

# socialplatform

## Reference Paper

### Shaping an effective civil dialogue at national and European level – ‘policies for people with people’

6 June 2008

*Nota Bene: As agreed by members of the Social Platform, the Social Platform has drafted a reference document that defines what participatory democracy, civil dialogue and civil society means for the Social Platform. It also sets out the role of European networks. This reference document is a first step and shapes the basis of our future common position (end 2008). This paper has been drafted by an ad hoc working group.*

## Introduction

Civil society today is more visible, more organised and more vibrant than ever before. And yet, despite an increasing number of consultations, there is still little shared understanding of what is meant by civil dialogue, civil society and participatory democracy. The emergence of civil society is one of the key features of modern democracies, whether at community, local, national or international level. Ultimately, engaging civil society the daily life and the political process is a very effective way to promote social cohesion, solidarity and social justice, creating a better quality of life for everyone.

The importance of civil society has recently been formally acknowledged by the European Union in its renewed Treaty (article 11 of the Lisbon Treaty<sup>1</sup>):

*"1. The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.*

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<sup>1</sup> See full version in Annex

*2. The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.*

*3. The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent. (...)"*

In 2008, the Social Platform intends to define a precise system of participation for social NGOs in decision-making at EU level. It will do this by, for example, making concrete proposals as to how article 11 of the Lisbon Treaty could best be implemented and work on the question of what we consider "appropriate means to make known and exchange our views", as well as and what we understand by an "open, transparent and regular dialogue". However, we will not limit ourselves to article 11; rather we will define what to the view of social NGOs at European level an effective civil dialogue should look like.

**This paper presents our definitions and understanding of participatory democracy, civil dialogue and the role of NGOs at European level.**

## **Civil Society at European level: building European solidarity and channelling voices**

***Civil society is traditionally defined as the space between the state, the market and individuals. It typically refers to organisations that mediate between these three.***

Political parties, sports clubs, music associations, consumer organisations, trade unions, business associations, charitable bodies and cultural groups are all examples of civil society organisations, all performing different roles and functions. Although informal social networks of friends, colleagues or neighbours can be the building blocks of organised civil society, they are not part of that space as such.

- **Defining civil society organisations**

According to the Johns Hopkins Institute<sup>2</sup>, five structural or operational features distinguish civil society organisations, from other informal networks or firms:

1. **Structured as organisations:** they have some structures and regularity in their operations, whether registered or not

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<sup>2</sup> In Global civil society – an overview, 2003, Johns Hopkins's Comparative Non profit sector project

2. **Private:** They are not part of the state, although they may receive support from governmental sources
3. **Non-for-profit:** They are not primarily commercial in purpose and do not distribute profits to a set of directors, stockholders or shareholders. Even though some may make profit in the course of events, those profits are put back into the organisation, in order to help it achieve its objectives
4. **Self-governing:** They have their own mechanisms for internal governance and are in control of their affairs
5. **Voluntary:** membership or participation is not compulsory or legally required

- **Civil society organisations, non-governmental organisations, public interest organisations, citizens' associations, what is the right wording then?**

Within the civil society world, different actors can be distinguished that are normally referred to as Non-Governmental. Strictly speaking, the term NGO describes all organisations that are outside of the governmental field. Some other organisations may prefer to be referred to as public interest organisations, although it is difficult to capture what the 'public interest' incorporates.

Another possibility could be to define the sector as citizens' associations, stressing the key role of citizens in organising and structuring their voice.

Additionally, there are different levels of civil society organisations. They can work at local level, be organised at national level and be a European network that coordinates or represents organisations from across Europe.

- **What about European social 'NGOs'? What is their role in the puzzle?**

Studies that have embraced the breadth of activities and roles of European networks are rare. Their role is different from the traditional social NGOs providing services or working at the grassroots level.

The Social Platform understands the role of a European network as playing four closely interlinked roles:

1. **Building solidarity across member states, creating social capital at European level:** working with its members, social NGOs help create bonds of trust, solidarity and reciprocity that are crucial for a democracy to function, and do this across national boundaries. They ensure an information flow from the EU level down to the national/local level and vice-versa.
2. **Creating a European democratic public sphere:** Some NGOs promote mutual learning from one organisation to another and create a space for debates and democracy at European level.

Depending on the policy, they may help aggregate voices of members or present the diversity of voices across Europe. They also have an important role in building the capacity of member organisations to be active at European and national levels. In that sense, they contribute to the emergence of a European public sphere.

3. **Channelling voices:** Social NGOs amplify the voice of thousands of local and national Civil Society Organisations working at a grassroots level, and make them discuss European decision-making. They relay the voices of those who are often excluded from decision making processes, unheard and forgotten such as very poor people, victims of discrimination, homeless people, etc – to European decision makers, channelling those viewpoints and values in the political decision-making process.
  
4. **Acting as a challenger/watchdog:** Social NGOs are engaged in monitoring and influencing policy development and funding opportunities at European level. This involves a wide range of activities from providing and developing expertise, and awareness-raising to direct contact with policy makers. European networks of NGOs help identify unaddressed or poorly-addressed concerns. In this way, they also offer a critical and protesting voice at European level. Additionally, they also propose appropriate measures to address these concerns and balance the influence of corporations on European decision making.

In that respect, social NGOs help reduce the gap between politicians and citizens by enabling local organisations to participate and to be involved in European decisions which have an impact on their lives.

Defining the role of European networks in this way implies looking at their governance and internal democratic structures in order to make sure that they fulfil their roles properly.

**By channelling voices and building solidarity, European networks of NGOs perform crucial tasks and activities to enhance democracy at European level.**

## **The Framework: Participatory democracy - Making people actors of their own society**

In a democracy, elections are the primary institution for active political participation. From a certain age, every citizen is eligible to vote for a political party of their choice. However, democracy is not only about voting. It is about being engaged in society, building social cohesion, regardless of your socio-economic or cultural background. It is about 'policies for people, with people'. In a summary, participating is about taking part. Participatory democracy characterises democratic activities beyond the election process. That said, participatory democracy is complementary to representative democracy and does not replace it.

*According to social NGOs, participatory democracy is a societal model that seeks to extend the sphere of participation and people's power to take decision for themselves beyond traditional policy making. Our understanding of participatory democracy puts people at the centre of decisions affecting their lives, whether in services provision, at school, at home, or at work<sup>3</sup>.*

For instance, schools can be participative when including children's councils or parents' councils in taking decisions for the school itself. This also helps build a community and brings about social cohesion.

Participatory democratic systems are also a direct interaction with decision-makers, they also encourage to be organised at a very local level through non-governmental organisations.

In that sense, participatory democracy must remain very creative and flexible, allowing different methods of participation to emerge from people. There can be no single optimum way of participating in society.

- **What are the objectives of participatory democracy?**

**The primary objective is to engage all people in the fabric of society, and ultimately promotes social cohesion, solidarity and social justice, creating a better quality of life for everyone.**

Participatory democracy also aims to **achieve quality services for people** that are better targeted to their needs.

Participatory democracy creates public space for discussion and therefore gives people more ownership of decisions. It aims to engage with disengaged people who are not politically active (e.g. those who do not vote), nor active in associations, creating a more active citizenship. It **sets people as actors in all areas of life**, extending the concept of citizenship beyond the conventional political sphere (e.g. involving users in the provision of services, involving parents in schooling, etc).

Participatory democracy creates a healthy anti-silo, anti-institution mentality, both in terms of issues to be addressed and the ability to act on addressing them. Almost none of the serious problems people and communities face conform to the remits of political ideologies: By involving people to intervene, participatory democracy can produce solutions that are effective and legitimate, and go beyond traditional political divides. In that sense, it **strengthens the legitimacy of decision makers/services providers** since their decisions will be based on the real views of people. Participatory democracy therefore aims to improve trust and accountability.

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<sup>3</sup> See an illustration in Annex

- **Who are the partners in participatory democracy?**

Participatory democracy is primarily about engaging with individuals regardless of their citizenship status. Although it also involves civil society organisations, both as facilitators of engagement and actors, it goes beyond civil society as described above.

Specific attention should be given to target groups who are vulnerable (eg migrants, homeless) and who must be actively included in society, and yet are often voiceless and not necessarily organised.

- **What principles and elements should run participatory democracy?**

Civil dialogue is a method of participatory democracy, and is surely not the only one. Good participation requires the following elements and principles:

- **A pre-requisite: Democratic infrastructures**

Democratic infrastructures are a pre-requisite for participatory society to emerge but this is not enough. Participatory democracy is about all areas of life. It does not replace representative democracy but rather complements it. For a meaningful participatory framework to function, two elements are essential: freedom of speech and assembly, and free will: Participating in society and politics must remain voluntary.

- **Openness**

Actors engaged in participatory processes must be open-minded to listen to different views. This entails that they trust people and authorities to reach a decision together. In other words, it is essential that on both sides, there is a will to make a difference and reach a different outcome. This implies a commitment to transparency and information sharing.

- **Equality and inclusiveness**

The engine of participation is people's time and good will. It should not be taken for granted. Not all people are equal and have equal resources to participate. For a participatory process to be democratic, the un-engaged and the voiceless must be actively empowered and receive specific attention. In other words, community empowerment is crucial to engaging people in society.

- **Creativity, concreteness and flexibility**

There is no list of ways to engage in society: it can be through demonstrations, campaigning, volunteering, being an unpaid carer, educating children in a sport or art club, sending online letters, participating in an NGO, being part of a local council etc... It goes beyond a mere vote. Therefore any process must be creative, concrete and remain flexible to adapt to people. It must create conditions and spaces for people to get engaged at the workplace, in services provision, at school, at home, in public decision making.

➤ **Legal framework for NGOs and participation**

This also implies creating a legal framework for NGOs to be recognised with their rights and duties. Democratising civil society also entails financially supporting the emergence of active and diverse initiatives.

## **Civil dialogue: Policy making closer to citizens' organisations**

*European Social NGOs define civil dialogue as a component and a tool of participatory democracy with public decision makers as the main interlocutor. It defines the relationship between public decision makers and organised civil society.*

- **What are the objectives to engaging in civil dialogue?**

The primary objective is to formulate and implement better decisions in the public sphere. Ultimately, the objective is to reach decisions that are closer to the general interest and that improve decision-making

For that, civil dialogue aims to put forward the needs and perspectives of organised civil society, in particular the voice of those excluded from 'official' political arena.

One goal of civil dialogue is also to channel the outcomes of various processes of participatory democracy into 'formal' decision making processes.

- **Who are the partners of civil dialogue?**

Although the ultimate beneficiary of civil dialogue is people, the main partners are organised civil society organisations at local, national and European levels.

At the other side of the table are public decision-makers, and civil servants - at local, national and European levels.

- **What are the principles and elements should run civil dialogue?**

While participatory democracy and democratic infrastructures are the framework, a meaningful civil dialogue requires the following elements:

➤ **Accountability and responsiveness**

Civil dialogue procedures must be accountable to all those involved. This requires proper feedback structures for all participants. The participants are entitled to know what happens with the input they provide.

➤ **Political will and openness to make a difference**

The purpose of civil dialogue is to improve decision making. In that respect, there must be an access to decision making arenas, an openness and commitment of public authorities to share power and ultimately to take into account the results of civil dialogue in their decisions. Results of a proper civil dialogue must be enforceable. Consulting civil society when the decision is already taken ultimately backfires on public institutions as it casts shadows on their openness. This also implies the agreement of both parties on a common goal or objective and therefore an openness to a common agenda setting.

➤ **Transparency and clarity**

For an effective civil dialogue to occur information and documents must be publicly accessible and both parties should be as transparent as possible. In addition, both the expected outcome, scope for change should be made clear to participants, so that they can choose not to participate if it is estimated that they would not reach their ultimate goal by participating in a given process.

➤ **Equality and inclusiveness**

Not all people are equal and have equal resources to participate and the same goes for organisations. For a participatory process to be democratic, the un-engaged and the voiceless must be actively empowered and receive specific attention. This also means adapting the means and methods of dialogue to all groups (including disabled, immigrants, children...)

➤ **Civil dialogue requires structures**

Civil dialogue is not a one-off and should be a regular and on-going process. Participants must be given time to structure their thinking internally and to consult with their membership. In order to be effective, such a process requires appropriate human and financial resources, with identified opportunities and physical spaces for agenda setting and negotiations between identified actors. Civil dialogue procedures must also be clear, and time-bound, with identified and agreed outcomes and targets. In other words, the process needs to be adequately planned ahead by the partners.

➤ **A proper recognition of the role of 'NGOs'**

Both NGOs and the European institutions are facing a clear tension between expertise and experience. The role of civil society as partners in civil dialogue needs to be formally recognised, protected and supported, through a variety of policy measures such as funding schemes, statutes or laws.

➤ **Including organised civil society at all stages**

A policy process does not end when a proposal becomes law. The implementation of such a provision is equally important. Civil society is an important player in implementing policy measures and monitoring its effectiveness. Organised civil society must be included at all stages of decision making: agenda setting, policy definition/decision-making, implementation, evaluation, and reformulation.

**All these principles are to be made operational and to be assessed.**

## Annexes

### Treaty of the European Union, as modified by the Treaty of Lisbon

#### Article 11

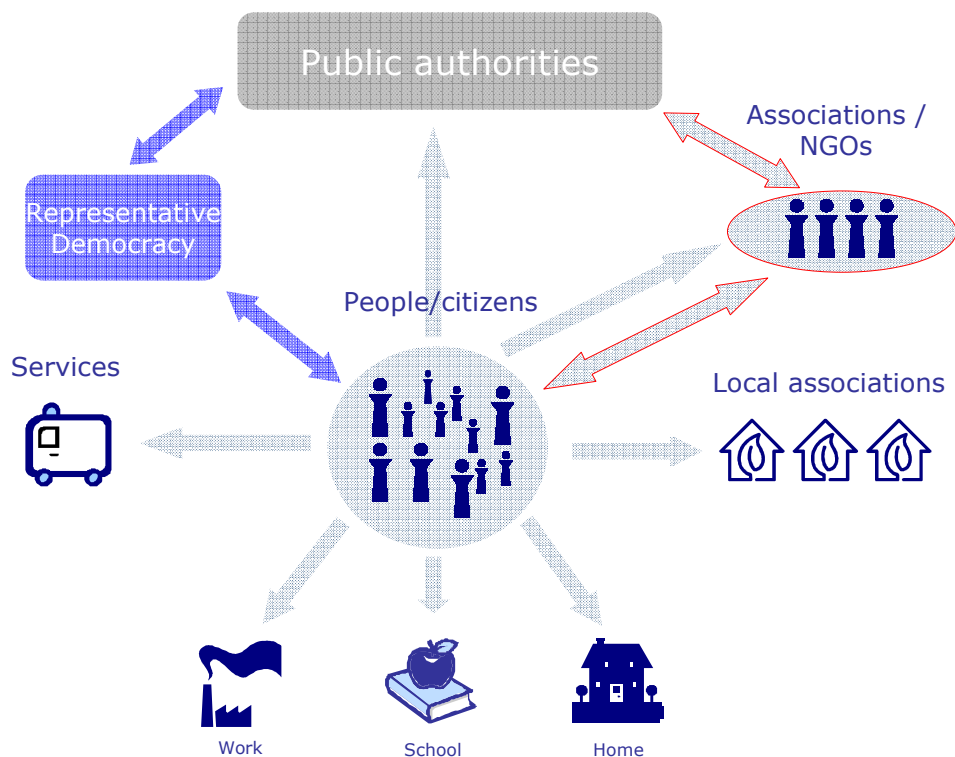
" 1. The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union act.

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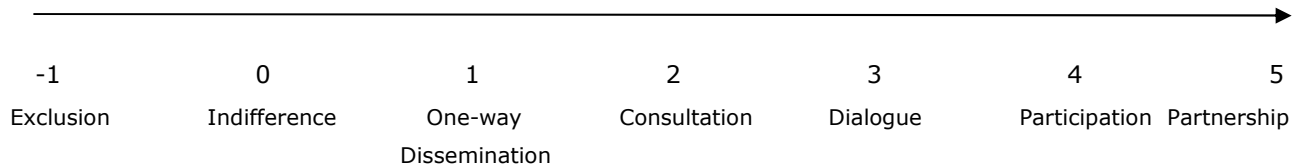
3. The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent.

4. Not less than one million citizens who are national of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizen consider that a legal act of the Union is required for the purpose of implementing the Treaties."

#### Participatory democracy explained



## From exclusion to a civil partnership? A scale of involvement of civil society organisations



*developed for the Social Platform by Jonathan Zeitlin*

- -1 = **Exclusion**
- 0 = **Indifference**
- 1 = **One-way dissemination of information**: Public authorities provide information.
- 2 = **Consultation**: Public authorities tell NGOs what happens is and ask for feedback. Two-way information channel.
- 3 = **Dialogue**: Both public authorities and NGOs are able to set the agenda, and public authorities may respond to the concerns advanced by NGOs.
- 4 = **Participation**: More than just consultation, ideas put forward by NGOs are incorporated into policy design, documents, and programs.
- 5 = **Partnership**: Final stage, a strong term denoting that NGOs are taken in as partners, and play a real role in: co-decision, co-design, co-production, and possibly co-administration.

Except for exclusion and indifference, the other steps can be legitimate depending on the circumstances: partnerships are not always desirable, especially for NGOs that see their primary role as protesting.

This scale of involvement can/should take place at all stages of the policy cycle: Agenda setting, Policy definition/decision-making, Implementation, Evaluation, Reformulation