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# Democratic innovations for engaging and empowering citizens

A report by

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## Introduction

Research shows that people have 'become more and more disenchanted with the traditional institutions of representative government, detached from political parties, and disillusioned with old forms of civic engagement and participation' (Yetano, Royo and Acrete, 2010: 783).

In response, in recent years there has been growing interest not only in increasing participation, but also in the quality and form of the engagement between citizens through the use of direct, deliberative and participatory democratic mechanisms (Smith, 2009). It is argued that if the decision-making process is inclusive and dialogue between citizens is unconstrained, it will lead to greater understandings of different perspectives, more informed debate and decisions that are widely accepted by participants (Fishkin, 2009).

Currently Irish citizens find themselves in times of great economic and social uncertainty. We have just left one of the most prosperous eras in the country's history and entered one dominated by high unemployment rates, as well as high levels of personal and national debt. The arrival of the 'troika' of the IMF, EU and ECB in December 2010 has raised new questions as to where power lies in Ireland. Not surprisingly, the Irish public are feeling more distant than ever from decision making processes. This report will make recommendations on how to boost public involvement in the democratic process. In so doing it will examine specific democratic innovations, referring to international examples and present them as viable and realistic options for Irish democracy.

# Citizens' Juries

## ***What is a Citizens' Jury?***

The concept of a citizens' jury was first developed during the 1970s simultaneously by Ned Crosby, the founder of the Jefferson Center, a publicly-supported non-profit organisation, in the United States of America and by Peter Dienel in Germany who came up with a similar idea known as Planning Cells.

A citizens' jury can be described as a tool that brings together a small group of citizens who deliberate on a particular issue and produce recommendations in the form of a written report. The ultimate aim of this jury is not to usurp the decision-making power of elected officials but rather to ensure that they have a comprehensive understanding of public opinion when they exercise that power (Armour, 1995). Citizens' juries can be used for policy issues such as planning, technology, health and the environment.

This innovation involves recruiting twelve to sixteen people who represent a broad cross-section of the local community (Delap, 2001). Generally, two moderators are asked to work with the jury to assist them in exploring the question from a diversity of perspectives. Throughout the process, jurors work in a number of formats: plenary sessions; small groups; pairs; and individually, in order to ensure that everyone can contribute. In this way, a citizens' jury provides an unparalleled opportunity for citizens to learn about an issue and deliberate together to find a common ground solution (The Jefferson Center, 2011). The citizens' jury is similar to an ordinary jury in the sense that all jurors are fully briefed on the issue. However unlike a legal jury, they cross-examine the witnesses. Once this stage has been completed, the jury draws together its conclusions and recommendations and presents them to the commissioning body.

Citizens' juries usually adopt the following format: day one involves providing general information to the jury; days two and three involve expert presentations on different approaches and solutions to the problem; and, on the fourth day the jury

deliberates on and submits its recommendations. Citizens' juries are mostly used by organisations and agencies to obtain public input on contentious issues.

### ***International Examples***

Since the 1970s citizens' juries have spread well beyond their American and German roots and can now be found around the world in countries such as Spain, Australia, Canada and Japan. Citizens' juries are gaining a considerable degree of momentum, for example Audrey Wall (2011) points out that 'as the result of a successful demonstration project in Oregon in that year, the Oregon legislature took steps to see if citizens' juries should be made a standard way of informing voters about ballot initiative'.

In the UK, the Department of Trade and Industry commissioned a citizens' jury in 2003 to help with the development of policies that would support people 'struggling to juggle family and work commitments' (People and Participation, 2009). In this citizens' jury, sixteen jurors were recruited and witnesses from ten different organisations, including the Equal Opportunities Commission and the Confederation of British Industry came in front of the jury (People and Participation, 2009). The impact of this jury and its recommendations were clearly evident in the then Chancellor of the Exchequer's pre-budget speech at the end of 2004 which proposed increases in maternity pay that were 'in keeping with the thrust of the jurors' recommendations' (People and Participation, 2009:2). Research found that the citizen jurors was enthusiastic about the process and they all said they would be very willing to be involved in such an event in the future (People and Participation, 2009).

A Scottish citizens' jury on drug policy that looked at encouraging 'community capacity-building and a further shift in culture among public sector bodies to more effective community involvement in decision making' discussed how to treat individuals and areas adversely affected by drugs (Delap, 2001: 40). The event produced some interesting opinion changes amongst the jurors with one noting 'before I thought put them all behind walls but now I know drug dealers are people

with families... there is someone behind the stigma' (Delap, 2001: 40). Generally, the jurors held positive views of the process with one of them stating that the most positive aspect of it was the 'opportunity to voice your own opinion, particularly about local issues' (Delap, 2001: 40).

### ***Strengths***

Citizens' juries offer a 'unique combination of information, time, scrutiny, deliberation and independence' (Coote and Lenaghan, 1997: 1). Pekkonen argues that a citizens' jury provides an effective way to involve citizens from diverse backgrounds in developing a well-informed, well-thought out and detailed judgement on a public problem or issue (2010). Moreover by directly engaging citizens, a jury brings legitimacy and democratic control to non-elected public bodies and quite often leads to increased public support for the resulting policy (Pekkonen, 2010: 4).

In the UK, citizens' juries have proved quite popular amongst the public and, according to Smith (2005: 41), evidence has shown that citizens take their role in these juries quite seriously and have shown that they are both willing and able to deliberate on often complex and controversial issues.

In short, citizens' juries have been praised for:

1. giving an informed public opinion on a policy issue; and,
2. generating a wider public debate on the issue(s).

### ***Weaknesses***

Citizens' juries also contain a number of weaknesses:

1. they can be quite expensive to run;
2. they involve a very small number of people so there is a chance that the wider public may still hold a less informed view after the event;

3. there is the challenge of descriptive representation for example are 'women jurors expected to represent all women in the wider community, elderly jurors, all other elderly citizens', (Smith and Wales, 2000: 56); and,
4. they may be exclusive.

A study conducted by French and Laver found that 'those who choose to participate in deliberation are more predisposed to particular attitudes, and/or to shifts in attitudes, than those who do not' (2005: 1). Also in some cases particular individuals may end up dominating the discussions. French and Laver state that 'this is problematic because those who speak the most are likely to be viewed as most persuasive, and the quantity, not the quality of their remarks, drives this perception' (2009: 438).

### ***Conclusion***

Citizens' juries are used worldwide to supplement representative democratic processes, to improve the quality of decision-making and to ensure that policy formulation and implementation can become more legitimate, effective, and sustainable. A citizens' jury is a tool that can be initiated by any civil society organisations or government body in order to provide a link between policy makers and citizens, thereby making it a highly attractive innovation for citizen participation. By bringing people together in this manner and by educating members of the public, a citizens' jury is able to identify areas of agreement and build common ground solutions to challenging problems. However, it is important that the selection mechanisms used consciously target marginalised groups in order to ensure that those without a strong voice in society should be given this valuable opportunity to influence policy.

# Participatory Budgeting (PB)

## ***What is PB?***

Participatory budgeting is an innovative policy making process where citizens are included and involved in policy decisions. First developed in Porto Alegre, Brazil, participatory budgeting combines popular engagement at the local level with the development and monitoring of a city wide budget, mixing open citizen assemblies with innovative representative forums. It involves an annual cycle of three levels of citizen participation: popular assemblies; district budget forums; and, a municipal budget council (Harris, 2005: 53).

In the spring of each year, popular assemblies are held in each of the city's 16 districts at which the previous year's budget allocation is reviewed. All residents aged 16 and over are invited to participate in the district assembly. At this meeting participants vote on the priority issues for investment in the city as a whole and elect delegates to district budget forums. The number of delegates elected to the district budget forums is proportional to the number of citizens attending the district assembly and acts as a strong incentive for citizens to turn up and participate. The delegates in the district budget forums work together with the city administration to translate neighbourhood priority lists into an overall list of investment priorities for the district. Although the district budget forums are open to all citizens only the delegates can vote (Harris, 2010).

The citizens participating in the district assembly also elect two councillors to the municipal budget council which is in charge of deciding the relative distribution of resources across the city's districts. The municipal budget council's decisions are informed by the priority lists and needs-based criteria developed by the district budget forums and are presented to the municipal council at the end of September each year. Porto Alegre's city council retains the legislative power to veto and alter the budget and its mayor has the executive power to reject it on limited financial and technical grounds. To date these vetoes have not been used, probably due to the popular will that the budget represents.



As a decision-making process PB enables citizens to deliberate and negotiate the distribution of public resources either at the small scale neighbourhood level or at a larger scale city or state level (Shah, 2007). It is argued that there are three key factors that must be present for PB to function successfully:

1. strong local authority support;
2. an organised and civil society; and,
3. committed political leaders, who are also willing to be part of the process themselves (Shah, 2007: 24).

### ***Case Study: Porto Alegre, Brazil.***

PB began in Porto Alegre, Brazil, in 1989, one year after the formation of the Brazilian local government system. It was hoped that its introduction would lead to a reformed political system and government structure in Brazil (Souza, 2001).

In Porto Alegre there are three levels where citizens can engage in participatory budgeting. Firstly there are popular assemblies which are open to all citizens in the municipality. These are considered the most inclusive element of participatory budgeting (Smith, 2005: 63). In the case of Porto Alegre, local government played a fundamental role in encouraging leaders of local community groups to become involved with the administration of the system. This was fundamental to the success of PB in Porto Alegre, as these leaders had the on the ground experience that was needed to make PB work. These leaders visit local areas, particularly disadvantaged ones, actively seeking leadership and promoting and disseminating information about PB (Souza, 2001). The assemblies prepare a list of priority areas (these can include sanitation, education, health care etc), elect delegates to the regional budget forums and nominate councillors onto the municipal budget council (Smith, 2005: 63).

In the regional budget forums the local authority administrators work with the delegates, helping them to deliver their list of priorities while the third level, the municipal budget council, then decides on the distribution of resources on a needs

basis (Smith, 2005: 63). PB in Porto Alegre has dealt with issues such as sanitation, street paving, road works, transportation improvements, health centres and education budgets.

In Porto Alegre today 100% of their total budget is allocated through PB, this has grown from a mere 17% in 1992 also there has been an increase in the numbers of people participating in PB from 976 in 1990 to 28,907 in 2002 (Harris, 2010).

A report by the World Bank found that prior to the introduction of PB 'a third of the city's population lived in slums at the city's outskirts and lacked access to such public amenities as clean water, sanitation, medical facilities and schools'. It also found that since its introduction, PB has played a great role in improving the situation in Porto Alegre as:

'new public housing units, which sheltered only 1,700 new residents in 1986, housed an additional 27,000 in 1989. Sewer and water connections in the city of Porto Alegre went up from 75 percent of total households in 1988 to 98 percent in 1997. The number of schools quadrupled since 1986... (and) Porto Alegre's health and education budget increased from 13 percent in 1985 to almost 40 percent in 1996'.

These vastly improved living conditions for the people of Porto Alegre have led to a situation where *Exame* an influential business journal nominated Porto Alegre as the city with the highest quality of life in Brazil for the fourth consecutive time on the basis of indicators such as 'literacy, enrolment in elementary and secondary education, quality of higher and postgraduate education, per capita consumption, employment, child mortality, life expectancy, number of hospital beds, housing, sewage, airports, highways, crime rate, restaurants and climate' (de Sousa Santos, 1998: 464). PB has had such an impact on the people of Porto Alegre that according to Janet Rice (2008: 4) '61 per cent of the Porto Alegre population' said they felt that 'PB was more important than their legislative assembly'. Furthermore Wampler notes that PB in Porto Alegre has confronted 'legacies of clientelism, social exclusion,

and corruption by making the budgetary process transparent, open and public' (2000).

After the success of PB in Porto Alegre, it spread out to over 180 other Brazilian municipalities (Smith, 2005).

### ***Strengths***

According to Smith (2005), the success of participatory budgeting in re-engaging citizens rests, in part, on the incentives it generates as there is a visible relationship between participation and outcome.

Popular assemblies have been extremely successful in engaging 'the lowest 20<sup>th</sup> percentile' of the population in Porto Alegre, who have accounted for '30% of the participants' in the assemblies, however, 'these figures drop to around 20% for forum delegates and 15% for councillors' (Smith, 2005: 64). Nonetheless it is argued that participatory budgeting strengthens inclusive governance by allowing marginalized groups to have their 'voices heard and to influence public decision-making vital to their interests' (Shah, 2007: 1).

Through education, empowerment and engagement, PB allows citizens to be directly involved in how public resources are spent while working towards a society that is all inclusive, transparent, vibrant and where everyone's needs are met. (Shah, 2007: 1).

Participatory budgeting clearly helps to establish new relations 'between the elected, local politics and the population' (Mancuso, 2006: 3). Citizens have the opportunity to experience immediate returns on their participation, thereby giving them 'the confidence and incentive to continue their involvement and for new groups to engage in the process' (Smith, 2005: 64).

In short, the successful implementation of participatory budgeting leads to:

- increased citizen participation in politics and a stronger relationship between citizens and local authorities;
- improved transparency on issues of municipal expenditure; and,
- social inclusion as municipal expenditure is diverted to poorer neighbourhoods where it is more needed.

### ***Weaknesses***

Research conducted on the profile of PB participants shows ‘more men, adults and educated persons participate than women, young or less educated individuals’ (Ganuza and Francés, 2010: 13). This research also finds that younger populations, those aged between eighteen and twenty nine are under-represented while adults between thirty and sixty are over-represented. In addition, it highlights that individuals who have completed second and/or third level education are over-represented in the most participatory budgeting schemes (Ganuza and Francés, 2010). However, some moves have already been made to redress this imbalance and ensure more inclusive representation. Janaina Rochido (2006) refers to the children’s participatory budget which already takes place in four Brazilian cities (as of 2006) and focuses on the inclusion of children and teenagers with social vulnerability.

Participatory budgeting is also considered to be time consuming and costly. Budget options involve making difficult choices and cannot constantly be simplified, it is argued, to a small collection of options (SQW consulting, 2007).

### ***Conclusion***

Since its inception, PB has spread across the globe to countries such as France, Germany, Spain, the United Kingdom (UK), Fiji and to various parts of Latin America. Indeed, the strength and effectiveness of this tool is highlighted by the fact that participatory budgeting is today implemented in over one thousand and two hundred places worldwide (Participatory Budgeting, 2011).

Furthermore, PB is being promoted by organisations such as the World Bank, UN Habitat and the Asian Development Bank.

What is particularly significant about this budgeting innovation is not only that citizens make decisions about public spending, but also that they have agenda setting powers in deciding the spending priorities from the outset.

If introduced at the local level in Ireland, PB would give citizens a clear link between spending and raising money, making local decision making more transparent, inclusive, deliberative and representative. However, this would require local government reform and the decentralization of revenue raising powers in particular.

# Consensus Conferences

## ***What is a consensus conference?***

New innovations and policies in science and technology can have a direct impact on people's lives; however they often require high levels of knowledge. This can lead to citizen disengagement from decisions that directly affect them.

Consensus conferences are a democratic innovation that is effective in promoting scientific and technological debate amongst citizens and can be described as a public enquiry of citizens, who are given the task of assessing potentially controversial topics in science and technology. (Joss and Durant, 2002: 9).

For the last twenty years consensus conferences have extended to different parts of Europe and the world (Nielsen et al., 2006). A consensus conference consists of a citizens' panel, selected from the general public, who question expert witnesses on a topic at a conference. Recommendations are then disseminated. The citizens' panel consists of between 10-16 people and meets for three days. The panel is provided with reading materials and attends preparatory events to ensure that it is informed on the topic before the conference commences. It is then asked to identify the main points of the debate and decide on the questions to be asked. It also selects the witnesses, deliberates on the information provided and drafts recommendations. At the end of the conference, the citizens' panel generates a report which includes its conclusions and recommendations. This is then presented to key-decision makers and the media.

## ***Case Study: The Danish Board of Technology***

Since 1987, the Danish Board of Technology (DBT) has used consensus conferences as a means of assessing public opinion on significant scientific and technological issues. The DBT is responsible for the promotion of citizen debate on technological issues.

To date the board has arranged conferences on a wide variety of issues including, food irradiation, human genome mapping, gene therapy, the future of fishing, genetically modified food and noise and technology.

There are four key stages involved in organising a consensus conference. The first step is to select the panel of lay people. These people must be willing to work voluntarily with the experts, and have an interest in the topic. The process of choosing the panel of lay people involves sending out random invitations (for example 1000, to people above the age of 18), and then selecting between 10-16 people based on their responses. Ideally this group should be representative of those affected by the issue (Kleinman et al., 2007).

Secondly, the panel is informed on the subject in question, through the use of background reading materials. The objective at this stage is to ensure that they are able to ask valid questions of the experts and form an opinion on the subject themselves (Kleinman et al., 2007).

Presentations by the experts are made on the first day of the conference. It is essential that the expert panel represents different sectors of society and a diversity of perspectives. As Zurita argues 'all the relevant stakeholders including NGO's and interest groups, should be included, for the knowledge of the experts is not, and cannot be, pure and objective' (2006: 20). On the second day of the consensus conference the lay panel have the opportunity to ask individual questions of the experts on the subject matter. Public attendees also have the opportunity to ask questions. At this stage a first draft of the response document is written where the 'goal for the panel is not to reach a kind of objective scientific truth, but to feed into the political channels, and clarify public opinion' (Zurita, 2006: 21).

On the final day of the consensus conference, the final document is presented by the lay panel to the experts. This final document, along with written contributions from experts is then presented to members of the Danish Parliament (Zurita, 2006).

## ***Strengths***

Consensus conferences:

- increase public awareness on issues;
- are an open and transparent method that encourages trust;
- provide ordinary citizens with opportunities to make their voices heard; and,
- motivate citizens to obtain greater understanding and further information (Powell and Kleinman, 2008).

## ***Weaknesses***

It is argued that consensus conferences are:

- expensive, for example, in the UK various consensus conferences cost the UK from a range of £80,000 to £100,000 (People and participation, 2011); and,
- exclusive due to the small sample of citizens involved (People and Participation: 2011) and the emphasis on the need for consensus which could benefit citizens who have a strong opinion (Morkrid, 2001).

## ***Conclusion***

The information, agenda setting powers and the space for questioning and discussion that consensus conferences afford panel members greatly encourages debate and deliberation (Zurita, 2006). Research shows that panel members on the DBT have agreed that consensus conferences help strengthen their views of participation and the democratic process. Overall they were very positive about the conference format (Zurita, 2006). Similarly research in the US on the Madison citizens' consensus conference on nanotechnology in 2005 found that citizens formed a group after the conference to continue their engagement on this issue (Powell and Kleinman, 2008).

Finally, in the Irish context, this type of participation would be suitable for involving citizens in decision making on complex and technical issues such as fracking and the location of incinerators.



## **Citizens' Assembly**

### ***What is a Citizens' Assembly?***

A citizens' assembly is a deliberative innovation that brings together a randomly selected group of citizens to deliberate on a policy issue and develop recommendations on it. A wide variety of issues such as electoral systems, education, health, transport and telecommunications may be discussed. Citizens' assemblies can take place at a national or local level.

### ***International Examples: British Columbia Citizen Assembly on Electoral Reform & the G1000 Belgian Citizens' Summit***

The British Columbia Assembly was set up in 2004 to investigate electoral reform and recommend an electoral system for the province. It contained 160 randomly selected citizens and divided its work into three phases. In the first phase the assembly spent a number of week-ends learning about electoral systems. This involved presentations and question and answer sessions with international experts. The second phase involved gathering evidence from citizens at 50 public meetings held throughout the province and from written submissions. The third and final phase saw the citizens deliberating with one another on the advantages and disadvantages of different electoral systems before taking a final vote on the options (Smith, 2005).

The process started in January 2004 and came to a conclusion in December of that year when the Assembly published its final report, recommending Proportional Representation by Single Transferable Vote, PR(STV). As promised by the British Columbian Government this proposition was put to the electorate in a referendum in May 2005. Two thresholds were placed by the Government on this referendum. These required that the proposal was supported by at least 60% of votes from across the province and 60% (48) of the 79 electoral districts. On the day, 77 of the 79 districts were in favour of the new electoral system but the overall vote at 57.69% fell short of the required 60% (Smith, 2009: 74).

In June 2011 a group of Belgian 'independent thinkers' established the G1000 project, the country's first citizens' summit. Their objective was to 'renew Belgian democracy' through a deliberative process that would complement, not replace, the existing representational system of democracy (Vermeersch, 2012).

This citizens' summit, the G1000, took place in Brussels on November 11<sup>th</sup> 2011. Over 700 citizens of different ages, backgrounds and ethnicity came from across Belgium to discuss the political challenges the country faced and to develop proposals on key issues. In keeping with deliberative best practice these citizens were randomly selected.

In parallel, citizens who had not been selected to attend the G1000 event actively participated in the deliberations either on line at home (G-homes) or at smaller events at diverse locations across the country (G-offs). Web based technology was used to feed the recommendations from the G-offs to the main event in Brussels. The innovative software *synthetron* permitted citizens to virtually deliberate with their fellow citizens and put forward their proposals and recommendations from the comfort of their own homes (Vermeersch, 2012).

The themes discussed on the day included: social security systems, wealth inequality and immigration policy. These topics had been chosen by citizens during the summer months when they were surveyed online to determine the issues of concern to them.

The final phase of this project, which is still ongoing, involves a smaller group (G32) of citizens. They are meeting over a period of months to work with one another and experts on the proposals that came from the summit and develop them into concrete recommendations. The G32 will include 20 citizens from the G1000 summit, 8 citizens from the G-homes and 4 citizens from the G-offs. The final recommendations will be presented by the citizens to the Belgian Parliament in late 2012.

The project uses crowd funding techniques where donations are welcomed but no-one is allowed to contribute more than 7% of the total budget. Individuals, companies, associations, foundations and governments have all been invited to make a donation. Most notably, a third of the cost was contributed in kind through the work of volunteers. (Vermeersch, 2012)

**Image 1. Participants at the G1000 Belgian Citizens' Summit.**



(Photo courtesy of Peter Vermeersch)

### ***Strengths***

Citizens' assemblies are an effective way of engaging citizens in democratic decision making. Research has shown that those who participate in a citizens' assembly showed a greater interest in politics, displayed higher levels of political efficacy and expressed more willingness to discuss politics and become involved in it (Farrell, 2011).

### ***Weaknesses***

The disadvantage of citizens' assemblies is that the consultation requires a lot of resources and investment of time to work effectively. For example the Irish Citizens' Assembly cost approximately €600,000. Also there are concerns that the innovation could be perceived as a talking exercise as the recommendations

developed are not always integrated into the political system. Finally the citizens do not usually set the agenda. Instead they are provided with a specific remit e.g. examining electoral systems in British Columbia and Ontario.

## ***Conclusion***

Citizens' assemblies allow a diverse but representative group of citizens to come together and discuss a specific issue (or set of issues) and make recommendations on them.

Ireland held its first citizens' assembly in June 2011 when 'We the Citizens' hosted a group of 100 randomly selected citizens in Kilmainham Hospital for a week-end. The Irish assembly discussed a diversity of topics ranging from gender representation in politics, the electoral system, the abolition of Seanad Eireann and economic matters (spending cuts vs increased taxes). Research conducted by the academic team noted that 'as a result of their participation and being given detailed information, citizens demonstrated a significant capacity to change their opinion and felt more positive about their influence on politics, compared to those who had not taken part' (Farrell, 2011). They also found that after the citizens' assembly participants changed their opinions on the economic issues discussed.

'We the Citizens' called for the Government to incorporate a citizens' assembly into its proposed Constitutional Convention. Another campaign group, 'Second Republic', is also lobbying for a citizens' assembly to deliberate on constitutional reform. Both suggest that an assembly should be tasked with making proposals for a revised constitution which would then be put to the public in the form of a referendum. However, for their part, Kirby and Murphy ask if 'a citizens' assembly made up of randomly chosen citizens to undertake a wider review of the Constitution raises grounds for concern' (2012) .

At the time of writing the Government has proposed a 100 member constitutional convention that will include 66 ordinary citizens. The remaining places will be taken

by Oireachtas members and one parliamentarian from each of the political parties in Northern Ireland that accept an invitation to be represented.

It will use the electoral register to select the 66 citizens and the following topics will be examined:

- the Dáil electoral system;
- the reduction of the Presidential term;
- the granting of the right to vote at Irish embassies in Presidential elections for Irish citizens' abroad;
- the provision for same-sex marriage;
- an amendment to the clause on the role of women in the home;
- the removal of blasphemy from the Constitution; and,
- the reduction of the voting age to 17 (Merrionstreet.ie – Irish Government news service, 2012).

If we are going to give authority to a citizens' assembly we must have faith in it to represent public opinion. This will require a complete and accurate electoral register. Finally, to ensure that it is inclusive the selection mechanisms used should consciously target marginalised groups who traditionally do not vote and consequently may not be on the electoral register.

# Initiatives

## ***What is an initiative?***

An initiative 'allows citizens to propose a legislative measure (statutory initiative) or a constitutional amendment (constitutional initiative) if they are able to submit a petition with the required number of citizen signatures' (Smith, 2005: 83). It is a form of direct democracy.

The initiative 'embodies the simple idea that ordinary citizens should have the right to propose and pass laws without the consent of their elected representatives' (Matusaka, 2004: 1). This democratic device has been seen by many to strengthen democracy. It involves the citizens more in policies that are important to them and makes the political system more accountable, transparent and efficient. The indirect initiative can strengthen the link between the people, their parliament and the executive of the government.

## ***International Examples***

The initiative can be either direct or indirect. Under the direct initiative, a measure is put directly to a vote after being submitted by a petition. Switzerland is at present the only modern democracy to use this model of governance. In Switzerland, to propose new legislation, 100,000 signatures are needed, which is approximately 2 percent of the voting population (Smith, 2009: 113).

Under indirect initiatives, a proposal is initially referred to the legislature; where it can be improved, adapted or rejected. If the proposal is rejected by the legislature, it can then be put to a popular vote. However, this can only happen once further signatures have been collected. This form of initiative has been used in the U.S.A. As the indirect form is used more commonly than the direct form, the number of signatures needed varies. The indirect initiative provides an opportunity for measures to get a formal hearing and to benefit from the experience of veteran

legislators, which is something that does not happen with the direct initiative process. Also, despite the risk that they may be blocked or delayed by the government, indirect initiatives offer the advantage of allowing the government to improve the quality of initiated proposals.

### ***Strengths***

Initiatives' strengths include:

1. giving citizens a direct say in the laws that govern them, particularly by giving them agenda-setting powers; and,
2. facilitating citizens to mobilize themselves and others (Smith, 2005).

### ***Weaknesses***

Initiatives are criticised for:

1. disproportionately engaging those who already participate in elections and other political processes;
2. potentially leading to the 'tyranny of the majority', whereby the interests of minorities can be overlooked or ignored (this is particularly true for direct initiatives); and,
3. the influence money can have on the collection of signatures and on campaigning (Smith, 2005).

### ***Conclusion***

Initiatives are one of the few democratic mechanisms that give citizens the power to directly set the agenda. Ireland had the right of initiative in the Constitution of the Irish Free State (Saorstát Éireann) 1922 as outlined in Article 48, 'The Oireachtas may provide for the initiation by the people of proposals for laws or constitutional amendments. [...] it shall on the petition of not less than seventy five thousand voters on the register'.

However, such a provision was not included in the 1937 Constitution. This report recommends that the consideration of initiatives is added to the remit of the forthcoming Constitutional Convention.

## Conclusion

At the moment Ireland is in the midst of the worst economic and social crisis of its recent history. It has been argued that this crisis is a culmination of a number of systemic failures that have included, to name but a few, the banking, property development and planning sectors. Discussion has also centred on the shortcomings of the Irish political system in terms of transparency, accountability, representation and participation and it has been described as no longer ‘fit for purpose’<sup>1</sup>.

These crises provide a timely opportunity to strengthen Irish democracy by giving citizens more opportunities to have a direct say in matters that affect them and their communities. This report recommends a number of deliberative innovations and tools of direct democracy, drawing upon academic literature in the field, empirical evidence and international practice. The innovations proposed not only aim at increasing participation, but are concerned with deepening citizen engagement by giving citizens more specialised information on particular policy areas, opportunities to deliberate with others and final decision making powers.

This report has shown that participatory budgeting gives people a direct say in how public monies are spent in their locality. In doing so it gives citizens agenda setting and final decision making powers. The same is true for initiatives. As matters of science and technology increasingly affect people’s lives, consensus conferences which help citizens engage on complex issues in science and contribute to policy making in this area become more relevant. Similarly, citizens’ juries can be an effective means of giving policy makers clear, informed and reasoned arguments on the actions the public wish to see taken on a given policy issue. Finally citizens’ assemblies can be a mechanism for incorporating citizen views on constitutional matters in which political representatives may have a vested interest such as electoral reform and the abolition of the second chamber.

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<sup>1</sup> (see the debates on the academic blog [www.politicalreform.ie](http://www.politicalreform.ie)).



The authors are mindful of the political will and resources required for the successful implementation of any or all of the above initiatives yet argue that when deployed properly the innovations outlined above can produce informed, inclusive and sustainable policy outcomes that are in the wider common interest. Finally, it is hoped that the recommendations outlined in this report will contribute to the wider discussion and debate on Irish political reform.

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