

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

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

Professional staffing of such an arm’s length body might be by civil service employees or universally respected and impartial civil society organisations or universities under contract.
Remit of an independent office in charge of public deliberation:

• Setting and ensuring compliance with standards of good practice for deliberative processes for public decision making that are in line with the OECD Good practice principles and are adapted to the context;

• Advising decision makers who are considering the uses of public deliberation in their work;

• Building knowledge in the government and public institutions more broadly by training civil servants to be smart commissioners and neutral hosts. There needs to be a clear delineation of functions: those who initiate the process; those who organise and run it, and those who supervise it;

• Monitoring and evaluating institutionalised deliberative processes and their impact to ensure that collective learning ensues and that the outputs are responded to and have influence on public decision making, using the OECD Evaluation guidelines for representative deliberative processes;
Remit of an independent office in charge of public deliberation:

- Ensuring follow-up to the recommendations;

- Managing a budget dedicated to funding deliberative processes;

- Investing in the skills and capabilities of civil society organisations that could be capable of organising, running, and facilitating a deliberative process, since institutionalisation implies a greater need for more operators;

- Regularly reporting findings from representative deliberative processes to government and parliaments to ensure the cumulative benefit of deliberative processes are related to the parliamentary or government cycles; and

- Regularly reporting on the implementation of recommendations from deliberative processes to its members and the public, as well as explanations for why action has not been taken.
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