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Laurie Boussaguet and Renaud Dehousse

Lay people's Europe: A Critical Assessment of the First EU Citizen's Conferences

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Lay people's Europe: A Critical Assessment of the First EU Citizens' Conferences

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Laurie Boussaguet – Sciences Po – laurie.boussaguet@sciences-po.org

Renaud Dehousse – Sciences Po – renaud.dehousse@sciences-po.fr

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Abstract

Citizens' conferences attempt to include citizens in the decisional and political process. Created to foster deliberation and public debate on disputed issues, they place ordinary citizens in the spotlight and ask them to express their views, after having debated the issues with specialists. Whereas the conferences conducted in a domestic context have been well analyzed, little attention has been given so far to the first attempts to replicate the experience at the European level, and to the specific problems that may be encountered in so doing. Two main reasons have prompted the EU to pay interest to this participatory mechanism: functional reasons (the need to take position on a socio-technological controversy whose stakes are controversial) and political legitimacy (the absence of a strong democratic legitimacy at the EU level). Based on an analysis of the first two experiments organized in the EU, devoted to "the city of tomorrow" and to brain sciences respectively, this article argues that achieving such citizen deliberation is not without problems. In many respects, these problems point to the difficulty entailed in the creation of a European public space: the elusive quest for a "European people"; the question of representation according to the size of the countries; the issue of languages. At the same time, the main potential of this instrument may lie in its cognitive impact, since the interpretations and knowledge surrounding the issues which are debate may influence both the agenda-setting and the decision-making process.

Keywords: participation, deliberative democracy, policy analysis, European public sphere

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1 Introduction¹

Much of the literature on new modes of governance in the EU stresses the importance attached to their participatory nature. 'Inclusiveness' is a defining characteristic of the new generation of policy instruments: the actors concerned by a policy decision participate in its elaboration and possibly in its implementation (see e.g. Heritier, 2002). While this trend can be discerned in all democratic systems, it is of particular relevance for the European Union, which is seen as particularly weak in terms either of parliamentary representation or of political accountability (Smismans, 2006). The European institutions themselves have stressed the importance of participation, by which they generally refer to the involvement of 'stakeholders' or 'civil society organizations' (see e.g. Commission 2001). As the EU has gradually invested the area of risk regulation, in which the scientific and technological components of policy choices is prominent, they have paid ever greater attention to the wide range of techniques developed in technology assessment as the faith in the positive effects of scientific and technological developments started to decline (Joss and Bellucci, 2002; Abels, 2007).

Most of these techniques however assume a degree of self-organization on the side of the participants, who must elect to define themselves as stakeholders, organize themselves to protect their interests, and often struggle to secure a degree of recognition. Our interest in this article is for another kind of instrument of 'participatory technology assessment' (PTA), in which the key actors are lay people. By lay people, we refer to ordinary citizen, who may express him or herself in the public arena and participate in debates and socio-technical decision-making, side-by-side with academics, specialists, and experts, despite the fact that they do not enjoy specific expertise in the area at issue.

The interest for dialogue with lay people is conceived as a way to counterbalance the elitist character of representative democracy. This type of participation may take place in different ways. First, it may occur in the form of *vocal participation* where lay people seek to mobilize various forms of support, including public opinion, to make their voices heard by political powers. To this end, they turn to unconventional political participation (petitions, boycotts, street protests etc.). A second method of participation consists of *organized participation with experts*, where the lay people establish contacts with professionals or experts. In such "hybrid forums" (Callon, Lascoumes and Barthes, 2001), both contributions coexist, support each other, mutually enrich each other and seek to express themselves via the traditional channels of lobbying and campaigning. The third and final possibility is the *participation that is solicited, even institutionalized, by the public authorities*. In this case, it is the political authorities who choose to consult them and, through this,

¹ Centre for European Studies, Sciences Po, Paris. Translated by Juliana Galan. Earlier versions of this article were presented at the first meeting of French Europeanists (AFSP, Bordeaux, April 2006), at the CONNEX conference on "European Risk Governance : its Science, its Inclusiveness and its Effectiveness" (Maastricht, June 2007) and at the Meeting of Minds workshop on "The Challenges of Public Deliberation at a Transnational Level" (Brussels, July 2007). The authors thank participants in these meetings for their comments.

recognize and legitimize their participation. Several measures have been envisaged by the legislator and/or empirically adopted to further this type of participation, such as public surveys, the creation of a national commission for public debate in France, the implementation of citizen consultation committees, the organization of public hearings, or the summoning of citizen juries (Banthien, Jaspers and Renner, 2003).

Consensus conferences, or citizens' conferences (CCs) as they are also called, generally belong to this third category and thus may be added to the long list of measures conceived by the political authorities to attempt to include citizens in the decisional and political process. Created to foster deliberation and public debate on disputed issues, they place ordinary citizens in the spotlight and ask them to express their views, after having debated the issues with specialists. Whereas the conferences conducted in a domestic context have been analyzed (see e.g. Joss and Durant 1995; Bourg and Boy, 2005), little attention has been given so far to the first attempts to replicate the experience at the European level, and to the specific problems that may be encountered in so doing. In the first part of this article, we will examine the reasons that have led to the development of citizens' conferences and the way they are generally organized (section 2). The second part will be devoted to the reasons that have prompted the EU to pay interest to this participatory mechanism (section 3) and to the structure of the first EU citizens' conferences (section 4). Finally, we will discuss some of the problems that have arisen in the framework of these transnational deliberation processes (section 5).

2 Citizens' conferences (CCs) as an instrument of participatory democracy

The idea of citizens' conferences first appeared in the medical field of the United States in the late 1970s to help define reference practices for doctors. The concept as we know it today took its particular form and meaning in the field of public decision-making from a Danish experiment in 1987. Launched by the Danish committee for technology, the idea of citizens' conferences was designed to aid in resolving the problem of genetic technologies in agriculture and industry. It was then that laymen/laywomen were first invited to discuss major issues with the experts. The Danish Board of Technology defined the experimental concept as follows: "a consensus conference may be described as a public enquiry at the centre of which is a group of 10-16 citizens who are charged with the assessment of a socially controversial topic of science and technology. These lay people put their questions and concerns to a panel of experts, assess the experts' answers, and then negotiate among themselves. The result is a consensus statement which is made public in the form of a written report at the end of the conference" (Joss and Durant, 1995: 9).

Since that time, the same experiment has been repeated in Europe and in the United States. More than one hundred such consensus conferences have taken place, most often centered around topics related to medical and biotechnological issues ("national consensus conferences on plant biotechnology" in the United Kingdom; "Bürgerkonferenz Streitfall Gendiagnostik" in Germany; "citizens' conferences on genetically modified food" in Denmark; "genetic testing" in the Netherlands; or the "conférence sur les OGM et les plantes transgéniques" in France). Other issues have

also been addressed; for example, a conference was held in Denmark on the topic of transportation and traffic in the city of Copenhagen, and Norway has held a similar event on the relationship between the elderly and communication and information technologies. In the context of the Aarhus Convention (June 1998) which encourages “access to information, public participation in decision-making and access to justice in environmental matters”, the citizens conferences were conceived as a tool for public debate that would put the principle of participation into practice. The objectives were twofold: to give citizens a say in public policy choices and to clarify the decisions made by the elite.

In the PTA literature, several arguments are proposed in an attempt to justify this resort to “participatory democracy”, incarnated by the CCs. First, there is a *democracy argument*: faced with the crisis in representative democracy, the development of a public debate is seen as a way to enhance the participatory dimension of democracy (Barber, 1984; Fox, 1999; Roussopoulos and Benello, 2005). Citizens’ direct involvement in the decision-making process is encouraged to counterbalance the lack of transparency and public discussion that is said to characterize the ‘ordinary’ political process. The citizens’ conferences are perceived as a way to facilitate the exercise of public reason by reintroducing transparency and deliberation in the decision-making process. The principles upon which these conferences rest – which will be described in the following section – aim to ensure democratic deliberation. In particular, they make an effort to avoid any “pollution” of the debate by partisan considerations, while ensuring a balance between the different opinions. This is facilitated by the fact that the participants in those processes will not be in charge of implementing the solutions they propose, which is perceived as a guarantee of neutrality. The absence of any direct stake in the question at issue is indeed one of the criteria used during the selection process, in order to ensure their impartiality, thereby facilitating the emergence of a common interest. At the same time, however, the exchange of opinions that would precede any decisions taken is perceived not as a substitute for representation, but rather as a useful complement to it.

Second comes a *functional argument*: in an increasingly burdened scientific and technological context, controversies extend beyond the scientific field and require that the societal impacts (on the society or the environment, for example) of specific decisions are considered. Such impacts being generally uncertain, the citizens’ conferences seem to represent an innovative way to determine the general interest on the basis of preliminary scientific information. This helps to explain why such conferences flourished in the domain of socio-technological controversies centered on such issues as genetically modified foods, gene therapy, foodstuffs regulation, nuclear issues or neuroscience.

Proximity is a third argument used to justify the resort to this type of experiment. Citizens’ conferences have been often organized to debate such territorial problems as the installation of high-voltage lines in a village, the burying of nuclear waste, or the development of city transportation. In these cases, we are dealing with local issues which, in contrast to the national issues previously mentioned, can be influenced by what has been termed “interested knowledge” (Bourg and Boy, 2005; Boy, Donnet Kamel and Roqueplo, 2000): the people implicated in this process are

generally directly affected by the problem that has been raised, which may alter the quality of deliberation and the conference results.

Finally, an *educational* argument is also frequently used. Participatory procedures are often perceived as an instrument capable of educating citizens: they allow them to become more aware of potential threats to their standards of living and associate the population with the correction of individual behavior (in particular for that which may harm the environment and put the well-being of future generations at risk).

It is interesting to note that when participatory democracy has become fashionable, the conceptors of some techniques have felt it useful to trademark them in order to avoid any misuse thereof (Boucher, 2005). Thus, James Fishkin from Stanford University, who conceived another participatory tool, known as the deliberative poll, has registered it. Similarly, *America Speaks*, a non-profit organization that promotes citizen involvement in public policy decisions, has developed and registered a method named the "21st Century Town Meeting". It was used *inter alia* to consult 4 500 citizens from New York City and the region on what was to be done with the Ground Zero site following the September 11 terrorist attacks.² Despite this attempt of normalization, there remain variants in the organization of citizens' conferences. However, a number of recurrent organizational aspects can be discerned in the experiences conducted so far³.

The conferences are organized over a period from between 6 to 8 months, based on a public or private initiative taken by a *sponsor* – generally the authority holding decision-making powers in a specific area, which will delineate the objective of the conference and designate, in part, the *steering committee*, which is then integrated into the executive body of the conference. Composed of specialists in the subject at issue, this committee must fulfill two essential tasks: the recruitment of laymen/laywomen and the selection of instructors.

Three criteria determine the selection of the *panel of instructors*, who are responsible for the preliminary training of participating amateurs: the pedagogical quality of its members, their competence in the pertinent field, and the extent of their involvement in the issues to be discussed (which is measured by a study of their convictions and declarations of interest). One of the major contributions of the citizens' conferences lies in the belief that knowledge is an essential prerequisite for the debate: the objective of the preliminary training is thus to partially reconstruct a balance of information by endowing amateurs with enough knowledge to allow them to "question" the beliefs of the experts. At the conclusion of the training session (which usually extends over a period of two weekends), amateurs are aware of having gained enough knowledge to be able to formulate new questions – other than those that society has asked spontaneously concerning the technical objective analyzed – and to enter into a constructive dialogue with the experts.

² For more details on this technique, see <http://www.americaspeaks.org/> (accessed on 30 June 2008).

³ The method to be followed in consensus conferences is described in a leaflet written by the King Baudouin Foundation, Participatory Method Toolkit. A practitioner's manual. Consensus Conference, September 2005: http://www.kbs-frb.be/uploadedFiles/KBS-FRB/Files/EN/PUB_1540_Toolkit_4_ConsensusConference.pdf (accessed on 30 June 2008).

As for the *lay participants*, they may be recruited in various ways: although the “call for applications” procedure had been privileged during the first citizens’ conferences, it rapidly appeared that it has an elitist bias. Now recourse is frequently had to a professional polling organization for the selection of the panel of laymen/laywomen. Although a representative cross-section of the entire population is generally out of reach, as this would require the recruitment of large numbers of people, the larger socio-demographic features of the population as a whole may be represented by defining diversification criteria (age, sex, cultural level, profession, residence). Added to this initial selection is a brief questionnaire focused on attitudes, so as to ensure that the ideological balances of the panel (political and religious beliefs, attitudes towards the issue of the conference, etc.) are respected: “The most important factor is that, together, the members represent a broad experience base in relation to the conference topic, so that the thoughts, expectations, concerns and questions that generally exist in the population also exist within the panel”⁴. The panel so constructed may not be a representative cross-section in a statistical sense (the individuals concerned are usually motivated and interested, which separates them from the normal profile of the average attitude), but the differences from the rest of the population remains less than it would be in a situation where self-selection is used.

This panel is assisted in its work by *facilitators*. These are qualified professionals (most often in the field of psychology or other related disciplines) who are familiar with the techniques of group moderation. Their role is indispensable in several different ways. During the first stage of training, they are responsible for helping some of the amateurs (in particular those with a weaker level of education) to ‘familiarize themselves’ with the tasks requested of them. They are also supposed to convey the ‘culture’ of the consensus conferences to the laymen/laywomen involved. Facilitators must also ensure the openness of the debates by allowing each participant to express him or herself and by controlling any potential tensions that may arise during the course of the debate, since there are often large socio-cultural differences amongst the members of the panel.

Finally the last ‘institution’ of the citizen’s conference is the *panel of experts*. Its members, generally between 15 to 25, are chosen by the participant laymen/laywomen, usually with the help of the steering committee, at the end of the second stage of training. The term “expert” takes on a broader meaning here: it may describe both the academic specialist in the subject area of the conference, as well as the individual representing the opinions of the various stakeholders (administrative, political, industrial, associated militant, etc.). The aim of the panel is to represent all of the interests and opinions present during the debate, so that all points of view may be taken into consideration during the exchange of views with the laymen/laywomen.

See Figure 1

In practice, a citizens’ conference is a long-term process which may be divided into several phases:

⁴ Description of the citizens’ panel on the website of the Danish Board of Technology: <http://www.tekno.dk/subpage.php3?article=468&topic=kategori12&language=uk> (accessed on 30 June 2008).

- Phase 1: The sponsor launches the initiative; a steering committee is formed and recruits a panel of instructors and a panel of laymen/laywomen.
- Phase 2: Two training sessions for the lay participants are organized (usually over the course of two weekends) and taught by the panel of instructors. At the end the laymen/laywomen choose the panel of experts.
- Phase 3: The conference itself takes place publicly and brings together the laymen/laywomen and the experts, who debate over the theme of the conference. The debate is usually divided into several different sessions.
- Phase 4: The laymen/laywomen deliberate in a closed-door session in order to formulate an opinion or recommendation.
- Phase 5: Their opinion is made public during a press conference.
- Phase 6: An external evaluation procedure is launched *a posteriori*, made possible in particular by video recordings taken during the training sessions and the debates.

When all is said and done, three main criteria make these conferences unique (Bourg and Boy, 2005): the contribution of knowledge (which distinguishes the conferences from opinion polls for); the closed-door deliberation, designed to avoid any potential pressures (in contrast with simple consultations); and the search for a balance at all levels: within the steering committee, the panel of instructors and amongst the experts. CCs are therefore an original approach allowing citizens to deliberate on a subject before a decision is made, in the hope of improving the quality of decisions and the legitimacy of decision-makers.

3 Why Europe is interested in a dialogue with lay people

For the European Union, the recent beginning of a dialogue with lay people is part of a two-fold evolution. On the one hand, the European institutions increasingly intervene in the field of risk regulation, in order to determine the response that is best adapted to scientific and technological challenges. On the other hand, the European institutions have been searching for ways to establish direct links with the citizens over the past fifteen years, as an attempt to respond to the recurring criticism of the lack of democracy in EU decision-making.

That Europe has been able to play an increasingly preeminent role in risk regulation should not be surprising, as this evolution is a corollary of the functionalist strategy presiding over integration since the launch of the European Coal and Steel Community. One of the key aspects of European integration has been the establishment of a large market, within which goods, services, individuals, and capital are allowed to circulate freely. Yet putting a market of continental dimensions into place does not merely presuppose the removal of barriers to free movement. Each time that fundamental interests are protected at the national level, the preservation of the acquired level of protection may only be achieved in two ways: either by tolerating the maintenance of national 'protective' legislation (as is occasionally

permitted by the Treaty of Rome⁵), or by harmonizing protection rules. The latter solution offers the advantage of avoiding any distortions in the conditions for competition. Unsurprisingly, it has long been the preferred solution of the European Commission as well as the member states with the most advanced regulation: both pushed for a massive Community in fields like environmental and consumer protection, workplace health and safety, or public health (Héritier, 1994). In other words, as Giandomenico Majone (1990) observed at a very early stage, despite the deregulatory outlook of the 1992 program launched by the Delors Commission, it contained the seeds of a re-regulation movement at the European level.

This logic led to a progressive extension of European competencies via the Single European Act as well as the Maastricht and Amsterdam treaties, and to a constant development in European legislation within the field that can be broadly defined as 'risk regulation'. This trend was accelerated by a series of crises in such areas as food safety (mad cow crisis) or marine pollution (*Prestige* and *Erika* shipwrecks). To a growing extent, Europe is thus a level towards which citizens as well as economic operators tend to turn, whenever their interests are at stake (Majone, 1996).

This gives rise to new questions, since intervention in these particular fields often implies mastering complex scientific and technological issues which often go beyond the expertise available within the European institutions. The Court of Justice established, in principal, the need to consult experts when necessary in order to ensure the fulfillment of the protection aims of Community legislation (Case C212/91, *Angelopharm GmbH c. Freie und Hansestadt Hamburg*, ECR, 1994, I-171). The Treaty of Amsterdam followed in this path by requiring the Commission to take into account 'all new evolutions based on scientific facts' when formulating its proposals in the area of health, safety, environmental and consumer protection.⁶

These requirements are based on a classic division of tasks between scientists and political leaders, the former providing the latter with the elements to make a decision based on the most up-to-date scientific knowledge. Unfortunately, reality is often more complex and the border between political decision and scientific debate is relatively porous. Science does not always produce univocal judgments: disagreements often exist at the heart of the scientific community on the magnitude of a problem or on the best way to deal with it (Godard, 1997). Political leaders may thus be criticized for rubber-stamping the opinion of selected experts. The European Commission has, for example, been brought before the Court of Justice for having pursued the recommendations of a committee of experts concerning the prohibition of a cosmetic believed to be cancerous.⁷ In other cases, the national origins of scientists bring their neutrality in doubt. Thus, in its opinion on the European Union's handling of the mad cow crisis, the investigation committee of the European Parliament painted a rather gloomy picture of the functioning of the veterinary

⁵ See for example Article 95 paragraph 4: « If, after the adoption by the Council or by the Commission of a harmonisation measure, a Member State deems it necessary to maintain national provisions on grounds of major needs referred to in Article 30, or relating to the protection of the environment or the working environment, it shall notify the Commission of these provisions as well as the grounds for maintaining them ».

⁶ Article 95 § 3.

⁷ Affair T-199/96 *Bergaderm and Goupil v Commission* [1998] ECR II-2805.

scientific committee, criticizing in particular the large number of British experts within the committee.⁸ The malfunctioning noted on this occasion thus led to a radical reform of the scientific committees established by the Commission, in order to guarantee the objectiveness and transparency of their actions⁹. Finally, even when scientific assessments seem to converge, there may be disagreement as regards non-scientific aspects of an issue. Similarly, public opinion may be reluctant to accept new technologies, even where their dangers have not been proven, as illustrated by the resistance to genetically modified foods or hormone injections in meat.

While the uncertainties often surrounding scientific evaluation may be a problem for most contemporary decision-makers, at the European level that are magnified by the fact that the European institutions have never boasted a strong political legitimacy. Without entering into a theoretical debate on this question, let us recall here that the last European elections only brought a minority of voters to the polls, and despite the increasing role played by the Parliament in the nomination of the President and members of the Commission, the voter's preferences is not directly reflected in the designation of the executive. It is thus difficult to consider a decision to be valid simply because it was taken by those validly chosen to do so. Hence, the quest for alternative sources of legitimacy, designed to overcome the weaknesses of representative democracy, is of particular relevance in a political system which finds more support in the elites than among 'ordinary citizens'.

In a context marked by the increasing responsibilities of the European Union in scientifically and technologically-oriented fields and by the decline of a "permissive consensus" on the benefits of integration, the interest of European leaders in forms of participatory democracy such as the citizen's conference is easy to understand. This has prompted the Commission's Forward Studies Unit to pay attention to these techniques even before its White Paper on Governance (Dehousse and Lebessis, 2003; De Schutter et al., 2001). However, those concerns have only found a weak echo in the White Paper, published in July 2001. Beyond generic statements in favor of greater openness, more implication for civil society and the need to ensure the integrity and pluralism of expertise, the Commission merely notes:

"Scientific and other experts play an increasingly significant role in preparing and monitoring decisions. From human and animal health to social legislation, the Institutions rely on specialist expertise to anticipate and identify the nature of the problems and uncertainties that the Union faces, to take decisions and to ensure that risks can be explained clearly and simply to the public. The advent of biotechnologies is highlighting the unprecedented moral and ethical issues thrown up by technology. This underlines the need for a wide range of disciplines and experience beyond the purely scientific".¹⁰

⁸ PE Doc A4-0020/97A, 7 février 1997.

⁹ Decision of the Commission 97/404/CE of 10 June 1997 establishing a directing scientific committee, JOCE L 169/85 du 27 juin 1997, 85-87.

¹⁰ Commission, 2001, European Governance. A White Paper, COM (2001) 428 final of 25 July 2001.

Although the White Paper did not give any indication of the method by which an opportunity for extra-scientific considerations may be ensured, the Commission has never ceased to pursue its quest for channels through which lay persons may express their views. In particular, the 'science and society' section of the sixth framework program on research and technological development encouraged research on this subject in the hope that this would allow to test participatory methodology.¹¹ Community funds have therefore allowed theoretical research on the role of the citizen and the organization of the first citizens' conferences to take place on a European scale. It is within this framework that the first two experiments discussed below took place.

4 The citizens' conference experiments at the European level

The first citizens conference organized at the European level took place in December 2005 within the framework of the RAISE project¹² (Raising Citizens and Stakeholders' Awareness and Use of New Regional and Urban Sustainability Approaches in Europe). Focusing on "the city of tomorrow", it was financed by the European Commission as part of the 6th FP on Research and Development. It was rapidly followed by a second one, "Meeting of Minds: European Citizens' Deliberation on Brain Science"¹³, dealing with the impact of new developments in neuroscience. This conference was part of a two-year project that concluded in January 2006 with a meeting of European citizens and the public presentation of this convention's report before the European Parliament. Since our research was undertaken, another two pan-European conferences were organized, dealing with the role of rural areas in tomorrow's Europe¹⁴ and with the future of Europe¹⁵ respectively. However, the remarks that follow are based on the analysis of the first two experiments.

4.1 Objectives and Structures

At first sight, these two conferences closely correspond to the model provided by the original citizen's conference. Both concerned issues in relation to which such meetings are thought to be useful: in the first case, territorially defined issues; in the second, a theme linked to the social implications of scientific development.

The "Meeting of Minds" involved citizens from 9 different European countries, who were invited to debate the impact of neuroscience on daily life and on society as a whole. The aim of this project, which was coordinated by a Belgian charity, the

¹¹ Interview with Rinnie Van Est, Rathenau Institute, in charge of methodology in the Meeting of Minds project, The Hague, 12 July 2006. The above-mentioned report concerning the role of civil society in the Europe of research (Banthien, Jaspers and Renner, 2003, op. cit.) is also a product of the FP6 programme.

¹² See <http://www.raise-eu.org/> (accessed on 30 June 2008).

¹³ See <http://www.meetingmindseurope.org/> (accessed on 30 June 2008).

¹⁴ European Citizens' Panel, see <http://www.citizenspanel.eu/> (accessed on 30 June 2008).

¹⁵ European Citizens' Consultation, organized in the framework of the Commission's 'PlanD' programme, see <http://www.european-citizens-consultations.eu/> (accessed on 30 June 2008).

“Fondation Roi Baudouin”, was to formulate recommendations that may help in policy formation in the fields of scientific research and health at both the national and Community levels. The timing was appropriate since it took place right after the launching of the 7th FP in Research and Development and the release of a Commission green paper on mental health¹⁶.

In contrast, the opportunity of holding a citizen's conference on urban development and the various depictions of the 'city of tomorrow' is disputable. A classic scenario would organize the citizen's conference before legislating, since the very goal of deliberation is to clarify the decision beforehand; however, the European Union does not have the proper jurisdiction to take decisions in this area. Moreover, having recourse to citizens' conferences for aspects involving urban politics is often justified using proximity grounds, since the participants are directly concerned by the problems addressed. Yet, the situation is different at the European level, where the questions for debate are inevitably more abstract, since the EU is not directly in charge of urban policy. Finally, the goal of the project was to test earlier research findings and to persuade people to accept them¹⁷: the questions of the conference were centered on the concept of 'urban sustainable development', linked to several concrete options established by former successful projects within the 5th and 6th FPs¹⁸. Given these conditions, the real impact of a deliberation could only be a limited one: The lay people of the conference only intervened in a phase where the implementation of pre-established principles was discussed.

The selection of panel members is a key element of a successful citizen's conference. In theory, the exercise must be as inclusive as possible. To overcome the traditional weaknesses of democracy, whose resources are mainly used by the most well-to-do and best organized socio-professional categories, an effort is made to recruit panel members in such a way that all categories of society are represented. But representativeness is more an instrument than an end in itself: it is meant to ensure that the deliberation process, which is at the heart of citizens' conferences, is not biased by the origins or the experience of panel members.

In this regard, the two initial conferences that we have surveyed differ profoundly. Although they are both marked by a will to exclude experts and professionals working in the sector in question, they also illustrate two different conceptions of the panel of laymen/laywomen and what these panels represent.

¹⁶ European Commission, Green Paper. Improving the mental health of the population: towards a strategy on mental health for the European Union, Brussels, 14/10/2005, COM(2005)484.

¹⁷ “RAISE aims at testing the acceptance and usability of results achieved by the recently closed or ongoing EU research projects on urban sustainability”, see in the project description, “About RAISE” at <http://www.raise-eu.org/about.html> (accessed on 30 June 2008).

¹⁸ The questions must be centred on the concept of 'urban sustainable development' and they shall be related to a portfolio of concrete options that appear to be offered by some of the 5th Framework City of Tomorrow and Cultural Heritage Key Action research projects, as well as by some projects on urban sustainability funded under the 6th Framework Programme, see <http://www.raise-eu.org/conference-concept.html> (accessed on 30 June 2008).

During the conference on neuroscience ("Meeting of Minds"), 126 citizens from 9 European countries¹⁹ (14 individuals per country) were chosen at random by sending invitations to a number of addresses. Specific criteria, such as age, sex, level of education and place of residence were then used to select those individuals who would participate in the process. Each national group needed to reflect the diversity of its country of origin. In the end, 51% of the panel was composed of women, 65% were city residents, 31% were between 18-34 years of age, 42% between 35-54 years and 27% were 55 years and older. The goal of this mode of random selection was to retain as much of the diversity of the population of these 9 countries as possible.

In the case of the RAISE project, the recruitment of laymen/laywomen was done via an application process. A questionnaire was posted on the project's website at the end of January 2005, and from the 570 applications received, 26 participants (one from each member state as well as one Romanian) were chosen. Although the declared ambition of the project was to create a representative panel composed of average citizens from the member countries of the EU, the organizers themselves acknowledged that they did not fully achieve this goal.²⁰ An analysis of the sociological profile of the applications received reveals the elitist nature of the selection procedure, since it shows there was an over-representation of intellectual professions, or 'knowledge workers' (lawyers, judges, translators, students, researchers, managers). In addition, a number of candidates were living in a different country from that in which they were born, or had lived several years outside their country of origin. The admissions procedure (online and in English) and the constraints related to participation in such a conference (flexibility of schedules) no doubt contributed to explain these distortions. The demographic profile of the candidates reflected this: 56% were men; only 4.3% unemployed; 44.8% lived in a city center. Remarkably, the sociological profile of the standard applicant was close to that of the average internet user²¹, or "Netizen": often male, young, and a city dweller with a higher level of education. Figures concerning the level of education are quite telling, for the large majority (88.1%) of candidates had a university diploma. Clearly, the initiative seems to have attracted those individuals who are both mobile and educated and may be defined as 'true European citizens'.

These findings confirm what Bourg and Boy (2005: 80-85) had observed in his study on citizen panels: a voluntary admissions procedure has the effect of 'over-selecting' candidates (Bourg and Boy, 2005: 80) and accentuating the elitist nature of the panel. In contrast, a random selection procedure, with well-defined criteria for diversification, may allow for the constitution of a panel that is in sync with the rest of the population, although it will never be a completely representative panel in a statistical sense.

¹⁹ Belgium, Denmark, France, Germany, Greece, Hungary, Italy, Netherlands and United Kingdom.

²⁰ Interview with Carlo Sessa, President of ISIS (Istituto di Studi per l'Integrazione dei Sistemi) and coordinator of the RAISE project, Roma, 24/07/2006.

²¹ See for example the study on "The French and the Internet" conducted by SOFRES in 2002, http://www.tns-sofres.com/etudes/corporate/280302_internet.htm (accessed on 30 June 2008).

4.2 The functioning of citizens' conferences

Finally, an exhaustive analysis of the experiments carried out at the EU level requires us to focus on the very functioning of these deliberative meetings. At this level, the problem is not merely to bridge the gap between laymen/laywomen and experts, as is the case in 'standard' citizens' conferences. An additional difficulty must be overcome: How can a deliberation be efficiently organized in a transnational setting, within which political cultures, traditions and languages vary considerably? Again, our two case studies demonstrate that different approaches can be followed to tackle these problems.

As we previously emphasized, one of the key characteristics of the citizens' conferences concerns the importance granted to knowledge. Training is offered to laymen/laywomen in order to provide them with the tools for analysis that allow them to converse efficiently with experts. Although the two experiments undertaken so far at the European level have attempted to respect this founding principle, they have nevertheless approached the idea differently, conditioned by the choices made within each project, the size of the panel of lay people and the reflection on the difficulties surrounding the organization of a true deliberation at the European scale.

The RAISE project followed the 'classical' model very closely: the process was divided into four stages, with the first two consisting of preparatory citizen panel workshops, which could be assimilated to the training sessions. The goal of these workshops, which took place over the course of two days at the beginning and the end of September 2005, was to familiarize citizens with the issues for discussion. In particular, the workshops aimed to provide citizens with an idea of what sustainable urban development is²² as well as a presentation/evaluation of the possible responses proposed by current European research²³. They were conceived as indispensable prerequisites to the third workshop, which took place in Brussels in October 2005 and during which the "Citizens Declaration on the European City of Tomorrow" was written.

The "Meeting of Minds" project took a different approach, in particular due to the magnitude of the project, which involved more than one hundred citizens. The sequence of events was somewhat modified, starting with the training stage of the laymen/laywomen involved. Preliminary information was circulated within national amateur panels via a brochure²⁴, conceived as an introduction to brain sciences. The first weekend meetings were organized at the national level in April and May 2005, in order to train the participants in view of the upcoming procedure. The national coordinators and moderators presented the project to the various groups of citizens,

²² First Citizen Panel Workshop : Developing a vision of what 'urban sustainable development' is, using the ten Bellagio Principles. 9-10 September 2005, Vienna, Austria, <http://www.raise-eu.org/conference-dates.html> (accessed on 30 June 2008).

²³ Second Citizen Panel Workshop: Evaluation of what possible answers are provided by the current EU-research on urban sustainable development. 30 Sept – 1 Oct 2005, Rome, Italy, <http://www.raise-eu.org/conference-dates.html> (accessed on 30 June 2008).

²⁴ Meeting of minds. Food for thought and debate on brain science. Information brochure, http://www.meetingmindseurope.org/europe_default_site.aspx?SGREF=16&CREF=1279 (accessed on 30 June 2008).

preparing them for the steps to follow during the next stages, and placing great emphasis on the difficulties inherent in the organization of multilingual and multicultural discussions. Finally, the citizens began to explore the issue in question, on the basis of the common information brochure, and to elaborate the points of view which next needed to be submitted to the first European convention. Thus, the project innovated to overcome the tension that exists between the will to ensure the unity of the deliberative process (for example, through the dissemination of a unique brochure to the participants from different countries) and the diversity inherent in the variety of participants' origins and languages. This has led to the emergence of a multi-level process, the national meetings serving as a preliminary to the European citizen's conference. The transnational nature of the laymen/laywomen's deliberation has thus required a reinterpretation of existing procedures.

The very agenda of the citizens' conference also reveals a different understanding of the 'European' nature of the two projects in question. In the case of RAISE, the idea of organizing a consultation and a deliberation of lay people at the European level does not seem to have had an impact on the structure of the exercise: the size of the citizen's panel (26 members) is not far from that of conferences organized at the national or local level, and the four stages of the project correspond to those of the traditional schema analyzed earlier²⁵. However, it seems that the experts played a limited role in this process: as the discussion principally concerned the findings and the options proposed prior to the deliberation, the dialogue with the lay people seems to have been a one-way conversation.

For its part, the "Meeting of Minds" project made an effort to adjust the citizens' conference tool by taking into account the inherent requirements for the organization of a transnational deliberation. As indicated earlier, this project was organized on two different levels: the introductory national meetings preceded the first European convention of citizens on topics in neuroscience (3-5 June 2005), during which a common framework for analysis was established, in addition to an initial series of questions, designed for the pursuit of deliberation at the national level. Following this, national evaluative meetings, during which experts were convened, have allowed for the preparation of the second European convention of citizens, concluding the project in January 2006. In addition, given the size of the citizens' panel (126 participants total), several original initiatives had been planned for the organization of the two meetings that took place at the EU level. The organizers adopted a technique used for a similar initiative in the United States, the so-called "21st Century Town Meeting" Method²⁶, in which all participants assemble in a large hall in order to favor a community feeling. In the case of "Meeting of Minds", however, they were divided into smaller groups around different tables to allow for more in-depth discussion and exchanges of opinion concerning the topic at hand. This method was refined between the two European conventions, in particular to overcome the language barriers that created problems during the first conference. It is in this way that the "carousel method" was implemented during meetings at the end of January 2006: 8

²⁵ That is to say, the two training sessions, the citizen's conference itself with deliberation and the formulation of recommendations ("Citizens Declaration on the European City of Tomorrow"), and finally the public presentation of the declaration to decision-makers.

²⁶ See above, note 2.

smaller monolingual tables encircled large multilingual tables, like the petals of a flower. The citizens moved amongst these tables in a complex ballet, which allowed them to alternate between discussions in their respective languages and broader exchanges around the multicultural table. Obviously, this requires an important logistical set-up : 75 people were recruited to help the discussions run smoothly, they were assisted by 48 additional translators and professional moderators. However, as with the former case study, the project received most criticism concerning the role of the experts. In this case, the experts did not participate until the second phase of the process, beginning with the second series of meetings at the national level. Some participants seem to have regretted this situation. In an initial report presenting the overall results of the first European convention, an Italian participant observed that: “the democratic process worked well, but more expert input prior to the discussion may have been helpful”.²⁷

On the basis of the two experiments conducted so far, one can conclude that the organization of such citizen deliberations at the European level is not a straightforward exercise. It requires careful consideration of the problems inherent in the organization of such an event at the transnational level, as well as on the usefulness of such an instrument in a structure like the European Union. It is to these questions that we shall now turn.

5 Conclusion: how can Lay People's Participation make a difference?

The interest of European leaders in the participation of lay people at the Community level, or even the consultation of these citizens concerning certain issues, is easy to understand. In fact, as emphasized earlier, both functional reasons – the need to take a position on a socio-technological controversy whose stakes are controversial – and political legitimacy reasons – the absence of a strong democratic legitimacy at the EU level – provided incentives to explore new ways to liaise with the people.

However, achieving such citizen deliberations is not without problems, as the two examples of European citizens' conferences have shown. In many respects, these problems point to the difficulty entailed in the creation of a European public space or even a political Europe (for an overview of the discussion see de Vreese 2007). Our point here is not to engage into a normative assessment of the experiences conducted so far at the European level. More modestly, we would like to point to four issues that appear to deserve particular attention.

The elusive quest for a “European people” is the first difficulty that emerged in the two citizens' conferences we surveyed. We clearly saw that serious difficulties are encountered when attempting to constitute a panel that represents a microcosm of the European society as a whole. The selection techniques in themselves may contribute to the elitist nature of the panel. Self-selection, as in the case of the RAISE project, results in an overrepresentation of higher-educated categories of the

²⁷ European Citizens' Deliberation on Brain Science, June 3-5, 2005, Report on the 1st European Citizens' Convention, p. 6, see <http://www.meetingmindseurope.org/Download.aspx?ID=269> (accessed on 30 June 2008).

populace. In any event, it is difficult to achieve a panel that would perfectly reproduce the various components of the European people. As indicated above, representativeness is but an instrument; yet it is important if one intends to ensure that a wide enough range of views are included in the deliberation process. It would be fallacious to think that this would be the case without due regard for the plurality of the panel.

On the other hand, the two projects studied highlights the importance of a 'truly' transnational nature of the laymen/laywomen's panel. This in turn gave rise to a problem, well-known to those who have studied the construction of a political Europe: how should countries of variable size be represented at EU level? In both cases, a strict principle of equality was maintained, apparently without much debate – 14 citizens per country in the case of the "Meeting of Minds"; 1 citizen per country for the 25 member states in the case of RAISE. However, for all societal issues linked to the development of science and technology (which constitutes the sphere of election for the citizens' conferences), we know that there may exist very different national sensitivities. The question is to figure out whether the weight of each of these sensitivities should be identical. Clearly, the principle of equality risk creating an over-representation of some views to the detriment of others. This issue, which has had an impact on political integration, will certainly leave its mark in citizens' conferences. Indeed, evidence suggests that on several occasions, participants construed their role as that of a national representative, insisting on the fact that recommendations put forward at the national level should be incorporated in the final document, even when this threatened the final consensus (Renn and Goldschmidt, 2007).

A third notable point concerns the issue of languages, a recurrent question in discussions about a European public space. In all cases, this issue represents an obstacle for experiments in citizen deliberations at the European level. If one language (unavoidably English) is be privileged in the name of efficiency, this considerably reduces the number of potentially mobile citizens for the conference and accentuates the elitist nature of the citizen panel, as demonstrated by the RAISE example. Alternatively, a multilingual conference may be organized, as was done during the "Meeting of Minds", in which 8 languages were used during the deliberations. Yet, in addition to the costs and logistic issues that a multilingual conference raises, such an option may also have an effect on the content of the debates, as the project's coordinator explains: "The numbers of people were not a problem [...], but the language is really the limiting factor. Simultaneous translation with headphones worked fine for the plenary sessions. But when the people were holding detailed, small-table discussions, trying to express delicate ideas, some sophistication was lost as the translators batted the conversation around"²⁸. As with all issues linked to the establishment of a European public space, the languages problem remains central for EU citizens' conferences.

To these methodological difficulties is added a more general question, involving possible misuses of citizens' conferences. Participatory democracy has become trendy, and it may be tempting to set up experiments whose primary impact would be mainly symbolic, namely to demonstrate the openness of the public powers. Without

²⁸ Interview with Gerrit Rauws, director at the King Baudouin Foundation and project coordinator, Brussels, 29 November 2006.

going so far as to say that this was the case of the two experiments studied in this article, we cannot help but notice that their influence in decision-making was bound to be limited. In the case of the RAISE project, citizen deliberation took place only at the stage where the implementation of previously established principles was discussed. Moreover, both experiments were conducted in areas in which the European institutions only possessed limited jurisdiction, and where their decisions could therefore have at best a limited impact. One could even envisage that citizens' conferences could be resorted to not so much to enlighten public authorities before they decide, but rather to convince citizens of the wisdom of choices made elsewhere. This clearly suggests one should not fall in the temptation to regard all these experiments as necessarily positive in themselves, as is sometimes the case with participatory devices. Much depends on why and how they are used. Should citizens' conferences be organized more frequently, it would be important that citizens be given the right to demand that one should be held, so that the initiative does not rest exclusively in the hands of rulers.

It does not follow from all this that citizens' conferences organized at the European level may only have a limited effect on decision-making. Despite all of the difficulties we have identified and the criticism that we have formulated, one should not be unduly negative. First, the experiments we surveyed were largely tentative, conducted in part to test a new participatory methodology. Secondly, even if the impact of these conferences in the decision-making process is questionable, their contribution can be relevant. As Bourg and Boy (2005) remarked, the citizen's conference may succeed in publicizing certain problems and promoting public debate on the chosen topics. They also allow the problem to be analyzed from a different perspective, by taking into account points of view that do not necessarily appear in the traditional horizon of the decision-makers. This aspect was correctly perceived during the "Meeting of Minds" project, whose declared ambition was to "give relevant inputs into European policy-making and widen public debate on brain science"²⁹. On the other hand, besides their influence on agenda-setting and decision-making, the exchanges that the citizens' conferences encourage may favor a shift in the positions of the various actors involved. Even if most legislative interventions that will follow will take place on the national level, one may still witness a convergence in the schemas of analysis as well as in the conduct of scientific research on the topics discussed. The advocates for reform may find here arguments that may be mobilized in their respective countries. For their part, national leaders may find inspiration in the conferences for the redefinition of their policies. In other words, the impact of the European citizens' conferences is not necessarily measured by the number of European directives that they inspire into being. Their main potential lie in the above-mentioned cognitive aspects.

²⁹ "What are the objectives of Meeting of Minds?", see about the project at <http://www.meetingmindseurope.org/> (accessed on 30 June 2008).

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Figure 1

Flowchart of a "citizens' conference"

