

Contribution to the Debate

Make Random Selection Part of Political Practice



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Citizens' Councils – a Format with a Future

Citizens' councils are currently experiencing a political boom. It is well known that the procedure can be a successful element of citizen participation. The recent experience with the Irish Constitutional Convention and Citizens Assembly, which led to the successful referenda for the introduction of same-sex marriage and the liberalization of abortion law, has shown the power of this procedure to politics and the media. Since then, the participation of randomly selected citizens and citizens' councils have been much discussed in all western democracies and are increasingly put into practice. Randomly selected citizens come together to exchange information on a topic and develop recommendations for action for politicians. Be it the *Convention Citoyenne pour le climat* in France, the Climate Assembly UK or the Bürgerrat Demokratie (Citizens' Assembly on Democracy) in Germany - the format is becoming increasingly popular, at both federal and regional levels and in private initiatives.

The random selection of citizens as a procedure for political consultation is not uncharted territory: the planning cell – an established format – was invented in the 1970s. The planning cell was used, for example, by the nexus Institute within the framework of the administrative, functional and regional reform in Thuringia and by the Institute for Participation and Democracy Research at the Bergische Universität Wuppertal within the framework of the Future City of Bocholt. With the guide for a new planning culture

and further work in the state government, Baden-Württemberg's State Councillor for Civil Society and Citizen Participation, Gisela Erler, has made cooperation with randomly selected citizens a standard in Baden-Württemberg. As part of the European Citizen Consultations 2007 and 2009 at European level or the Citizens' Dialogue on Future Issues of the Federal Ministry of Education and Research since 2011, ifok has implemented random selection in citizens' conferences. Last but not least, the Bürgerrat Demokratie in 2019 bears witness to the expertise of random-based citizen participation in Germany. As part of this project, Mehr Demokratie, the Schöpflin Foundation, nexus and ifok invited citizens, using random selection, from all over Germany to get involved in the further development of democracy.

The present contribution to the debate deals with the question of how to ensure that participation of randomly selected citizens in politics and administration can be made compatible. Essentially, this requires a new understanding of our representative democracy. First, however, it will be discussed why random selection is now more important than ever.



ifok is the market leader for public and civic participation in Germany and has been working for 25 years at state, federal and European level. We see ourselves as a shaper of change, bringing people together and working to develop solutions for tomorrow's society.

How Citizens' Councils Contribute to Solving the Crisis of Democracy

Digital change and growing global interconnectedness are accelerating social change and making knowledge, which was still reserved for libraries and experts 30 years ago, accessible in real time. The opportunities for free development are greater than ever before. This is accompanied by the transformation of our society into a „society of singularities“ (Andreas Reckwitz 2017) – each and every one of us lives freely according to his or her own beliefs. Organisations such as associations, churches, trade unions or political parties are finding it increasingly difficult to represent the growing diversity of social reality and to meet their own expectations fully. In addition, classical (hierarchical) forms of representation in today's information and network society are not suitable for bundling diverse interests.

With the ever-increasing availability of information and the increasing individualisation of society, people's need to participate is also growing. There is a growing disenchantment with politics and a feeling of decoupling political debates from the reality of people's lives and their priorities. However, it is precisely the mutual understanding between politics and society that is a central factor in the success of representative democracy. Politics and administration are under pressure to adapt institutionally to the new social requirements.

How can this be achieved? Nothing less than the self-image of politics and administration must change, away from the delegation of decisions to the highest levels to inclusive decision-making processes. Listening to each other, genuine exchange on equal footing, controversial but constructive debates and taking up (not necessarily implementing) the ideas and wishes of the citizens – all this demands more from politics and administration than just explaining their own policies better or involving associations and civil society organisations in political decision-making. Today, parties and elected representatives alone can no longer fully accomplish this task.

Random-based citizen participation as a consultative instrument of representative democracy can be a solution. By randomly selecting citizens, a cross-section of society is formed that can represent the country in all its diversity. In this way people from all regions, with different backgrounds and perspectives, come together. This creates a space for real, honest deliberation, which is not often possible in our modern times. People meet others, people they would not meet in their everyday life of filter bubbles, echo chambers and growing social differentiation. Independent of the results of random participation: these encounters are a value in themselves.



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In their role as randomly selected citizens entrusted with a concrete political question, people quickly focus on the common good and common solutions instead of trying to assert their own interests against others. The momentum of representation of certain groups is lost in favour of representing the whole country. In this way, a fact-oriented, compromise-oriented and open-ended atmosphere can be created: The goal of all participants is to find a solution that can work for everyone, for the whole country. The results of these discussions are as constructive as they are far-reaching, and they provide the representative politicians with recommendations for their actions. The high degree of consensus orientation as well as the high level of agreement and identification of the participants with the results is demonstrated by the following examples: In the Bürgerrat Demokratie, the 22 recommendations were ultimately accepted by majorities between 68 and 100 percent of the 160 members; in the Irish Constitutional Convention, 79 percent of the 100 members (including 66 randomly selected citizens) voted for same-sex marriage, which is highly controversial in Ireland, after intensive consultation. This confirms that citizens' councils and random citizen participation processes can find sustainable solutions to political and social problems.

This is the strength of random participation: Citizens do not replace expert analysis or professional recommendations, but they weigh up the needs and will of society and work out together what is really important to the people as the ultimate holders of sovereign power. The high level of orientation towards the common good and the constructive approach lead to approaches to solving deadlocked political conflicts and issues where political positions have so far been irreconcilable. Outsiders are able to recognise the values and motivations of citizens in random-based procedures much better and gain insight into the ways people judge and evaluate.

The goal of random-based participation is not the implementation of all results. This is neither expected by the citizens nor appropriate to the representative system of our democracy. It is a tool that can complement and strengthen representative democracy.

Random-based participation procedures are ideally initiated, or at least supported, by parliament or the executive. They do not replace parliamentary or executive procedures. In order to ensure the political connectivity of random-based citizen participation, the procedures must be sensibly linked to political processes.

Plea for a New Understanding of Representative Democracy

Citizen participation as an advisory complement to politics thrives on the fact that it is topic- and occasion-specific, can be flexibly designed and is limited in time, while the legislative and executive branches are institutionalised pillars of our democratic system. The mechanisms for negotiating interests in parliament and the technical expertise and implementation knowledge of the executive are decisive strengths of our democracy. In order to bring together both levels, the flexibility of random citizen participation and the formal decision-making channels of representative politics, three adjustments of the system are necessary:





Politics and Administration Need Updated Work Processes in Order to Become More Capable of Dialogue

There are no established procedures in Germany for structured public participation beyond associations and interest groups, neither in the development of draft legislation by ministries or parliament, nor in the legislative process itself. New work processes and procedures of administration and politics need the possibility for more openness and flexibility to take up and process recommendations from participation processes.

There is a need to formalise and establish corresponding business processes, and a catalogue of criteria should be developed. In addition, options should be presented as to whether and how (randomly based) citizen participation procedures should be used in which political processes and when. Depending on whether citizens' councils are used in the process of developing draft laws or in the legislative process (parliament), it is necessary to define business processes for convening, implementing and incorporating the results. This will create structures and guidance that will standardize the use of the citizens' council format and thus make it easier for the constitutional organs to use it.

A further necessity for adapted work processes arises because citizens usually orientate themselves to the reality of their lives and therefore often make connections between different topics. These topics do not necessarily belong together in the administrative system and their connection requires a stronger networking between ministries and within the ministries, between departments and divisions. Modern organisational forms strengthen interdisciplinary and multidisciplinary cooperation, communication and networking within the organisation and promote project-related work processes. This also strengthens the capacity for dialogue.



Politics and Administration Must Build Up Competences for Random-Based Citizen Participation

In addition to the procedural challenge, random-based citizen participation is also a new development for employees in the administration, ministries and for members of parliament as well as for political

representatives and those in positions of responsibility themselves. The structured dialogue with citizens goes beyond the familiar channels of formal public participation in the administrative and parliamentary procedures, which are laid down in the Joint Rules of Procedure.

Politicians and administrators often lack the appropriate business processes and qualifications for the inclusion of random citizens, with corresponding quality criteria and increased expectations for the treatment of the results in the political process. This can be done by building on the experience and expertise that already exists, for example in the Federal Ministry for the Environment with its own guidelines for good citizen participation and projects on exemplary citizen participation, in the Baden-Württemberg staff unit for civil society and citizen participation, the Open.NRW office of the state of North Rhine-Westphalia or in many local administrations.

Therefore, the citizens of the Bürgerrat Demokratie have recommended the creation of a staff unit for citizen participation on a federal level, following the Baden-Württemberg model. Such a staff unit could help develop procedures and offer qualification programmes for politics and administration, gather experience of random-based citizen participation at the federal level, advise ministries and politicians on the implementation of participation processes and implement its own procedures.



Politics and Administration Must Institutionalise Random Citizen Participation in Order to Strengthen Our Representative Democracy in the Long Term

An increasingly diverse society, in which knowledge no longer rests with individuals but is broadly accessible (in which each and every person can easily share his or her own „knowledge“ with many people), and in which, as described at the beginning, the old logics of representation are no longer fully applicable, calls for flexible and concrete possibilities of participation. Decision-making processes are strengthened by the involvement of different people and perspectives, they lead to widely accepted and sustainable solutions. Random-based citizen participation should therefore be institutionalised.

Citizens' councils as a supplementary instrument of political decision-making processes could be convened by the federal government, the Bundestag or the

citizens themselves on specific political issues. The resulting recommendations should be incorporated as a binding element of the political decision-making process, as recommended by the Bürgerrat Demokratie. In addition to citizens' councils, there are many other ways of involving randomly selected citizens – it is important that citizens are regularly involved, while the type of participation is not always the same.

A new approach to participation in the political process and a new understanding of representative democracy offers the possibility of overcoming social divisions, closing the gap between the political establishment and the people in the country and strengthening the representative system. Even if random citizen participation becomes a structural and regular part of political negotiation, it is clear, that the sovereignty of decision-making remains with parliament and its elected members, and many of the political decisions will continue to require no direct involvement of citizens. However, the combination of representative democracy with deliberative formats – including direct-democratic elements – will help to strengthen democracy in the long term.



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