

# Pro-actively promoting citizen engagement: law no. 69/07 of the Tuscany Region and its implementation

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OIDP, Cascais (PT)

July 5, 2013

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# REPRESENTATIVE DEMOCRACY

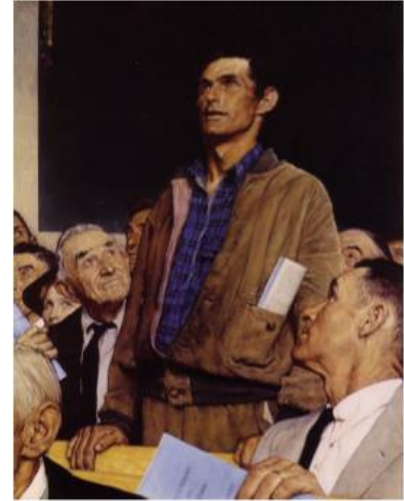
➤ ‘THE DEMOCRATIC MODEL BORN AFTER WWII TODAY IS UNDERGOING A CRISIS ... IF IT WANTS TO SURVIVE, **DEMOCRACY NEEDS TO RE-INVENT ITSELF**’

(Marcel Gauchet, centre des recherches politique R. Aron, Ecole des Hautes Etudes en sciences sociales –EHESS)

# POST DEMOCRACY?

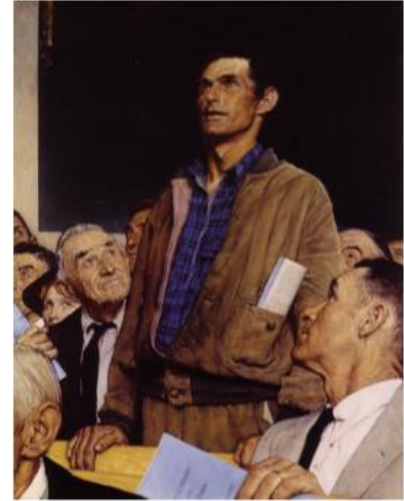
- DECREASING TRUST IN REPRESENTATIVE INSTITUTIONS, PROCESSES AND DECISIONS: **CHIASM BETWEEN PROMISES AND PRACTICE**
- ROLE OF INTEREST GROUPS/LOBBIES, ELITES, AND EXPERTS (e.g. Colin Crouch)
- ... AND OF THE MEDIA: *démocratie du public* (Bernard Manin)

# ‘PARTICIPATION’



- The ambiguity of a word....
- Political Science: any form of behavior whose purpose is to influence political processes and distribution of power (Verba, Nie e Kim 1978)

# ‘PARTICIPATION’



- In Italian political culture, traditionally: a top-down approach, aimed at simply informing of decisions already taken, that worked until there were strong party allegiances and ideological identification

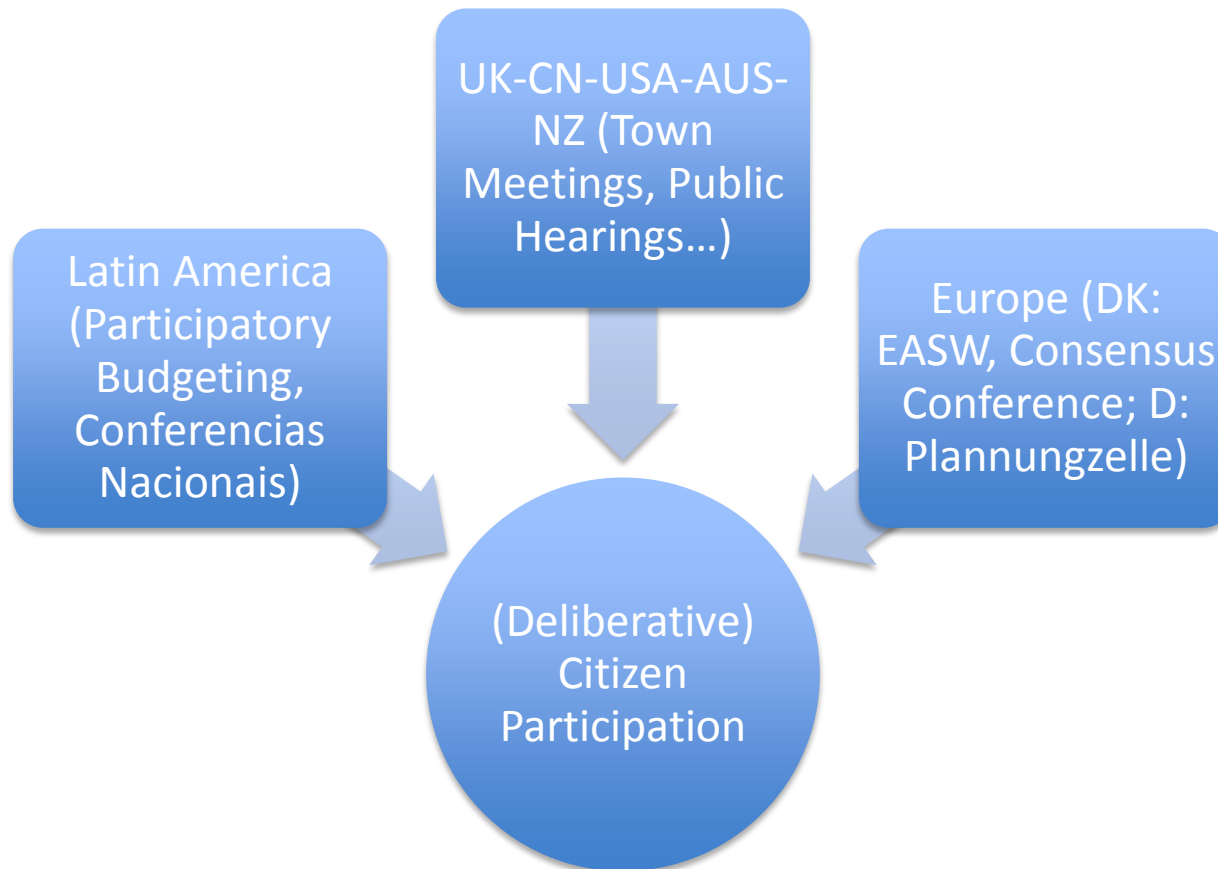
# CITIZEN PARTICIPATION

- Social/discursive interactions (a meeting, a process)
  - a) in which ordinary citizens...
  - b) ... discuss ...
  - c) a common/public issue perceived as problematic
  - d) contributing at least to some degree to decisions and action.

# CITIZEN PARTICIPATION

- **NEW FORMS OF CITIZEN ENGAGEMENT**  
EXPANDING PARTICIPATION BEYOND RIGHT  
TO VOTE ARE EXPERIMENTED AND  
INSTITUTIONALIZED IN MANY COUNTRIES  
ACROSS THE WORLD

# THE CONTRIBUTION OF DIFFERENT POLITICAL CULTURES





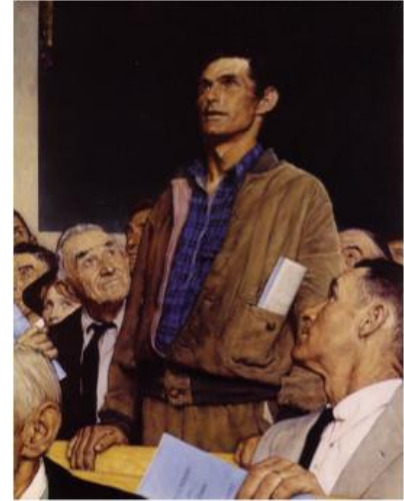
# CITIZEN PARTICIPATION

- 'INVENTING THE NEW AND TRANSFORMING THE OLD' (T. Pogrebinschi)
- INNOVATION THAT **DEEPENS DEMOCRACY** BY INVOLVING CITIZENS IN POLICY MAKING
- INSPIRED BY AN EXPERIMENTAL AND PRAGMATIC (NON IDEOLOGICAL) LOGIC

# CITIZEN PARTICIPATION

- INSTITUTIONALIZING PARTICIPATION IS **NOT ANTAGONISTIC** TO REPRESENTATIVE DEMOCRACY: IT CONTRIBUTES TO
  - THE VITALITY OF THE POLITY AND CIVIL SOCIETY...
  - THE STABILITY OF GOVERNEMENTS/ INSTITUTIONS ...
  - THE EFFECTIVENESS OF PUBLIC POLICIES

# CITIZEN PARTICIPATION



- **'ORDINARY' CITIZENS:**  
INDIVIDUALS HOLD POLITICAL RIGHTS; DEMOCRATIC IDEAL: ONE PERSON/ONE VOTE = POLITICAL EQUALITY

# TUSCANY LAW no. 69/07

EXAMPLE OF:

- **DEMOCRATIC INNOVATION**
- **INSTITUTIONALIZATION AND**
- **EXPERIMENTATION OF (DELIBERATIVE)  
PARTICIPATION  
IN LOCAL POLICY MAKING**



# LAW no. 69 AS INNOVATION

- ① **PROBABLY THE FIRST LAW IN THE WORLD**
- **AT THE 'MESO'/REGIONAL LEVEL**
- **AIMING AT PRO-ACTIVELY PROMOTING CITIZEN ENGAGEMENT IN LOCAL POLICY MAKING IN GENERAL (NOT ONLY IN RELATION TO SPECIFIC TOPICS OR PROCESSES)**



# REGIONS AND PARTICIPATION IN EUROPE

## ALSO OTHER REGIONS

- IN ITALY (Latium, Puglia, Emilia-Romagna (Regional law no. 3 of February 2010))
- IN EUROPE: FRANCE (Nord Pas de Calais, Poitou-Charrentes, Rhone Les Alpes), GERMANY (Baden-Wuerttemberg, Rheinland-Pfalz), AUSTRIA (Voralberg), UK (Wales), SPAIN (Catalunya) and DENMARK.

# LAW no. 69 AS INNOVATION

- ② **THE LAW ITSELF WAS PASSED ALSO  
THRU A META-PARTICIPATORY  
PROCESS INVOLVING HUNDREDS OF  
CITIZENS DISCUSSING THE CONTENTS  
THE LAW WOULD HAVE**

# LAW no. 69 AS INNOVATION

③ THE IMPLEMENTATION OF THE LAW IS ENTRUSTED TO AN **'INDEPENDENT AUTHORITY'**

➤ IN ORDER TO CREATE **TRUST** AMONG CITIZENS (SURVEYS SHOW CITIZENS OFTEN DOUBT THE INTENTIONS AND GOALS OF SUCH PROCESSES); AN INSTITUTION INDEPENDENT FROM POLITICAL PARTIES OFFERS MORE GUARANTEES AND CREDIBILITY



# LAW no. 69 AS INNOVATION

- ④ **A 'SUNSET' LAW**
- AT THE BEGINNING OF 2012 **EVALUATION** BY THE EXECUTIVE AND THE LEGISLATIVE REGIONAL BODIES, ALSO BY MEANS OF A PARTICIPATORY PROCESS (art. 26);
  - DECISION WHETHER TO KEEP THE LAW AS IS OR TO MODIFY IT
  - IS NO EXPLICIT DECISION IS MADE, THE LAW AUTOMATICALLY EXPIRES AT THE END OF 2012
  - UNIQUE EXAMPLE IN ITALY
  - **EMPIRICAL LOGIC**

## LAW no. 69 AS INNOVATION

- ⑤ ORIGINAL AND INNOVATIVE MECHANISM TO ENSURE **EQUILIBRIUM BETWEEN CITIZEN PARTICIPATION AND REPRESENTATION:**
- LOCAL AUTHORITIES WANTING ACCESS TO FUNDS MUST SIGN AN **AGREEMENT** WITH THE REGION (art. 18) COMMITTING TO ENACTING OUTCOMES (OR PUBLICLY MOTIVATING REASONS FOR NOT DOING SO = POLITICAL RESPONSIBILITY)

# LAW no. 69 AS INNOVATION

- ⑥ ONE OF THE FIRST ATTEMPTS TO TRANSLATE THE IDEAL OF **DELIBERATIVE DEMOCRACY** INTO INSTITUTIONAL PRACTICE, MOST INNOVATIVE AND PROMISING FRONTIER OF CITIZEN PARTICIPATION

# TWO TYPES OF PROCESSES

1. 'PUBLIC DEBATE' (Débat public)  
ON LARGE PROJECTS ON WHICH  
THE AUTHORITY DECIDES;  
NO CASES UNTILL NOW



2. LOCAL PARTICIPATORY PROCESSES  
(LASTING 6-9 MONTHS)



# LOCAL PARTICIPATORY PROCESSES

REQUESTS OF SUPPORT TO THE AUTHORITY  
FROM:

- LOCAL ADMINISTRATIONS
- CITIZENS (SIGNATURES % OF THE  
POPULATION; 16 YEARS OLD)
- SCHOOLS
- FIRMS (NEW PLANTS)

# LOCAL PARTICIPATORY PROCESSES

## THE REGION OFFERS:

- FINANCIAL SUPPORT (APPROX. 650.000 EURO/YEAR); THE AUTHORITY DECIDES ON THE BASIS OF ELIGIBILITY AND PRIORITY CRITERIA
- METHODOLOGICAL ADVICE; EX ANTE EVALUATION OF PROJECTS: THE AUTHORITY STEERS DESIGN IN ORDER TO ENHANCE THE QUALITY OF PARTICIPATORY PROCESSES



# IMPLEMENTATION

2008 - 2012:

- 220 REQUESTS OF FUNDING
- 116 FUNDED (COST: APPROX. 3.6 MILLION EURO; AVERAGE FUNDING GRANTED APPROX. 33,000 EURO)
- REQUESTS: MORE THAN 80% FROM LOCAL AUTHORITIES, ESPECIALLY MUNICIPALITIES, THE REST FROM SCHOOLS AND CITIZENS



# IMPLEMENTATION

## CONSIDERABLE VARIETY OF TOPICS:

- LAND PLANNING
- URBAN PROJECTS
- ENVIRONMENT
- SITING DECISIONS
- SOCIAL AND HEALTH SERVICES
- ECONOMIC POLICIES
- PARTICIPATORY BUDGETS
- EDUCATIONAL PROJECTS





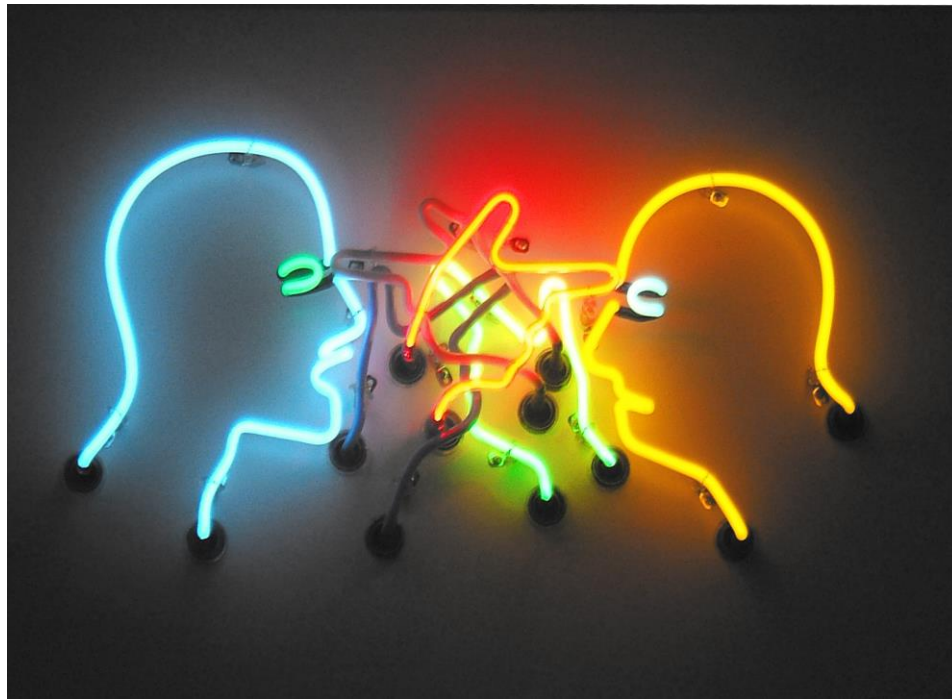
## ⑥ DELIBERATIVE DEMOCRACY

- **NOT ANY TYPE OF PARTICIPATION**
- **NOT DIRECT DEMOCRACY** (referenda; Swiss Cantons, U.S. Town Meetings, ancient Greek polis...)



- **NOT ALTERNATIVE TO REPRESENTATIVE**

# BEYOND PARTICIPATION: DIALOGUE AND DELIBERATION





# 1. INCLUSION

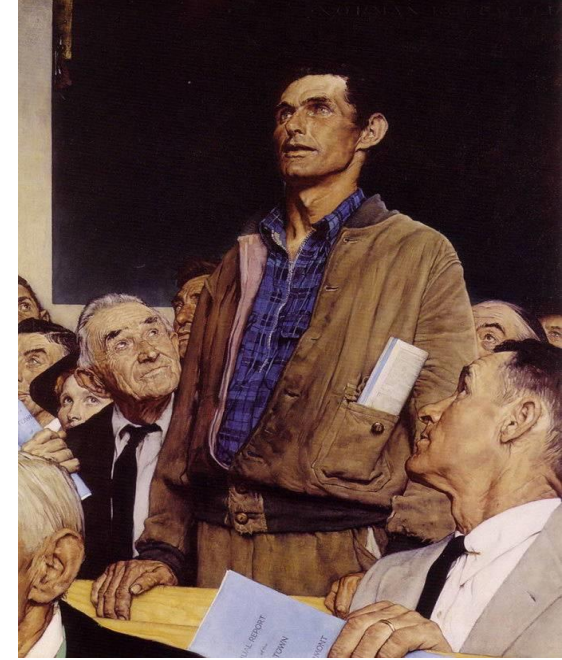


## WHO PARTICIPATES?

- ALL VOICES SHOULD BE ABLE TO EXPRESS THEMSELVES AND TO BE LISTENED TO
- NOT ALL INDIVIDUALS BUT ALL POSITIONS/OPINIONS
- RELEVANT IN RELATION TO THE TOPIC UNDER DISCUSSION
- ALSO DIFFUSED, UNDER-REPRESENTED OR 'MICRO' INTERESTS/GROUPS
- PARTECIPANTS: FREE AND EQUAL, SAME STATUS ...  
vs. SOCIAL ASIMMETRIES



# 1. INCLUSION



- **RANDOM STRATIFIED SAMPLES OF CITIZENS OF THE COMMUNITY – REPRESENTATIVE SOCIO-DEMOGRAPHICALLY ('MICROCOSM': THE OPINION OF THE ENTIRE COMMUNITY IF IT HAD THE OPPORTUNITY TO DISCUSS THE ISSUE IN DEPTH; J. Fishkin)**



## 2. INFORMATION

- **GOAL: AN INFORMED OPINION** (vs. 'RAW' AS IN ORDINARY POLLS):
  - STRONG EMPHASIS ON COGNITIVE AND RATIONAL ASPECTS: INCORPORATE ALL RELEVANT INFORMATION (OGGETTIVE E SOGGETTIVE) IN THE DECISION
  - CREATE 'BRIDGES' BETWEEN EXPERT AND LAY KNOWLEDGE; ORDINARY CITIZENS ARE 'EXPERTS' OF NEEDS AND SOLUTIONS (e.g. Genoa highway 'gronda Genova': 'popular engineering')
  - DIALOGUE ALLOWS KNOWLEDGE AND INFORMATION TO EMERGE



## 3. DIALOGUE

- NOT JUST ANY CONVERSATION...
- DIALOGUE: DISCOURSIVE INTERACTION, BASED ON ARGUMENTS
- RECIPROCALLY **LISTENING** TO EACH OTHER, ACCEPTING DIVERSITY
- ON SIGNIFICATIVE PUBLIC MATTERS
- AMONG FREE AND EQUAL INDIVIDUALS
- THRU FACE-TO-FACE INTERACTIONS (ALSO ON-LINE?)



## 3. DIALOGUE



- **DOES NOT OCCUR SPONTANEOUSLY, CAN BE ENHANCED BY FAVOURABLE CONDITIONS:**
- STRUCTURED PROCESSES AND 'SPACES' ALLOWING EVERYONE TO EXPRESS OWN OPINIONS AND UNDERSTAND THE OPINIONS AND ARGUMENTS OF OTHERS
  - 'GUARANTEED', NEUTRAL, 'PROTECTED', FACILITATED PROCESSES = CLIMATE CONDUCIVE TO RESPECT OF DIVERSITY
  - A LARGE ARRAY OF 'METHODES', 'TECHNIQUES', ACCORDING TO NO. OF PARTICIPANTS, TOPIC, DURATION, RESOURCES AVAILABLE, ETC. (Citizen Juries, Town Meetings, World Café, Open Space Technology, Public Conversations, Deliberative Polls ...)



## 4. DELIBERATION

- FROM LATIN *LIBRA* = BALANCE/SCALE = **WEIGHING DIFFERENT OPTIONS/COURSES OF ACTION, AND THEIR IMPLICATIONS**
- BY MEANS OF:
  - 1) DIALOGIC CONVERSATIONS
  - 2) INFORMATION





## 5. CONSENSUS

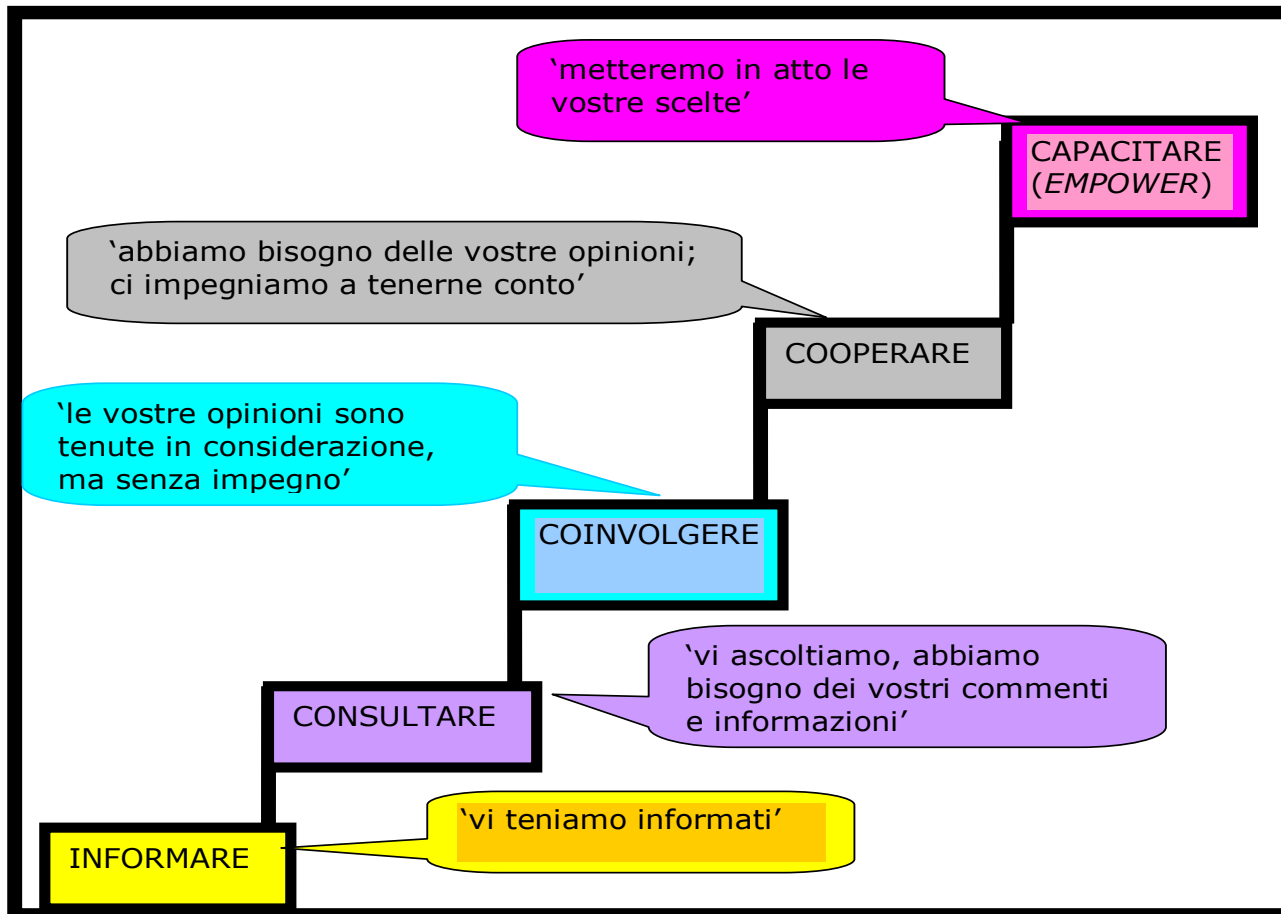
- IN SEARCH OF **-REAL- CONSENSUS**, SHARED DECISIONS AND CHOICES  
**NOT** ACCEPTANCE OF DECISIONS ALREADY TAKEN
- ACCEPTANCE OF DIVERSITY AND CONFLICT AS A STARTING POINT
- ASSUMPTION: PREFERENCES CAN CHANGE THRU DIALOGUE AND INFORMATION
- **NOT** NEGOTIATION = EXCHANGE OF STAKES



## 6. INFLUENCE/ EMPOWERMENT

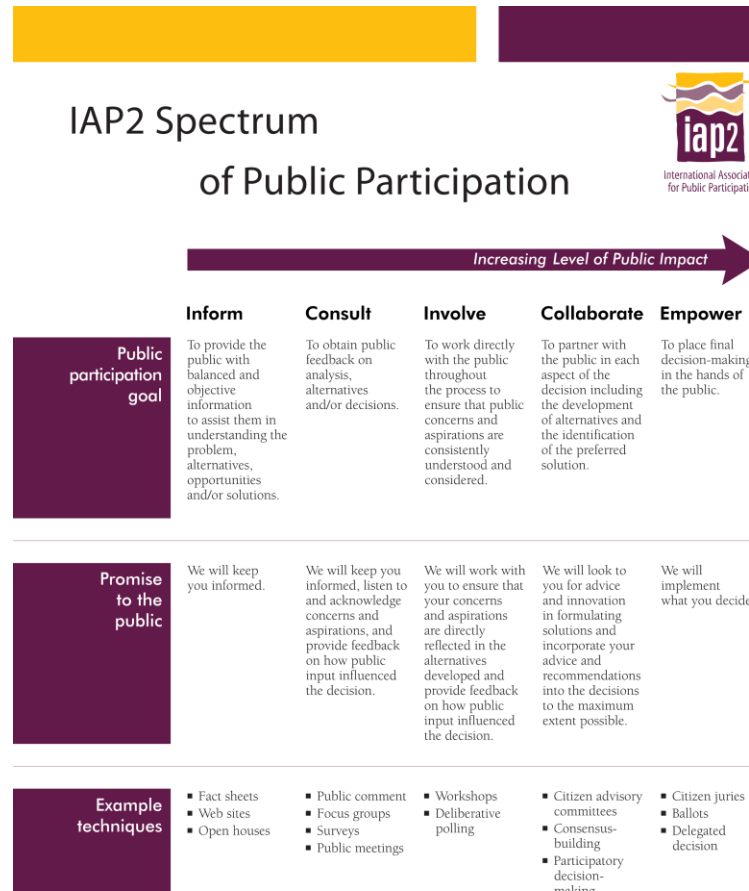
- TAKE PARTICIPATORY PROCESSES AND THEIR OUTCOMES SERIOUSLY:  
COMMITMENT
- MOTIVATION TO PARTICIPATE

# THE 'PARTECIPATION LADDER'



Fonte: elaborazione propria da International Association of Public Participation (IAP2)  
R. Lewanski - Tuscany Regional Law no.

# The Spectrum of PP



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# THE 'PARTICIPATION LADDER' (IAP2)

|           | THE GOAL  | THE PROMISE  |
|-----------|---|--|
| INFORM    | Provide info (balanced?)<br>for better understanding  | We keep you informed   |
| CONSULT   | Obtain info and feedback<br><b>from</b> citizens  | ... and we will listen   |
| INVOLVE   | Work <b>with</b> citizens; opinions<br>and advice are considered  | Your opinion will be<br>taken into consideration<br>(without commitment)             |
| COOPERATE | Joint partnership: identify<br>options and choose solutions<br><b>together</b> (potere rimane nelle<br>mani dei decisori formali) | We need your advice<br>commit to include it into<br>decisions as much as<br>possible |
| EMPOWER   | Citizens<br>decide/ <b>empowerment</b>  | We will implement your<br>choices  |

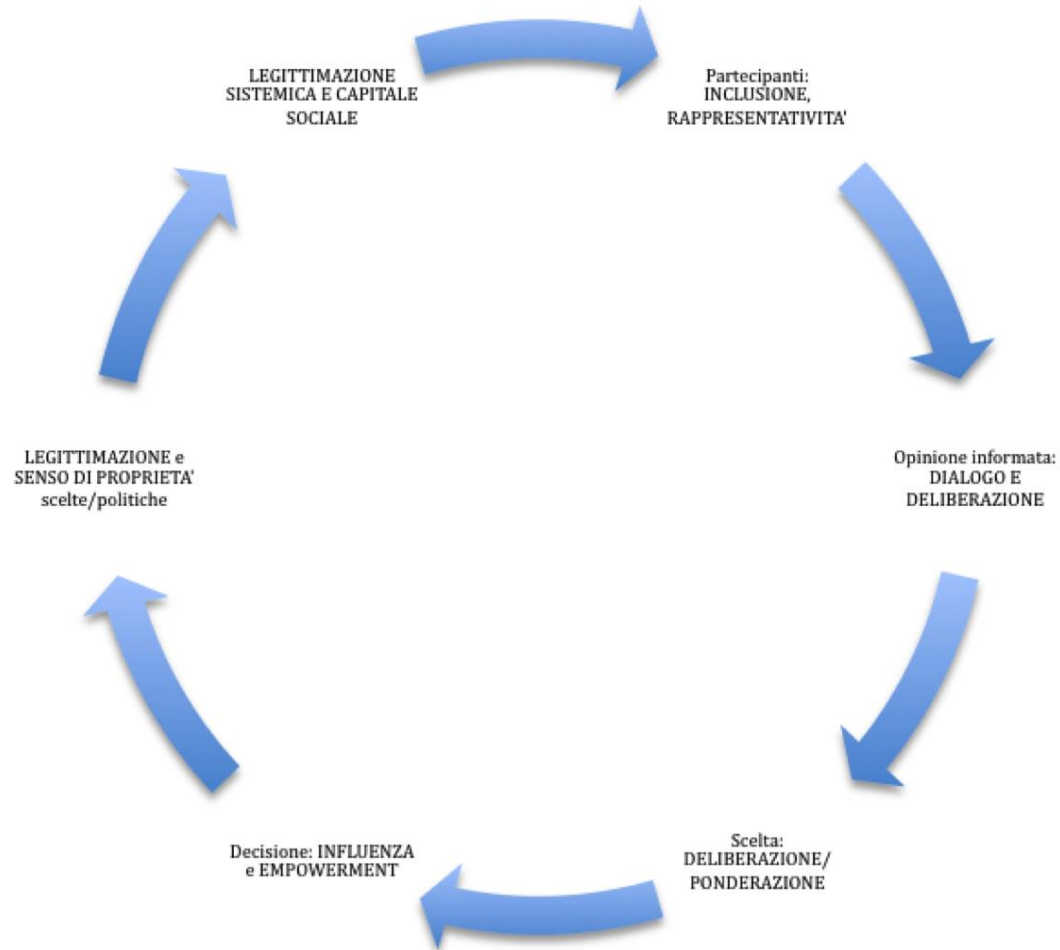


## DD: (CLAIMED) BENEFITS

- INCREASE SOCIAL CAPITAL, BETTER AND MORE RESPONSIBLE CITIZENS
- BETTER AND MORE STABLE DECISIONS ...
- ...INCORPORATING AND BRIDGING KNOWLEDGE AND PREFERENCES
- INCREASE TRANSPARENCY AND ABATE CORRUPTION
- PRO-ACTIVE MANAGEMENT OF CONFLICTS
- INCREASE LEGITIMATION -ESSENTIAL FOR ANY POLITY-, EFFECTIVENESS AND RESPONSIVENESS OF THE POLITICAL SYSTEM



# THE VIRTUOUS CIRCLE OF DELIBERATIVE DEMOCRACY





# BEWARE...

- Resources: costs, time
- Ideal difficult to achieve in practice
- Passive citizens, with other priorities
- Risks of manipulation
  
- **Must be tested empirically and its added value demonstrated!**





# Contacts and information

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- website:  
[www.consiglio.regione.toscana.it/partecipazione](http://www.consiglio.regione.toscana.it/partecipazione) (sorry: in Italian...)



AUTORITÀ REGIONALE  
PER LA PARTECIPAZIONE  
DELLA TOSCANA