Introduction

The purpose of the following text is to draw attention to some of the issues relating to the practicalities of participative democracy as a major theme under discussion in relation to the new European Constitution (notably Article 46). The matter is to be the subject of a conference (8-9 March 2004) involving the European Economic and Social Committee (EESC). A conference of European civil society is to also be held in Spring 2004 in Rome with the theme: "The European Civil Society - role in the Constitution process of the EU" Other relevant initiatives include:

- The EESC has held a series of "Information and Dialogue Meetings with Civil Society Organisations and Networks" in relation to the European convention process. A Civil Society Contact Group has been created with the intention of developing a structured relationship with the Praesidium of the Convention.
- An EESC conference was recently held on "Contribution of Organised Civil Society to the Lisbon Process - for a more participatory Union" (October 2003) at which "practical proposals" were presented "to get the Lisbon strategy back on track in time for the 2004 Spring Summit".

Many of the issues debated are also relevant in relation to the UN Secretary-General's High Level Panel of Eminent Persons on Civil Society and UN Relationships whose main task is to produce a set of practical recommendations for the Secretary General in April 2004 on how the UN's relationship with civil society, as well as with private sector and parliaments, could be improved (see the Terms of Reference).

Core questions

The matters under discussion have been of concern, in different ways, for many decades. They might be usefully summarized under three categories:

- **Attitudinal**: The relationship between intergovernmental institutions and civil society bodies (NGOs, etc) is faced with several fundamental attitudinal problems that date from past practice:

  - *For civil society bodies*: Problem of official dismay at the efforts by civil society bodies to seek to intervene in governmental processes. This "dismay" can take a variety of forms summarized by a perception of dismissive arrogance and a practice of avoidance of interaction with civil society bodies wherever possible.

  - *For intergovernmental bodies and delegates*: Problem of the bewildering variety of civil society bodies, whose representativity can be readily challenged but whose representatives may be irritatingly persistent in their lobbying activity.

- **Cultural issues**: Steps taken to improve participative democracy and consultative relationships may not effectively take into account the various political cultures of the delegates, official or civil society bodies. These may undermine the effectiveness of the relationship in unpredictably ways.

- **Technophobia**: The traditional technophobia of intergovernmental institutions is unfortunately matched by a quality of enthusiasm for internet technology that fails to take account of the legitimate concerns of the many civil society bodies who favour face-to-face dialogue.
In assessing future initiatives, the emphasis in this note is on the merit of participative democracy and relationship with civil society bodies:

- **Number of civil society bodies**: Key intergovernmental institutions are now faced with literally thousands of civil society bodies seeking to interact with them in some way. This can be handled as a purely administrative problem of registering their presence and interest. Any question of providing for substantive interaction with either a single official or with an intergovernmental session becomes highly problematic. It can be only be handled by a high order of selectivity or use of "briefing sessions". These completely undermine any sense of "participative democracy", especially when there are legitimate security concerns.

- **Number of issues meriting debate**: The number and variety of issues that fall within the mandate of intergovernmental bodies continues to increase dramatically. It is increasingly problematic to ensure that these can be handled by disparate intergovernmental sub-groups in relation to concerned civil society bodies, especially when all concerned are overburdened and face scheduling conflicts.

- **Number of documents**: The issue of information overload is common to both intergovernmental delegates and to civil society bodies.

- **Time pressure**: All concerned are increasingly faced with severe time constraints. This situation is rendered even more challenging because some of the issues that need to be handled are themselves urgent, possibly to the point of disrupting any possible discussion of secondary concerns that are considered vital by some constituencies.

- **Qualitative**: The problems associated with the two clusters of points above impact directly on perceptions of the quality of participative democracy and any "consultative relationship". They have direct consequences for an increasing sense of political apathy and democratic deficit. These trends encourage the search for more radical (and occasionally violent) approaches that further diminish the quality of the interaction. Areas of concern include:

  - **Quality of dialogue**: The quantitative constraints severely undermine the quality of any possible dialogue which may be forced into a a form of unilateral declaration unresponsive to any alternative perspective.

  - **Quality of knowledge management**: The mass of information and the range of concerned bodies calls for maximal use of the best skills in the merging disciplines of knowledge management and the technologies that support them. The major administrative challenge of ensuring distributing documents currently precludes effective use of such tools to match relevant parties in the light of relevant information.

  - **Quality of insight**: The complexity of the challenges of modern society calls for processes to ensure the emergence of higher quality insights -- new modes of thinking -- in order to meet these challenges successfully. The above challenges tend to minimize the chance that such new thinking will emerge -- and focus on patterns of thought that tend to have been the basis for inadequate solutions to problems that continue to remain unsolved. It is precisely the quality of these patterns of thought that leads to widespread perception of the ineffectiveness of international institutions -- and discourages involvement of bodies that endeavour to respond to these challenges.

In the discussion below, the emphasis is placed on more effective use of information technology (including internet and web) to respond to the challenges of the interface between intergovernmental and civil society bodies in the light of the attitudinal, quantitative and qualitative challenges above. It is significant that references to the use of internet and web technology in the discussion relating to participative democracy tend to reflect the traditional technophobia of intergovernmental institutions rather than the creative enthusiasm of civil society bodies that have been much empowered by it.

**Practical approaches to participative democracy**

In assessing future initiatives, the emphasis in this note is on the merit of making an effective distinction between:

- **Verbal presentations and declarations (on the part of all governmental and nongovernmental sectors) supportive of participative democracy**: There is a long tradition (notably in relation to UN bodies) of extolling the merits of some manner of involvement of "civil society" and "social partners" in the processes of governance. The focus in practice tends to be on articulations by representatives of intergovernmental bodies suitable for media presentation -- in search of support from civil society bodies in the promotion of established intergovernmental programme priorities.

- **Development of procedures for consultation of representative social actors by representatives of intergovernmental bodies**: Again there is a long tradition of what is termed "consultation" of civil society bodies. The term may be used ambiguously to define the right of civil society bodies to "consult" intergovernmental bodies, rather than the right of civil society bodies to be consulted. Such consultation may be articulated through forums of civil society bodies (raising the question as to the participative involvement of any such bodies which perceive themselves to be poorly represented by such forums, whether they are members or not). This consultation may take any of the following forms:

  - **Postal consultation and surveys**: In this case it is unclear what use is made of any given observation, or whether the
consultation is simply a matter of form (to claim that such consultation had been made). Questions may be carefully selected to preclude raising controversial issues of importance to some civil society bodies

- **Collective briefings involving question and answer**: In this form a representative of an intergovernmental body will brief any from 20-500 civil society representatives on future programmes and invite questions and comments. This form is problematic because of the perceived selectivity of any invitation list and the simply mathematics of question/answer time if more than a few civil society bodies seek to comment. Again it is totally unclear whether any account is taken in practice of comments made - especially when the session is not recorded and no accessible report is made.

- **Invitation to expert group sessions, including requests to make presentations to them**: This form is welcomed by those civil society bodies that are perceived as more acceptable to intergovernmental perspectives. It tends to be perceived as problematic and non-participative if the involvement of some civil society bodies is minimized (selective invitations, minimal time to intervene, absence of government delegates when they do, etc)

- **Invitation of submissions (including contracted reports) from civil society on proposals by intergovernmental bodies**: This form may be welcomed by those civil society bodies so invited. It becomes problematic when such requests are perceived as a device to be able to claim effective participation of civil society bodies when the intention is merely to ignore points made in the submissions if they do not support the intergovernmental position, or cannot be answered effectively.

- **Presence of civil society representatives in policy-making meetings**: This may take several forms (and again the "representative" may be required to be that of a forum of civil society bodies to restrict numbers):
  - **As corridor lobbyists**: Participation may be restricted to the right to interact with intergovernmental delegates outside meeting rooms
  - **As observers**: In this form, civil society bodies are present in the intergovernmental meeting room, possibly with very restricted right to intervene.
  - **As invited presenters**: Presenters may have the right to speak under precisely defined rules, possibly to present a written declaration or submission
  - **As full participants**: This is the format pioneered by the tripartite organization of the ILO, but restricted to a highly select group of civil society bodies.

- **Partnership arrangements in the implementation of projects**: These are usually articulated through contractual arrangements. Criticism of such arrangement by both intergovernmental and civil society bodies include issues of high costs of participating in such processes (especially if contracts funds are not obtained, or are delayed), biases and non-transparency in the bid/evaluation process, long-term sustainability of projects, etc.

The general point to be made with regard to many of the above options is their failure to address the loss of credibility of non-transparent institutional arrangements - however participative they are made to appear. This reinforces tendencies towards apathy - even amongst the well-informed.

The EESC Conference queried whether the Lisbon Strategy for a participatory Union was effectively a priority for the elites "offering little for the ordinary citizen". Briefly stated, the problem for all parties is the extent to which "participative democracy", or "proximity democracy", is an exercise in a form of tokenism with which many civil society bodies are already very familiar - or whether it will be perceived as such, even though efforts are made to ensure an enhanced degree of participation.

**Electronic variants and developments of the above options**

With the development of internet and related technologies, many of the above options can be expanded -- whether in a loose manner or in a highly regulated one. Such developments:

- can benefit rapidly from internet technology already in place
- allow for continuing exploration of more cost-effective and participative modes of communication
- can build on considerable experience with such possibilities within civil society networks (many owe their recent international success in a constrained resource environment to competent and innovative use of internet technology)
- allow very specific and practical meaning to be given, through electronic protocols, to the range of forms of communication (surveys, consultation, information, media, etc), project elaboration and project implementation.

*Relatively limited attention has been given to the cost-effective potential of this electronic option in considering the practical options for increased participative democracy.* For example there is no trace of the exercise: *Collective Learning Online: a report on the Information Society and Governance Project.* (sponsored by the European Commission's Forward Studies Unit and the Institute for Prospective Technological Studies,1998). It is unclear what impact the 3rd European Conference on e-Government (Dublin, July 2003) has on participative democracy issues. Emphasis has however been placed on the e-governance theme by the initiative of the Barcelona European Council that drew up an Action Plan for eEurope 2005.

The latter focused notably on e-government and e-learning services - presumably integral to a more participative democracy in a learning society. But conversely, that Action Plan restricts its concern with e-government to "connecting public administrations" and "providing interactive public services" - **without any reference to participative democracy**. Why there is such a degree of absence of cross-fertilization of European intergovernmental policy priorities in relation to participative democracy? This deserves close attention in the light of the 1998 Aarhus Convention on *Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters*
Review of the March 2004 Conference agenda

(in the light of the above distinctions)

Session I: The European Constitution and participative democracy in the new Europe: This session is designed to respond to the question of whether a civil dialogue already exists and whether it corresponds to the needs of a new Europe.

In the light of the above criteria, it may be said that such a dialogue does indeed exist. However it is a dialogue that has taken a minimalist form that is readily perceived as being a non-dialogue and a means of claiming that dialogue takes place when it does not -- according to the criteria of some of the potential participants.

Session II: Towards a European civil dialogue: Here the initial focus is on the "institutionalisation of lobbying" as the key to effective civil society participation. This might easily be described as a simplistic and impractical reframing of existing practice -- without exploring the "informatisation of participative democracy processes" appropriate to its implementation. Emphasis cannot be sufficiently strongly made to the problematic mathematics of participation: Thousands of "civil society" lobbyists facing understaffed and overloaded "civil servants" -- whose prime motivation must necessarily be to reduce the time devoted to any "participative" interaction and the workload that it might engender.

An appropriate metaphor describing the challenge is the problem for increasing numbers of piglets in interacting fruitfully with their mother pig - who has only a very restricted number of teats, encouraging a feeding frenzy. The problematic suggestion that some piglets should overcome this difficulty by using the teats of those privileged ("representative") piglets with direct access to the mother is central to the perception of public apathy.

A second emphasis is on the criteria by which civil society actors can claim to be adequately representative of the general interest. The manner in which such selectivity can be manipulated to exclude those that can be successfully labelled "unrepresentative" (whilst devising backdoor methods for including those whose insights are valued as supportive) has long been explored. This selectivity leads immediately to the dissatisfaction of those who perceive their interests to be poorly represented. This emphasis addresses the practical quantitative issue by a political subterfuge -- without seeking to benefit from communication technologies that might reframe the challenge more meaningfully for the benefit of all.

A third emphasis raises the possibility of applying learnings from the European social dialogue (eg trade unions and employers) to the European civil dialogue. This raises the question as to whether the social dialogue itself is to be deemed appropriate to the challenge.

Session III: Participative democracy: for a new partnership between all the actors of European governance: The first challenge here is to find a way to avoid alienating the privileged social actors (trade unions and employers) in the pursuit of participative democracy. The term "complementary" is put forward - but without any articulation of the practical steps that would make such complementarity credible.

The second emphasis is on the role of such social actors in civil dialogue where acquired their privileges would be to some degree undermined.

The third emphasis is on the role of intergovernmental bodies, and their new responsibilities, in any civil dialogue

Structure of European events: It is a reflection of the nature of the challenge of participative democracy that the structure of events promoting it -- and the manner of selecting, organizing and involving participants -- in many ways anticipates the kind of outcomes expected.

As might be expected, the "principal" European organizations and networks of civil society are to be consulted and invited to formulate propositions for the conference and those who are to represent them. Is there no sense that the popular apathy that Article 46 is designed to address derives directly from negative perceptions about the non-participative nature of such processes, however much they can be presented as democratic (as with "democratically" elected governments that represent their electorates).

In the light of current thinking, to be practical the event has to involve a degree of selectivity and traditional organization that precludes the kinds of possibilities already evident in other areas. **Why, it might be asked, have the opportunities of electronic technology not been used to overcome the challenges to organizing such an important event by conventional means? Why have they not even been considered not that such technology is becoming available in every office and increasingly in every home?**

Practical considerations for a participative democracy

**Each of the following constraints can be bypassed by available internet technologies or developments that have already been envisaged and tested:**

**Physical architecture:** Few intergovernmental meeting rooms are designed to permit an increased number of participants -- on whatever equality of footing. Already the EU will be greatly challenged in this respect in the case of the new member countries. The only way in which civil society representatives can be included physically is therefore by severely reducing the number allowed into the physical environment. This may indeed be done by requiring that civil society bodies nominate a representative through some collective forum. This may appear to solve the problem in the short term. It will however only make more evident how inadequate is the capacity of such representation in practice.

**Organizing representative bodies:** As implied above, the social architecture of hierarchical civil society bodies, that may be organized
(in an "organized civil society") to "represent" their civil society members, points to a fundamental challenge in a world of social networks. Few autonomous civil society bodies have a desire to be represented by others, especially if the representative has at the same time also to represent bodies holding divergent positions. An intergovernmental body may indeed hope to simplify its own challenges of representative democracy by expecting that conflicting views are settled within the context of external civil society forums. But clearly the frustration of bodies poorly represented will quickly become evident. This will only aggravate the tendency for marginalized bodies to seek out direct interaction with government representatives sympathetic to their views - undermining the coherence of participative democracy through non-democratic processes that already exist.

**Quantity of information:** Considerable qualities of information are associated with the representation of democratic views in an increasingly technical society. Present practice involves the physical transfer of bulky documents under conditions that are increasingly impractical for those who receive them. The process is also expensive for those who generate them and for those who have to store them. This strongly suggests the merit of electronic documentation - which intergovernmental bodies have extensively explored - and on which civil society bodies have long been dependent.

**Knowledge organization:** A principal issue in relation to the quantity of information is its organization to facilitate access to the right knowledge at the right time - appropriately set within an inter-disciplinary and inter-sectoral framework. This is increasingly impractical in conventional processes and in those currently envisaged to replace them. There are many approaches to this problem in an electronic environment that could be usefully explored. The alternative would seem to be to use lack of access to appropriate information as the excuse for inadequate policy-making. This would seem to be as unacceptable as pleas of ignorance of legal constraints.

**Dissemination:** The range of bodies involved in policy-making is large and may well be unknown to any one body - justifiably ignorant of the interests of some other body. The costs of dissemination of paper documents are very high - at a time when electronic dissemination offers ways of ensuring access to a wide audience without constraints on print runs, etc.

**Language:** In a democratic society that may involve a minimum of 25 language groups, and in which key people may have only a limited command of the languages of the people they have been appointed to represent, there is every argument to benefit from other technologies to ensure that a heightened level of alternative communication can compensate for such deficiencies - rather than have them aggravate the democratic deficit.

**Psycho-social communication issues:** There are major issues in communication processes - especially in a democratic society. Some people have greater strengths in face-to-face communication, speaking to an audience, or corridor lobbying - others have greater strengths in written communication (whether print-based or electronic). All such strengths may be conditional on skill in particular languages - and may involve cultural preferences, and to the possibility that some are physically, socially or mentally handicapped in processing communications. Greater sensitivity to these issues is required in addressing issues of participative democracy. Many of these have been more explicitly addressed in electronic environments.

**Time constraints:** Participative democracy is subject to enormous time constraints - as is evident in the case of the selectivity and prioritising with which items are included on agendas for debate and decision. It might be argued that it is completely unacceptable that such time constraints are used to abusively marginalize issues of interest to smaller constituencies in a democracy - whilst continuing to plead that decision-making is democratically participative.

**Geographical constraints:** Intergovernmental bodies are increasingly required to act in terms of the interests of peoples spread geographically distant countries. It is unacceptable that such distances are used abusively to minimize the representation of interested parties in debates - as is the case when participative democracy is dependent on the ability to participate physical in meetings, whatever the costs of transportation, accommodation, etc. Electronic communication has long been demonstrated to bypass this problem.

**Metaphoric impoverishment:** Policy options are articulated, debated, and presented by the media for support, through the use of metaphors ("baskets", "pillars", "shields", etc). A key question is whether current proposals for participative democracy will engender richer metaphors capable of sustaining new kinds of policy that are more responsive and comprehensive to the needs of the population - and more capable of engendering new modes of imaginative social organization. The intimate relationship between appropriate governance and its supportive metaphors needs to be more effectively integrated into information in support of policy articulation and presentation.

**Focus and coherence of policy options:** The above points raise concerns about how appropriate knowledge and best practice is gathered, ordered, prioritised for relevance, subject to comment, and made accessible to those most in need of it and best capable of acting on it. Current discussion of participative democracy would appear to have ignored those technologies that address these issues directly - in favour of past patterns of organization that have contributed directly to a perception of democratic deficit.

**Imaginative communication:** The key phenomenon that has provoked the pursuit of participative democracy is the increasing level of apathy amongst the population with regard to political processes and their unimaginative outcomes. This is most evident in the contrast between the uni-media, un-interactive presentations of policy options - in a context in which many have access, in their homes or cafes, to sophisticated multi-media facilities. One EESC Conference conclusion stressed that the Lisbon strategy "needs to catch the popular imagination".

The possibilities of presenting policy challenges and options with such technologies have not been effectively considered in relation to issues of participative democracy. They notably offer the possibility of bypassing language constraints and the widespread challenge of functional illiteracy.

As an example, the online databases of the Union of International Associations (covering over 40,000 civil society bodies, 30,000 world problems, and 40,000 strategies) can be explored around the world using interactive visualization tools - integrated with tools used to enhance policy meetings (see access). Development of such facilities was funded by the European Commission from 1997-2000.
This data also appears in book form in the *Yearbook of International Organizations: Guide to global civil society networks* and in the *Encyclopedia of World Problems and Human Potential*.

NB: There are many relevant studies pointing to the merits of employing electronic methods to a much higher degree in support of both participative democracy and more effective policy-making. The author was the evaluation team coordinator for the UNESCO *Evaluation of the Cooperation between UNESCO and Non-Governmental Organizations* (1995). Other references are indicated in the following.

## References

Anthony Judge:

- Coherent Policy-making Beyond the Information Barrier: Circumventing dependence on access, classification, penetration, dissemination, property, surveillance, interpretation, disinformation, and credibility. 1999 [text]
- The Challenge of Cyber-Parliaments and Statutory Virtual Assemblies. 1998 [text]
- Future Operation of International Organizations within an Electronic Environment: framework for reflection on intra- and inter-organizational issues of relevance to both intergovernmental organizations and NGOs. Brussels, 1996 [text]
- Statement by the Union of International Associations on Secretary-General's Report on NGOs. 1999 [text] (in response to "Arrangements and practices for the interaction of NGOs in all activities of the UN System", A/53/170, 10 July 1998
- Enhancing Sustainable Development Strategies through Avoidance of Military Metaphors. 1998 [text]
- Enhancing the Quality of Email Dialogue using Artificial Intelligence. 2001 [text]
- Knowledge Gardening through Music: patterns of coherence for future African management as an alternative to Project Logic. 2000 [text]
- Enhancing the Quality of Knowing through Integration of East-West metaphors. 2000 [text]
- Undermining Open Civil Society: Reinforcing unsustainable restrictive initiatives. 1999 [text]
- Interacting Fruitfully with Un-Civil Society: the dilemma for non-civil society organizations. 1996 [text]
- NGOs and Civil Society: Realities and Distortions. 1994 [text]
- Policy Options for Civil Society through Complementary Contrasts. 1994 [text]
- Problems Hindering Action of International Nongovernmental Organizations. 1980 [text]
- Principles of Transnational Action: an attempt at a set of guidelines. 1973 [text]
- Mapping World Problems: illustrated by the case of IGOs and NGOs. 1972 [text]
- Metaphor as a Language for Global Governance. 1993 [text]
- International Organizations and the Generation of the Will to Change. 1970 [text]

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