

## Tackling the democratic deficit: Deliberative participation

New Zealand is very fortunate in having a stable and relatively well-performing democracy. By international standards it has a high-level of voter participation, a vibrant multi-party system, periodic and contested elections, clear processes and procedures for the public to comment on proposed legislation, and a disciplined and apolitical bureaucracy.

However, despite the many positives of our political system when viewed more closely all is not as healthy as it might be. For example:

- Over 30% of 18-29-year olds enrolled did not vote
- 28% of Maori aged 18-24 enrolled but did not vote
- Only 55% of Maori 25-29 were enrolled
- A recent Victoria University survey reported that 61% of New Zealanders expressed not much to no trust that their interests are equally and fairly considered by government; and
- 55% had little or no trust in politicians to do the right thing.

Our system of government is founded on the principle of elected officials representing a group of people. While this system has many positives, it is becoming clear that if we want to strengthen our democratic system and meet our present and future needs, representative democracy needs to be supplemented by:

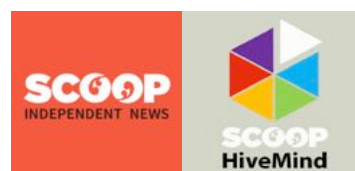
- More deliberative forms of citizen participation. It is important to emphasise that deliberative forms of citizen engagement are intended to supplement, not replace representative democracy; and
- It is not only up to government to lead the way; civil society, business and others have an important role to play. But government, because of its significant resources and its legitimacy, can and should play a significant role in fostering, facilitating and brokering deliberative practices.

### Why should the government encourage deliberative forms of citizen participation?

- Many issues we face today; climate change, poverty, inequality, water quality, euthanasia, marijuana use, and urban planning etc cannot be solved by technocratic approaches. These problems are commonly referred to as ‘wicked problems’. Wicked problems exist when, facts are uncertain, values in dispute, and stakes high and decisions urgent
- Science and expert knowledge are necessary but not sufficient because many of the most complex issues are value laden. Tackling difficult issues requires extensive public input to ensure all values are represented and taken into consideration
- To encourage inclusiveness, diversity and a deeper appreciation of the complexity of the issues and the challenges of solving them collectively.

### What is the current situation?

New Zealand was an early adopter of the consultation model of governance. Consultation often takes place when decisions have already been made and this leaves little room for people to influence the decision-making process. Consultation is reasonable at eliciting opinions but fails to promote understanding of multiple perspectives or the search for common ground. This model is no longer sufficient to address the complexity of the issues or the demands for greater democratic participation.



## Benefits of deliberative forms of public engagement

- It helps people to consider a variety of perspectives and listen to each other's views
- It can aid the development of common understanding which establishes direction for moving ahead on the issues
- It can build trust and improves communication between the public and leaders
- It creates a new, convenient way for citizens to become involved in decision-making
- Decision making will be guided not just by the usual suspects
- Acts as a counter-balance when there is a danger the debate will be overshadowed by the rich and powerful
- Engages under-represented groups
- Allows for a diversity of values
- Reveals new understandings and knowledge

## More democratic procedures for public engagement

A wide range of deliberative processes exist, and have been extensively tested and evaluated. If conducted properly, deliberative processes have been found to have positive impacts on decision-making and people's readiness to search for common ground. Below are three examples of deliberative methods that are used extensively internationally.

### Citizen's Assemblies

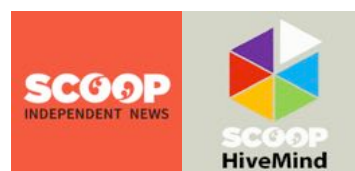
- A citizens' assembly is a body of citizens brought together to deliberate on an issue or issues of national importance
- The membership of a citizens' assembly is randomly selected. The purpose is to employ a cross-section of the public to study the options available to the state on certain questions and to propose answers to these questions
- In many cases, the state will require these proposals to be accepted by the public through a referendum before becoming law. Citizens Assemblies have been used in British Columbia, Ireland, England, Ontario to deliberate on: electoral reform, constitutional reform, media ownership, the financial sector, MP selections, climate change, abortion, population aging etc.

### Participatory budgeting

- Participatory budgeting (PB) is a process of democratic deliberation and decision-making, in which ordinary people decide how to allocate part of a public budget.
- Participatory budgeting allows citizens to identify, discuss, and prioritize public spending projects, and gives them the power to make real decisions about how money is spent. It is used in many cities and countries including: New York, Porto Alegre (Brazil), Boston, Paris, the UK, Iceland etc.

### Citizens' juries

- A Citizens' Jury involves everyday people in the process of government decision-making
- Citizens' Juries are the complete opposite to an opinion poll or survey. For example, 'jurors' would typically hear from expert and other 'witnesses' before deliberating to reach a 'verdict' or set of recommendations over the course of 40 hours spread over a number of weeks or months
- A Citizens' Jury is a group of randomly selected members of a community convened to consider a given topic and provide a response or recommendation to the governing body
- Around the world juries have increasingly become recognised for their capacity to deliver outcomes that are trusted by the broader community
- Citizens' juries have deliberated on many issues including: nuclear waste, water pricing, democratic representation, council planning, infrastructure, climate policy, etc.



## How do we make decisions?

How do we best make collectively binding decisions, who should make those decisions, and by what rules and procedures? Finding answers to these questions are some of our core ongoing political challenges. Some of the developments which attempt to answer these questions are described above. Another popular method is the use of referenda, i.e. a direct vote by the whole electorate on a proposal (e.g. New Zealand's recent flag referendum). Referenda are intuitively popular because they promise to shift some or all the decision-making to the 'people' and away from experts. There are some reasons why we might want to be cautious before heading down this road.

- Yes/no options can encourage voters to ignore the many intermediate solutions that might be worked out through deliberation
- Referenda fixate on voting at the expense of arguing and bargaining
- Referenda can eliminate the space for post-voting reasoning and compromise
- They privilege the fast, impulsive snapshot reaction over more time-consuming balancing of interests and persuasion through argument
- Consistency is not required, nor trade-offs considered: voters can simultaneously opt for lower taxes and greater expenditure, or for cheaper petrol and tighter environmental regulations
- There is no way to make sure that the answer the voters give is their answer to the specific question
- There are potential serious consequences of holding a referendum with a 50% majority on important substantive policy issues with unknown long-term results
- Referenda typically fail to encourage social learning or the search for common ground

## Two New Zealand success stories

### 1. Toi te Taio: he Bioethics Council

The Council was established as one of the recommendations of the 2001 Royal Commission on Genetic Commodification. The use of dialogue and deliberation was central to its Terms of Reference: to '[p]romote and participate in public dialogue on cultural, ethical and spiritual aspects of biotechnology, and enable public participation in the Council's activities'.

The Council's deliberative processes were well received. For example, the Catholic Church's Nathaniel Centre for Bioethics stated: 'The report on the cultural, ethical and spiritual aspects of pre-birth testing provides a comprehensive and fair overview of people's thoughts and comments on this complex topic. The process of deliberation has been a genuine attempt to listen to the breadth of views of New Zealander's and to foster a broader understanding of the differences in opinion on this complex topic'.

In 2009, the Council was acknowledged by the OECD as demonstrating best practice in how governments should engage their citizens.

### 2. Scoop Independent News: on-line deliberation

HiveMind is Scoop's public engagement platform, which is powered by Polis, a new online survey tool that uses artificial intelligence to make mass participation possible. HiveMind initiatives aim to give New Zealanders a chance to co-create a more participatory and interactive media and to test a new mode of political inclusion and to promote a citizenry that is actively involved in defining and addressing public issues.

To date Scoop's HiveMind public engagement projects have included sugar and obesity, affordable housing, a universal basic income, freshwater quality, and medical cannabis.

