

OSCE Workshop  
Importance and Main Forms of Public Participation  
in Policy Making and Law Making  
December 2017  
Dr Melanie Sully

[www.go-governance.com](http://www.go-governance.com)

Vienna

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Public Participation is becoming more  
recognised in the parliamentary process to  
enhance quality and increase acceptance and  
legitimacy – Open Parliaments



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## Citizens and Ease of Access



## Far left sign language for viewers



## Top Down Bottom Up

Citizens can initiate legislative proceedings through a popular initiative (supported by 100.000 citizens)

500 citizens can propose legislative proceedings, political debates or file complaints through a parliamentary citizen initiative

any citizen can participate in consultations on draft laws in theory

Recent innovations for informal, flexible and faster ways to communicate

- e-petitions  
[https://petition.parliament.uk/petitions?state=awaiting\\_debate](https://petition.parliament.uk/petitions?state=awaiting_debate)
- MPs own social media pages, not always engagement, one way not dialogue,

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## Direct / Deliberative Democracy

- Referenda are increasingly used to seek confirmation of transfer of powers, decisions
- Electronic petitions to parliament, Citizens Assemblies, Conventions
- Casting a vote once in a while is not enough
- Direct democracy complements but is not a substitute for representative democracy

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## Citizen Engagement and Europe

- Lisbon Treaty art 11 (2)
- Active open dialogue, regular consultation, participatory democracy
- But low participation in European parliament elections (eastern Europe), low trust levels
- Need to engage more eg youth, digital democracy, reforms in (national)parliament, lively debates, civic education

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## Engagement Efforts - Run for Europe



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## EU and Citizens – Lisbon Treaty

- **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 action.
- 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.
- 4. Not less than one million citizens who are nationals 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 citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.

The procedures and conditions required for such a citizens' initiative shall be determined in accordance with the first paragraph of Article 21 of the Treaty on the Functioning of the European Union.

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## Multi Actors: Policies and Laws

- In Austria eg the social partners (pre-parliament)
- Political parties (election manifestos, coalitions)
- The Federal States (second chamber - a third can initiate laws)
- Public and civil society
- Private members Bills or minimum of 5 MPs can initiate bill and avoid consultative procedures
- Most are government initiated Bills

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## Different Priorities

- **Governments** – pass bills quickly with few amendments with positive public response
- **Parliaments** – clear bills, scrutinise and amend
- **Public** – simple legislation, easy compliance – how does it affect the citizen

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<https://www.parliament.uk/get-involved/>



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## Policy Making and the Citizen

- Involving citizens before a decision can avoid:
  - Policy drawn up on narrow inputs
  - Those affected by laws not involved
  - Problems later due to lack of know-how.
- BUT
- Risk of media and lobbies driving citizen engagement process ie new (virtual) elites

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## New Wine in Old Bottles

- Citizen participation is well-established
- It seeks to engage voters/citizens in decision-making, renew democracy, and should consider inclusiveness, and transparency
- Parliaments operate convene by complex formal and informal rules, with cross references to constitutions and convention
- Combining both needs care and resources

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## Citizens in Parliament



## For Participatory Law Making

- Preparation before going to parliament and committee
- “Simple” language with aid of linguists especially on laws such as housing, rents; sidenotes
- Work with tax office for specially complex bills
- Clear commencement provisions
- Available information and access



## The Role of the MP

- MPs can communicate with their voters via social media
- The speed with which news travels means this is important and thus rules of procedure have been adapted to allow MPs to use tablets etc in plenary debates
- For this kind of participation to work the MPs have to adapt their work and the system should include those not online eg the elderly

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## The Citizen and a Good Law

avoid duplication, conform with constitution, be consistent; clear structure and layout (flow charts, at a glance summaries); hyperlinks; manual of legislative standards

- UK good law initiative [www.gov.uk/good-law](http://www.gov.uk/good-law) :
- Laws should address specific objectives and be integrated with other laws
- Should be transparent and involve citizens

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## Rules of the Game

- Consensus and trust on the constitution and rules of procedure
- Presidents conference – steering body of parliament, sorting out TV broadcasts,  
But
- Citizen involvement needs different rules

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## Digital Democracy

- Twitter from outside parliaments eg to Ministers in question time and in committees
- Webcasts
- Cyber Chambers – citizens put questions
- Information sharing via online portals
- E mail alerts for consultation/informed research
- Online consultation with guidelines and specific questions
- Feedback and explanations

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## Legislative Overload

- Number of laws decreased in UK but number of pages increasing and multi-topics
- Quality control
- Resources should be adequate eg to staff a legislative service in parliament

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upgrading our democratic culture



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