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TOWARDS A RE-COMPOSITION OF  
DEMOCRATIC PARTICIPATION IN REGIONS:  
THE ROLE OF CONSULTATIVE FORUMS

Danielle Firholz

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A thesis submitted in fulfilment of the requirements  
for the degree of Doctor of Philosophy

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## Abstract

Following the decentralisation of governmental processes in many European countries, a number of political decisions are now being made by regional instances of government. As they gain more political autonomy, regions also take on a renewed significance as places in which to convene a number of democratic debates between a number of actors. At the same time, the democratic trends in regions have also been characterised by the introduction of participatory elements which complement the more traditional channels of representative democracy. Modern democracies are often “hybrid democracies” in which citizens and groups delegate power by electing representatives, but simultaneously retain the possibility to raise issues or participating in decision-making between elections.

This thesis is specifically concerned with the contribution of the various particularistic groups in regional decision-making processes. Within this broad area of research, my project focuses on the involvement of particularistic groups through “consultative forums”. Consultative forums are relatively formal participatory structures which aspire to deepen the ways in which people and groups can effectively participate in and influence the policy-processes prior to legislation being considered. They are purposely designed to help groups get their message across to government by nurturing their voices, organising a level of interaction between the various groups, and channelling the groups’ message across to government.

The thesis provides an in-depth exploration of the functioning of two such consultative forums: the Scottish Civic Forum and the French Regional Economic and Social Council. Based on observations collected during thirteen months of ethnographic fieldwork, the thesis critically examines the extent to which these two organisations can promote the sort of dialogue and democratic debate which could lead to an effective re-composition of political action in devolved democratic processes. Theoretically, the thesis draws from a number of contemporary debates relative to the participation of particularistic groups in modern liberal democratic processes. These debates address the commonly accepted prevalence of representative democracy, the quality of regional public spheres and the in-house functioning of participatory organisations such as the consultative forums.

The thesis concludes that, while the consultative forums might not necessarily be the primary means of democratic expression in the regions, each of them fulfils a very important function. One model seeks primarily to empower smaller, vulnerable groups within policy processes. The second model foments an intensive level of interaction between key regional stakeholders. I argue that both these objectives are eminently worthwhile and that the consultative forums are able to fulfil important functions in regional public spheres.

### Declaration

This thesis is based on research solely undertaken by the author. No part of this thesis has previously been submitted for a degree at Durham University or at any other university.

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## List of Abbreviations

- ASH: Action on Smoking and Health (UK)
- BSA: British Sociological Association
- CODER: *Commission de Développement Economique Regional*
- CoSLA: Convention of Scottish Local Authorities
- CPER: *Contrat de Plan Etat-Région (1984-2007) or Contrat de Projet Etat-Région (2007 onwards)*
- CSG: Consultative Steering Group on the Scottish Parliament
- DATAR: *Délégation à l'Aménagement du Territoire et à l'Action Régionale*
- DCLG: Department for Communities and Local Government
- DIACT: *Délégation Interministerielle à l'Aménagement et à la Compétitivité des Territoires*
- EOC: Equal Opportunity Commission
- ESRC: Economic and Social Research Council
- ETUC: European Trade Union Confederation
- FOND: Forum on Discriminations
- MEDEF: *Mouvement des Entreprises de France*
- MRES: *Maison Régionale de l'Environnement et des Solidarités.*
- MSP: Member of the Scottish Parliament
- NEDC: National Economic Development Council (UK)
- NHS: National Health Service
- ODPM: Office of the Deputy Prime Minister
- PASER: *Projet d'Action Stratégique de l'Etat en Régions*
- SCVO: Scottish Council of Voluntary Organisations
- SNP: Scottish National Party
- STUC: Scottish Trades Union Congress
- RESC: Regional Economic and Social Council

## List of key French terms and phrases

*Aménagement du Territoire*: a term which can be translated as “territorial planning”. It refers to the process of co-ordinating all policies with a direct effect on territorial planning.

*Assemblée Nationale*: the main deliberative assembly of the French parliament.

*Autosaisine*: the process through which a consultative forum convenes itself on any topic which it deems relevant.

*Avis*: a formal statement of position formulated by the Regional Economic and Social Council.

*Chargé(e) de mission*: a grade A civil servant responsible for assisting political delegates in their everyday work, by compiling information and drafting proposals.

*Code Général des Collectivités Territoriales*: the body of laws which regulates the functioning of all decentralised levels of government.

*Collectivité territoriale*: an autonomous decentralised governmental entity with authority to make policy decisions without interference from the central government or other decentralised governmental entities.

*Commission Paritaire Interprofessionnelle Régionale de l'Emploi*: an informal organisation set up by a region's major trade union and employers' organisations concerning medium-term macroeconomic targets.

*Commissions thématiques*: themed commissions within the Regional Economic and Social Council.

*Communauté d'agglomération*: a voluntary organisation of co-operation (*intercommunalité*) between *communes* centring around a medium-sized city.

*Communauté urbaine*: a voluntary organisation of co-operation (*intercommunalité*) between *communes* centring around a major city.

*Commune*: the smallest unit of governmental administration in France corresponding to towns, villages or cities. *Communes* therefore range in size from a dozen people to several million people.

*Conseil de développement*: a consultative forum, similar to the regional economic and social council, which operates at the level of the *intercommunalité*.

*Conseil Economique et Social Régional*: the French name for the Regional Economic and Social Council.

*Conseil Général*: the executive assembly of a *département*.

*Conseil Régional*: the executive assembly of a *région*.

*Contrat de Plan Etat-Région/ Contrat de Projet Etat-Région*: a procedure through which each region periodically negotiates its development objectives with the central government, so that centrally-led policies and regional policies can operate in synergy.

*Décentralisation*: the transfer of competences from the central state towards a sub-state entity, such as a region, a *département*, an *intercommunalité* or a *commune*.

*Déconcentration*: the transfer of competences from the Paris-based central state towards the representatives of the central state in a *région*, *département* or *commune*.

*Délai de saisine*: the time between the moment in which the Regional Economic and Social Council is notified of a request for its *avis* and the moment at which the *avis* must be transmitted to the regional council.

*Démocratie de proximité*: a term which refers to new participatory and consultative phenomena introduced in France since the early 1990's.

*Département*: a decentralised level of governance which is smaller than the region and mainly responsible for the administration of primary social services. Since they do not have many discretionary competences, the *départements* are probably the least politicised French level of government.

*Dialogue social*: the term may be translated as "social dialogue". It refers to all the processes through which the traditional social partners interact with each other and with governmental processes.

*Dialogue sociétal*: a new conceptual construct which refers to the ways in which the government consults with groups and individuals who do not form part of the more established social dialogue.

*Explication de vote*: A short statement by individual groups which can be attached to a finished *avis* in order to justify a voting decision, or to make additional statements on the issues being voted on.

*Fonction publique d'Etat*: the central state's executive and administrative apparatus (elected representatives and civil servants)

*Fonction publique territoriale*: the autonomous sub-state entities' apparatus (elected representatives and civil servants)

*Groupe de travail*: a working group within a themed commission of the Regional Economic and Social Council. The working groups are responsible for formulating draft *avis* and *rappports*.

*Intercommunalité*: a voluntary organisation of co-operation between *communes*.

*Personnalités qualifiées*: individual citizens who are known for their prominent role in a region and who are selected by the *préfet* to be members of the Regional Economic and Social Council alongside a region's key social groups.

*Préfet*: a representative of the central government in the *régions* and *département*.

*Rapport*: a fully-drafted report accompanying the publication of an *avis* by the Regional Economic and Social Council.

*Saisine obligatoire*: an occasion when the regional council must by law convene the Regional Economic and Social Council and request an *avis*.

*Saisine simple*: an occasion on when the regional council chooses to convene the Regional Economic and Social Council and requests an *avis*.

*Tutelle administrative*: a form of administrative control exerted by the central state over the activities of a devolved institution. The *tutelle administrative* was abolished for the French *régions* in 1986.

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## Chapter 1:

### Introduction

#### 1.1 Chapter introduction

Democratic theory is concerned with the processes through which ordinary citizens can exert a degree of control over their leaders. Representative democracy is one way through which this control can be exerted and yet, increasingly, decision-makers are looking to supplement the day-to-day governing processes with more participatory structures. In recent years, growing attention has been paid to the ways in which the accountability and responsiveness of these governing processes can be strengthened through changes in institutional design.

In this thesis, I wish to pay attention to the role of particularistic groups in democratic processes. Paying attention to groups is a way of reasserting that a number of solidarities do not simply map onto traditional party-political ideologies. It also posits that a variety of political perspectives are represented through non party-political social groups which may, at some point, seek to influence elected parliaments and governments. For the purpose of this thesis, a group is any entity (potentially) seeking policy goals from the state. This definition encompasses a number of different actors such as activists, trade unions and employers' organisations, chambers of commerce, local authorities, educational establishments, voluntary bodies and for-profit corporations. The various groups might at some point challenge the state-centred character of the political process and articulate resistance within society in the realms of economics, politics, culture and the environment (Offe, 1984; Smith, 1994).

The thesis focuses upon the policy impact of these particularistic groups and looks at how new modes of governance, designed to make room for the groups' contributions, are able to relate to the "old" forms of representative democracy. In



this sense, the thesis is concerned with the processes of social concertation which occur at various scales of governance. The term “social concertation” (Berger & Compston, 2002; Lamoureux, 1996; Lehbruch, 1984) refers to the manner in which particularistic groups are involved in decision-making at particular times in particular places. The concept of social concertation encompasses both the organisational structures and the informal processes which have developed for the purpose of enabling the participation of groups in democratic processes. The phenomenon of social concertation is a remarkably dynamic aspect of modern politics and there is a permanent transformation of the institutions and of the mechanisms of participation, negotiation, and conflict-intermediation which exist between the groups and the state, and between the groups themselves.

One of the ways through which governments can promote democratic engagement of groups is through the creation of regional “consultative forums”. Consultative forums are independent bodies to which various groups appoint delegates and which serve as institutional conduits for the expression of the groups’ voice in policy-making processes and in the broader public sphere. The forums gather together a variety of groups and serve as bridges between the individual organisations and the party-political decision-making and also as places in which various groups exchange ideas between themselves. In a sense, a consultative forum provides a setting in which an ensemble of particularistic groups is juxtaposed to the dominant mode of decision-making. A number of countries and regions have introduced such consultative forums, including the Republic of Ireland, Northern Ireland and Spain. A number of other countries and regions are also considering adopting a similar approach.

While there exist numerous instances of the introduction of such consultative forums, the forums have rarely been studied in a comparative fashion. I believe that the generic category of “consultative forum” is useful because these organisations are, on the whole, becoming more popular and it therefore makes sense to study the various existing models. The underlying objective of the thesis is to provide theoretical and empirical insights to improve the quality of participatory policy-making, to enhance democracy and to harness social integration in countries and regions today. My key research question seeks to identify the preconditions for the successful involvement of groups through this particular method:

“What is the role of consultative forums in the endeavour to give groups a voice in regional government structures?”

In this research, I study two consultative forums: the Scottish Civic Forum (SCF) and the Regional Economic and Social Council (RESC) of the French Nord-Pas de Calais region. Both organisations seek to enable groups to press their priorities with decision-makers and both organisations organise a durable and sustained dialogue between large numbers of social groups. The thesis is a comparative transnational study which draws on in-depth fieldwork conducted over a thirteen month period (seven months in Scotland and six months in Nord-Pas de Calais).

As a comparative study, the thesis is an attempt to examine processes which occur in two different settings, in order to understand how they are qualified by local conditions (Masser & Williams, 1986). Although recognising the degree to which both case studies presented herein have long been embedded within common trends towards increased participation, my primary concern is to bring to light the particular conditions and processes which over time have influenced their different trajectories. I will then be able to use each case study as an empirical context through which to examine the unique challenges that emerge out of the day-to-day activities of consultative forums.

My concern in this thesis is to study the role of consultative forums at the *regional* level. In recent years, regional, intra-state regional entities<sup>1</sup> have been set up in most European countries. Regions have emerged as new political entities and (re)gained a new significance as places for the organization of economic, social and political life (Heinelt & Kubler, 2005, 2006; Keating, 1998, 2001; MacLeod, 1998, 2001; Painter, 2003; Purcell, 2007). This process is sometimes referred to as a “disembedding” of social relations from the nation state and as a “re-territorialisation” of economic and social relations (Brenner, 1999; Castree, 2004; Cox, 1997; Jessop, 2000, 2002; O’Tuathail, 1998; Peck, 2002). As a result, regions have become the current location

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<sup>1</sup>The term “region” is especially problematic in the case of Scotland, which is not technically a region of the United Kingdom, but one of its component nations. Scotland is better understood as a nation and a former state, which has placed its sovereignty in a union. Together with the other nations of England, Wales and Northern Ireland, it makes up the United Kingdom of Great Britain and Northern Ireland. Indeed, Scotland itself has “regions”, and in a Scottish context, to talk about regions is usually a reference to these entities (i.e., The Borders or Lothian). For comparative purposes, I study Scotland as a “region” of the UK which has benefitted from the transfer of administrative competences as part of a top-down regionalisation process which is somewhat comparable to the regionalization process which took place in France. While this vocabulary is less than optimal, for the purpose of comparing both areas, I may on occasion need to refer to “both regions”.

of social, political and cultural change - places where new democratic arrangements are being created and new institutions and where territorial identities are being constructed.

Besides the introduction of traditional representative democratic processes in both Scotland and Nord-Pas de Calais, devolution in both instances also served as a way to bring decisions closer to citizens. In both case, the party-political processes were coupled with new participatory structures. As it turns out, the participatory processes in regions operate along different lines than the participatory processes introduced at the national level. For all these reasons, the traditional tenets of democracy and citizenship such as the “polity”, the “public sphere” and the “demos” are being questioned, and to an extent, re-defined, in Europe’s regions. As a result of these tendencies, geographers are becoming increasingly interested in the *spatial* character of democratic practices which often result in regional, place-specific knowledges and practices.

The democratic potential of regions has been a preoccupation of political geographers in recent years and these processes have, within geography, contributed to the genesis of a novel area of study focused upon state theory, the politics of scale, urban and regional politics and governance (see: Amin & Thrift, 2002; Amin *et al.*, 2000). Very often, devolved levels of government also serve as laboratories for innovations and function as windows of opportunity for the creation of truly innovative participatory mechanisms. I believe that participatory practices at the regional level have the potential to provide some interesting perspectives on our definitions of democracy and to raise a number of further questions regarding the functioning of policy communities.

Theoretically, this thesis draws from a number of contemporary political debates relative to the participation of sectional groups in modern liberal democratic processes. I begin by discussing the limitations of the party-political system of democratic representation before adopting a “radical democratic” agenda. This agenda is characterised by an increased awareness of each group’s distinctive contribution or “voice”, by a consideration of the mechanisms through which new right-claims emerge and by an interest in an “agonistic” mode of interaction between the various sectors of society. Because theories of radical democracy value the contributions of particularistic groups and their interaction in the public sphere, they

seemed particularly appropriate as a conceptual framework through which to examine the democratic functioning of consultative forums.

The main argument of this thesis is that the four main challenges faced by consultative forums are to be found in (1) their handling of the groups' "voices", (2) their approach to organising a level of interaction between the various groups, (3) the quality of their relationship to governmental decision-making and (4) the forums' position in relation to other channels of participation in the broader public sphere. As a result of differing circumstances, the two forums have adopted very different modes of operating, and combined these four elements in very specific ways. The Scottish Civic Forum, for instance, focuses especially strongly on gathering and transmitting the groups' unaltered voices to decision-makers whereas the Regional Economic and Social Council lays much more emphasis on reaching a nearly unanimous consensus between the groups and on formulating strategies for the future of the regional territory.

## 1.2 Why study consultative forums?

The present research was initiated in a period of intense debate over regional assemblies. In the British context, there was serious discussion about creating elected Regional Assemblies for those regions that wanted them. According to the white paper *Your Region, Your Choice* (Department of Transport, Local Government and Regions/ DTLR, 2002), the Regional Assemblies could have been assisted by an additional body, comprised of the region's key stakeholders, including business, trade unions, voluntary organisations and environmental groups. These consultative bodies would have served a number of functions including channelling a variety of regional opinions by interest groups into the regional policy-making debate, contributing to regional strategies and plans and scrutinising their delivery (see: Sandford, 2002; Humphrey & Shaw, 2006).

Thus, at the time of this proposal, it became necessary to think about the various ways in which such a consultative body could be operated by looking at the experience of similar organisations already at work in other parts of Europe. The white paper itself called for views about how such a process might be implemented. The prospect of new consultative assemblies being introduced in the English Regions led to a lively discussion within political geography. Ash Amin, Doreen Massey and Nigel Thrift were of the opinion that:

“The assemblies must become precisely what the government does not want them to be: a talking shop and a visual space for unconstrained discussion and imagination of particular ways of life and particular programmes of being in the region. Only this will allow all possibilities to be ruled in” (Amin, Massey & Thrift, 2003).

In 2004, the immediate objective of my research project was to provide the government with substantive new data and analysis in order to assist in the design of additional consultative assemblies, if it was resolved that elected Regional Assemblies were to be established. One month into my project, the results of a popular referendum held in the North East of England rejected the proposal for an elected Regional Assembly and similar projects for the other English regions (*i.e.* in the North West of England and in Yorkshire) were shelved without being brought to a popular vote. While the present project lost its immediate practical relevance, these events also enabled me to frame the project in a more fundamental, holistic way in trying to understand the phenomenon of consultative forums. For this reason, although the proposal for an assembly was rejected in the 2004 referendum, the insights of the research are important for other initiatives to promote the participation of non-party political social groups.

### 1.3 The Scottish Civic Forum

Prior to devolution in 1998, Scotland was characterised by a number of administrative practices which were distinct from those of the United Kingdom. For instance Scotland benefited from a significant level of institutional distinctiveness which was reflected in its legal, political and educational systems. During the eighties, however, Scottish voters felt increasingly disenfranchised from the British government based in London, as they found themselves in a situation of “permanent minority” (Arblaster, 1994) within the British State: Scotland was systematically being governed by a party (*i.e.* the Conservative party) which did not enjoy the support of a majority of the Scottish electorate, and which had been brought into power as a result of the English vote (MacLeod, 1998). During this period, movements campaigning for more autonomy in Scotland were further galvanised by the downturn of heavy industry and the social hardship which the nation was experiencing at the expense of more prosperous areas of the South of England.

At this time, numerous civic movements emerged to form the Scottish Constitutional Convention, an organism dedicated to promoting a form of Scottish autonomy and designing a new form of politics, different from the Westminster model of first-past-the-post majority rule and confrontational policy-making style (Devine & Finlay,

1996; Ascherson, 2003). This aspiration towards a new way of doing politics was epitomised by a widely read pamphlet by Bernard Crick and David Millar (1996), which outlined principles for devolution and envisaged a “New Politics” (see also Brown, 2000; Mitchell, 2000) linked to conceptions of a Scottish political community and to commonly-held values. In 1996, the Labour Party announced its commitment to establish plans towards devolution. Shortly after the party had won the 1997 election, Northern Ireland, Wales and Scotland regained a significant level of autonomy and elected parliament/ assemblies to oversee the policy process. The legislative framework for devolution in Scotland was set out in the *Scotland Act 1998*.

A significant proportion of the members of the Scottish Constitutional Convention joined the Scottish Civic Forum, an initiative dedicated explicitly to increasing the role of civil society within regional governance and to assist the work of the parliament. Michael Keating (2005) describes the Scottish Civic Forum as a representative assembly for organised civil society. In his view, the Forum could be the institutionalisation of the sector and its role is to further promote participation. As such, the Scottish Forum lays a strong emphasis on being able to reach voices which might otherwise remain under-represented in the democratic debate. The forum is designed as a “big tent”, open to all non-profit, non-party-political organisations, regardless of their size, representativeness or skill. In many ways, it embodies the Scottish commitment to building a new culture of “active citizenship” in which the people of Scotland can have an opportunity to be involved in influencing the policies which affect their lives.

#### **1.4 The Regional Economic and Social Council, Nord-Pas-de-Calais**

One of the main concerns of French regional policy in the post-war years was linked with the national allocation of resources: regional planning was predominantly seen as a means to counter growing economic domination of a few urban cores over the periphery and to balance regional disparities (Kolinsky, 1991). In order to counter this tendency, direct support for the regions was provided through a national redistribution of resources and extensive territorial planning. The French *Délégation à l'Aménagement du Territoire et à l'Action Régionale* (DATAR)<sup>2</sup> was created in 1962 as an interministerial structure to handle these issues.

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<sup>2</sup> The DATAR was renamed as the *Délégation Interministérielle à l'Aménagement et à la Compétitivité des Territoires* (DIACT) in December 2005.

The first regional consultative forums in France were established in 1964 in the form of the *Commissions de Développement Economique Régional* (CODER). These consultative assemblies were composed of local elected representatives and of delegates from the main socio-economic organisations. The CODER existed primarily to provide information and policy input to the executive services of the central state responsible for regional policy. In 1972, the first (unelected) regional councils were created. Their membership consisted largely of local government officials, central government delegates and MPs. In 1986 regional assemblies were elected for the first time and the regional councils became independent of the central state's direct supervision. These decentralising reforms were brought about by a socialist majority which was confident in the support it would get from the regions. Traditionally, local political arenas had been bastions of support for the socialists prior to 1981 and had pushed for reforms. To this day, the design of regional policy takes place essentially through the *Contrat de Projet Etat-Region* procedure, in which each region periodically negotiates its objectives with central government. This has allowed the central state to maintain some level of interregional redistribution and to continue to coherently influence the development of the whole territory.

At the time of the creation of the first unelected regional councils in 1972, the CODER were replaced by *Comités Economiques et Sociaux* (later to be re-named *Conseils Economiques et Sociaux*) in order to mirror a similar organisation (the *Conseil Economique et Social*) which operates at the level of the central state. A National Economic and Social Council has existed in France since 1925. The assembly was composed of economic and social actors drawn from civil society in response to the stakeholders' demand for participation in the affairs of the State. According to a widespread view, there were two ways in which to discuss public affairs. The first method referred to the traditional debates which occur between elected representatives from the party system. The second method consisted in bringing together the representatives of major forces within society to discuss the formulation and implementation of difficult socioeconomic policies (see: Lindsay, 2000). The two modes of representation were seen as complementary. In 1958, the French Constitution consecrated the National Economic and Social Council as France's third assembly. The *Regional Economic and Social Councils* (RESCs) exist to provide the regional elected representatives with any additional information relative to the region and its components. The statutory councils are mainly

composed of business associations, employers and workers' organisations and umbrella associative organisations whose representatives are nominated by the organisations themselves. They are automatically consulted on some issues, can be consulted by the regional council's president on any other regional issue, and may also set their own agenda (in accordance with the *principe d'autosaisine*).

### **1.5 Argument and structure of the thesis**

This thesis consists of an introductory chapter (Chapter 1), three conceptual chapters (Chapters 2, 3 and 4), a methodology chapter (Chapter 5), two case studies (Chapters 6 and 7), a comparative chapter (Chapter 8) and a conclusion (Chapter 9). The three conceptual chapters each review a theme which bears directly on the research topic. Together, they provide a unifying framework within which we can consider the role of consultative forums in regional democratic arrangements.

Chapter 2 offers a reflection on the nature of contemporary democratic processes. It begins with the observation that political communities are usually characterised by the presence of conflicts and by a way in which these conflicts are managed. The chapter offers a reflection about the ways in which Western liberal democratic societies have traditionally resolved their internal conflicts. I argue that a focus on representative democracy (one person, one vote) has strongly influenced the institutional arrangements by which modern democracies channel the flow of influence from citizens to state. This in turn has led to a relative marginalisation of the role of particularistic groups in democratic processes. I then argue that a radical democratic conceptualisation of democratic practice may be superior to the traditional representative model because (1) it has room for groups and (2) it has room for genuine political contestation (agonism). As such, a radical democratic conceptualisation can provide a sound basis upon which to build careful and detailed analysis of current democratic practices.

While Chapter 2 explores the possibility of an increased role for particularistic groups in democratic decision-making processes, Chapter 3 takes as its starting point that particular groups already do exert some form of influence on policy-making processes. In most Western democracies, there currently exists a variety of processes through which the diverse group interests may be accommodated. The interaction between groups and governments within plural public spheres is often extraordinarily complex. The chapter takes a close look at the interactions between these groups and governments. I argue that the various groups benefit from the

presence of transmission mechanisms and well-structured public spheres. Following Andrea Cornwall's (2002) dichotomy between the "invented" efforts of groups trying to engage with governmental processes and the "invited" efforts of governments seeking to engage with the various groups, the chapter is divided into two parts. According to this conceptualisation, any given territory will be characterised both by a certain level of dynamism among the groups and by the attitude of the government towards them. In this way, the chapter enables me to situate the role of consultative forums within the broader context of the regional public sphere(s) within which they operate.

Chapter 4 explores the meaning of the concept of "consultative forum". The term *per se* is largely a new construct and there is no such thing as a "consultative forum". Rather, there exist very many models and a great variety of cognate notions such as: civil society forums, social forums, issues forums, civic forums, advisory forums, consultative councils, consensus conferences, deliberative polls and the various economic and social councils. The stated aim of these types of organisations is that of influencing policy processes, operating alongside legislative assemblies. For the purpose of this thesis, a consultative forum is defined in a somewhat specific sense. The consultative forums are area-based, handle a number of different policy issues, and are initially designed to be permanent structures. In Chapter 4, I argue that whenever a consultative form sets out to gather together a number of sectional groups for the purpose of enabling their participation, there exists a clear conundrum between the preservation of the "voice" of each participant, and the search for a consensus between the various groups. Furthermore, I observe that consultative forums, by definition, are meant to function as interfaces between the groups and the governmental processes and that it is therefore necessary to evaluate the quality of that relationship. Finally, I acknowledge that the quality of the relationship between a consultative forum and governmental decision-making is also affected by the presence of other "transmission mechanisms" through which the various groups communicate their preferences to the state. The chapter concludes with a consideration of the various models of consultative forums which can emerge as a result of different combinations of these four factors.

As a methodology chapter, Chapter 5 begins with a precise outline of the research aims and research questions. I then justify the use of qualitative research methods and discuss the value of producing situated accounts of the truth within a broadly

realist epistemological framework. Later in that chapter, I discuss matters including: ethical concerns, research design, choice of literatures, documentary analysis, participant observation and interviewing. The chapter describes the social, physical, and interpersonal contexts within which the data was collected in order to provide clarity and transparency to the research process. The chapter concludes with a reflection on data analysis and theory-building.

Chapters 6 and 7 each describe the current practices of group involvement within the Scottish Civic Forum (SCF) and the Regional Economic and Social Council (RESC). These chapters begin by identifying and isolating the peculiarities of the Scottish and French devolution processes and outlining the pre-existing culture of social concertation in each country. The chapters then describe how the consultative forums came about, the way they work in practice and whether they succeed in bringing about tangible policy change.

Chapter 8 is a comparison of both case studies, which makes use of the concepts developed in the other chapters. The comparison is structured according to the four factors developed in Chapter 4 (a forum's approach to "voice", its approach to "interaction", its influence on the regional government and its relations to other participation mechanisms) in order to determine the extent to which consultative forums have been able to enhance regional democracy with regards to the principles of radical democracy introduced in Chapter 2.

In conclusion, Chapter 9 summarises the thesis and reviews the issues examined in this thesis. It begins by providing a reflection on the conceptual framework, a brief summary of findings and original contribution to research, and a consideration of the strengths and weaknesses of the research project. The chapter concludes with an outline of a number of policy implications as well as an innovative agenda for the further study of the role of particularistic interests in regional public spheres.

## Chapter 2

### (Re) conceiving the political community: representative democracy and the participation of sectional groups

#### 2.1 Chapter Introduction

The focus of this chapter relates to the institutionalisation of political debate in Western societies. It begins with the observation that political communities are often characterised by the presence of conflict and by the ways in which conflicting interests are being accommodated. In particular, I am interested in the structure of political cleavages in modern democracies. For the purpose of channelling its preferences, the public can be organised into different groups and categories. Following Jean Luc Nancy (1991), I argue that the quality of our public debate is probably dependent upon the effective mediation of interests through a variety of different social bodies.

In representative systems of democracy, each candidate to an election is theoretically eligible for office on her or his own merits. Yet in almost all electoral systems, factions tend to form for the purpose of gaining power. Furthermore, according to Maurice Duverger (1972), factions designed for the purpose of gaining office also tend to result in two-party systems (or multi-party systems in which two parties clearly dominate the election). My point in this chapter is that the range of choice made available through the main political parties insufficiently reflects the preferences of the population and that parties have lost the ability to represent the key cleavages of society.

For this reason, particularistic social groups can potentially play a very important role in modern democracies. The groups are places where individual subjectivities are formed. Or in more post-structuralist terms, the groups' subject positions are a product of discourses made available in specific settings while the possibilities of the subject are largely already pre-inscribed in idiosyncratic cultures (Butler, 1999).

Without the presence of particularistic groups, people often cannot form separate political imaginaries. In this sense, the particularistic groups challenge the character of the political process by articulating idiosyncratic critiques, which then allow individuals to contribute more fully to the public debate.

It follows that a richer conception of citizenship might depend on individuals' propensity to participate in groups, as the basis for a more effective participation in the instances of state decision-making. For this reason, one of the key tenets of my thesis is that, in modern societies, political parties have gained an undue influence in channelling peoples' interests. As a result, institutional structures which reassert a role for groups in democratic processes are probably worthwhile in order to establish a richer political debate. Consultative forums have emerged precisely for that purpose.

The second part of the chapter proceeds to outline some of the insights of a radical democratic imagination as a form of (re)thinking democracy which acknowledges and encourages the presence of diverging interests and incompatible worldviews. Radical democracy advocates an expansion of political debate as a way of wrestling with a multiplicity of values within society. Thinkers associated with radical democracy (Aronowitz, 1997; Barns, 1996; Connolly, 1995; Hillier, 2002, 2003; Laclau & Mouffe, [1985] 1998; Little, 2002; Lummis, 1996; McClure, 1992; Mouffe, 1999 and Pløger, 2004) not only favour the acceptance of difference, dissent and antagonism, but they also believe that democracy is dependent on the existence of particularistic groups as instruments for popular control. At the same time, they also believe that a dynamic democratic life involves a genuine confrontation among a diversity of democratic political identities.

## **2.2 The community and “the political”**

### **2.2.1 What is a political community?**

A community is a group of people who have something in common, whether it is an occupation, a set of interests or a sense of living in the same place. The notion of place can often be closely linked to the idea of community - people who live together in one place often form part of a political community in which decisions are made collectively (Entrikin, 2002; Kemmis, 1990; Massey, 1994; Prior *et al.*, 1995). A political community can feel a sense of common identification with the geographical territory it inhabits and share a consideration for the general well-being of its members.

### 2.2.2 Political communities select leaders, and leaders implement programmes

Human communities usually select leaders who become responsible for the oversight of the territory. The notion of “government” implies the ability to exert authority over a country’s political decisions. Governments typically rule over one budget, one central agenda and one portfolio of policies and they allocate resources within and between program areas. Governments define priorities and seek to balance the interests of all members of society (Atkinson, 1995; Esping-Andersen, 1996; Jessop, 1994; Peck, 2004; Pierson, 1996; Scharpf, 1999b).

While, in Western democracies, there are a number of measures which governments usually provide to citizens (for instance, supplying schools, roads, hospitals and police forces, reducing poverty and inequality, protecting citizens from crime and violence, raising levels of economic development *etc.*), each policy measure can, in theory, be redefined, extended or discarded altogether by the government in charge. As a result, there can be very substantial changes between various governments’ budgetary allocations and overall level of intervention in the various policy domains.

### 2.2.3 Political communities designate leaders democratically

The term “democracy” is usually used to describe a political system where the legitimacy of exercising power stems from the consent of the people (Pateman, 1970). In a democracy, the ultimate power lies with the body of the citizens, which means that members of a democratic society are able to determine the shape and values of that society for themselves. Still, if the ultimate sovereignty lies with the people, a corollary question is that of determining *how* the people will be able to exert this sovereignty (Held, 1996a). Thus, democracy refers to the making of a number of decisions following the will of the people as expressed *through particular institutional arrangements*. The particular institutional arrangements are the mechanisms through which popular power is legitimated.

### 2.2.4 There exist many models of democracy

Democracy is necessarily mediated (Barnett & Low, 2004; Entrikin, 2002; Held, 1996a). As such, it follows that there can be no universally accepted “proper relationship” between public opinion and the decision taken by an elected government. Instead, following a well-known definition of governance, there can be “a complex set of values, norms, processes and institutions by which democratic societies can manage their development and resolve their conflicts, both formally

and informally” (UNDP, 2005). Thus, there exist a number of “models of democracy” (Held, 1996a) each of which is linked to different notions of representativeness, participation and accountability. The ways of envisaging this democratic interaction vary greatly across societies.

#### 2.2.5 All models of democracy involve a form of public debate

In most democratic systems, the decision-making process involves a form of public debate. This public debate provides the means by which citizens can formulate preferences on the policy directions to be adopted by their country or region. The democratic debate is a process through which conflicting and diverse interests are accommodated (Barns, 1996; Benhabib, 1996; Bohman & Rehg, 1997; Cohen, 1996; Dryzek, 2000; Forester, 1998; Gutman & Thomson, 1996; Young, 1996). The notion of “politics”, in its Greek origins, related to a particular geographical area which was inhabited by conscious citizens capable of directly managing their community. Phil Agre (2004: 204) reminds us that:

“From its earliest days to the present, democracy has always been attended by a certain myth: citizens gather around in the community meeting-house, they have an open and rational discussion, they come to a consensus or hold a pleasant vote, decisions get made, and everyone becomes a better person in the process”.

#### 2.2.6 Debate involves entities which conduct the debate

For the purpose of conducting debate and channelling its preferences, the social corpus is usually divided into smaller entities or groups. In other words, the reality of the social body is expressed through intermediary entities such as the parties, social movements, or even individual citizens. A number of scholars would argue that the presence of intermediary entities is a pre-requisite for generating a variegated consciousness among the general public (Baumgartner & Leech, 1998; Bellah, 1985; Cohen & Rogers, 1995; Etzioni, 1993, Taylor, 2004). My argument in the rest of this chapter is that modern political communities are not currently optimally divided for the purposes of making decisions.

### 2.3 The limits of representative democracy

#### 2.3.1 The prevalence of representative democracy

A form of direct democracy would imply the suppression of all forms of delegated power. In the Swiss *Landesgemeinde*, all voting-age citizens can join once a year to elect an executive and vote on legislative proposals. During this process, anybody can raise an issue, ask a question or propose an amendment. Still, this form of direct

democracy would be very difficult to implement in a society composed of millions of citizens (Held, 1996a; Schumpeter, 1942).

Far more frequently, the deliberations which precede decisions are conducted via elected representatives. As Archon Fung and Erik Olin Wright (2003: 3) note, “democracy as a way of organizing the state has come to be narrowly identified with territorially-based competitive elections of political leadership for legislative and executive offices”. Thus, Western-style democracy is usually characterised by one-person-one-vote models and representative governments. In liberal democratic systems, one of the most important modes through which people can get involved in political processes remains the election during which citizens have a chance to exert their sovereignty by electing representatives.

### 2.3.2 The increasing role of political parties

The best analysis of the functioning of representative democracy was put forward by Joseph Schumpeter (1942) in *Capitalism, Socialism and Democracy*. Schumpeter argued that direct democracy is not possible in a context where masses will be called to vote. Another arrangement is necessary which focuses on the aggregation of preferences. In this *aggregative* model, the citizenry would be organised in political parties and the citizens could vote at regular intervals.

In nonpartisan elections, each candidate would be eligible for office on her or his own merits yet today independent representatives are infrequent. In most democratic assemblies, factions form for the purpose of gaining power. Since the early Nineteenth Century, there has been a steady rise in the activities of political parties whose delegates take part in competitive struggles for the popular vote in general elections. Before an election, the political parties aggregate a number of interests, select the candidates and devise a number of proposed policies which are then enshrined in party manifestos and offered up to the electorate. In effect, during an election the “sovereign people” is organised along party lines - the political parties are the main channels through which people can hope to exert an influence on the government. Once elected, representatives have a clear mandate to govern and their role is not often questioned.

As Schumpeter (1942) demonstrates, the competition between parties forces the voters to agree to a whole package of measures proposed by that party when in fact

the voters may only be in support of some and opposed to others. Parties form their corporate identities along a few policies and party lines to which they are particularly committed, while certain issues and agendas cannot be endorsed. Moreover, citizens are only invited to vote on a very infrequent basis, and the number of political alternatives offered to them is somewhat limited. For example, in order for voters to be able to vote a government out, there need to be other viable alternatives to replace it. This phenomenon is sometimes exacerbated by excessively majoritarian designs, as has been pointed out by proponents of proportional representation (Bogdanor, 1981; Heywood, 1997; Mitchell, 2000).

### 2.3.3 Programmatic convergence of the main political parties

Maurice Duverger's (1972) key contribution to political science was his observation that simple majoritarianism often results in a *de facto* bipartism in which two political parties gain such preponderance that the electoral success of any other party is extremely unlikely. While, in Western Europe, party origins often reflect genuine social divisions, it has been argued that mass parties no longer depart from a relatively narrow status quo and consistently seek to reflect the centre of opinion. In both France and Britain, the two main parties offer similar worldviews, as reflected by the citizens' derisive comment that, in France, they get to chose "between Sarkozy and Sarkozette" while in Britain "New Labour" and the Conservatives have drawn very much closer to each other over the years.

What this means is that the broad programme lines are already defined for the voters in debates internal to the parties before the citizens get a chance to cast a vote. As a result they may only chose between rather insubstantial divergences<sup>3</sup>. In many Western countries, the main parties often converge on principles which have historically been their distinguishing features, namely their understanding of society and the role of the state. Thus, the current understanding of democracy refers to a limited constraint on the government's activities via weakly representative elections (Fung & Wright, 2003). It may be argued that the people who form part of government are elected as the result of a competition between parties which may insufficiently reflect the true desires and aspirations of the governed.

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<sup>3</sup> For an interesting explanation of the similarities between competing parties' programmes, see the Median Voter Theorem in Duncan Black's (1948) article, *On the Rationale of Group Decision-making*. *The Journal of Political Economy* 56 (1) p. 23-34.

For some scholars, this is signalling the beginning of a “post-political era” (Beck, 1992; Žižek, 2000) in which the voters are not presented with a meaningful or substantive level of choice. In this situation, there is rarely any great shift in political direction, only instruments which are put in the hands of those who win the majority. The dominant thesis of “the end of ideological conflict” (Fraser, 1997; Fukuyama, 1992) threatens the *political* proper. There is a claim that the adversarial model of politics has now become obsolete and that instead “we have entered a new phase of reflexive modernity, one in which an inclusive consensus can be built around a ‘radical centre’” (Mouffe, 2002: 1).

#### 2.3.4 Politics being conducted without intensive input from citizens

Under this arrangement, voters exert relatively little direct influence between elections. Elected representatives do not have to maintain any connection with the people in order to pursue their policies, but the decisions they make nevertheless bear the legitimacy of the electoral process. In some respects, a techno-bureaucratic administration conducts the affairs of state between elections (Gorz, 1993; McKenna & Waddell, 2005). A number of observers note that many political operations are carried out without noise and without extensive scrutiny on the part of the population. For Jürgen Habermas (1992b: 2), this was especially evident in some political processes, such as the German reunification in the 1990s, which was “effected more at an administrative and economic level than by enlisting the participation of citizens”. While the resulting policies might be very efficient, defining them without extensive participation amounts to a disregard for the people, who are considered as little more than passive entities that need to be provided for (Robert, 2003).

#### 2.3.5 The strength of the existing consensus

According to critical scholars, the authority of the state is upheld not by the constant exercise of force, but by the willingness of citizens to comply with its decisions. For example, Noam Chomsky (1989) argues that both the governing parties’ policies and most of their critiques usually remain within the bonds of a narrow consensus, and that, in this sense, even the opposition serves to reinforce the overall direction of policy. An “empty democracy” consists of a choice between two different teams managing the same status quo. While the status quo is not total, it is best defined as a “constrained space” within which day-to-day politics is conducted and within which political actors may agree or disagree. It consists of a framework which only encompasses a limited range of possible political outcomes. While there is an

apparent openness to new ideas susceptible to significantly alter the status quo, it is often the smallest decisions which are most vehemently debated. In addition, for Chomsky, “the primary targets of the manufacture of consent are those who regard themselves as the more thoughtful members of the community, the intellectuals and the opinion leaders” (*ibid.*: 70).

For Chomsky (1989: 48), “debate cannot be stilled, and indeed, in a properly functioning system of propaganda, it should not be, because it has a system-reinforcing character if constrained within proper bounds”. Divisions between elites are present in public debate, but there is rarely a move beyond their narrow consensus. From a Chomskian perspective, modern political processes set the bounds of the debate firmly:

“controversy may rage as long as it adheres to the presuppositions that define the consensus of elites, and it should furthermore be encouraged within these bounds, thus helping to establish these doctrines as the very condition of thinkable thought while reinforcing the belief that freedom reigns” (*ibid.*: 48).

Claude Lefort echoes this sentiment in *Democracy and Political Theory*. He believes that when the public debate is constrained in such fashion, “the locus of society (the locus in which parties compete and in which a general agency of power takes shape and is reproduced) becomes defined as particular, while the principle which generates the overall configuration is concealed” (Lefort, 1988: 11).

#### 2.3.6 Abstention and voter disalignment

Over the last thirty years, there has been an incremental reduction of popular allegiance from party politics. In Britain and in France, the level of party membership is relatively low. While millions adhered in the post-war era, only hundreds of thousands do so today (Noblecourt, 2006). Despite parties claiming success in elections, voter turnouts have declined to an historic low (Galbraith, 1992; Giddens, 1994; Heran, 2006). Many citizens do not vote for reasons which are themselves political - they “do not care for any of the candidates” or they are “fed up with the political system”. Other phenomena include voting for smaller marginal parties (a practice known as the *vote de contestation* in France) or casting a blank ballot (Subileau, 2006).

### 2.3.7 Discontent is expressed in other ways

The current period is characterised by a toning down of expectations. For many, there is not much hope to be expressed through the party-political process. In these conditions, the voters' attitudes can turn to cynicism. It may not be possible to achieve substantial policy-change, but it remains possible to vote for a mainstream party and criticise it (Holloway, 2002). For these reasons, it seems fair to affirm that the current form of democracy is less than optimal. In Seattle, when the protesters chanted "this is what democracy looks like", they meant to expose G8 democracy on the one hand, street democracy on the other, and the symptomatic chasm between both.

During the 2005 civil unrest in France, well-meaning and well-assimilated public figures such as comedian Djamel Deboze were encouraging the rioters to "vote". Yet, a vote for a distant mass party will not necessarily alter the lack of opportunity and omnipresent racism faced by the rioters on an everyday basis. In effect, the existence of such societal forces is frequently denied by republican ideals of meritocracy. The assumption is that urban youth should pull themselves up by their own bootstraps and somehow "fit in" the subject positions made available for them. But the subject positions do not actually correspond to any reality because very few youths will rise against the odds to become famous comedians or famous boxers. Many youths will, however, face constant discrimination in the street, at school and in the job market. In this instance, the rioters knew that the usual channels of representative democracy would not be sufficient for them to have any real influence in substantially shaping the society they live in. Because they were outsiders, the street was seen as the only option (Kundnani, 2001).

Slavoy Žižek (2005), for his part, discerns a definite sense of hope in the electorate's rejection of the proposed European Constitution. For Žižek, the result was

"a monument to their [the political and media elites'] inability to articulate the people's longings and dissatisfactions. Instead, in their reaction to the no results, they treated the people as retarded pupils who did not understand the lessons of the experts" (2005, para. 7).

This result, Žižek argues, was an important moment for democracies in Western Europe. From then on, the voters would not longer be convinced by post-political visions and "expertise". In Žižek's understanding, the people's "no" conveys a message of hope. He believes that this vote amounts to a demand for a better and more substantial debate about the values which the European Union is meant to

embody. The “no” is a popular demand for more political debate, not less. Žižek believes that “there was a positive choice in the no: the choice of choice itself” (*ibid.* para. 8). In this sense, people have not abandoned politics and they continue to picture alternatives. For Žižek, the current crisis of politics as it is being conducted is also a chance to think about the future of the political.

#### 2.3.8 The link between existing social cleavages and political parties is too weak

In the above sections, I have argued that public debates involve entities which conduct the debate. In this sense, a pluralism of interests and values is closely associated with the idea of “the people” in its entirety. This rather sibylline observation relates to what Claude Lefort (1988) calls the principle of internal division (*le principe de division interne*) of society. As Jean-Luc Nancy (1991: xxxix) argues in the preface to *The Inoperative Community*: “the community that becomes a single thing (body, mind, fatherland, leader) necessarily loses the in of being-in-common. Or, it loses the ‘with’ or the ‘together’ that defines it. It yields its being-together to a being of togetherness”.

I wish to argue that political parties are no longer sufficient channels to express the political. The choices made available through political parties insufficiently reflect the preferences of the population and parties have lost the ability to represent the key cleavages of society. In practice, the parties serve to homogenise a complex civil society composed of identities with enormously different social, political and cultural identities. In effect, the space between the groups and the state is colonised by a dominant mode of relation, which is largely impersonal, bureaucratic and universal (Sandel, 1984; Taylor, 2004). As a result, there is a growing gap between the people and the political parties which claim to represent them.

## 2.4 A role for social groups

### 2.4.1 The deliberate weakening of social groups in liberal democracies

Before the introduction of the drastic 1791 Le Chapelier laws in France and the 1799 Combination Acts in Britain, the governmental sphere and the private sector had been complemented by an extensive civil society tied together by school, church, town and guilds. In the late Eighteenth century, the role of groups in democracy was seriously de-emphasised. For a number of observers, one of the most important aspects of liberal democracy is its reliance on a doctrine of individualism (Bellah, 1985; Durish, 2002; MacIntyre, 1985). In liberal theory, society is often conceptualised as a set of free, autonomous and sovereign individuals who each

pursue their best interests with no particular concern or consideration for the “common good” of society. One of political liberalism’s key values is that of upholding the rights of individual within a tolerant and pluralist context.

By laying a heavy emphasis on the individuals’ commitment to the broader political community, theorists will tend to see involvement in particularistic groups as disruptive of the democratic process. During the early Nineteenth Century, pre-Enlightenment systems of solidarity were emptied of their particularisms, which were being conceptualised as systems of hierarchies and privileged which hindered the ideal of equality.

2.4.2 The question of the involvement of particularistic groups in democratic processes has a very long legacy in the history of political ideas

Since the late Eighteenth Century, scholars (such as: de La Tour du Pin, Madison, Montesquieu, Le Play, de Tocqueville) have discussed the issue of the involvement of particularistic groups in democratic processes. In addition, all forms of modern democratic governments have had to deal with the tension between particularistic aspirations and the construction of a general will. Proponents of a more affirmed role for groups in public debates believe that, between the public powers and opinion, there should be intermediary bodies which can help clarify the complexity of life in pluralist societies and help provide answers to the greatest political challenges of our time.

2.4.3 Subject-positions are formed by groups

Citizenship can be defined as “a capacity to act in relation to the particular circumstances of one’s environment” (Rose, 2000: 99). In liberal democracies, there is a widespread conception that people can live, think and do as they please, within certain limits. Yet, the belief that individuals can do and think as they please can be ultimately be the carrier of a very conformist message. People are expected to “think for themselves” but, if they do not realise that they do not have the conceptual tools to do so, their potential for truly independent thought is curtailed. Phil Agre (2004: 205) reminds us to:

“listen to real people argue about politics, and you will generally hear them recite arguments that they got from professional opinion-makers (politicians, pundits, journalists, scholars, workplace authorities, and so on) that they happen to agree with [...]. Coming up with novel political arguments requires a lot of work. Human beings are finite and nobody has the time or knowledge to invent thought-out arguments on every issue all by themselves.

Even the professional arguers are mostly pooling arguments among themselves, for example by refashioning arguments they have appropriated from others and applying general schemata to particular cases”.

From a communitarian perspective, society is not composed of rapports between individuals. Furthermore, depicting them as solitary individuals disempowers and dehumanises people. In any territorial setting, the presence of a diversity of social groups makes it possible for individuals to identify themselves according to their specificity, such as their economic status or their specific conditions of existence and then to put the state in touch with the needs of society. Poststructuralists have argued that subject-positions are a product of discourse and that the potentialities of the subject are largely pre-inscribed in the cultural contexts available. It is the groups' language, culture and practices that make individuality possible. Most of the auto-representations of the individuals are made available to them via groups, as exemplified in the work of Michael Sandel (1982), Alasdair MacIntyre (1985), and Michael Walzer (1983). In this sense, the more groups there are, the easier it becomes for people to identify with one or several of them.

The particularistic groups form a realm of social life in which public opinion can be formulated and a site in which political subjectivities are formed (Staeheli & Mitchell, 2007). It follows that particularistic groups can become some of the most fundamental units of society, with a public voice of their own. The groups can develop a capacity to understand and to operate in the world in new ways. In this sense, the various groups can contribute to societal debate by not being restricted by existing social options and by developing their own consciousness instead (Fraser, 1992; Kymlicka, 1995; Phillips, 1992; Young, 1990, 2000). It follows that modern democracies would destroy themselves by undervaluing the channels which transmit these characteristics from one generation to the next. Indeed, from a radical democratic perspective, “democracy's survival depends on collective identities forming around clearly differentiated positions, as well as on the possibility of choosing between real alternatives” (Mouffe, 2007: 43).

#### 2.4.4 A realisation of the importance of groups entails a profound geographic element

As theorists such as Gideon Calder have noted, far from being a baggage which individuals just happen to carry around with them, “our social circumstances are an integral part of the meanings of our lives, and the preferences we hold” (2004: para. 5). In other words, it is not possible to understand the experience of individuals apart

from the particular social contexts in which they are unavoidably embedded. Their selves are necessarily encumbered with sets of identities and attributes: their language, their situated experiences, their ethnicity, and the places and localities in which they operate. Thus, rather than just viewing citizens as participants in governance, Barbara Cruikshank (1999) posits that citizens are both the effects and the instruments of democratic governance - both the subjects and objects of discourse. Furthermore, Joe Painter (2000: 7) notes that:

“The forging of identities takes place in specific geographical contexts. This applies both to substantive identities (gender, sexuality, class and so on) and to our ‘articulating’ identity as radical democratic citizens. The resources available for the development of radical democratic citizenship vary markedly across space. In particular the social networks which are a condition of positive identification are highly uneven, and access to them constrained in all kinds of material and discursive ways. A young gay man in rural Scotland is likely to find the pursuit of radical democratic citizenship notably more difficult than a similar person in urban California”.

## 2.5 A radical democratic agenda

Situated firmly on the Left of the political agenda, the ideas associated with “radical democracy” were first developed as a critique of mainstream Marxism which traditionally understood class as the only important antagonism (Laclau & Mouffe, [1985] 1998). Marxists are notoriously critical of the concept of a unitary nation which they refer to as “false consciousness”. This amounts to embracing the old liberal ideology of the “*union sacrée*”, a denial of the reality of class antagonism and the assertion that the citizens of a nation (or all members of a company) have equal interest in this prosperity. Marxists are classically adamant that the reinforcing of some collective social relations (i.e. the workers vs. capital) is of utmost importance to the struggle for equality. Hence the famous call for workers to “unite” with each other while disowning universalising national solidarities.

Ernesto Laclau and Chantal Mouffe ([1985] 1998), for their part, reject Marxist economic determinism and the idea that class struggle is the central, or most important antagonism in society. In their view, those who argued that denouncing the inequalities between women and men meant that less attention would be paid to capitalist processes are mistaken. In their understanding, the real strength of a Marxist movement would come from various struggles coming together and from the groups’ struggles being transformed through their relationship with other groups. Ash Amin and Nigel Thrift (2005) echo this sentiment by reasserting that there are

inequalities which cannot be limited to class differences and that the task of the Left is to find ways of combating them.

However, nowadays the concept of “radical democracy” can also be understood in a much broader sense (Barnett & Low, 2004; Keenan, 1997). The term is often used to refer to a change in the definition of democracy and it refers to an ongoing questioning of the principles and ideas which contribute to the legitimacy of a democratic decision. In this sense, the radical democratic agenda is broader, more open-ended and it opens up considerable room to accommodate thinkers who wish to reflect on ways to extend the amount of democratic control exerted by citizens. Stanley Aronowitz (1997: 99), writing in *Radical Democracy: Identity, Citizenship, and the State*, believes that “radical democracy emerged from a critique of representative democracy and at the moment there is a transformation of the institutions and of the mechanisms of participation, negotiation, and conflict-intermediation”.

In this section, I argue that radical democracy is comprised of (a) a commitment to renewing democracy, (b) a communitarian understanding of human agency and (c) an interest for agonism. I have chosen to adopt a radical-democratic agenda because I believe that that the two aspects of voice and agonism are especially relevant to the work of consultative forums. I argue that the radical democratic conceptualisation of democratic practice may be superior to the traditional representative model because it has room for groups and it has room for genuine political contestation in the form of *agonism*. As such, radical democratic contributions can provide a sound basis upon which to build careful and detailed re-conceptualisations of democratic practice in the regions

#### 2.5.1 A renewed, radical understanding of the meaning of democracy

Before attempting a re-imagining of democratic practice, it is essential to acknowledge that the institutions traditionally associated with representative democracy are an undeniable advance when compared with political arrangements that do not uphold civil liberties, the rule of law and the principle of popular representation (Meiksins-Wood: 1990). Democratic expansion over the 19th & 20th-century has resulted in phenomena such as voting rights for workers and women, anti-discrimination movements which in themselves are eminently valuable.

Equally and at the same time, I have argued that liberal democracy is a particularly truncated form of democracy (Barns, 1996) and that full democracy cannot be achieved when citizens engage solely through the current arrangements. Whenever democratic participation amounts to a form of compliance with pre-established procedural arrangements, the practices of citizenship fall short of more substantial democratic ideals. For Slavoy Žižek (2003: para. 1):

“Democracy in the way the term is used today concerns above all formal legalism. Its minimal definition is the unconditional adherence to a certain set of formal rules which guarantee that antagonisms are fully absorbed into the ‘rules of the game’”.

By contrast, radical democrats are hoping for “a mode of doing politics in which the democratic ideals of equality, freedom and popular control are allowed their most complete sway and fullest application” (Keenan, 1997, para. 1). According to radical democrats’ alternative conceptualisation, democracy should probably be understood as an ideal that can never be reached. Democracy is best understood as a dynamic learning process, not as a stable relationship of citizens with the state. It amounts to pursuing the ideals of social justice, citizenship, community and multiple publics (Sandercock, 1998). Thus, there is a need to recover a democratic imagination rooted in the hope that is inspired by new axes of contestation and which understands democracy more as an ideal to be aimed for than as a state which can be achieved.

For Nicholas Entrikin (2002), democracy itself should be an empty place or, in the words of Douglas Lummis (1996: 15), “democracy was once a word of the people, a critical word, a revolutionary word. It has been stolen by those who would rule over the people, to add legitimacy to their rule. It is time to take it back”. In this sense, radical democracy is primarily an exercise of imagination. Through it we are able to fashion new visions for political life in the hope of rethinking and altering contemporary political arrangements (see Appadurai, 2001; Aronowitz, 1997; Barns, 1996; Connolly, 1995; Hay, 2007; Hillier, 2002, 2003; Laclau & Mouffe, [1985] 1998; Little, 2002; Lummis, 1996; Mouffe, 1999; McClure, 1992 and Pløger, 2004).

### 2.5.2 Countering the hegemonic tendencies of the status quo

In Marxist social thought, hegemony has traditionally been understood as an ideological propaganda. Antonio Gramsci ([1971] 1998) believed that hegemony was not only present in outright propaganda, but also more subtly in the forms of everyday knowledge. The interests of elites are defended not only in political

decisions and ideological statements, but also in the taken-for-granted common sense which the population shares. Thus, for Gramsci, there is little need for outright propaganda. Whenever people accept a version of the common sense that serves the interests of a particular category of people, they effectively consent to a mode of domination which maintains the social order.

In this sense, the “hegemonic” area of taken-for-granted common sense is arguably more important than the debate itself because it becomes part of our consciousness as if it was an unchangeable reality (see Bourdieu & Wacquant, 2001). Universalising projects are often underpinned by a very limited set of discourses and representations<sup>4</sup>. *In fine*, this “obvious unity” always entails subtle exclusions. Judith Butler (1992, see also Durish, 2002) claims that the attempt to lay down political foundations outside of the actual political process is a way of setting up a particular programme of domination. On a similar note, Etienne Balibar (2001: 16) affirms that not only exclusion creates alienation but inclusion does too, if inclusion becomes associated with a fetishised sense of unity which is both essentialist and normative. The definitions of national cohesiveness as disseminated by the state have fragmentary effects, because they exclude those who do not feel that they can be part of that representation of a common identity.

Interestingly, Antonio Gramsci ([1971] 1998) recognised that there is often a duality to the role of groups: the various groups could be both instruments which maintain hegemony or they could form a realm of subversion. On the one hand, groups undeniably contribute to the “cultural superstructure” through which dominant classes impose their hegemony. On the other hand, the realm of autonomous groups is also the realm occupied by the particularistic social groups which could successfully challenge the prevailing hegemony. As Robert Cox (2005: 104) puts it:

“There is a dialectic inherent in civil society. In one aspect, the educational and ideological agencies that are sustained ultimately by the state’s coercive apparatus shape morals and culture. Yet in another aspect civil society appears to have autonomy and to be more fundamental than the state, indeed to be the basis upon which a state can be founded”.

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<sup>4</sup> A dominant ideology does not have to be wholly believed by the people whom it oppresses. Rather, according to James Scott (1990), a “thin” version of false consciousness amounts to a situation in which subordinated classes do not so much believe in, as remain incapable of undermining the rationality of, an ideology that maintains their oppression.

Following this Gramscian understanding, Ernesto Laclau and Chantal Mouffe's *Hegemony and Socialist Strategy* ([1985] 1998) sought to understand the strength of the status quo, and then to devise a strategy for its transformation. In Laclau and Mouffe's (Gramscian) understanding, the status quo, the culture of the powerful often remains unexamined since the suppliers of that culture, often the powerful and privileged, remain largely unaware of their own structures of domination. Thus, in the face of the omnipresent imagery which accompanies the largely bi-partisan democratic processes, the task is to shape an alternative through innovative forms of contestation.

Radical democracy aims to provide alternative visions and cultural landscapes to the dominant visions and landscapes. For Chantal Mouffe and Ernesto Laclau (1998: para. 31), all politics are hegemonic to some extent inasmuch as they consist in "pragmatically putting things or occurrences which do not necessarily have to coalesce in that way". The task of radical democracy is thus to call hegemonic tendencies into question whenever they appear. The aim is to recover a public which would be composed of a multiplicity of mature democratic discourses and imaginaries.

### 2.5.3 Problematising a greater number of inequalities

In order to resist both hegemonic and universalising tendencies, radical democrats contend that it is useful to explicitly problematise inequalities. Groups could (and in their view should) foment new axes of struggle out of every form of experienced exploitation by reflecting upon them and creatively altering them. Individuals, groups, movements, associations and organisations would then be able to discursively reflect upon their condition and formally organise as groups, providing a counterbalance to the power of the state. Radical democrats are encouraging the politicisation of differences and the mobilisation of passions. They encourage the various social groups to take charge and organise themselves politically by appropriating democratic ideals and applying them to their own situation.

Chantal Mouffe (2005: 88) defines feminist politics "not as a separate politics for the pursuit of the interests of women as women but as the pursuit of feminist goals and aims within the context of a wider articulation of demands". This is especially useful when groups start calling into question what so far has never been seen as a political issue by importing critical tools into new areas of contestation. This

approach has the merit that it re-politicises a number of things beforehand considered apolitical or private (Žižek 2000: 98). According to Nancy Fraser (1992: 123), these groups, and the counter-publics in which they might take part, “form parallel discursive arenas where members of subordinated social groups invent and circulate counter-discourses to formulate oppositional interpretations of their identities interests and needs, challenging the status quo”.

In this respect, radical democrats position themselves in diametrical opposition to John Rawls’ proposals in *Political Liberalism* (1993). Rawls’ advocacy of an avoidance of comprehensive doctrines, beyond the definition of a set of broad principles on which most would agree, is motivated by his belief that no agreement is possible in this respect (Rawls, 1971; see also Isin & Wood, 1999; Seligman, 1992). According to this view, in order for liberal institutions to be suitable to people with different moral, philosophical and religious views, the institutions should remain neutral with respect to encompassing worldviews. Thus Rawls also strongly advocates a separation between the private realm (constituted with a pluralism of irreconcilable values) and the public realm (where political consensus on liberal notions of justice are achieved by the implementation of an overriding agreement on justice).

With reference to Rawlsian themes, Nancy Fraser criticises the understanding of “the bourgeois conception of the public sphere [which] requires bracketing inequalities of status” (1992: 118). By contrast, radical democrats support groups and “counter-publics” which come together in order to develop identities and interests and which do not curtail their specificities, but seek to develop them further. Instead of bracketing inequalities in a misguided attempt to give the illusion of a fair debate equal entities, existing social inequalities should be explicitly problematised within public space(s). Also in stark contrast to the project advocated by Rawls, Chantal Mouffe believes that “the democratic project is constitutively agonistic and pluralist. It marks and sustains the practice of contestation rather than any substantive consensual notion of the common good or even a ‘we’” (1993: 10).

#### 2.5.4 Conceiving intersubjectivity as the foundation of subjectivity

Radical democrats do not wish to “do away with the subject” but rather to question the process of its construction and enquire about its democratic potential. In this respect, they go beyond identity politics and argue that intersubjectivity is the

foundation of subjectivity. Subjectivities are constituted at the intersection of different discourses (Gregory, 2000). The way to bring about group empowerment is by appropriating the democratic discourse of other groups. The emancipation of proto-political movements can be achieved by “developing and multiplying in as many social relations as possible the discourses, the practices, the ‘language games’ that produce democratic ‘subject positions’” (Mouffe, 1993: 151). According to Mouffe, what is needed is “a hegemony of democratic values” (*ibid.* 18). The aim is:

“To extend the democratic struggle to all those areas in which the relation of domination existed [...]. By multiplying what we call the political space, and thinking that it was not, for instance, strictly limited to either the traditional public sphere or, as Marxists will have it, around the question of class, but that there was, in fact, a multiplicity of locus of power in society that needed to be put into question” (Laclau & Mouffe, 1999).

#### 2.5.5 Encouraging strife and agonism

In the study of democratic arrangements, some authors demonstrate a discernible bias towards the reconciliation of differences. Jürgen Habermas, for example, presupposes that a consensus can be uncovered if the various interests would try hard enough to reach it. Proponents of this approach believe that the finality of any confrontation of interest is the attainment of consensus. Radical democrats tend to be suspicious of consensus. They question the notion that dialogue can produce results acceptable to all and believe that consensus often conceals the multiple inequalities which were not allowed to play out in the encounter. An overriding consensus can hide the coercion, fear and lack of power experienced by some those who take part in the debate (Flyvbjerg, 1998; Fraser, 1992; Hillier, 2003; Mouffe 1999, Pløger, 2004; Sanders, 1997). For this reason, radical democrats acknowledge that genuine political empowerment will probably lead to an increase in strife and agonism centring on “diverging interpretations of statements, assertions, texts and plans” (Pløger, 2004: 76). A dynamic democratic life involves a real confrontation among a diversity of democratic political identities and an open, somewhat unruly, contestation is the sign of a vibrant democracy.

The radical democratic concept of “agonism” was developed as a counter-argument to Habermas’ theory of communicative action (1987) in which it is possible to attain consensus through rationality in public deliberation. By contrast, Chantal Mouffe believes that “the belief that a final resolution of conflicts is eventually possible is something that puts democracy at risk” (1993:8). As a general rule, radical democrats do not generally accept the possibility of most conflicts ever being fully

resolved. Instead, they tend to assume from the outset that conflicts will always be present between human groups (Mouffe, 1999, Tzfadia & Yiftachel, 2004). For John Pløger, the urge to resolve all conflicts, and the inability to live with disagreements is unfortunate and the hope that all conflicts can be facilitated to a harmonious solution is starry-eyed and dangerous (Pløger, 2004). In the views expressed by radical democrats, a recognition of the lasting presence of conflict and the irreconcilability of views offers a more effective perspective in thinking about how debate can result in modest “settlements”, rather than in a more utopian (and potentially oppressive) consensus.

The language of agonism refers to radical democrats’ view of political conflict. Chantal Mouffe (1999) has often drawn on Carl Schmitt’s conception that political systems frequently need an “evil other” and have a tendency to displace conflicts by constructing fundamentalist enemies. According to this understanding, the constitution of a people demands the creation of enemies. Instead of wishing to eliminate this tendency entirely, radical democrats are concerned with the form which this primordial conflict takes. Thus, for Mouffe (2000), one of the aims of radical democracy is to ensure that the friend/ enemy dichotomy is institutionalised in the best possible way: “[E]nvisaged from the point of view of ‘agonistic pluralism’, the aim of democratic politics is to construct the “them” in such a way that it is no longer perceived as an enemy to be destroyed, but a valued “adversary” (Mouffe, 2000: 126).

According to radical democrats, the confrontation between different interests does not have to be stale, cramped or sterile. In Chantal Mouffe’s terminology, conflict does not have to be antagonistic. There is generally a possibility of transforming antagonism into agonism, which amounts to seeing conflict as an interaction between adversaries and not enemies. Phillip Allmendiger and Michael Gunder (2005), for their part, prefer to use the language of “strife” to refer to essentially the same idea. The ideas of agonism and strife imply that the various parties respect each other, while also realising that their different interests are sometimes utterly incompatible (Mouffe, 2000). John Pløger brings together the languages of agonism and strife when he asserts that “the manifestation of agonism in democratic processes is strife, which is the ongoing dispute about words, meaning, discourses, visions, or ‘the good life’” (Pløger, 2004: 73).

Radical democrats are also critical of overly rational-critical forms of discourse (Dahlberg, 2005). In their view, the negation of passions and the tendency to disown deeply-held convictions in order not to offend other members of society is actually counterproductive. It would amount to a subordination of the groups' and individuals' genuine interest to the requirements of public obedience. As Chantal Mouffe argues:

“Contrary to the model of ‘deliberative democracy’, the model of ‘agonistic pluralism’ that I am advocating is not to eliminate passions nor to relegate them to the private sphere in order to render rational consensus possible, but to mobilise those passions towards the promotion of democratic designs” (Mouffe, 1999: 755).

While it would be impossible to satisfy everyone's interests in heterogeneous political environment, the concept of agonism cannot be promoted for its own sake.

Bruno Latour (2003, para: 45) states that:

“No matter how fierce their dedication to war, the warring parties always imagine the moment when peace talks will begin. And this is when the details will count, because this is when compromises will be made”.

Thus, radical democrats also advocate a level of resistance to closure and insist on the *partiality* and *provisionality* of agreements which maintains in tension real disagreements, real incompatible beliefs and a number of social agendas (Keenan, 1997). Thus, agonistic adversaries are aiming for “the constructive mobilisation of differences towards promotion of democratic decisions which are partly consensual but which also accept irresolvable disagreements” (Hillier, 2000: 52). Chantal Mouffe believes that “we have to accept that every consensus exists as a temporary result of a provisional hegemony, as a stabilization of power, and that it always entails some form of exclusion” (Mouffe, 1999: 92).

## **2.6 Chapter conclusion: why study current practices of participatory democracy with the tools of radical democracy?**

This chapter began with a reflection about some of the many reasons why liberal democratic institutions are now in profound crisis. The main point of this chapter has been to illustrate how democracy's existence is in part dependent upon effective mediation. For the purpose of channelling its preferences, the public should probably be organised into different groups and categories. In other words, the reality of the social body is expressed through intermediary entities such as the parties, social movements, or even individual citizens.

I have argued that democratic practice today tends to happen within a constrained ideological framework which ignores the role of a complex civil society composed of groups with enormously different social, political and cultural positions. For democratic purposes, political parties have become the predominant unit of social organisation and this has led to the institutionalisation of a very specific type of political process. Whenever people find themselves in the presence of such a flattened public sphere which has been crowded out by inefficient transmission mechanisms, it probably becomes necessary for us to reflect on the totalitarian tendencies of this mode of understanding the social “being in common”.

My primary concern has been to offer a fresh vision of the significance of groups in democratic processes so as to conceptualise a way in which groups might help negotiate the challenges of a liberal society. I have argued that groups are the place where citizens can learn to develop a voice. Individuals most likely do not have a point of view unless they are in contact with an organisation that can shape this point of view by deploying idiosyncratic imaginaries and representations which are not part of the pre-existing social and political agenda. For this reason, preserving the specificity of groups can be important.

This chapter has then inquired into the possibilities of the radical democratic imagination. I believe that some of the key themes explored by radical democrats provide interesting insights into how consultative forums can contribute to the enrichment of political debate. In the next chapter, I will argue that groups have not disappeared entirely. In fact, governments are committing to a more open and legitimate democracy than existing liberal democracy. In the current period, the decision-making procedures associated with representative democracy have been complemented by a new set of democratic practices, which have been built on top of existing practices, and which offer new opportunities in addition to the electoral process (Young, 2000, Cornwall, 2002). Electoral democracy is being supplemented by a permanent participatory democracy. The rest of the thesis will focus specifically on these new, “enhanced” democratic mechanisms in order to evaluate the role which the various groups are able to play in the context of regional decision-making.

On the whole radical democracy remains a rather vague concept and there exist many versions of theories associated with it (see Keenan, 1997). In one version, radical democracy is understood to be a branch of thinking on the Left of the political spectrum in which advocates propose to identify and support the most vulnerable social groups (not simply the “working class”) in their multifarious attempts to secure better life conditions for all. In this respect, radical democracy amounts to a desire to empower specific groups in all spheres of life. In other versions of radical democratic theory, scholars begin by accepting the value of some of the more traditional democratic institutions such as constitutions, parties and elections. At the same time, they question the most superficial uses of the word “democracy” and seek to outline the possibilities of fostering deeper practices of democracy.

Yet, in both approaches radical democrats insist on the importance of fomenting new subjectivities. The aim of this politicisation of identities is that of enabling the broadest possible participation and favouring the empowerment of multiple “subject positions”—such as race, class, gender and sexuality. Radical democracy is about enabling groups to develop their discursive and practical influence thereby also enabling them to bring about the conditions of their own freedom. In this process, the groups’ variegated aspirations have a chance of being transformed into tangible realities (which can take the form of new policies or, more generally, of actions in any sphere of public life). The proliferation of empowered subjectivities can, in turn, lead to a continuous and sustained contestation of taken-for-granted universals, which has the potential to redefine the contours of the political.

Still, one of the key challenges involved in the attempt to empower new subjectivities and in trying to generate their interest in a common political future is the confrontation which can occur when a variety of groups come together. Thus, radical democracy is not only about the challenge of empowering more and more groups to become politically active, the task is also to organise the modalities according to which they will be able to operate together. For this reason, most forms of radical democracy also insist on the constitutive nature of division and conflict. While they are concerned with ways of handling conflicts, radical democrats open up the possibility of developing less violent ways of handling deep disagreements and investigate the most effective and democratic ways of handling inevitable tensions in a non-oppressive fashion. While doing so, radical democrats redefine the

objectives of political debate not solely as the formulation of common values, but also as the acknowledgement that “the reconciliation of rival claims and conflicting interests can only be partial and provisional” (Mouffe 1993: 113). This approach is useful when practitioners are faced with conflicts that “resist our desire for simple solutions and an ordered and controlled world” (Keenan 1997: 24).

Most versions of radical democracy combine these two elements (the promotion of empowered voices and the promotion of an element of interaction between these voices). In trying to make sense of the activities of consultative forums, I was particularly interested in the double movement between the task of empowering new political subjectivities, which is desirable in radical democratic terms, and the challenge of formulating common objectives to be pursued by a number of groups. Consultative forums are institutions of democratic participation in which concerns can be lodged by a number of groups who wish to contribute to the formulation of decisions. Each in its own way, the consultative forums seek to protect and to reinvigorate the ideals of participation, democratic control and empowered public spheres. I found that consultative forums were also seeking to come to terms with the tension between enabling a multiplicity of voices and facilitating their interaction. For this reason, while I do not appropriate the whole range of theoretical insights made available by radical democrats, I believe that some of their concepts (i.e. voice and agonism) can be fruitfully used in making sense of the work and activities of consultative forums.

## Chapter 3:

### The influence of groups in policy-making processes: exploring regional public sphere(s)

#### 3.1 Chapter Introduction

Although I have argued in the previous chapter that particularistic groups have been weakened by the Enlightenment's conceptions of democratic practice, groups have never fully disappeared from the public scene. Today, citizens frequently do attempt to fulfil their political aspirations by placing a strong emphasis on participation within the particular social groups with which they identify. What's more, the various groups not only operate away from state processes, but in many instances they have also become an integral part of the cycle of policy-making. While electoral processes are the institutional manifestation of the general competence of citizens, the presence of particularistic groups enable them to promote more particular issues, which may be more or less narrow.

In this chapter, I attempt to (re)conceptualise the existing relations between the state and the various particularistic groups, in order to be able to situate the role of consultative forums among the already existing transmission channels between interest groups and state processes. In doing this, I acknowledge that regional consultative forums are affecting (and affected by) the existing participatory constellations that exist in the territory in which they operate. I begin this chapter with a conceptualisation of the public sphere as the "space between" citizens and decision makers. This "space between", I argue, is composed of a multiplicity of separate channels -Jürgen Habermas (1992a) talks of "transmission mechanisms"-, which are not necessarily mutually reinforcing.

Following Andrea Cornwall's (2002) helpful conceptualisation of "invented" and "invited" spaces (referring to spaces invented by the groups and spaces in which the groups are invited by governments), I seek to outline the various options available to groups and governments in their attempts to structure this bi-lateral and multi-lateral

dialogue. Thus, after an initial introduction to the concept of the public sphere(s) in the first section, the second section of the chapter reviews the various “bottom-up” (or invented) mechanisms through which groups may attempt to engage with state processes while the third section critically evaluates the “top-down” (or inviting) role of the State in encouraging group participation. The chapter ends with the notion that newly institutionalised regional public spheres may not always operate in the best conditions, as both the “bottom-up” and the “top-down” processes are different than those which operate at the national scale. This, as Joe Painter (2003) shows, has enormous repercussions for our understanding of the geography of democratic processes in Europe’s regions.

### 3.2 What is the public sphere?

For the purpose of this study, groups are best conceptualised as private or public actors with stakes in public policy, who voice social issues in the public arena and create pressures for the evolution of various policies. The groups’ views are independent of, and sometimes opposed to, the state’s own perspectives and there exist a number of intermediary channels, in which such participation can be practiced (Cohen & Arato, 1992; 1997; Cohen & Rogers, 1995; Bohman & Rehg 1997).

The public sphere is best understood as the “space between” citizens and decision-makers. It serves as a space situated between the private sphere and the sphere of public authorities, i.e., a space where various arguments and views are being confronted. The debates occurring in the public sphere are broader than the party-political debates and frequently challenge them. As such, the public sphere is a place in which it is possible for “society” to oversee and hold to account the public sector<sup>5</sup>. In the introduction to Habermas’ *The Structural Transformation of the Public Sphere* (1992a: xi), Thomas McCarthy recounts the ways in which public spheres arose in European countries:

“In its clash with the arcane and bureaucratic practices of the absolutist state, the emergent bourgeoisie gradually replaced a public sphere in which the ruler’s power was merely represented *before* the people with a sphere in which state authority was publicly monitored through informed and critical discourse *by* the people.”

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<sup>5</sup> For Adam Holden and Kurt Iveson (2003: 60), the public sphere is not just a space in which groups communicate with state processes, it is also a space for interaction *between the various groups*: “the public sphere is where citizens come together to discursively formulate an interpretation of their identities, interest and needs in an attempt to influence policy”.

The various particularistic groups also need civic spaces in order to be able to effectively engage in the public sphere (Cornwall, 2002). The views and opinions present in the public sphere are transmitted to the state via a series of channels. For Jürgen Habermas (1992a), the main “transmission mechanisms” are elections and the media but the activities engaged in by particular groups, and the consultation processes set up by government exist alongside them. Together, these arrangements structure the flow of influence from society to governmental decision makers. The set of available transmission mechanisms determines the overall quality of the public sphere (see: Held, 1996a).

While in some areas, the public sphere will be well institutionalised, enable a comprehensive public debate and become instrumental to the aspirations of groups and communities, in other areas the public sphere can be relatively disempowered and reduced to its minimal expression. In the absence of strong groups and strong participatory channels, the ways to influence policy might be limited to writing to a member of parliament and participating in street demonstrations while policy decisions are effectively being taken elsewhere. In this case, there is an increased isolation or autonomisation of the state from its social environment and the democratic process is characterised by a procedural ‘thinness’ of the public debate (Barns, 1996; Fung & Wright, 2003; Habermas, 1992a).

Gordon MacLeod (1998) and Joe Painter (2003) show that this consideration is especially relevant in the case of Europe’s regions, whose public spheres are relatively new. Across Europe, the various central governments have devolved competences to the regions, granting them more freedom and flexibility in the definition and implementation of their own regional policies while, until then, the nation had been the main cadre for policy-making. Within the United Kingdom alone, this new territorial dimension to the study of public spheres is especially pertinent. The rather buoyant public spheres of Scotland and Wales cannot easily be compared with the embryonic public spheres which would have existed around the English regions. At a time when the British government was proposing to institutionalise participatory processes in the English regions, it was worth noting that any participatory “solution” could not easily be transferred from one part of the UK to another.

In studying the various transmission mechanisms which compose a territorial public sphere, Andrea Cornwall (2002, see also McEwan, 2005; Miraftab, 2004) helpfully distinguishes between the “bottom up” processes through which citizens and groups create their own opportunities and terms of engagement and the “top-down” process of “inviting” groups to participate. The “bottom-up” places are places in which the groups create their own opportunities and terms of engagement. Groups do not need to wait for MPs, program officers, or other parts of government to invite them to a consultation exercise in order to convey their concerns about policy issues or suggest what to do about them. They are free to engage as it makes sense to them. In this sense, the “bottom-up” places can be created, opened, reshaped at the groups’ convenience. The “top-down” places are places in which the groups are “invited”. Governments frequently seek to combine the traditional institutions of representative democracy with a series of participation mechanisms through which various groups of citizens have an opportunity to contribute to political decision-making processes.

Robin Wilson (1998: *para.* 17) notes that, “without supplanting formal democratic structures, rather assisting them, there is considerable scope for experiment in direct involvement of citizens in democratic participation”. It follows that a given territory will be characterised both by a certain level of dynamism among the groups and by the attitude of the government towards them. In the next sections of this chapter, I adopt Cornwall’s approach in order to subsequently review the issues associated with “bottom-up” processes and the issues associated with “top-down” designs before finally re-uniting the two approaches together in a consideration of the current state of regional public sphere.

### **3.3 General characteristics of particularistic groups**

In studying aspects of group participation, it is probably necessary to re-assert that groups can vary a great deal in their ability and willingness to contribute to processes of participatory democracy. I have found it useful to categorise groups according to their approach to policy-processes. I begin by acknowledging that the various groups are very different in terms of their organisational form, membership, level of resources, ability to influence the state, orientation towards the state, relation to other groups, duration of engagement, and the radicalism of their demands. The following table depicts some of the criteria by which the various groups can be understood:

**Table 1: Factors influencing interest groups' relation to state processes**

|  |   |
|--|---|
| <b>Organisational Form</b>                         | Groups may vary according to the rules or formal requirements of membership, formal leadership, in-house decision-making and collective activities.   |
| <b>Membership, Support Base &amp; Constituency</b> | Groups of various sizes can have members and less defined "supporters". More passively, the group's constituency can be composed of those impacted by a phenomenon, even if they are not members of the movement.   |
| <b>Level of resources</b>                          | Groups have various levels of access to labour, finance, information, time and to the energy and long term commitment of employees, members and supporters. Some groups may employ professional staff while other groups might be diffuse or poorly articulated. The weaker interest groups find it more difficult to articulate interests, mobilise support and integrate their demands into policy discussions.   |
| <b>Ability to influence on state processes</b>     | Some groups are more orientated towards the state than others. Some groups typically have more access to the state, more sophisticated political strategies and more capacity to address government and influence policy. Other groups are fairly isolated from policy processes (either by choice or because of a lack of resources).  |
| <b>Networks</b>                                    | <p>Some groups characterised by regular interaction with other groups pursuing similar interests, not necessarily involving a formal organisation to link them. Some of them structure themselves though umbrella organisations.</p> <p>On the other hand, groups pursuing similar interests can often be in competition with each other. There can be processes of balkanization between groups pursuing similar interests, or even the introduction of "Astroturf" (Anderson, 1996) groups, i.e. artificial grassroots organisations that are designed to be highly visible and displace other organisations.</p> |
| <b>Duration of engagement</b>                      | There are circumstances when groups prefer to stay silent, and there are other moments when the groups will be forced onto the public scene.  |
| <b>Radicalism</b>                                  | Some groups pursue progressive ideas, some more conservative ones, and others take on fundamentalist positions. As a result, the groups can be broadly reformist or more utopian in their demands.  |

### 3.4 The "bottom up" aspects: the efforts of groups to participate in decision-making processes.

This section attempts to categorise the various approaches adopted by groups in their spontaneous attempts to engage state processes. In this section, I distinguish between the groups that frequently seek to engage with and influence governmental processes, the sections of the population which do not belong to groups and do not seek to influence state processes and the "neo-communitarian" groups who prefer to engage in politics from a space of marginality and resistance. This section will be

very important for understanding the activities of consultative forums in the following chapters.

### 3.4.1 Policy-active groups

The aim of governments is to attempt to define a course of action and to produce legislation in accordance with it. In this sense, the state is still the primary means for the pursuit of equality and justice among citizens. Some groups are set on influencing this process. Groups can achieve change by seeking inclusion within this system. Groups of organised citizens have won victories in the past that have brought them concrete gains and so particularistic groups believe that they can bring about social change by engaging with government. These groups are “spaces oriented towards the state” (Ehrkamp & Leitner, 2003) because they are oriented towards the making of public policy. The groups often have a clear stake in the outcome of the decision-making process, usually in the form of funds or regulation and they are prepared to utilise the political process to bring about change that is beneficial to them. The following is a list of activities and attitudes that are characteristic of “policy-active” groups.

- *Opening new discursive spaces.* The groups intervene at the time of issue-formation and that is how an issue becomes an agenda item in the policy process. Different groups provide alternatives to the dominant visions and policy landscapes and seek to provide a specific narrative or account of facts (Jacobs, 2006). These groups are continually problematising the societal project and promoting change. The groups can also seek to resist or reverse change (see Bachrach & Baratz, 1962).
- *Building expertise in certain policy domain.* Policy-active groups conduct extensive research and try to obtain every kind of excellent and timely information on a particular subject in order to be able to express support or resistance for the formation of specific policies on a number of issues. They can support, critique, correct, and complement governmental action.
- *Seeking access to the places of power.* In their attempts to participate in the governing process; policy-active groups seek ever better access to the state by networking, keep relationships with institutions and getting to know people in power and people whom they might influence. They seek to be on committees for policy making, priority setting, monitoring and evaluation

and generally part of the consultation routine, hearings and debates. They offer help to decision-makers, participate as partners to the formulation of policies and facilitate documentation.

- *Pursuing incremental change through compromise.* Policy-active groups tend to pursue incremental change and seek to institute the reforms they can hope for realistically. This implies a deep commitment to improving the existing system but it frequently also involves a readiness to accept compromise.
- *Affiliating with a political party.* There is often a relationship between contemporary social movements and political parties. Some groups are affiliated with a party and engage fully with the party at all levels: their members are active locally in their constituency party and send delegates to the party's annual conferences each year. They participate fully in the party's policy consultation process. Some groups hover around party conferences (Keating, 2005; Lawson, 2005). The groups can exert influence by means of lobbying, buying political advertisements, contributing funds to parties and candidates and mobilising votes for or against candidates who hold positions on certain issues.
- *Working on the outside.* Groups may also simultaneously voice social issues in the public arena by undertaking various forms of protest, thus fostering oppositional models of collective action such as strikes or sit-ins, and engaging in forms of resistance. This enables them to sensitise the population to their cause, capture and hold the attention of the media and thereby incite government to respond. They are engaging beyond the state in order to engage the state (Erkamp & Leitner, 2006; Schönwälder, 1997).

#### 3.4.2 Groups which do not frequently participate in policy-making processes

At this point in the argument, it seems important to point out that a very significant share of the population is not organised into groups at all (Held, 1996b). People may choose to join groups and associations, but they may also choose not to. There might be real differences between the opinions of those who participate in civic life and those who do not. Attempts to understand the participation of groups in democratic processes must therefore not be limited to studies of the power relations which are immediately observable in the policy process. Finally, this does not mean that people who do not participate have no influence in political debates. Groups of

people can have an influence on policies because of their visibility. The unemployed or the homeless, if they are numerous enough, can prompt change in economic or housing policy. The reasons for not participating are varied:

- *Indifference and/or satisfaction with the status quo.* A portion of the population seems either indifferent to politics, or relatively satisfied and happy with the status quo (people who chose not to participate are sometimes presented as “the silent majority” who supposedly assent to the policies put forward by the government of the day).
- *Passive membership of active groups.* People may be passive members of some groups, schools, firms, unions. Some non-participants might be relatively critical of policies being conducted but still remain fairly uncommitted, they are either vaguely political and they agree that it might be necessary to do something for the common good but they have no specific ideas. In addition, they do not necessarily have enough time available for engagement in the public sphere (Held, 1996b).
- *Lack of empowerment.* Some sections of the population might be disempowered, under-privileged and unable to enter the policy dialogue under the various forms. There might also be cultural causes: they do not see any interest in, and thus do not involve themselves with a movement.
- *Disillusion with political processes.* Some sections of the population may be fairly cynical, believing that it is better not to get involved in political activity.
- *Some “group identities” are not politicized.* Some “group identities” are not politicised and have a low propensity to organise themselves. For example, there is a decline of symbolic identities (black, worker, woman, citizen) which are traditionally heavily politicised and an increase in the popularity of identities (celebrity, goth) which have no political message. Some identities can be plausible but politically latent.

### 3.4.3 Groups choosing to engage from a space of marginality and resistance to state processes

In a first instance, the activities of anti-systemic movements could be rather unexpected, because most democratic systems provide a number of channels for participation. Yet in the view held by anti-systemic groups, addressing their demands to the state is not an effective a means of social transformation - the avenues for change are too limited and complying with all sorts of participatory procedures can end up working as a pacification mechanism. In their view, participatory arrangements limit and constraint politics in a way that makes it very difficult to resist the logic promoted by the state through these channels. As a result, these groups are careful to by-pass traditional political channels and are reluctant to take part in any participatory structure.

These groups argue that there currently exist a “state paradigm”, that is, an assumption that the winning of state power is central to change (Holloway, 2005; Ion, 2006). As a result, when the majority of groups of citizens want to effect change, they tend to think and act either through political parties or through advocacy work, in the belief that they will be able to convince those in power to adopt their proposals. Anti-systemic groups consider it a mistake that the dedication of those who fight for a different society should be “taken up and pointed in a particular direction: towards winning or influencing state power” (Holloway, 2005: 4).

Murray Bookchin (2003a: para. 12) notes that “much of politics, for one, is really statecraft, structured around staffing the state apparatus with parliamentarians, judges, bureaucrats, and the like”. In the practices of everyday life, these groups refuse to instrumentalise their struggle towards influencing policy. They believe that both the party and the movement serve as means of disciplining people and of subordinating a number of forms of struggle by ensuring that the groups’ over-riding aim is to gain control of the state. The winning of state power is seen as the centrepiece of the reform process and the precondition for lasting change. Meanwhile, their ideals are not being tangibly addressed.

To these groups, it would seem that some participatory mechanisms such as the consultative forums, while they purport to enhance democratic decision-making have disciplinary tendencies which actively contribute to the “necessary illusions” of

democracy. The usual rhetoric is that participation is an opening and a gateway of opportunity for those groups who are willing to invest time into it. In the views of these more radical groups, participation can often do the exact reverse: the very practices of “democracy” and “participation” themselves maintain sharp inequalities of power. The following paragraphs provides a list of reasons why some groups may be disillusioned with participatory processes:

- *Past experiences of failure to influence policy.* Some groups are increasingly frustrated with the forms of participation provided by the state (Ion, 2006; Worms, 2006; Young, 2000). They may have taken part in mass protests which achieved nothing and as a result they regularly toy with isolation from political society rather than positive engagement.
- *Conceiving participation as a waste of time and energy.* Some groups believe that it would take a great deal of time and energy to create even a little change in the status quo. Participation wastes their time, energy and resources. For anarchist author Jacques Ellul (1984), joining a party or even a social movement is a disingenuous thing to do: once members have anchored their hope in the movement, they will not have to worry about anything because they can take pride in being involved in the right movement, and believe that the movement will take care of everything once it comes to exert power, which it never might.
- *Fearing co-option.* Some groups disengage from participatory mechanisms for fear of being co-opted. Some groups are particularly cautious of being used as the “token” community representative which grants legitimacy to a process and its outcomes (Hendriks, 2006).
- *Fearing excessive compromise.* These groups see the transition to participation as abandoning their ideals and fear that participating will only serve to institutionalise their subordination. They believe that only those organisations that do not overly question the prevailing status quo have a chance to gain the ear of the government. By taking part in such processes, the groups’ voices become drowned in the consensus; their message is calmly assimilated into the existing framework. Participation will have maintained the status quo of a society and served as a way of co-opting

another group into the system. In these conditions, to participate is the culmination of assimilation.

- *Believing that the state lacks autonomy vis-à-vis the economy.* In Marxist terms, the autonomy of the state is only relative. The social relations capitalism require extra-economic institutions to function and the state is perceived as one such institution. For this reason, the state itself is perceived as a site of capitalist exploitation. The political economy strand of the critique of democracy argues that current democratic arrangements “limit and constrain politics in a way that makes it impossible to effectively resist the increasing control of capital” (Purcell, 2003: 566; see also Brenner & Theodore, 2002; Barnett & Low, 2004; Lindblom, 1977; Offe, 1984; Swyngedouw, 2005).
- *Reclaiming marginality.* According to bell hooks (1990, see also Hayes-Conroy, 2007; Muxel, 2006), marginality is much more than a site of deprivation. As the groups begin to operate as interpretive communities in their own right, they create alternative norms of resistance. Thus, citizenship is increasingly being conceptualised as the exercise of political agency; regardless of where it takes place. The formal organisations of the state are only one site of politics and definitions of citizenship can be broadened beyond formal participation in order to include actions practiced by people of specific identities in particular locales.

For these reasons, groups focus on other things apart from state politics and they attempt to ‘change society through society’ (Young, 2000). Many groups direct their attention towards altering lifestyles instead of trying to change policies. These groups reassert that participation in the public life is broader than the political life and that “the state” does not contain all things political (Chatterton, 2006; Purcell, 2003). Proponents of this approach believe that the task today is to resist power by disinvesting its procedures, and creating new spaces outside its control, doing separate things in separate places. They seek to fill the spaces left by a relatively small state and advocate a politics rooted in society. Bob Jessop (2005; see also Chatterton, 2006; Žižek, 2007) describes these groups as “neocommunitarian”:

These new political communities, or “publics”, are redefining the public sphere away from the state, by looking at forums which are beyond the direct control of any given territorial scale and creating their own “communities of fate” based on shared interests and identities.

### 3.5 The “top down” aspects: the efforts of governments to involve groups in decision-making processes

Classically, representative democracies have tended to operate in a hierarchical way, in which power is distributed between a small group of decision-makers who are surrounded by others for whom decisions are made. The policy elites (representatives and specialists) at the centre may also be surrounded in the periphery by groups trying to exert influence on them.

Nowadays, governments frequently invest the time and effort necessary for the democratic involvement of a variety of particularistic groups. They aspire to deepen the ways in which ordinary people can effectively participate and to increase the contribution of groups in public debate and in decision-making. As a result, new spaces and processes of participation are formed through the activities of governments which open new political and policy spaces for citizen involvement (Cornwall, 2002; Cruikshank, 1999; Le Galès, 1995; McEwan, 2005; Rhodes & Marsh, 2005; Schmitter, 1995, 2000). In this situation, governments become the orchestrators of social concertation - they create frameworks within which groups can participate. In this sense, they have a unique role in setting up participatory processes<sup>6</sup>.

Governments often set up infrastructures of participatory processes and create a series of “advocacy channels” which are designated to advance the status of collective social movements in public policy and society. These are the “arrangements by which states structure the flow of influence from society to governmental decision makers” (Coultrap, 1999). In the language of Andrea Cornwall (2002), participation which takes part at the request of governments is seen as “invited spaces” made available for citizen participation through a top-down process. The “invited spaces” can be defined as “agencies nominally designated to advance the status of collective social movements in public policy and society” (Malloy, 1999: 267). The key idea behind this argument is that these structures can make governmental decisions more democratic through civic engagement, participation and information exchange. This in turn can lead to an improvement of the effectiveness and efficiency of policy-making processes.

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<sup>6</sup> As Elizabeth Meehan (2003) reminds us, “groups do not necessarily spring up spontaneously. Instead, they are being sponsored and supported by, among others, governments”. Meehan points to Theda Skocpol’s article “*Unravelling from above*” (1996) in which Skocpol argues that expecting groups to be active in the policy processes without an active involvement on the government’s part sometimes amounts to a form of naïve “Tocqueville romanticism”.

Deciding on a mode of social concertation is one the tasks of each successive government, a matter on which elected politicians are meant to have an opinion and on which they can effect a number of reforms. Governments have been incorporating participatory elements into public policy decision-making processes. It is their role to coordinate the different actors and to achieve results through cooperation and negotiation. The various governments can implement a number of reforms and they are often explicit and deliberate about their approach to social dialogue<sup>7</sup>. The task involves “the reflexive redesign of organizations, the creation of intermediating organizations, the reordering of inter-organizational relations and the management of organizational ecologies” (Jessop, 2002: 241). The various governments’ philosophies of social concertation can be extremely diverse and often nation specific, with each new government, a new normativity sets in through experiments and new forms of political engagement. The various rationalisations deployed by governments can result in profound restructurings of the parameters of political democracy and broader societal configurations.

At this point in the argument, it is probably worth noting that the relations between the groups and state processes do not need to be formally institutionalised in order to be effective (Boyd, 2002; Compston, 2002; Crouch, 1979). Practices of partnership can be widespread, regular and unspectacular and groups can have a very important role in the policy-making process even in the absence of formal mechanisms. In these instances, it would thus be misleading to affirm that a government makes decisions without, or with marginal influence of, social partners. Therefore, a study of the relationships between various groups and governments can never be apprehended solely through the analysis of formal participatory arrangements in the processes of decision-making and policy implementation.

When governments talk of participatory democracy they can mean a variety of things. There can be a variety of degrees to which the governments are prepared to co-operate and share power with the various groups (Arnstein, 1969; Rozet, 2006). Cathal McCall and Arthur Williamson (2001: 363) reassert that the value of any partnership depends to a great extent on the politicians’ “willingness to foster a participatory dimension to the new democracy”. Co-operation can be interpreted in a

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<sup>7</sup> As an illustration of this point, see how the “New Right approach” to social concertation is very different to the “old Labour approach”, and different again from the post-1997 “New Labour approach” to participatory designs.

number of different ways. It can refer to a diffuse sense of cooperation between social groups, or it can refer to a very specific and well institutionalised structure.

Methods of social concertation vary enormously in the nature and intensity of participation, as well as in the details of implementation, in the topics discussed and the broadness of debates. In this respect, Sarah White (1996: 8) observes that “it is in the ambiguity of participation, both as a concept and practice, that the scope for its colonisation lies”. The quality of top-down participatory mechanisms depends to a great extent on the degree of power a government is willing to share. Participation can remain very superficial, as is the case when “designated protest zones” are set up that are now created at G8 or WTO meetings, in which the powers consign dissenters to a particular controlled sphere where they will not do any damage.

In other cases, assembled groups of citizens can be permitted to decide on a huge part of the budget of their town in sophisticated committees’ discussions (the participatory methods of Porto Alegre come to mind). On this topic, Sherry Arnstein (1969) developed a very famous “ladder of citizen participation”, in which the degrees of effective participation range from manipulation, therapy, informing, consulting and placating to partnership, delegated power and finally extensive citizen control. In the next two sections, I will review the variety of motives for which governments may choose to set up participatory mechanisms and I will then review the various participatory models -traditional governance, corporatism, associationalism, pluralism, affirmative pluralism- set up by a number of scholars in their attempts to make sense of the ways in which governments involve groups in decision-making processes.

### 3.5.1 Governments’ reasons for introducing more participation: some possible motives

Intuitively, it could be assumed that executive governments would not appreciate the presence of stronger and more articulate groups because this “makes it more difficult to govern through rules and predetermined goals and programmes” (Pløger, 2004: 77; see also Rozes, 2006). In fact, governments may be interested in remaining in touch with groups for a variety of reasons. Below, I show that governmental rationales can be organised into four categories: the need to obtain information, the need to augment the legitimacy of decisions, the need to pre-empt disrupting actions

by the group and the need to pursue the “coherence” of a territory and, of course, these rationales can be combined:

- *Gathering information.* Today, governments have to face the complexity of the social, economic and environmental problems which voters require them to address. In their attempts to grasp the complexity of public life, they can choose to consult with groups that have expertise on a specific topic. This allows governments to tap into valuable sources of information and, as a result, to make better decisions. For Leonardo Avritzer (2000: 44), the “state possesses incomplete information for decision making, and therefore social actors need to contribute information to the deliberations if these are to take full account of the political problems involved”. Co-operation with the various groups guarantees that policies are designed more effectively, and that these policies would be more likely to be widely supported by the general population (Humphrey & Shaw, 2006; Lowndes, 2001; Woods, 1999).
- *Augmenting the legitimacy of public decisions.* Through organising a sustained concertation, governments can augment the legitimacy of decisions. Decisions taken through consultative mechanisms have the potential to carry a greater weight in the community (Hendriks, 2006; Lowndes, 2001). This can be done because governments genuinely value legitimacy and are concerned about the democratic deficit but it is also especially helpful as a way of justifying decisions which are complex, unpopular and difficult to take (Abelson *et al.*, 2003). Thus, there is also a risk that emphasis on participation might be primarily a rhetorical device to gain legitimacy rather than a genuine move towards a more inclusive and participatory democracy capable of including citizens and social actors in the policy-making process. Vivien Lowndes and Helen Sullivan (2004: 62) point out that such partnerships can “offer a kind of ‘delegate democracy’ in which the involvement of ‘community representatives’ is substituted for the direct participation of individual citizens, in all their diversity”. For Peter Sunley (1999) and Anne Cécile Robert (2003), the exhortation to consult with a range of bodies often obscures the electoral unaccountability of many governmental networks whose decisions do not genuinely reach the public eye.

- *Pre-empting interference by powerful social groups.* In the Post-War era, states in Western Europe began to evolve from liberal states into Keynesian Welfare States (Jessop, 2002). This model of societal organisation is characterised by a high level of intervention of the state in society, which can make the state dependent on the co-operation of a number of groups in the design of its policy. Given the ambitious nature of the policies taken on, governments are unable to design and implement policies on their own. Policy delivery becomes dependent on the co-operation of external actors and groups who have the capacity to bring about policy success or failure. For John Woods (1999: para. 33):

“if the programme is going to depend on the cooperation of the social partners and a range of social actors for its delivery, the involvement of [groups] at an early stage is likely to enhance the government's ability to deliver on public expectations”.

For this reason, governments are forced into introducing more participation because there is the possibility of powerful interference from other sectors in society: the various groups might adopt a belligerent stance and they have real power to hinder policy delivery (Boyd, 2002; Crouch, 1979; Frayssinnet, 1996; Williams, 1998: 214). In such a situation, participation becomes a “power dependency relationship between the government and interest groups in which resources are exchanged” (Borzel, 1998: 56). Fostering an efficient mode of concertation ensures that the interactions, because they are better structured, can become less antagonistic. For his part, Stephen Boyd (2002: 3) believes that “most successful social partnerships originate as responses to serious national problems like war, inflation, or economic stagnation”.

- *Enhancing (economic) territorial cohesion.* Finally, partnerships are useful in order to ensure territorial coherence and the ownership of governmental decisions by a number of groups whose support is crucial for the success of policies. According to Walter Nicholls (2007), “co-operation from above” reflects an effort to create new forms of social regulation which enables the neo-liberal regime of accumulation to thrive (see also Jessop, 2002; Brenner & Theodore, 2002; Peck & Tickell, 2002). Economic development is largely dependent upon governmental decisions and there is a need for an efficient public action (Cooke & Morgan, 1998; Storper, 1997; Deas & Ward, 2000; Kearns & Paddison, 2000; Piore & Sabel, 1984). At the same time, participation by key groups becomes linked to economic success at a time

when governments feel that all key actors of a territory must respond to an increasingly competitive economic environment. The aim is to foster place-based partnerships between “local unions, local chambers of commerce, local venture capital, local education bodies, local research centres and local states which enter into arrangements to regenerate the local economy” (Jessop, 1994: 272; see also Boyd, 2002; Cooke & Morgan, 1998; Hudson, 1999; Putnam, 1993; Scott, 1998; Storper 1997, Ward & Jonas, 2005). These partnerships in turn contribute to the creation of a level of institutional thickness which grants an overall coherence to the region. For Mike Raco (2003: 75):

“Devolved government were to promote new systems of governance which in the longer term seek to deliver a range of socioeconomic benefits through more responsive and open decision-making processes, enhanced policy legitimacy and more relevant and effective policy measures”.

A poor cohesion between the actors of a territory is seen as a definite drawback in economic terms. Instead, it becomes desirable to achieve a culture of partnership and an approach which emphasises co-operation between different sectors of society -the German model is often cited- (Putnam 1993, Cooke & Morgan 1998, Stoker, 1998). It is widely believed that a high level of social cohesion within the community is necessary for sustaining competitiveness. As John Lovering (1999: 383) puts it, governments hope that this sort of participation will:

“Engender the type of formal and informal interactions conducive to the kind of economic interactions required to bring about the flexible economies of scope required for survival in globalizing market”.

Good relationships between key stakeholders and strong institutions are perceived as a means to achieve regional competitiveness by attracting investment. These partnerships supposedly enhance a territory’s ability to generate synergies between territorial resources. In this sense, “the territoriality of globalization leads capital, people, institutions and technologies to be ever more intensely motivated by and stimulated through localized geographical agglomeration and spatial clustering” (MacLeod, 2001: 805 ; Sabel, 1989; Storper, 1997). An effective model of participatory governance can help create a level of coordination between the various actors which can ultimately make a region more competitive in the global economy (e.g. Hauswirth *et al.*, 2003; Ward & Jonas, 2004; Purcell, 2007; Scott, 1988; 2001).

### 3.5.2 The various models of “top-down” participatory arrangements

The various models of top-down participatory arrangements differ widely in their ability to set up a political framework in which groups are able to influence the day-to-day activities of policy-making. In setting participatory structures, the governments have a high level of choice, for example between a “classical representative” model, a “pluralist” model or a “corporatist” model (and nothing prevents a government from combining these models in separate sets of organisations). This section depicts a number of these conceptual constructs which relate to the involvement of groups in governmental decision-making (see Pierre & Peters, 2000). The broad conceptualisations do not reflect the reality of any existing system. Rather, they are used by scholars and practitioners alike in order to conceptually bring out certain characteristics of the arrangement in one time and place in contrast to arrangements in other contexts.

- *Traditional governance.* One participatory option is to uphold the traditional top-down notions of governance, picturing the government as relatively autonomous and assuming that public policy is made primarily by public officials. In this model, prime ministers control other ministers, ministers control civil servants, and central government controls devolved government (Meehan, 2003). This model shows no significant concern for formalising the role of groups in decision-making and can be accompanied by an outspoken mistrust of groups: the groups’ legitimacy is questioned and it is argued that only those with the most extreme views would participate. Groups are viewed as being a “vocal minority”, their organisations are unrepresentative and they have no democratic “mandate”. Listening to them would discriminate against the part of the population which is not affiliated with any strong interest groups. This thinking is reflected in an ostensible lack of procedures for consultation and simple information-gathering in which, at some opportune point in the decision-making system, a few groups can be selected by the governmental actor in order to provide it with information (Curtin, 1996).
- *Corporatism.* Corporatism can be defined as “a system of interest and/ or attitude representation, a particular model of ideal-typical institutional arrangement for linking the associationally organized interests of civil society with the decisional structures of the state” (Schmitter, 1974: 86).

Proponents of corporatism assume that a close link between the state and society is desirable. In this model, governments seek to encourage and promote the activities of certain groups and they openly grant them a legitimate role as representatives of economy and society. Important groups are often granted statutory influence and a role as “social partners” in the running the political economy (Crouch, 1979; Pierre & Peters, 2000; Rhodes & Marsh, 2005; Schmitter, 1974). Under this approach decisions are often the result of negotiations between the government and the social partners and the state actors (Compston, 2003). Most frequently, the term corporatism refers to tripartite forms of consultation in which labour and employers’ organisations interact with each other and the government, but the participants can on occasion be more diverse and involve a number of other societal interests.

- *Associationalism.* Proponents of associationalism (Hillier, 2002; Hirst, 1994, 1997, 2002; Saurugger, 2005) go one step further in devolving power towards groups. They argue that, in modern societies, too much responsibility is taken up by the state. This tendency for the nation state to be largely responsible for the delivery social goods has been reinforced by the evolution of the Welfare State in the Post-war era. Before that, the first trade unions and friendly societies had provided benefits in order to help their members when faced with unemployment, disease, pensions and burial costs. Yet in many developed countries, these functions have now been assumed by the state. Paul Hirst advocates a system in which “as many of the affairs of society as possible are managed by voluntary and democratically self-governing associations” (Hirst, 1994: 19). He believes that the traditional hierarchies of government and society can only address simple problems and that a delegation of responsibility to a number of groups and associations would be desirable. For associationalists, the government should not necessarily be the sole manager of society; society should instead be a federation of autonomous elements which would each be responsible for the provision of public goods. The groups themselves could become more self-regulatory and become one of the primary means of governance while the interactions between them would be regulated by compromises and negotiated agreements. National sovereignty would be turned into a multitude of particular sectional sovereignties, loosely coordinated at the

state level (Hirst, 1994; Walzer, 1992; Wuthnow, 1991). This “consociational state” is best defined as “a state which has major internal divisions along various lines, yet nonetheless manages to remain stable, due to consultation among the elites of each of its major social groups” (Williams, 1998: 213).

- *Pluralism*. While some thinkers might find the participation of groups in decision-making to be very suspect and undemocratic, proponents of pluralism see the groups’ explicitly political activities as an important element of any democratic system, which ensures that diversified points of view are taken into account. Pluralists believe that governments should be surrounded by important counterpowers which are meant to prevent an excessive concentration of powers. They argue that, in well-operating democracies, power is already distributed between numerous interest groups. The pluralist vision is “a form of democracy that operates through the capacity of organized interests to articulate popular demands and ensure government responsiveness” (Heywood 1997: 79). Pluralism assumes that the government is hardly involved with interest groups directly. Rather, the government’s role is to create conditions for individual groups to struggle for prevalence, and to establish the framework for decision-making. Policies are the result of pressures applied by a number interest groups and subsequent negotiations. Robert Dahl (1957) called this kind of government a “polyarchy”.
- *“Affirmative” Pluralism*. Proponents of simple pluralism sometimes acknowledge that it would be wrong to imply that the current practice of involving groups in decision-making is a “level playing field”. The classic pluralist tradition does not explore the issues of inequalities between groups very comprehensively. David Held (1996: 61) notes that “Dahl’s position does not require that control over political decisions [should be] equally distributed; nor does it require that all individuals and groups have equal political weight”. Inviting groups to participate politically in order to define and claim their rights without providing them with the means to do so might well promote the formulation of policies which in fact favour those who are already better off (Phillips, 1992). For Emanuela Lombardo (2004), leaving civil society as it exists, without any deliberate structuring of the channels

through which demands may be voiced could favour the better-organised, better-informed, and better-situated and resourceful groups and exclude organisations that do not enjoy the same benefits despite their competence on the matter at hand. In response to these concerns, governments can be relatively proactive and seek to widen the political space in which the various groups can play a more significant role in the shaping of policies. The view is that it is necessary to reach beyond the already well-networked at a time when the public is reluctant to become involved in political debates. This results in an explosion of techniques to justify public policy decisions. For affirmative pluralists, “a democratic republic will make available a repertoire of institutions and action-forms that enable any citizen, whether formally credentialed or not, to pursue a career as an issue entrepreneur” (Agre, 2004: 221)

### 3.5.3 Fragmentation of the policy-field

Finally, there is often a fragmentation of the top-down participatory structure. One of the effects of the shifts towards more “governance” is the creation of a very fragmented public sphere as an increasing number of local political and administrative powers are emerging which are not dependent on the central government (Fung & Wright, 2003; Keating, 2005; Leach & Davis, 1996). A fragmentation and distribution of authority and resources. One policy domain (*e.g.*, the environment) may operate with a participatory model which is different from the participatory model of another policy sector (*e.g.*, housing). As a result of this consideration, a number of geographers have chosen to focus on what happens in one policy sector, arguing that most policy-sectors are characterised by their own participatory models. Comparatively few geographers choose to look at the democratic qualities of systems as a whole (Barnett & Low, 2004; Keating, 2005).

### 3.6 Chapter conclusion: the emergence of regional public spheres

The complexity of public spheres, characterised by a multiplicity of “bottom up” and “top down” channels ensures that, for the groups themselves, there exists a diversity of participatory processes between themselves and the policy processes. Different channels for public involvement emerge in different settings at different times; contributing to “the complex muddle of institutional forms, meanings and practices that now characterizes participation” (Cornwall, 2002: 49). The shape of policies is increasingly being defined by an ever more complex set of actors in an ever greater number of political arenas. As a result of this complexity, it would be a

mistake to perceive the public sphere as a horizontal organised ensemble in which groups are equal in power and in constant dialogue with each other. Indeed it might make more sense to talk about multiple public spheres, rather than an idealised “transcendent” public sphere. In addition, the various channels for the involvement of groups are not necessarily mutually reinforcing (Kofman, 1995).

The field of social concertation is also fairly dynamic: there is a permanent transformation of the institutions and of the mechanisms of participation and conflict-intermediation. As a result, groups are able to adopt a number of different strategies in a range of contexts as they do some “venue shopping” (Baumgartner & Jones, 1992; see also Fung & Wright, 2003) in a number of participatory places. Above all, the terrain of social concertation is characterised by a high level of dynamism. There is a continual creation of opportunities for the participation of all citizens in civic processes and decision-making. New transmission mechanisms appear among readily existing ones and alter the conditions under which the policy issues are framed and discussed. There is also a process of sedimentation: organisations are created without any great reflexions about the structures already in place.

As stated in this chapter’s introduction, regions have begun to promote their own development policies, enhancing their cultural differences and they have become the actors of their own territorial project. For their part, the nation-states have been re-scaling, transferring more responsibilities and functions towards the international scale and towards the regional/ local scale. Regions have acquired an autonomy and authority vis-à-vis the wider political system. Political discourses in regions are becoming increasingly region-centred and particular concerns increasingly articulated at this level (Loughlin, 2001).

When regions obtained new political competences, they also became political communities (Smith, 2000). They have emerged as new political entities and (re)gained a new significance as places for the organisation of economic, social and political life. Regions have also seen the emergence of home-grown public spheres. Groups have started to become organised at the same territorial level as the devolved government and have begun to pursue goals and objectives there. The new competences of the region encourage the groups to engage and regionalisation reinforced group activities (Keating 2005: 81). Phillip Schlesinger (1998, para. 18)

notes that the new importance of the region “has begun to generate a political market-place with groups keen to exploit the new opportunities”.

This chapter has addressed the tension between the role of particularistic groups and the role of governments in devolved decision-making processes. It has raised a number of questions relative to the appearance of a “participatory dimension” during the appearance of territorial democratic communities, such as the European regions. It has provided a theoretical and conceptual reappraisal of the changing relations between the State and civil society and it has attempted a review of the totality of concertation processes by which contemporary societies try to unify, and solve with the concerned actors, the problems that arise in distinct domains.

## Chapter 4:

### Consultative Forums: Towards a Definition

#### 4.1 Introduction

In the literature on participatory democracy, there exists a distinction between “macro” level theories and “micro” level theories of participatory democracy (see Goodin & Dryzek, 2006). The macro theories reflect on the conditions of debate within the broader public sphere(s) while the micro theories focus on the working of finite organisations which are designed to facilitate participation. While the “macro” aspects of participation were discussed in the previous chapter, this chapter examines the “micro” elements of participation, specifically consultative forums.

I begin this chapter by attempting to define consultative forums. While there is no established definition of what a consultative forum is or should be, the term is often used in a sectoral way. That is, a forum is convened between a number of groups on an *ad-hoc* basis in order to discuss one particular issue of policy-making in one specific context. This is not the way in which I understand consultative forums. For the purpose of this thesis, the forums function like permanent organisations designed to gather a number of different groups and to complement the democratic debates which take place in the region. They are generalist in scope and consider the entire set of policies made within an area. Within these broad parameters, the organisations can be quite variable. Indeed one of the aims of this thesis is to study two organisations that operate according to very different sets of principles, in order to draw attention to the variety of possibilities available to groups and government wishing to set up permanent, generalist consultative structures.

Following an initial section to define consultative forums, I will focus on four aspects of the work of consultative forums which link back to the concerns expressed by radical democrats (see Chapter 2, above). Since consultative forums gather a number of groups together in the same place, there is often a tension between preserving the groups’ idiosyncratic “voice” (section 4.3) and fostering a

level of co-operation between the groups (section 4.4). Furthermore, the consultative forums establish relationships with governments (section 4.5) and define their place among the other channels of participatory democracy (section 4.6). The chapter ends with some considerations about the ways in which existing consultative forums have combined these four tasks.

#### **4.2 What are consultative forums?**

Consultative forums are part of a series of innovative institutional developments designed to address the problems of democratic deficit. The forums exist to promote the engagement of particularistic groups and to channel the diverging societal aspirations of their members. As such, the forums form part of the “advocacy structures [which] must link the organized formality and incremental goal-setting of government with the informal, fluid and evolutionary nature of Social movements” (Malloy, 1999: 268; see also Coultrap, 1999). In addition, they provide a channel through which collective interests can engage with state processes and participate in debates about political issues. Consultative forums are relatively formal participatory structures which aspire to deepen the ways in which people and groups can effectively participate in and influence the policy-processes prior to legislation being passed. Being drawn from the different sectors which make up civil society, consultative forums have the capacity to develop a pro-active relationship with that society and with policy-makers.

#### **4.3 Enabling “voice”**

Radical democrats define voice as having the capacity to formulate points of views the propensity to exercise it (Aronowitz, 1997). For Chantal Mouffe, pluralist democracies would need to make room for contestation and for the institutions through which it can be voiced. In her words, the concept of voice is about:

“Extending the democratic struggle to all those areas in which the relation of domination existed [...]. By multiplying what we call the political space, and thinking that it was not, for instance, strictly limited to either the traditional public sphere or, around the question of class, but that there was, in fact, a multiplicity of locus of power in society that needed to be put into question” (Laclau & Mouffe, 1999: para 10).

Some models of consultative forums are designed primarily to advance the status of individual movements in public policy and society, and to enable the governments to remain open to an influx of contributions from the various groups. In this sense, consultative forums help bring to light a wide range of options and alternatives that might not otherwise have been considered. In this sense, consultative forums

function so as to “broaden and deepen the political and public process by bringing in a rich diversity of viewpoints to discussions about matters of public policy” (Lindsay, 2000: 406).

One of the main concerns linked with this ethos of preserving voice is that participation should be open to all points of view, without concern for representativeness or “mandate”. An inclusive forum strives to ensure that the multiplicity of groups within a community are actually *present*, as opposed to being *represented* in the public debate (Phillips, 1995; Young, 1990; 2000). The aim is to enable and register the expression of the groups’ distinctive voices, not to absorb and assimilate them in broader narratives.

Another one of the key assumptions of this approach is that the larger regional groups already have very good access and that many of them are already incorporated into a variety of participatory processes. While this is true for the larger groups, critical scholars note that “the public sphere is in fact constituted by a number of significant exclusions” (Fraser 1992: 113) and less established groups do not have the same access to decision-making processes as the more established viewpoints (Painter & Philo, 1995). For this reason, the groups which frequently participate and are willing to deliver the perspective of civil society might not be representative of every interest in society. Since an unequal access to participatory processes can result in an unequal access to rights, fairness requires a better distribution of the possibilities to participate meaningfully in all aspects of the decision-making process, including agenda setting. One of the primary aims of a consultative forum preoccupied with “voice” would be to include previously excluded groups and to ensure that all voices can be heard.

This view acknowledges that a government choosing to improve opportunities for participation by opening new spaces will not be effective if some groups will not (or cannot) take part in them (see discussion in Chapter 3, point 3.5.2). This would amount to endorsing an order of things which is profoundly unfair, especially since fails to address the reasons for the low participation (or inefficient participation) of certain strata of the population. Over the long term, the practice of participation would generate more unfairness to be enshrined in policies. As a result, there is a need to empower groups in society that are marginalised within contemporary political structures through activities that can help develop their empowerment and

their capacity to act and to open public discursive spaces within polities. This argument was defended by T.H. Marshall in a famous series of lectures on the nature of citizenship (Marshall, 1950), and was adopted and expanded by a number of theorists of citizenship (Isin & Turner, 1992; Lister, 1997). Accordingly, the consultative forums could be a space within which movements could be helped to turn inward and focus on their differences and own interests. The forums would serve as greenhouses for the production of mature discourses and “empowered” subjectivities (Cruikshank, 1999).

There are several ways in which consultative forums can fulfil their role of “enabling voices”. To begin with, the forums themselves can organise consultations on behalf of the government, and organise meetings which allow participants to express their point of view. Forums become places in which groups may present demands, their first role being that of reporting the diversity of voices and gathering a rich diversity of viewpoints about matters of public policy. A second way in which consultative forums can enable voice would be by helping the various groups to lodge their concerns at the most appropriate point of impact as complex policy processes necessitate a more informed population which knows where to direct its demands (Abelson *et al.*, 2003).

The point, then, is that of enabling and empowering voices through facilitating the acquisition of the skills, knowledge and experience which are necessary for effective participation. To that end, the forums can provide adequate environments and resources which can be instrumental in the building of an increased capacity of groups to know when, where and how to participate. The forums can serve as repositories of knowledge and use this knowledge of the different participatory networks to decrease social distance and help newcomers contribute to decision-making processes, in the hope that the more marginalised groups would eventually arrive at the point where they are actively contributing to the policy community of their choice.

#### **4.4 Organising the interaction between a number of groups**

Civil Society as a whole is sometimes conceptualised as one single realm. For Robert Cox (2005: 108) “civil society is not just an assemblage of actors, i.e. autonomous social groups it is an ensemble and it is an area of contestation”. However, in order for this to happen, the various groups would need to gather in one place, interact in one way or another and perhaps come to some form of agreement.

Consultative forums can create opportunities in which various groups interact and negotiate about conflicts between them. In these instances, the forums serve as discursive spaces in which a variety of groups can develop common interests and forge common purposes. The forums can orchestrate multi-sided debates that allow the participants to confront their differences and host dynamic encounters in which a real confrontation among a diversity of democratic political identities can take place (Bohman & Rehg, 1997; Cohen, 1989, 1996; Cohen & Arato, 1992; 1997; Cohen & Rogers, 1995; Dryzek, 2000; Elster, 1998; Fishkin, 1991, Gastil, 2000; Gutmann & Thomson 1996; Williams, 1998).

It is to be expected that the demands of the various participants will often be incompatible: businesses wish for investments, environmentalists wish for green policies and churches wish for ethical policies. In Chapter 2, I pointed out that the proponents of agonism do not believe that particularistic interests should be overlooked in order to achieve a definite outcome acceptable to all but they often do favour of a level of interaction between various groups beyond the promotion of partial interests. Radical democrats sometimes acknowledge that letting groups lobby within their own separate silo is not necessarily the most effective thing to do, and that there are occasions when joint working with others is worthwhile in order to develop a better understanding of the other groups' perspectives, and to allow a the community to reach better results (Borzal, 1998; Žižek, 2007).

In a short review essay, Slavoy Žižek (2007) critiques the views expressed by Simon Critchley in *Infinitely Demanding* (2007) -Critchley advocates a position of resistance to the state, of addressing impossible demands to the state- but Žižek contends that:

“The liberal-democratic state and the dream of an ‘infinitely demanding’ anarchic politics exist in a relationship of mutual parasitism: anarchic agents do the ethical thinking, and the state does the work of running and regulating society. Critchley’s anarchic ethico-political agent acts like a superego, comfortably bombarding the state with demands; and the more the state tries to satisfy these demands, the more guilty it is seen to be” (2007, para. 14)

Yet, for Žižek, the best thing to do is not to formulate “infinite” demands which decision-makers can never attend to:

“Since they know that we know it, such an ‘infinitely demanding’ attitude presents no problem for those in power: ‘so wonderful that, with your critical demands, you remind us what kind of world we would all like to live in. Unfortunately, we live in the real world, where we have to make do with what is possible.’ The thing to do is, on the contrary, to bombard those in

power with strategically well-selected, precise, finite demands, which can't be met with the same excuse". (2007, para. 17)

It is this need to formulate these "strategically well-selected, precise, finite demands" as opposed to a series of unrelated demands which no state can fulfil, that the question of interaction between the various groups arises. Consultative forums can be one of the places in which the interaction among groups takes place and in which various arguments and views are being confronted. In these circumstances, informed groups have an opportunity to weight the evidence on some issue, discuss and debate potential decision options and arrive at a mutually agreed upon decision.

In practice, organising a concertation between a number of social groups can prove very difficult to achieve. As Ian Barns (1996: 107) observes, "how are we to encompass, within a democratic process oriented towards the forging of some substantive 'common good', the diversity of practices, beliefs and voices that constitute our increasingly pluralistic society?" The ways of envisioning a form of interaction between those groups which get to interact with each other vary greatly. For this reason, the rest of the section examines some of the challenges associated with the organisation of a level of interaction between a number of groups.

#### 4.4.1 Which groups take part in the interaction?

As a first concern, it is necessary to examine which groups are invited to participate in the consultative procedures. Participation can be open to anyone, in which case the participants are self-selecting without presuming to represent any group beyond themselves, or to exert a particular mandate. Alternatively a form of "representativeness" can be sought in order to create a sense of balance between the various interests.

##### *Remaining open to all participants*

Forums which adopt an open approach to membership bring together a number of random groups. In this case, Carolyn Hendriks (2006) notes that the forums can become dependent on the goodwill of groups to become involved in the forum's activities: if the groups do not wish to attend, the purpose of the forum is defeated. Hendriks notes that some groups are more than willing to engage with a forum's activities. They become champions who support and advocate for the forum within their own networks of relations. At the other extreme, groups might refuse to engage with the forums and sometime even disrupt their functioning, for example, by

sidestepping their activities or questioning their legitimacy. In between these extremes, there can be groups that engage with some degree of scepticism while others might decide not to participate and remain passively outside of the forum's activities, but without being openly critical of a forum's activities.

Hendriks contends that most groups use the public sphere for their own purposes. Groups mostly choose to engage when they have clear motivations to do so, such as the possibility to enhance their relationship with the public, or to take forward one of their projects. For Hendriks, the groups make an assessment of the costs and benefits of engaging in a consultative forum, and support participatory forums when the perceived value of doing so outweighs any possible risks, or when the cost of non-participation is so high that it is "better to be in than out". In a series of four case studies -each relating to a different type of participatory forum in two separate countries- Hendriks studies the reasons why groups do or do not choose to engage in the activities of a forum in which participation is not mandatory. The following two tables are an adaptation of her taxonomy<sup>8</sup> of the participants' reasons for engaging (table 2, below) or not engaging (table 3, below) in the activities of a consultative forum:

Table 2: Participants' reasons for engaging in the activities of a citizen's forum

|   |   |
|---|---|
| <b>Engage to Improve public Image</b>   | Some groups attempt to reverse their negative public image. These groups often support the forum financially and may participate in committees.       |
| <b>Engage to reach potential new adherents</b><br>(not included in Hendriks' original taxonomy) | Some groups see the forum as a means to expose their arguments to public scrutiny and attract new memberships and funding.                            |
| <b>Engage to distribute the 'right' information</b>   | Some groups view the forum as a means to distribute "the correct" information about themselves or their activities to the public.                     |
| <b>Engage to elicit public opinion</b>  | Some groups are seeking to meet the other participants and find out what they think. They view the forums as a useful means to assess public opinion. |
| <b>Engage to facilitate reform</b>  | Some groups see the forums as an opportunity to try to bring about policy reform.   |

<sup>8</sup> In both tables, I have introduced one new category which does not form part of Hendriks' original taxonomy, but which she nevertheless discusses at some other point in the article. This is indicated in the table as appropriate.

|  |   |
|--|---|
| <b>Engage to avoid the costs of non-participation.</b> | Some groups wish to avoid the consequences of non-participation, such as the negative publicity it would generate if they did not engage. |
|--|---|

Source: After Hendriks, C. (2006). When the Forum Meets Interest Politics: Strategic Uses of Public Deliberation. *Politics and Society*. 34(4): 571-602.

**Table 3: Participants' reasons for failing to engage in the activities of a citizen's forum**

|   |  |
|---|--|
| <b>Disengage to secure power or status quo</b>  | Some groups do not want to support a participatory forum because it poses a threat to their power or policy agenda. They calculate that the forum could produce an outcome they do not support. They fear that the forum could destabilise the status quo. Most groups in this situation "passively disengage" in that they remain outside the forum. Some groups actively undermine the forum and its legitimacy. |
| <b>Disengage in order to use other means to influence policy</b><br>(not included in Hendriks' original taxonomy) | Some groups disengage in order to use other means to influence policy.   |
| <b>Disengage to avoid uncertainty or lack of control over the process</b>   | Some groups decline to participate in a forum's activities because the procedure and its outcomes are too unpredictable. They are reluctant to commit resources to a process with unknown outcomes. Some groups struggle with the idea that there is no way of know in advance what the other participants would ask, and how they would respond to different arguments.   |
| <b>Disengage to avoid co-option</b>   | Some groups disengage from the forum for fear of co-option. Activist organisations are particularly cautious of being used as the "token" community representative. They are reluctant to put their "badge" on a process which could work against their agenda. They are concerned that their participation and their name could be used as a form of endorsement for projects they did not necessarily endorse.   |
| <b>Disengage to avoid "politics"</b>  | Some groups insist that participatory forums are not desirable and that extensive participation only fuels further contestation.   |
| <b>Disengage due to lack of resources</b>   | Engaging with participatory forums costs time and money. For some groups this is a strong reason not to engage if they have to do everything in an honorary capacity and if no funds are provided for their participation and preparation costs. The groups often find it difficult to assess whether the invested costs would lead to the anticipated returns.  |

Source: After Hendriks, C. (2006). When the Forum Meets Interest Politics: Strategic Uses of Public Deliberation. *Politics and Society*. 34(4): 571-602.

*Ensuring a form of representativeness*

Alternatively, a consultative forum may also choose to ensure a level of representativeness, and to adopt a more managed approach to deciding which groups should participate in the interactions. Whenever the aim is to establish a form of representativeness, the general dimension takes shape through an articulation of complementary differences. Different types of representation can be achieved, in which case it is necessary to attract participants who reflect the composition of the

wider population and form a balanced democratic encounter. The requirement to select a small group of “representative participants” forces the architects of consultative forums to determine which cleavages are deemed important (e.g., geographic representation, party-political representation, sectional representation etc.). In addition, if it is accepted that a meaningful interaction between groups requires the commitment and full participation of those expected to be involved, then the forum in which the activity takes place must enable this by finding ways of ensuring a high level of participation in one time and place (Bobbio, 1990).

#### 4.4.2 How are discussion topics chosen?

A second concern relates to the topics chosen for deliberation. The agenda of a consultative forum can remain close to the party-political agenda, in which case the forum is adopting an immediate problem-solving approach in the formulation and implementation of policies. Alternatively, the agenda can be set by the forum itself in order to bring attention to issues in the community. The issues discussed might be relatively narrow (e.g., a proposed change to a very specific law), or they may be broader (e.g., a territory’s approach to “sustainability” or to “competitiveness”). In the latter case the groups are expected to develop a vision and strategic capacity to decide about the needs of the community as a whole.

#### 4.4.3 How does the interaction between groups take place?

A third area of concern regards the nature of interactions between groups. Encouraging a level of interaction between groups implies a level of confrontation between them. It thus becomes necessary to define how the consultative forum (or the groups themselves) should arbitrate between the various preferences of diverse groups. Discussions between groups are rarely totally free but it usually occur in a structured form. There are usually a set of codified procedures for the formulation of joint statements and a number of agreed principles that structure the contributions of participants to the debate. These rules also specify the amount of time and resources which should be allocated to discussion by each group. Furthermore, repeated interaction between groups also frequently involves a level of networking and isomorphic learning between various groups which facilitates co-operation and the exchange of information.

#### 4.4.4 What are the outcomes of interaction?

Finally, most participatory processes produce one or several outcomes (see discussion in Abelson *et al.*, 2003). These outcomes may take the form of a communication to government or it may commit the groups themselves to a course of action. In some consultative forums, interaction between groups do not have to arrive at a decision, but only to prepare it, in which case the forum simply registers the various opinions without shaping the final decisions. In that case, the forum documents all the possible decisions, records what participants agree on and records what they do not agree on, so that the final decision-makers can make a more informed choice. The participants' primary role is to present their arguments and perspectives to the forum and answer the other participants' questions. In other cases, the forum itself attempts to fashion a compromise between rival groups and directs a settled agreement to the appropriate government entity usually in the form of a set of written recommendations.

#### 4.5 The interfaces between consultative forums and regional governments

When studying participatory mechanisms, it is important to note that there is no complete break from the traditional governmental processes. The aim is not to deny the continuing "command and control" aspects of formal government (Martin, McCann & Purcell, 2003). By their very nature, consultative forums are interfaces and operate as a link amongst different sections of society. Consultative forums are supposed to be junction-boxes whose credibility and reliability is accepted by both groups and government. They serve as mediators between citizens and governments and as spaces in which governmental actors come face to face with the demands of the population. In this sense, the forums do not directly govern, but they can point governmental policy-making towards one course of action or the other.

In the final instance, the role of a consultative forum does not so much depend on its own internal functioning but rather on the role it is able to play in the decision-making system of which it is a part. For Jonathan Malloy (1999: 267), "advocacy structures must link the organized formality and incremental goal-setting of government with the informal, fluid and evolutionary nature of social movements". Thus, it does not make sense to focus exclusively on the in-house activities of the consultative forums, but it becomes desirable to study the forum's activities as part of a broader regional context.

The pattern of contacts between forums and government, and the ways in which the consultative forums relate to the 'old' forms of governing are a crucial element in establishing whether forums offer appropriate opportunities for key groups to shape policy. In the discussion relating to the role and influence of groups in policy-making, many scholars have pointed out that much still depends on the attitude of elected representatives and on their desire to foster a participatory dimension to the democratic debate (for discussion, see Chapter 3, section 3.5).

#### 4.5.1 Overall significance of consultative forums in decision-making processes

Within decision-making processes, forums are able to gain more or less importance. On the one hand, they can remain arenas of discussion which operate legally apart from governmental processes and remain somewhat peripheral. Alternatively, consultative forums may be very well linked with the decision-making process and function as major actors of the policy-making process. The forums can become constant spaces of civic exchange and effectively function as "second chambers", in which case they constitute very important arenas for interaction between the governments and society. On yet other occasions the forums can serve as "pools of ideas" from which policy-makers can request information and which would assist them in understanding an issue. Consultative forums can also serve as arenas in which decision-makers can receive immediate and direct feedback from the various groups on issues that must be decided or voted on.

#### 4.5.2 Hierarchical levels at which the forum's activities are taken into account

The input of groups can be linked to different points in the decision-making system. This means that the forums may be consulted at a high level of hierarchy or at a more junior level. Robin Wilson (1998: para. 13) notes that "partnership is perceived as a sham by community representatives if their counterparts across the table say they can do no other than execute policy delivered down to them from their departmental superiors". It is also important to establish whether the input of forums is channelled at the regional executive level, or whether it is channelled somewhere down the line on a policy-by-policy basis.

#### 4.5.3 Level of formality in the exchanges between consultative forums and regional governments

The consultative forums' role can be more or less formal. On occasion, consultative forums are designed to operate on a statutory (or at least contractual) permanent

basis. This means that governments are somehow obliged to consult them. In this case the “meeting point” between the forum and the government can be very formal, with clear rules governing the exchanges. On other occasions, the consultative forum may have no guaranteed access to decision-makers, in which case the forum itself is responsible for gaining significance in policy-making processes. However, it is important to note that consultative forums may relate to governments both formally and informally. Beyond any possible statutory responsibility, they may take on additional informal roles as they seek to take part in a diverse set of activities and engage in a number of innovative ways to participate in political processes in order to support, critique, and complement governmental decision-making.

#### 4.5.4 Timing of the interaction between a consultative forum and the governmental processes.

The temporal dimension also plays a crucial role in the exchanges between consultative forums and governmental processes. Forums may keep periodic meetings with decision-makers in order to debate relevant issues and may also be consulted regularly and at various stages of the policy process. Still, the rhythms of politics does not make it easy for governments to consult extensively before taking action. Policy-making also happens in various stages (the various phases of the elaboration of a policy: identification and promotion of issues, agenda setting, implementation, evaluation *etc.*). For this reason, it is important to establish whether forums provide inputs for setting the agenda and/ or assist in the implementation and evaluation and generally speaking, whether they are involved at the different stages of the policy-making process.

#### 4.5.5 The governments’ propensity to enact the forums’ recommendations.

The success of consultative forums depends in part on the readiness and aptitude of the government to adopt their proposals. On the part of governments, a readiness to listen to views does not constitute a guarantee that the recommendations will be followed. This consideration is related to the issue of the adaptability of civil service structures made by Robin Wilson (see section 4.5.2, above). Participation is only effective when it becomes a part of the culture of governmental offices. Norberto Bobbio (1990) notes that the increase of group’s demands does not necessarily correspond to an equal institutional capacity to answer them while John Forester also notes that it is relatively easy to set up the practical ethics of “listening” to groups but the real challenge is to enable groups to effectively change policy

(Forester, 1998 cited in Perrons & Skyers, 2003). Participants in consultative forums may worry that the outcomes of their participation are rarely binding and are often heavily “managed” by the governmental actor.

#### **4.6 The relation between Consultative Forums and the other channels of participatory democracy**

As the discussion in Chapter 3 has shown, there exists a diversity of participatory processes and opportunities. As Andrea Cornwall (2002: 49) notes “different spaces for public involvement have emerged in different places at different times; contributing to the complex muddle of institutional forms, meanings and practices that now characterizes participation”. Thus, the activities of consultative forums take place among a large range of settings and organisation, involving a broad range of actors and processes. Consultative forums can only operate as one of the participatory mechanisms within a variety of other participatory channels. They are a small part of the institutional arrangements for arriving at political decisions and play a limited role in the complex system by which the regional community makes decisions. It follows that the activities of consultative forums should probably be studied in their relation to other forms of participation.

##### **4.6.1 Significance of the forums among other participation mechanisms**

As a result of their creation as new entities, some participatory mechanisms may come to acquire a certain substance and influence the way in which the regional actors (including particularistic groups) understand themselves and their role within a territory. It is possible that one or more several participatory channels will solidify and become a preferred channel for some groups to participate in decisions, to the detriment of other participatory processes. This can be the result of a governmental decision, or it can be the result of the participatory mechanism building a reputation for itself by attracting the right groups, and providing the right mode of participation.

In this, there is the risk that consultative forums will be bypassed if the governments do not grant them a special status, and if the groups would rather seek their own access through another channel. In such instance, a consultative forum effectively relates to itself while the brokering of important decisions is done elsewhere. Jacqueline Costa Lascoux points out that “we must be wary of producing a two tier system of citizenship: one for the poor, who are locked into restricted spaces with second-class rights, and the other cosmopolitan and encompassing all the levels for

the dominant groups in Europe” (Costa Lascoux, 1992 cited in Kofman, 1995: 135). If, as Carolyn Hendriks (2006) contends, groups allocate resources as efficiently as possible, it is to be expected that groups will usually seek opportunities for input at a strategic level. Groups may seek to have direct contact with government ministers and, if successful, they may sidestep the outputs from consultative forums because they are already successful at addressing higher levels of political authority.

Consultative Forums engaging in the broader public sphere.

Finally, consultative forums may also engage in the broader public sphere. The forums might be present in the other sites of engagement (i.e., the media, the academy, think tanks, professional bodies *etc.*). They may affirm or challenge the affairs of governments by operating as highly visible counterweights to their activities.

#### **4.7 Chapter Conclusion**

Consultative forums represent a potential space in which groups may present demands, participate in the agenda setting process, contribute to the formulation of policies and oversee their management, as well as a space in which state actors face the demands of the population. As this chapter has argued, consultative forums can operate along a variety of different lines and take various forms or expressions at different times and in different places. There is a diversity of possible rationales behind the consultative forums’ creation and the way in which they have chosen to organise their activities. Thus, each consultative forum is structured in ways that show its priorities and its understanding of participation. In emphasising a particular set of goals, the forums may sacrifice another. In both locations which are the object of my subsequent case studies (i.e. Scotland and Nord-pas de Calais), the standing, composition and working routines of the consultative forums reflect a specific vision of who the groups are, and what their role should be in relation to devolved government.

This thesis is an attempt to study consultative forums as they occur in two locations, in order to understand how both are being influenced by local conditions. A comparative analysis can yield interesting work on precisely how the local actors adapt and transform the trend of participatory democracy. Given the many aspects which can bear on the design and everyday functioning of a consultative forum, in each instance, we are bound to notice the pre-eminence of certain cultural values and

practices which in turn submerge and partially exclude other priorities. The next chapter will outline my methodological approach to studying the functioning of the Scottish Civic Forum and the Regional Economic and Social Council.

## Chapter 5:

# Research Questions and Methodology

### 5.1 Chapter introduction

Chapters 2, 3 and 4 have raised a number of the issues which bear directly on the functioning of consultative forums; the aim of this chapter is to link the theoretical and empirical components of the study. I have chosen to undertake an inductive, qualitative set of methods, in order to understand the forums within their own contexts and to draw on people's experiences of them, without imposing my own conceptions at the outset of the study. The chapter is divided into a number of sections and sub-sections which review the research questions, the choice of case-study sites, the reasons for choosing an inductive approach, my own positionality and situatedness as a researcher, the major ethical dilemmas which I faced, the issue of policy-relevance, the choice of methods and the way each method was implemented, as well as some details about data-analysis and theory-building.

### 5.2 Research aims and research questions

The thesis documents the social processes and conjunctural forces that were decisive in the emergence of the two forums' new institutional architecture through a genealogy of the use of principles and ideas which have come to define the legitimacy of governance. The key research question, as outlined in chapter one, is worded in the following terms: "What are the roles of consultative forums in the effort to give groups a voice in regional government structures?" In order to adequately answer this main question, a series of more concrete sub-questions were developed:

- (1) How were the various models of participatory democracy constructed and enacted at the regional level? What are the reasons for and the manner in which they came into being?

- (2) More specifically, how did both consultative forums come about? What were the forums' institutional biographies and the manner in which they have developed over time?
- (3) How do the two consultative forums work in practice? How do consultative forums handle the diverging societal aspirations of the groups? What are the dynamics of participation within and around them?
- (4) What is the effectiveness of consultative forums as a mode of group involvement in regions? How do the Scottish Civic Forum and the Nord-Pas de Calais Regional Economic and Social Council measure up against the ideas developed in previous chapters? What is the extent to which consultative forums can promote dialogues and democratic debates?

### 5.3 Choice of the case study sites

The sites of the case-studies, introduced in Chapter 1, were chosen as part of the initial proposal agreed in 2004 between the Department of Geography and the Office of the Deputy Prime Minister (ODPM). Both study sites were selected because of the specificities of their territorial characteristics and mode of governance. Through looking at two territories and analysing two sets of different discourses and practices, at both state and sub-state level, I was able to gain an in-depth understanding of their political, social, cultural and historical particularities.

Scotland was chosen because, despite its political system being extraordinarily specific, it could potentially have been an obvious source of ideas for the involvement of groups in decision-making at one time. The Nord-Pas de Calais was chosen because it is to an extent an artificial region. Before its creation, the territory was not characterised by a strong sense of being one entity. Besides, the Nord-Pas de Calais is also characterised by many economic and social particularities which were similar to those encountered in the North East of England, such as a rapid deindustrialisation and subsequent widespread unemployment and social deprivation (McAleavey & Mitchell, 2008). A further reason to study the Nord-Pas de Calais rather than another French region is the frequency with which it has been studied by British Social scientists and governmental researchers (Benko & Lipietz, 2000; Cooke, 1996; McAleavey & Mitchell, 2008). By bringing together the various accounts, it will be possible to gain a comprehensive understanding of one region, rather than more eclectic and partial understandings of a number of French regions.

#### 5.4 The case for inductive qualitative research

The research process behind this thesis was largely inductive. The aim was to understand consultative forums as seen through the eyes of the research participants (Brewer, 2000; Bryman, 2004; Cloke *et al.* 2004; Crang and Cook, 2007). This allowed me to gain an appreciation of the culture of the relevant social groups, to reveal the concepts used by the persons studied and to plausibly document their experiences and beliefs. The data for this study was largely collected in the absence of a pre-defined hypothesis in order to ensure that my own preconceptions and subsequent analysis of the situations would not be coloured by *a priori* judgments.

This approach could be understood as more rigorous than deductive qualitative research because it does not (or at least not explicitly) superimpose the researcher's own preconceptions onto the phenomena being researched. A precise conceptualisation, thought up in a university office prior to engaging with the field would likely have deflected my attention from important aspects of the phenomena. Because of the risk of "pasting" a potentially inappropriate or irrelevant framework onto the setting, Barney Glaser and Anselm Strauss (1967: 33) believe that, ideally, "the researcher should study an area without any preconceived theory that dictates, prior to the research, relevancies in concepts and hypotheses".

In the approach promoted by Glaser and Strauss (1967), "grounded" theory is generated out of the empirical research. Researchers go out to study an area with some general questions in mind, but without precise preconceptions which might overly influence what they observe. Inductive researchers argue that it is possible to obtain a much better sense of what people actually feel by asking questions which require thoughtful answers as opposed to the completing of a pre-formulated questionnaire. They seek to "understand, interpret and report honestly the things people say and the things people do in all their 'messy complexity'" (Cawthorne, 2001: 65).

The design of an inductive study is emergent and flexible. It can be adapted to the specific contexts as the research progresses (Winegardner, 2001). The iterative process begins as the factual data is being collected. Following this, initial data is used to determine the key variables as perceived by those being studied and these emerging insights influence the next phases of data collection and lead to a refinement of the research questions. In this process, researchers are able to develop

a responsiveness to the context of research, to process data as they go and to adapt their research techniques to the circumstances.

In order to establish credibility, a high level of transparency in the data collection, analysis and reporting allows the reader of an inductive research project to make up their own mind about the quality of a project (Baxter & Eyles, 1997). Inductive researchers usually advocate the keeping of a research diary, which serves as “a record of the researcher’s involvement in a project” (Hughes 1996: para. 1). The diary contains information about the researcher, what the researcher does, and the process of research. It complements the data yielded by the other research methods and serves the purpose of recording ideas, providing material for reflecting on the research process, formulating plans of action based on new reflections and knowledge. Entries can include summaries of what happens each day, basic facts, concepts, theories, relevant scholarship, names of people or organisations, dates, points of view, stories of conversations, discussions, questions, topics for further study or investigation and key tasks needing to be completed.

### 5.6 The comparative approach

Geography as a discipline seeks to understand social processes that occur across space as well as within the context of specific places. It focuses on the variety of cultures, environments and landscapes across the world. The comparative approach is an attempt to “see processes and outcomes that occur across many cases, to understand how they are qualified by local conditions, and thus develop sophisticated descriptions and powerful explanations” (Miles & Huberman 1994: 172, see also: Denzin, 1978, Pickvance & Preteceille, 1991; Ragin 1987). Linda Hantrais (cited in Bryman 2004: 53) describes comparative research as:

“Examining particular issues or phenomena in two or more countries with the express intention of comparing their manifestations in different socio-cultural settings (institutions, customs, traditions, value systems, life-styles, language, thought patterns), using the same research instruments either to carry out secondary analysis of national data or to conduct new empirical work. The aim may be to seek explanations for similarities and differences or to gain greater awareness and a deeper understanding of social reality in different national contexts.”

A comparative approach is useful in cases where there is a relative similarity between a number of phenomena which can each be studied as self-contained units of analysis. In these cases, the comparative approach assumes that it is possible to outline common practices and principles underpinning the various entities under

study. The comparative approach helps to move beyond the ethnocentrism of doing things in a particular way, by looking at the way similar things are done elsewhere. It thereby minimises the risk of under-evaluating how culturally specific social phenomena can be.

Therefore, before undertaking a comparative piece of work, it is legitimate to ask whether the two entities can be considered to be expressions of a similar phenomenon, or whether the similarity is only on the surface. I believe that a comparative approach to studying the work of consultative forums is valuable, because it amounts to comparing organisations which, to an extent, are fully comparable. I aim to define consultative forums in a “general” way and to evaluate their impact on the policy of regions, partly in order to inform the future design of such organisations<sup>9</sup>. This then enables me to learn useful lessons from case studies and possibly help translate policy experiences from one context to the next.

Thus, while regional democratic arrangements are always the products of an ensemble of very specific practices, discourses and institutional influences, there can be a relevance of findings to other situations and hence the value in considering the two consultative forums under one heading: faced with similar challenges (whom to include? how to organise the concertation? how to relate to government structures and to other participatory structures?), the leaders of both organisations make different choices. I believe that these findings make sense beyond the particular case. To my knowledge, studying consultative forums as one phenomenon has not been done before, although, in practice, people operating in consultative forums learn from each other whenever they are looking for best practices to design or improve the functioning of their organisation.

#### *Case-oriented comparison vs. variable-oriented comparison*

In conducting a comparative study, Charles Ragin (1987) distinguishes between case-oriented approaches, and variable-oriented ones. Case-oriented studies are meant to maintain a “holistic” approach to studying social phenomena: the studies are sensitive to complexity and historical specificity of each situation and enable the researcher to keep track of the local web of causalities and to remain sensitive to institutional specificities (Ragin, 1987; Yin, 1984). The value of qualitative data

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<sup>9</sup> As was explained in the first chapter, this research project originated at a time of discussions about the possible form and shape of such a consultative forum to accompany the work of elected regional assemblies.

does not necessarily lie in its ability to create knowledge which is generalisable to a number of other settings. Rather, qualitative approaches focus on producing accounts of “why” and “how” things happen in order to understand the deep-seated reasons for the practices observed. Thus, inductive qualitative research would seem to lean more heavily towards the case oriented approach: the research narratives provide in-depth understandings of each area’s political, social, cultural and historical particularities and look carefully at the complex configuration of processes within each case.

However, in conducting a case-oriented approach, the aim is to avoid a mere juxtaposition of two narratives. The case-oriented approach does not exclude the possibility of identifying common themes. Because the project remained reasonably focused, it was possible to craft detailed narratives for each case in their own right while also generating a sufficient basis for the development of a truly comparative analysis. Initially, the two organisations were actually fairly difficult to compare, as they seemed to fulfil different purposes, and had very different understanding of their roles. I nevertheless attempted to distinguish common practice and principles underpinning the functioning of the two forums and to conduct a comparison by theme. The final, similar structure of both case studies was settled after I had first written each of them separately and I could begin to see a combination of variables which transcended both cases. The common themes discussed in Chapter 4 emerged largely from the case-study material.

### **5.7 Positionality and “strong objectivity”**

Feminist researchers are increasingly questioning the objectivist assumptions that an “objective, external reality” can be presented by a “neutral observer”. Instead, it is only fair to affirm that research is not about uncovering pre-existing findings, or about generating unbiased, objective knowledge. Rather, research is about reporting contingent and inter-subjective truth. Each study is necessarily located in a particular place and time and is conducted by a particular researcher who has somehow become an integral part of the social phenomenon being studied (Crang & Cook, 2007; MacDowell, 1992).

Ian Cook (Cook, 2005: 16) asserts that “academic and other knowledges are always situated, always produced by positioned actors”. No matter how truthful a researcher tries to be, a research project can never fully depict an outside reality which could be unproblematically apprehended by any researcher using a valid set of methods,

without consideration for the historical or cultural situatedness of the research process and independently of the idiosyncracies of the researcher's way of interacting with the world. Especially in the conduct of inductive qualitative research, it is not possible to separate the "experience" from the "experiencing subject": the researcher is the medium through which all data is processed and the researcher is necessarily positioned and involved in the social and cultural contexts of the study. In this sense, researchers operate as filters, not simply as transmitters. Very early on in the research process, researchers interpret and make sense of their necessarily situated and partial observations, as well as gathering and presenting the "facts".

Rather than seeking to adequately represent the external reality, research accounts construct versions of reality (Hammersley & Atkinson, 1995). There is no shying away from the fact that different people with the same object of study would still have undertaken different research approaches and written different narratives about it. It follows that a research account can never be a mirror picture of what is going on. The studies which get written are, by their very nature, "one-off" accounts. For better or for worse, this thesis can do no better than present the story through my eyes. Because they are relatively short accounts of very complex phenomena, qualitative studies can also tend to simplify, or to wrongly emphasise certain elements as opposed to others, thereby possibly misleading the reader into drawing the wrong conclusions about a particular state of affairs (Guba & Lincoln, 1981). Jessica Hayes-Conroy (2007: 29) reminds us that "the so-called real world we seek to explain is infinitely more complex, dynamic, and unordered than the stories that we can tell about it".

For these reasons, the feminist scholar Donna Haraway (1988) argues that "objectivity" needs a new definition. In her sense, it is "objective" to acknowledge that any scholarly account is necessarily situated, no matter how careful the researcher has been in trying to avoid bias. For Sandra Harding (1991) it is precisely this effort of reflecting about one's positionality and considering how this affects the process of doing research that would constitute "strong" objectivity (see also: Schoenberger, 1998). This amounts to standpoint objectivity or situated knowledge. The only way to find a larger vision is through the "joining of partial views from somewhere". Thus, if someone wanted to gain an overview of a place or event, it would be a good idea to read a number of separate descriptions by differently

positioned individuals. According to this view, social reality is best apprehended by juxtaposing different accounts of a same phenomenon.

In addition, it is important to state that researchers necessarily find themselves in a network of power relations. In this particular research project, many of the people I worked with were expert researchers themselves, and often drew on the same popular and academic literatures which I had consulted. This makes it impossible to write from the superior viewpoint of the “outside expert” because it leads researchers to “grapple with the realization that their objects of analysis are also analysing subjects who critically interrogate research - their writings, their ethics, their politics” (Rosaldo, 1989: 21). In fact, within a policy context, being able to (re)present what they are doing and picture it in the best possible light is very much part of most of my respondents’ set of responsibilities. Some respondents had developed very polished, well-rehearsed and somewhat placating narratives about their organisation, hence the importance of conducting interviews late into the relationship rather than too soon (see below), at which point the respondents might be prepared to break out of the pre-set narrative, while the researcher will be able to ask more interesting questions.

#### *A reflexive research process*

I have argued that there can never be any strong guarantees against the effects of a researcher’s positionality. Nevertheless, a level of reflexivity offers some safeguards and it therefore useful to reflect on interpersonal interactions while taking the following aspects into account (Babbie, 2004). For this reason, qualitative projects should probably include a reflection on the researcher’s own practices, performance, behaviours, feelings and actions as a researcher as well as on the effects of class, gender, ethnicity, generational, national, local, personal beliefs, personal experience, education and social background.

My initial preference was to attempt to weave reflexive considerations into the case-study narratives (Cloke *et al.*, 2004; Crang, 1998; Crang & Cook, 2007; England, 1994; Massey, 2001; McDowell, 1992). However, because of the nature of the case studies, which provide comprehensive descriptions of the functioning of two organisations on a rather functional level, it was difficult to include much personal reflexivity in the narrative flow of these chapters. Nevertheless, in any project which bases itself on inductive, qualitative methods, it is useful and necessary to talk about

how the research was conducted on a day-to-day basis and how my positionality as a young, foreign female researcher might have affected the processes and outcomes of the research. A level of reflexivity adds to the “deep objectivity” mentioned in the previous paragraphs.

As a young French woman in my twenties, it could have been difficult to access the key political figures from whom I wished to obtain information. On the whole, my respondents were much more knowledgeable than I was and also likely to be very protective of their time. As I explain in section 5.12 below, I initially spent much time researching the prospective organisations before approaching them. When the time came to make first contacts, I benefited from the fact that both organisations were open to be approached by member of the general public. Indeed the very ethos of consultative forums, and their desire to be better known by the public almost encouraged inquiry by third parties, and made access much easier.

I found that being a French woman conducting research towards a Ph.D. in a British University was an advantage in both situations. I was fortunate that many of the respondents were curious about me. In many ways I was a difficult-to-place, but rather benign oddity and this specificity helped me gain an enviable level of access. In *The Minimalist Self*, Michel Foucault (1990: 4) speaks about the freedom of the foreigner who can ignore implicit obligations by virtue of being ignorant of them (or pretending to be ignorant of them):

“Anyway, you see, we very often have the experience of much more freedom in foreign countries than in our own. As foreigners we can ignore all those implicit obligations which are not in the law but in the general way of behaving”.

Respondents in Scotland were thrilled that someone from France was taking an interest in Scottish politics while respondents in France were keen to find out what I was doing, to enquire about the Ph.D. experience in a U.K. university and about the ways in which people in other places (in this case Scotland) had developed approaches to policy concertation. They also were unsure about the exact weight of my research. The Department of Communities and Local Government, which funded part of the research, seemed especially legitimate in the eyes of my French respondents, and they were on the whole very prepared to take part in the research. The research topic was also inherently interesting to my respondents, inasmuch as they were themselves frequently expected to make sense of their activity and they often collected an arsenal of arguments to be used in a range of settings

presentations. Most respondents had developed a conceptual toolkit which they constantly sought to improve, and tapping into the scholarly insights gathered by a doctoral student seemed worthwhile for this purpose. Making sense of an organisation and formulating fresh insights is a resource-intensive task and the resulting products are often valuable to the members of that organisation.

Very early on, I made it clear that my research could also benefit respondents in their day-to-day work and that they were welcome to make use of the concepts I used if they found them helpful. After having spent my first year of the Ph.D. researching topics related to democratic participation in some depth, I found that I had acquired some formal knowledge of the issues at hand, and could therefore make a valued contribution (by the time I was conducting research in France, I had already conducted the research for the Scottish case study and gained yet more insights). Thus, early in the process, I stepped out of the “neutral researcher” stance and readily shared some of the concepts I had come across and I kept in mind that the interviews should be more like “conversation with a purpose” (Lincoln & Guba, 1985: 268). A number of respondents used our interactions to gain more information about the practices of their peers while others welcomed the ability to formulate critiques through my voice, trusting that these critiques would not be traced back to them, but would nevertheless be heard by management as they would later be formulated by an “outside researcher”. On the whole I got the impression that most respondents genuinely enjoyed bouncing off ideas with me, and this made the research process eminently enjoyable.

### 5.8 Ethical Considerations

The research community has long laid an emphasis on the critical importance of respecting the rights of respondents while safeguarding the integrity of the social sciences disciplines at all times. Professional organisations have issued a number of ethical guidelines and rules of conduct. As a complement to these, it is also necessary for each researcher to anticipate some of the various ethical issues that can emerge in the research process.

Ethical dilemmas can have strong implications for third parties involved in the research and it is necessary for the researcher to be reflexive about both their own actions and about the effect which their research might have on their respondents and on other members of the community. This section deals with the ways in which

I have handled the ethical challenges raised by my research project. This statement of ethics is loosely adapted from the five criteria provided by Cloke *et al.* (2004), and complemented by the British Sociological Association's statement of ethical practice:

- Harm: the researcher should refrain from harming the interests of respondents and from engaging in practices which may have negative consequences for them. It is the researchers' responsibility to protect the interest of those who participate in, or are affected by their work and to guarantee that none of those studied suffers as a result of the research. Researchers should also consider the consequences of their work (and its possible use by third parties) for the people whose activities could be negatively affected by the research being undertaken. This is especially important in a context where respondents (and organisations) need to put themselves in the best possible light, in which case it is crucial to avoid undermining one organisation in the eyes of another. In order to avoid harming the interests of respondents at this stage, I am very cautious in disseminating this work. Despite interest in my findings, I will not disseminate them until both organisations have granted me permission to publish findings about their functioning.
- Consent: As far as possible, the research should be based on participants' informed consent. This entails a responsibility to fully disclose the objectives of the research. For this reason, I produced a two-page briefing pack (see appendix) which was handed out to all respondents (preferably at the time of the first contact, before any interview or observation). The briefing pack included a summary of the project's objectives, as well as my contact details, those of my academic supervisors, and a pointer to the British Sociological Association's Statement of Ethical Practice.
- Confidentiality: As a working principle, the identities of those involved were not disclosed without their consent. Within the scope of this project, there was a need to pay even more attention to confidentiality when operating in a microcosm in which the participants could easily guess who I might have been talking to. I was especially careful not to let participants guess where I obtained my information, but on one or two occasions, respondents have been able to connect the dots. The principle of confidentiality also led me to

consider whether participants should be consulted before a publication of the results. The respondents cited nominally in this thesis have agreed to be on the record, and anonymised draft chapters were circulated in order to enable them to make changes to their contributions as they appear in this thesis. As stated above, I will not publish a piece of work which might harm the organisations researched.

- Exploitation: As far as possible, the relation between the researcher and the researched should be mutually beneficial. One best practice is that the results of the research project should be made available on demand, as well as any further information related to the study if requested, except when this might harm the interests of participants. It is also necessary when doing research to be sensitive to the circumstances, constraints and pressures of respondents and to avoid making undue demands on their time and resources.

### 5.9 Policy relevance

Recently, there has been much debate among geographers about the necessity to conduct policy-relevant research (Burgess, 2005; Peck, 1999). Many authors believe that it is important to enhance academia's contribution to matters that are linked with the day-to-day concerns of policy-makers, to anticipate new challenges, and to help find solutions for the issues which have readily been identified. As stated above, the aim of this research was initially to determine how effective the consultative forums were in promoting engagement and in channelling the diverging societal aspirations of their members in order to inform the creation of future such organisations. One of the stated aims of the project was to inform the development of effective stakeholder involvement through the consultative forum model.

This research was partly funded by the Economic and Social Research Council/ESRC and by the Office of the Deputy Prime Minister/ODPM<sup>10</sup> with the aim of strengthening the research-policy interface. According to the ESRC's website, this particular funding stream provides "an opportunity for researchers to work closely alongside government and to contribute evidence to the process of policy development and delivery" (ESRC, 2005: para. 1). Nevertheless, in my experience and in those of other students funded as part of this programme, the ODPM supervisors were reluctant to interfere too much with the progress of the

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<sup>10</sup> Renamed Department for Communities and Local Government (DCLG) in 2006

individual projects. Their stance was to let students do the research unhindered, and then establish whether any of the findings were of interest to the ODPM.

Moreover, despite my project's "obvious" policy relevance (the project was designed to potentially inform policy), it is important to state that this type of research cannot straightforwardly "solve" policy problems. It is not possible to generalise from two case studies and, if anything, all I have done is highlight their specificity in order to raise attention to the very significant differences that may exist in two organisations initially set up for similar purposes: gathering the contributions of a variety of sectional groups in one region and channelling them towards decision-making processes. But above all, the definition of policy-relevant knowledge should probably go beyond the level of immediacy. I believe that keeping the questions surrounding the practiced of democracy open is in itself useful, if not immediately so.

#### **5.10 Research design part one: what do I want to find out?**

The point of research design is to lead the researcher from the process of developing the initial questions to the process of planning the day-to-day research activities to be conducted in the field. At that point, the research questions in their general form are turned into researchable questions and implementable research strategies. Research design is a preliminary reflection about the way in which the research will be carried.

However, it is important to note that qualitative research is not a wholly unstructured approach to social inquiry. Since the first days of the project, the researcher is already more-or-less reflexively asking some questions and not others, visiting some settings and not others and reading a limited number of sources. Very early on, the researcher needs to decide about the best literatures to consult, the best source of grey literature, the best people to talk to, the best activities in the setting in which to participate, the best physical locations from which to observe etc.

John Dryzek and Leslie Holmes (2000: 1044) believe that: "what democracy means in particular societies depends on interaction between the configuration of constitutional and material circumstances, geopolitical factors, the choices of key actors and the history of relevant discourses in each society". The aim of an empirical project about an ostensibly "democratising" organisation is to be able to draft a historical overview of its development and identify the important causal

factors in its trajectory. The research should therefore emphasise the importance of social and cultural conditions at the time of developing their democratic values. The forums' roles are frequently contested and they remain dependent on the constant (re)negotiation of meanings and practices between a number of actors, on many sites and in a variety of temporal contexts. In their day-to-day operation, multiple theories of democracy and participatory concepts are deployed and contested by participants who are balancing different sources of legitimacy.

*Documenting separate points of views*

This research is trying to document the specific series of practices, representations and performances through which the forum's roles have been contingently produced (and reproduced) in Scotland and Nord-Pas de Calais. In this case, the aim is to provide a complete description of the entities under study (the consultative forums) including all the significant themes or relations while also providing sufficient information on the social and political contexts to explain change. In order to do this, there are two main elements to be documented: (1) the actors' own conceptualisations and (2) the interactions between actors in which these conceptualisations get confronted. To begin with, then, one the main objects of study is the individuals' and groups' own understandings of their situations -the meanings they attribute to events and actions.

*Documenting interactions, and the "nodal points of discourse"*

On the other hand, it makes no sense to isolate the forums and try to analyse them outside of their relationships *vis-à-vis* other actors within this sphere of action. There is a need to explore power relations between different actors and to adequately map the most relevant social relationships, not simply isolate individual actors. The basic unit of analysis is the complex ensemble of social relations, the broader regional context within which participatory practices occur, rather than the individual protagonists and their activities. This approach seeks to focus on the specificity of the region, and on the complex processes of sedimentation that occur within its jurisdiction, rather than on the activities of separate organisations. It enables me to gain an understanding of the numerous aspects of the various participatory processes over time and in various settings while also considering that some of these participatory processes may be occurring in places far removed from the activities of consultative forums. Thus, the aim is to study social relations between actors and the inter-subjective constitution of their political identities through discursive

interactions in a variety of instances. There is a need to analyse the *nodal points of discourses* and to focus specifically on the clashes, conflicts and inconsistencies between various ideas. The case studies can then highlight the tensions which can arise when consultative forums operate in complex political settings.

### 5.11 Research design part two: choice of methods

Research methods are not implemented in order to satisfy a series of technical criteria. Rather, the research methods are meant to bring researchers closer to the phenomena which they are trying to understand. Hence, the first task of research design is about outlining an overall approach which is appropriate for the research questions. The second step in this endeavour is for the researcher to ask themselves what information they will need in order to write good case studies, full of descriptive details. As is frequently the case in qualitative projects, a range of methods and techniques are necessary to gain an understanding of the communities under study. Various types of data are drawn from a variety of sources and each source contributes to the identification of certain facts and ideas. For this reason, the first challenge is that of choosing good elements to observe within the constraints of time and resources of a doctoral project.

#### *Focusing the research activities*

In prioritising my work I chose to adopt an intensive as opposed to extensive approach. Since both consultative forums were relatively small organisations, it was possible to adopt a strategy of researching “from the inside out”. There is a length of time needed at the site in order to gain familiarity necessary for a vivid description, especially when, as in the case of the two forums, there exists very little or no past literature about the organisation and everything has to be learned by observing and by questioning. Therefore, one begins by researching the direct experiences of the people operating the forums before attempting to delineate the broader social phenomena which might give shape to these experiences.

This means that the research priority lay on obtaining all the information and access necessary to understand the inner working of the forum, and subsequently using the information thus gathered in order to document the forums’ immediate environment: the people and organisations they interacted with (i.e., government offices, other channels of stakeholder involvement, different types of groups), the documentary

resources they used *etc.*<sup>11</sup> As a result, I was able to describe the in-house functioning of each forum, but my descriptions are somewhat weaker when it came to relating how the forums were perceived by the outside: while I did secure a number of interviews with other relevant bodies, I did not conduct extensive surveys of a large numbers of regional groups, regional parties, or the competing transmission mechanisms.

*Chronological aspects of research design*

There is an undeniable chronological aspect to fieldwork, insofar as the researcher does not start out as a member of the studied group and does not know a great deal about it. Some preparatory work is necessary in order to lay the foundations for other tasks which demand previous knowledge: before undertaking an interview or a period of observation, it is essential to keep building up theoretical sensitivity (Glaser, 1998) and to be well informed about previous research on those issues. The first two weeks in Edinburgh and Lille were spent gaining this background knowledge (by using local libraries, collecting secondary sources and talking to people, for example public relations officials at the parliament).

The following is a broadly logical succession of the research tasks undertaken: in each location the first task was to visit a local academic library, the second was to locate the “grey literature”, the third was to gain access to the consultative forums with an introductory meeting and initial interviews, the fourth was to conduct participant observation and the fifth was to conduct more “late-stage” interviews. This indicative timing remained relatively bendable, and allowed for the necessary flexibility to attend to events as they happen. The data collection and record keeping was relatively systematic. This was necessary because qualitative fieldwork research can be somewhat “bits-and-pieces”. I would write down some notes, read articles - on the whole gathering elements that were not immediately related and keeping them in one place.

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<sup>11</sup> This proved to be a good approach in order to obtain abundant information relative to the forum, but it did have the drawback of potentially being perceived as the forum’s vested accomplice when approaching other actors. In some cases, I was known to have been involved with the consultative forum before approaching other sources. I could sense that they thought my project was designed to champion the forum and “fight for participatory democracy”. In these cases, I had to explain that spending time at the forum was the best way to discover how it worked, but that I had no stake in it. On other occasions, I had to physically enter a setting (*i.e.*, a parliamentary committee meeting, or a plenary session of the RESC) at a different time, and sit apart from the forums’ staff with whom I had spent weeks working and exchanging information, simply in order to appear more “neutral” to other participants.

### 5.12 Review of key documents and grey literature

Chronologically, my first endeavour in the field has been to collect and accumulate primary source material in order to gain a greater understanding in preparation for the subsequent qualitative interviews. This was necessary in order to become familiar with the facts and with the discursive frames used by potential research participants, thereby establishing credibility fairly early on. An interviewer should be able to reflect on different topics, in order to be able to ask questions and think about what the person is saying. This background knowledge is helpful in order to establish rapport, empathise with respondents and elicit richly descriptive contributions. When writing each interview prompt sheets, I would systematically review my existing material.

The grey literature is also useful in documenting the way in which an organisation wishes to present itself to the world. As previously stated, organisations do not only act in particular ways, they also represent their ways of acting and organising. Thus, while one should be avoid taking at face value the official material produced by the various policy-active organisations and government bodies (Bryman, 2004), the grey literature undeniably provides an important starting point.

Fortunately, policy processes produce much grey literature. People and institutions engaged in political activity (regional executives, consultative forums and other groups) generate plenty of such materials, much of which is readily available either online or at the institutions' site. This meant that collecting grey literature was relatively straightforward. This included the annual reports of relevant organisations, promotional documents, brochures, minutes of relevant meetings and discussions, records of key parliamentary and governmental debates, responses to past consultation exercises, speeches by individuals, websites, newsletters and magazine articles.

In the conduct of both case studies, the main respondents have been exceptionally helpful in granting me access to documents. Research participants in both the Scottish Civic Forum and the Regional Economic and Social council gave me access the quasi totality of their own collection of books, brochures and press-cuttings. On both occasions, key informants were willing to share their own collections of useful documents, meaning the documents which they used in preparing their own communications to the outside world. These included policy documents and

strategic papers on the issues related to forums and participation, laws, official statutes and constitutions, composition of their membership, formal procedures, and the ways it is being consulted. Furthermore, there also exist similar organisations in other locations, i.e. other Civic Forums in the U.K, other RESC in France, which could serve as proxies when it came to gathering information about how such organisations operate.

Respondents also volunteered additional documents including their own work in progress. This included a complete folder of preparatory documents which was to become a book about participation, as well as a series of articles in progress. On several occasions, both in Scotland and in France, documents were made available which were personal: a bundle of notes for a book, a folder of conceptual resources, articles in preparation and press reviews collected over the years. Also extremely useful were the induction guides for new employees, which were made available in both forums. Some of the documentation accessed in the course of this research was to be treated as confidential; in which case I would immediately cross out the documents, so the material would not appear in the final thesis. However, other types of potentially useful information remained totally off-limits (for example, I could not access the primary research material -such as interview transcripts- of one in-house project conducted by a previous researcher, I could not access the full database of members of the Scottish Civic Forum and I could not access the letters exchanged between the Scottish Civic Forum and the Scottish Executive).

### 5.13 Participant Observation

I became a participant in the two organisations for several months. The aim of participant observation is to take part in the activities which characterise a particular context or research while, at the same time, retaining some of the attitudes of an outside observer. Participant observation involves trying to “understand, through personal experience, what is going on in any given situation and attempting to understand the motives and meanings of people’s behaviour from the viewpoint of the participant” (Hammersley & Atkinson, 1995; see also Cloke *et al.* 2004). This involves being part of key activities, looking at what happens, listening to what is said, asking questions, and generally collecting the available information, in order to be able to shed some explanatory light on the issues that are the focus of research. It also involves observing behaviour, recording verbal interactions, asking questions (when appropriate) and recording what is happening. In this sense, the “constant” access to key respondents is extremely valuable.

Participant observation is useful in that it provides the opportunity to gain a deep understanding for the contexts in which respondents operate. It allows the researcher to understand the social pressures, influences and norms that may lead to particular forms of behaviour. It is about researching complex situations holistically. It brings to the surface things which are taken for granted and would not necessarily be discussed in an interview. Over time, participation enabled me to gain a deep understanding of the research situation, to fill in my knowledge of the topic, to become aware of some most relevant variables and to understand the shared experiences, everyday routines, social pressures and influences present in the organisation.

When reading a written source, or listening to an interview, it is sometimes difficult to know what the various concepts refer to, or to evaluate their relative weight in the broader scheme of things. If the researcher's interaction with a setting remains somewhat superficial, as it can be when time is limited, the researcher might misinterpret or misunderstand the points made by individuals and groups verbally or in writing. Direct observation provides a possibility to fine-tune the more formal aspects of a phenomenon. In addition, unofficial rules will often supplement and on occasions even override more official organisational rules. Through participant observation, the researcher gains an awareness of implicit, unspoken assumptions and agreements and a better understanding of the dynamics of groups or organisations and she may also pay attention to things like ambiance, non-verbal communication and other impressions.

By observing the activities of people in this way, it becomes possible to study the ways in which people behave, as opposed to what they report. By having consistent access to respondents, I hoped to notice things beyond what they were saying, not so much because they were lying, but because they might have omitted things unwittingly. Participant observation is a central aspect of case-study research because the personal contacts developed during an intense period of participant observation also enable the other methods: as a direct result of the participants' assistance, one collects better documents, has access to better interviewees, conducts better interviews and gains a chance to attend the most relevant activities inside and outside the organisation being researched

*Participant observation is less demanding of participants' time than repeated interviews*

Participant observation can also be especially helpful if there isn't enough codified information on particular topic. My research topic (especially the Scottish Civic Forum<sup>12</sup>) has had little prior attention and there simply wasn't enough material to collect. After a first set of interviews, I was very aware of the sheer amount of information I needed to generate first hand, and it appeared that periods of participant observation at the Scottish Civic Forum would be less intrusive than the prospect of conducting repeated, time-consuming interviews with key respondents. Single interviews are too short to cover the topic in its entirety and it would be impossible to understand an organisation in two hours (the number of staff was rather limited, so I couldn't ask various persons for an hour of their time, most of the information would have had to come from the people who were effectively running the organisation).

For Ian Cook and Mike Crang, the aim of participant observation is to "understand parts of the world as they are experienced and understood in the everyday lives of people who actually live them out" (Cook & Crang, 1995: 4). Thus, if I was going to write the respondents' stories; I needed to be able to ask questions over a period of time. At first I needed assistance in making sense of the most obvious aspects of the consultative forums' work. Participant observation also acknowledges that newcomers learn in various situations which are not characterised by formal training. In such a situation, a form of "legitimate peripheral participation" (Lave & Wenger, 1991) is the key to gaining holistic, balanced and contextualised information about a setting.

*Gaining and maintaining access*

Gaining and maintaining access and entry to the consultative forums was relatively unproblematic. Upon first meeting respondents, I provided a detailed description of the nature of the project with the aim of ensuring that the project was presented as valid academic scholarship. The most direct way to gain access in these particular cases was to either make contact with the front desk, or attend public meetings organised by the consultative forums themselves. This was feasible because both

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<sup>12</sup> The only information available was that compiled by the Forum itself, and the people involved in its functioning. The RESC tended to produce much more information, and, as an added benefit, the RESC could be studied via the proxies of other RESCs operating in other part of France. Reviewing the grey literature produced by other RESCs helped me to ask better questions in Nord-Pas de Calais.

organisations were small, very accessible, not over-solicited and did not have gatekeepers. Their front desk was in touch with the whole organisation<sup>13</sup>. An initial letter of contact and a briefing pack was given to all respondents at this stage. The letter detailed what the research was about and why the individual was important for the conduct of the project.

*Defining a role for the researcher*

In the case of the Scottish Civic Forum, I was also very eager to conduct some participant observation of the day-to-day routine and did some volunteering at the Jackson's Entry office. My role consisted in answering the phone, forwarding documents and compiling newsletters. In addition, the Scottish Civic Forum let me occupy a spare desk for two mornings each week, obviously poring over books and collecting data. This allowed me "give back" (Cloke *et al.*, 2004) to respondents in the form of voluntary activity. The first few days were a bit awkward, as the participants wondered if I was taking notes, and what I was writing down while I was nervous about invading their spaces and shy about showing them very first impressions.

It was slightly more difficult to conduct continuous participant observation in the Regional Economic and Social Council because of the way in which the physical space was organised. While the Scottish Civic Forum functioned in open space with much interaction between staff, at the Regional Economic and Social Council, people tended to work in separate offices behind closed doors. On the other hand, the RESC planned a number special "activities" throughout the week (commission meetings, plenary sessions, meetings of the bureau etc...) and I was welcome to attend them on an almost daily basis, so I did become a fixture after a couple of weeks: I knew my way around the organisation and could ask people for information. In both settings, I was able to record conversations, ask questions, take notes, use the library and look at specific material the evaluations of activities, the consultation material, *etc.*

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<sup>13</sup> On other occasions, when I wanted to interview major political figures, the front-desk proved very unhelpful and e-mails went unanswered. If snowballing was not an option, I usually tried the argument of having spoken to a person's counterpart in another organisation. For example, I would state that I had spoken to the head of a major employers' organisation (if true), and that I would need someone more or less equivalent from the union, so it wouldn't look like they took my research less seriously than the other organisations had. This usually worked very well, once a high-profile participant had set the tone. In France especially, one of the first question asked by the front desk was "who have you spoken to so far?"

*Researching both the mundane, day-to-day activities and the more formal occasions*

Since participation is largely done in a somewhat unpredictable natural setting, this approach to research enables access to impromptu elements. Participant observation gave me first hand access to the practices and events which formed part of the social worlds of participants. In groups whose members share similar views the discussion might be more interesting and genuine than an artificial interview with an outsider. I was also able to take part in a number of lunches and informal conversations and to zoom into particular aspects, relations or phenomena. It was important to know about the activities that would take place, the times at which things happen and the places in which they happen.

*Doing multi-site research*

Despite a clear focus on documenting the forums' activities and self-understandings, I was not limited to working within the consultative forums. On a day-to-day basis both are very small organisations in which not much can be observed. I also worked towards the outside in order to include more events. I wished to research a whole host of actors (i.e., government offices, other channels of stakeholder involvement, and different types of groups). The relevant networks are usually operating in multiple locations, and hold meetings on an irregular basis. The point, therefore, is to participate in the activities of the appropriate policy community, and this is not necessarily restricted to the activities of the one organisation which is the focus of research. Therefore, if I am interested in studying a community which does not operate cohesively on a day-to-day basis, but meets in various places and at some specific time, a complete immersion will not be possible (Crang & Cook, 2007). When doing multi-site research, the challenges are those of selecting settings and timings for participant observation. There is a need to be at the right place and to be present at the nodal points where interaction occurs and discourses take shape. I was looking forward to being able to observe the dynamics of interpersonal relations, the social relations between various actors and the constitution of their political subject identities through inter-subjective discursive and material interactions occurring in a variety of settings.

#### **5.14 Interviews**

Interviews are useful in order to document the everyday experiences of participants, their roles, the decisions they take, and the meaning they attach to particular events. Interviews are valuable for things which cannot be observed directly. As such, they should only be employed if individual insights and rich depth are required, in order

to document issues which are difficult to document in other ways (Hammersley & Atkinson, 1995; McCracken, 1988).

*Documenting past occurrences*

Interviews are especially useful for describing the actions of people in the past, the everyday experience of respondents, their roles and their historical insight into past events. While official processes and decisions are well documented and easily accessible, it could prove difficult to document the incremental, day-to-day evolutions in the self-understanding of organisations such as the consultative forums. Interviews are useful in order to recover a sense of the situations and actions in which respondents had been involved in, but which had been insufficiently documented. Some respondents are the memory of an organisation and they have special knowledge about its inner workings. Many of my respondents had observed political events since the early 1990s or earlier, and could give an account of the most striking developments.

*Documenting processes which cannot be observed directly*

Interviews were also helpful for documenting processes which were closed to me, as both organisations have confidential meetings, and there are also informal processes which take place behind closed doors, out of the public gaze. Some interviewees are able to reflect on the inner workings of the political process and on the machinations between some of the most influential actors or to explain how a sequence of events was viewed and understood as it occurred.

*Documenting incompatible perspectives*

Interviewing is an approach which respects the understandings of those studied. It acknowledges that respondents construct their own sense of “social reality” and their own understanding of the issues at hand. They have “thoughts, feelings, meanings, intentions and an awareness of being. They define situations and give meaning to their actions and those of others” (Clark & Layder, 1994). In an interview setting, respondents are able to reflect on their lives, experiences and understandings of particular contexts within which they have been involved. Genuine differences between sources are to be expected. The contrasts in interviewees’ perceptions are in themselves worth noting, showing how alternative perspectives sometimes “clash” and providing direct insight into the ways in which arrangements are contested on a

day to day basis, when several valid perceptions of a phenomenon prove incompatible.

*Deciding whom to interview*

Unless all persons, events and documents which could possibly inform the case study are to be reviewed, a selection of the most appropriate people and settings is required. In deciding whom to interview and which event to attend, I went for the most relevant people who were closest to the organisation. Considering the limits in terms of time and resources of the research project, it made no sense to interview a person (a member of the Scottish Parliament, or a politician in Nord-Pas de Calais) who had never been involved with the consultative forum. While I did speak to groups which had deliberately chosen not to support consultative forums, my initial focus was to interview people who were involved and knew the intricate functioning of the organisation.

Broadly speaking there were three “types” of respondents: (1) people directly involved with running the consultative forum, (2) people involved in political decision-making regarding the activities of the consultative forum who had reasonably prominent roles in determining party and/ or government policy, who have access to the discourse of their organisation and (3) groups willing to reflect on their ways of relating to the Scottish polity and to the consultative forum, chosen on basis of their diverging experiences. The following two tables present a complete list of interviewees and their roles. In one instance, the interviewee remains anonymous, according to his/ her wishes not to be identified. In other instances I have agreed to deliberately anonymise individual statements, either because respondents did not wish to be on the record, or because I could not obtain their permission to quote them.

Table 4: List of Interviewees in Scotland

|                                |  |
|--------------------------------|--|
| <b>Anonymous 1</b>             | Scottish Executive senior official for civic participation.  |
| <b>Campbell Christie</b>       | Former head of the Scottish Trade Union Congress. Former convener of the Scottish Civic Forum. Member of the European Economic and Social Council. |
| <b>Alexander Cole-Hamilton</b> | Head of policy at Fairbridge in Scotland (Fairbridge in Scotland does not use the Scottish Civic Forum)  |
| <b>David Creig</b>             | Representative of Tayside Adoptees Group (Tayside Adoptees group uses the Scottish Civic Forum)  |
| <b>Linda Fabiani</b>           | Member of the Scottish Parliament (Scottish National Party)  |
| <b>Eileen Francis</b>          | Founding member of the Coalition for Scottish Democracy. Member of the Scottish Civic Forum' Council   |
| <b>Donald Gorrie</b>           | Member of the Scottish Parliament (Scottish Liberal Democrat Party)  |
| <b>Robin Harper</b>            | Member of the Scottish Parliament (Scottish Green Party)   |
| <b>Jane Herbstritt</b>         | Scottish Civic Forum Administrator. Later parliamentary officer at the Scottish Environmental Link   |
| <b>Dereck Huckle</b>           | Small Business Federation (the Small Business Federation uses of the Scottish Civic Forum)   |
| <b>Isobel Lindsay</b>          | Vice Convener of the Civic Forum. Member of the Coalition for Scottish Democracy.  |
| <b>Stephen Maxwell</b>         | Deputy Director of Scottish Council for Voluntary Organizations  |
| <b>Lauren Murdoch</b>          | Scottish Executive Seconded to the Scottish Civic Forum  |
| <b>David Pinto</b>             | Webmaster of 2020 World Peace (2020 World Peace does not use the Scottish Civic Forum)   |
| <b>Donald Reid</b>             | Former director of the Scottish Civic Forum  |
| <b>Martin Sime</b>             | Head of the Scottish Council for Voluntary Organisations. Civic Forum Board member.  |
| <b>Debbie Wilkie</b>           | Director of the Scottish Civic Forum.  |

Table 5: List of interviewees in Nord-Pas de Calais

|                                |   |
|--------------------------------|---|
| <b>Serge Bonder</b>            | <i>Délégué General</i> (vice president), <i>Mouvement des Entreprises de France</i> in Nord-Pas de Calais (France's main employers' organization) |
| <b>Marie-Hélène Claezman</b>   | <i>Chargée de Mission</i> at the Regional Economic and Social Council   |
| <b>Pierre-Marie Cottrez</b>    | Secretary General of the Regional Economic and Social Council   |
| <b>Arnaud Cousin</b>           | Associate Secretary General of the Regional Economic and Social Council.  |
| <b>Delphine de Bernonville</b> | <i>Chargée de Mission</i> at the Regional Economic and Social Council   |
| <b>Hubert Delearde</b>         | Assistant to the members of the Regional Economic and Social Council. (Regional Chamber of Commerce)  |
| <b>Virginie Descamps</b>       | <i>Chargée de Mission</i> Espace Info Region de Lille.  |
| <b>Jean-Pierre Lavieville</b>  | Member of the Regional Economic and Social Council (Trade Unions)   |
| <b>Julien Lecaille</b>         | Assistant to the Green Party, city of Lille   |
| <b>Jacques Lefèvre</b>         | Member of the Regional Economic and Social Council (Trade Unions)   |
| <b>Robert Matricon</b>         | <i>Chargé de mission</i> at the Economic and Social Council.  |
| <b>Christine Michalicki</b>    | <i>Chargée de mission</i> at the Economic and Social Council.   |
| <b>Henri Peltier</b>           | Member of the Regional Economic and Social Council (Associations)   |
| <b>Alain Ramage</b>            | Member of the Regional Economic and Social Council (Associations)<br>Member of the Nord-Pas de Calais Regional Chamber for the Social Economy.    |
| <b>Hachémi Sahli</b>           | Assistant to the members of the Regional Economic and Social Council (Artisans' organisations)  |
| <b>Emile Vivier</b>            | Member of the Regional Economic and Social Council (Environmental Organisations)  |

*Timing and preparation for interviews*

The timing of the interviews was variable: some interviews occurred right at the beginning of the research process and enabled me to present the project and to get to know respondents. Some interviews were carried out towards the end of my fieldwork, at a time when my questions would have been more pertinent, and at a point when respondents had gotten to “know” me and were more willing to share information<sup>14</sup>. In order to prepare for an interview, it was necessary to outline the particular topics which I was interested in exploring as related to the broader research. In each case, I first sought to gain a detailed knowledge of the interviewee/organisation and to prepare an interview schedule in the form of a list of topics which should be covered.

Separate sets of interview topics were developed for each respondent on the basis of secondary sources and preliminary research findings. My prepared document for an interview usually took the form of a fully worded first question and a handwritten “cloud of ideas”, by which I mean that keywords were scattered around a blank page without a linear order, in order to allow me to jump from one topic to the next as the conversation unfolded. I would cross out the keywords as they were being discussed. This document ensured that the general discussion was open-ended and it was useful towards the end of an interview, as it enabled me to make sure that I had not only listened to the respondent’s narrative, but covered all the points I was interested in researching.

*Conduct of an interview*

The first few minutes of an interview were used for introduction and formalities: I explained the aims of the research, why it was being conducted, summarised key ethical principles and asked permission for tape recording<sup>15</sup>. I then asked respondents how much time they had available, and watched the clock closely;

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<sup>14</sup> I found early interviews to be, on the whole, less satisfying. Respondents who were part of the two organisations often had a vested interest in the implication of findings and had a well-rehearsed “official” stance on the functioning of the consultative forum which they were unwilling to depart from initially.

<sup>15</sup> This permission was frequently not granted in France, where it may have been a less common practice. I found that the French respondents who agreed to be taped were very aware of the device and “watched themselves” more, by making sure that every statement sounded “official” and was well formulated. When the tape recorder was not turned on, respondents were quite literally “off the record”: since there was a total absence of proof that respondents had actually said one thing or the other, respondents were reassured that the material could never resurface in an embarrassing setting, and that they could easily deny it if it did. This phenomenon was much less marked in Scotland, where respondents were generally comfortable with the recording device. The request to turn the recorder off for a few minutes was only made once.

unless the respondents made it clear that they wanted to keep going. All interviewees were given a “briefing pack” similar to the one described in the previous section (see appendix). The pack was usually pre-circulated at the time of arranging the interview, but I would also bring one with me. It ensured that the respondents had an understanding of what the research was about, as well as my name, phone number, contact details as well as those of my supervisors (I specified that one of them spoke French), a summary of key ethics rules and a direct pointer to the ethical guidelines of the British Sociological Association, should the respondents wish to access it.

After the initial short briefing, I usually let respondents see my prompting sheet. I found that an A4 piece of paper containing fifteen keywords could be easily scanned at the beginning of an interview and that seeing the broad topics dispelled the respondents’ initial suspicion (“what information does the researcher want?”, “will I know the answers?”, “can I say anything/ be quoted on this particular topic?”). I would explain that these were the topics I was generally interested in, but that my preconceptions of what was important were much less important than their own ideas on the matter. My first question was a fairly general question, for example: “what do you think of the Economic and Social Council? Is it useful?”. Open-ended questions enable respondents to provide their own original input and it was important to avoid “put[ting] the question in a particular context that omits altogether the most relevant answers” (Babbie 2004: 200).

I then framed each subsequent question either to dig into the earlier answer or to redirect the interviewee’s attention to an area more relevant to one of my own lines of inquiry. The interview seemed like a normal conversation without being one. I used a number of prompting questions such as: “how is that?” “in what way?” “how do you mean that?” “what would be an example of that?” On the other hand, I sought to avoid abrupt transitions, which sounded like I wished to get through an agenda of my own rather than genuinely wanting to hear what the interviewee had to say. For these reasons, I sought to avoid abrupt changes of topic unless there was an awkward silence in the conversation, in which case I would feel more comfortable jumping on to another topic.

Towards the end of the interview, I would invite the interviewee to raise any point that they thought needed to be covered and had not been discussed. I would then

scan my keywords with the respondent and ask them if they had anything to say on topics which had not been covered in the interview. If I was especially interested in one topic which had not been covered, I would sometimes try to squeeze one last question before the time was up. I would then thank the respondents for their time and offer to make the research available and sometimes ask them if they could indicate others who can be equally or more informative on the topic.

### **5.15 Data analysis and writing up**

To some extent, analysis occurred simultaneously with data collection. Qualitative is a slow process which begins with the collection of facts and with the formulation of first insights by the researcher. The latter then guide the following stages of data collection which in turn contribute to a fine-tuning of the research questions. Thus, there is a constant movement between concept development, data collection and coding. The empirical process generated three types of data: documents gathered in the field, observation notes, and interview transcripts. This section provides a discussion of how themes, concepts and categories were derived from the data, through a close examination of the data in which I sought to discern constructs, themes and patterns.

Formulating thesis chapters out of such a variety of sources can be a daunting prospect. The material gathered is often fragmented, and the various elements might be inconsistent. When working with bits and pieces, it is difficult to imagine how one could write a coherent, linear narrative. For this reason, Ian Cook and Mike Crang (1995: 41) believe that “the power of a text which deals with these knowledges comes not from smoothing them out, but through juxtaposing and montaging them.” In this sense the aim is to avoid imposing more order in the narrative account than there really is in the setting. While this way of writing draws attention to the lack of overall coherence of a setting, I have nevertheless chosen to organise the chapters in a more-or-less linear way, in the understanding that the linear narratives I produce are simply one more construct among many which relate to the work of consultative forums (see discussion on the situatedness of research accounts, above, section 5.7).

In order to write chapters, all documents and interviews were open-coded paragraph by paragraph: the data was broken down into discrete parts, and a keyword was written in the margins, which made the material very “browsable”. The codes generated in this way helped explain the main concerns or problems of the subjects

studied. I then copied down each theme and used a word processor to put down all the major thoughts on the subject (one idea per paragraph). Instead of piles of index cards, I worked with headings and sub-headings on the word processor. Broadly speaking, similar ideas were re-grouped under one sub-heading and items of typed text were moved around the screen. On occasions, if the word-processed file was too long and unwieldy for me to organise the material on screen, I would print it and physically cut it into pieces. The sections of paper with text were arranged on the desk's surface until I was able to put cuttings that related to each other in a pile, in a somewhat logical order.

Simultaneously, in separate files, I also chose to let my personal understandings guide my appraisal of the phenomena at hand in a series of successive memos, rather than as a result of strict categorising. Memoing (Glaser, 1998) is a process of recording the thoughts and ideas of the researcher as they evolve throughout the study. This practice is ideal if the aim is to write thick description in which I am attempting to depict and "recreate" a phenomenon (Gall *et al.*, 1996; Winegardner, 2001). In grounded theory, the strength of a memo lies in its flexibility and in its ability to accommodate the successive waves of insights being formulated. As such the narrative must remain flexible and modifiable, an activity which is made easier by using a word processor.

I then integrated the two types of documents, pasting new elements into the memo to supplement the narrative. The resulting account seek to be true to the observed situations and to help the reader picture a situation while, on the whole, remaining evocative and accessible. Descriptions should be sufficiently full of facts and details to re-create the case for the reader, and when possible, it should also include the participant's own words in order to emphasise the subjective positions of the respondents as well as those of the researcher (Winegardner, 2001). The diversity of viewpoints should ideally be reflected in the thesis through using vignettes and pointing towards original sources, as this should allow readers to trace back the individual contributions. My tentative narrative was enriched and remodelled a number of times. Each case study was written separately, although they cross-pollinate each other to form broadly symmetrical case studies. The resulting chapter narratives include as many (relevant) observations as possible and an analysis of their interaction.

### 5.16 Theory building

Inductive approaches to social research are sometimes critiqued for providing overly descriptive narratives and for mostly providing insights into the various ways in which people make sense of their own world. Critiques believe that, on the whole, these approaches do not provide more theoretical insights. The two case-studies in this thesis were written first and they were written to stand on their own. The theoretical contribution was developed afterwards. Upon returning to Durham, I engaged in an effort to locate my findings into a broader theoretical context. The aim was to develop a theoretical framework that would enable me to make sense of the data and provide holistic explanations while avoiding an overly artificial superimposition of theory onto the case studies. Inductive researchers often do lay emphasis upon theory development: their theories generate tentative explanations of events and attempt to make sense of the life and experiences of those individuals, groups and processes which the researcher has been attempting to understand. Beyond the formulation of this grounded, first order theory, Norman Denzin (1978) believes that inductive empirical research can serve four possible purposes: initiate new theory, reformulate, refocus and clarify existing theory. The final thesis is a combination of mild, less theory-heavy case studies that can stand in their own right, framed by an external theoretical narrative which I, as the researcher, find compelling and relevant.

In a way, the organisation of this thesis can be misleading, because much of the insights developed in the early chapters were prompted by field observations before being further developed as part of the material leading to the research question. The finished thesis did not evolve in a linear way: some ideas presented at the beginning of the thesis were developed late in the process. In this sense, the linear presentation (initial questioning → case studies → further reflection) does violence to the chronology of research (Crang & Cook, 2007; on this topic, see also Allen, 2003). Many of the points made in the previous chapters were in fact developed as a result of direct observation of the forums. It is only after I had been to the field and conducted the analysis that I could be confident enough to point to some of the main challenges faced by these organisations. This way of writing a thesis (raising a number of interesting issues, presenting the case studies and adding a discussion and conclusion), while it makes sense and reads relatively well, does not adequately reflect the research process.

### **5.17 Chapter conclusion**

This chapter has detailed the methodology which was adopted for the conduct of this project as well as the kind of data which has been used and the methods deployed to generate this data. The methodology was consistent with a grounded approach and with the aims of the research, and it has generated a very interesting body of data which helps answer the research question. In researching the two organisations, some difficult choices had to be made in terms of focusing the study, but I believe that the approach undertaken was appropriate inasmuch as it helped capture the origin and the day-to-day activities of both organisations, while also documenting the reasons why groups did or did not make use of them. The following two chapters present each of the consultative forums.

## Chapter 6:

### “A gateway, not a gatekeeper”: the Scottish Civic Forum

#### 6.1 Chapter Introduction

In the years preceding Scottish Devolution, the possibility of creating a more participatory democracy and move away from the Westminster model formed part of the justification for the devolutionary movement. I am focusing on the Scottish Civic Forum as an example of an institution that seeks to give groups a voice in policy debates. Before attempting an in-depth description of the functioning of the Scottish Civic Forum, this chapter begins by reviewing the Scottish devolutionary process, as well as the participatory trends in both the United Kingdom at large and Scotland specifically, in order to situate the launch of the Scottish Civic Forum within these two societal trends. It then reviews the history of the creation of the Scottish Civic Forum, its membership, its key activities and its relationship with devolved government and with the other channels of public participation.

#### 6.2 Background to Devolution in Scotland

Scotland is a historical and cultural entity, whose “existence becomes manifest not only in identity narratives but also numerous social and cultural institutions” (Paasi, 2002). As such, the Scottish cultural heritage is characterised by a number of traditional stereotypes, but there also exists rules, norms and expectations which are less obvious to the outside observer but nevertheless solidly established (McCrone, 2001). In 1707, the Scottish Parliament and the English Parliament were both abolished by the Act of Union in order to give way to the Parliament of Great Britain. At the time, there were clear economic benefits for Scots joining the union while, on the whole, Scots were still able to administrate large sectors of public life thanks to the independence of the church, the education system, the legal system, the national media, a separate administrative system and a number of civic organisations (Keating, 2005; Marr, 1992; Taylor, 2000).

### 6.2.1 Scotland's cultural and political distinctiveness

Scotland's distinctiveness is rarely questioned and the Scots' sense of national unity often takes the form of shared myths and stories. Ever since the Act of the Union, there have also existed many Scottish organisations operating at the same scale, and these formed a number of platforms in which people could speak as Scots. Because of a relative level of policy autonomy, Scotland was home to a number of major organisations of industrial society as well as to a variety of civic groups. Similarly, Scotland had a distinctive press which "encourage[d] [its] readers to see the world in general in specifically national terms, 're-mind' them of their own nation in particular and help them to think in patriotic term" (Rosie *et al.*, 2004: 437). Historically, these concrete institutions and actors allowed the Scottish identity to take root by socialising Scots into place-specific processes of thought and behaviour on a number of aspects.

Furthermore, Scotland had benefitted from a level of policy autonomy even before devolution took place (Keating, 2005; McCrone, 1998; Paterson, 1994). While the government of the United Kingdom was the sole government with authority over Scotland; there was a degree of administrative separation under the responsibility of the Scottish Office. The Scottish Office, created in 1885, had gradually acquired a range of responsibilities in the design and implementation of social policies (Paterson, 1994). The Scottish Office was run by the Secretary of State for Scotland, who sits in the British Cabinet and was answerable to the House of Commons at Westminster. In the pre-devolutionary period, its activities ensured that bills in education, housing and health which applied to Scotland frequently had a distinct "Scottish flavour". This observation refers to the fact that, before devolution, the Scottish Office was responsible for the formulation and review of national policies which were to be implemented in Scotland and could make some minor changes to them. In Scotland, the presence of the Scottish Office had also given rise to a participatory structure in which groups could have a say in modifying policies in Scotland. In this sense, a dynamic Scottish policy scene predated the event of devolution.

### 6.2.2 The devolutionary agenda in the twentieth century

The Scottish movement for autonomy has a long history and there were several subsequent phases of Scottish Nationalism. In the 1920s, the Scots National League was created, which was later replaced in 1928 by the National Party of Scotland,

which became the Scottish National Party (SNP) in 1934 (Marr, 1992). Scottish nationalism has changed and evolved again since the 1970s (Hassan, 1998). In that period, Scotland was increasingly re-framed as a “stateless nation” (McCrone, 1998: 197) and there was an incremental “Scottishing” of Scottish politics (Hassan, 1998) which increased the number of people in favour of more autonomy. When the SNP broke through in the 1974 general election, Scottish Labour was obliged to adopt a devolutionary stance by the London leadership (*ibid.*; see also Taylor, 2000). The Scotland Act 1978 was drafted and followed by a referendum which was held on March 1, 1979. While 51.6 % of the people who actually voted in the referendum favoured devolution, the referendum conditions specified that at least 40% of the total electorate would have to vote “yes” in order to keep the Scotland Act on the map (this condition became known as the “40% rule”). Since 51.6% of favourable voters did not constitute 40% of the total electorate, the requisite condition was not fulfilled and the Act did not go through.

The British electorate has traditionally been relatively homogeneous, with the exception of the “Scottish fringe”, which showed tendencies towards the Left of the political spectrum (McCrone, 1998). In contrast to the policies of Thatcherism, Scots were of the opinion that Scotland was more socially-minded and egalitarian and were generally dismayed by the perceived violation of that identity (Hassan, 1998; McCrone, 1998; Wright 1997). Scots have traditionally felt a sense of alienation from decisions made on their behalf by the London-based Conservative “headquarters”. In this respect, Thatcherism was at odds with the distinctly statist, welfarist political culture of the majority of Scots, who have traditionally held more redistributive values (*ibid.*). These long-enshrined values meant that the majority of the Scottish electorate usually voted for parties on the Left of the political spectrum, and resented being governed by the New Right, which had been voted in by English Southerners<sup>16</sup>.

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<sup>16</sup> Regarding the patterns of voting behaviour, geographers have often objected to an overly simplistic description of the British electorate. This simplistic view held that, once allowances had been made for the class origins of voters, Scotland, the North of England, and the “Celtic Fringe” were generally more Left-wing and supported either the Labour Party (or other Left-wing parties) whereas the South of England was more Right-wing and tended to support the Conservative Party. However, since the late 1970s, geographers working in the sub-discipline of electoral geography have increasingly begun to draw attention to other patterns in voting behaviour that went beyond the North/ South divide. They began to develop more fine-tuned analyses of the voting differences and noted the rural/ urban divide, variations in education, living status, culture and other cleavages related to place-based socialisation (Agnew, 1987; Johnston, 1985, Johnston, Shelley & Taylor, 1990; Taylor, 1979). These geographers were pioneers in the investigation the growing spatial polarisation of representation and hoping that the broader academy would incorporate these insights into its explanatory schemes, thereby going beyond the well-known trope of the North/ South divide.

The hostility to Thatcherism was further re-enforced by economic factors including the decline of heavy industry and the ongoing socio-economic difficulties in Scotland and by the unwanted policy attention on the part of the reforming government during the 1980s. The opposition to Thatcherism in the 1980s contributed to the growth of a distinctively Scottish political conscience and strengthened the movement for home-rule. There was a certain level of resentment that the population in the South of England and in London, who had voted the Conservatives into office, were now deciding what was best for Scotland (Wright, 1997; interview: Christie, 2006). The whole situation was increasingly perceived as situation of political oppression of a culturally “suppressed nation”.

Thus, the Scots’ growing impatience with the policies of a deeply unpopular Conservative government led to the incremental production of a “project identity” in the Castellan sense, i.e., “a process whereby social actors utilize the resources available to them in order to build a new identity that redefines their position in society, and by so doing, precipitates the transformation of the overall social structure” (Castells, 1997: 8). Scots increasingly wished to distinguish themselves from the majority nation with whom they did not share the same values by defining and affirming collective cultural differences. Voices began to be raised arguing for constitutional reform.

During this period, a number of civic groups were formed which kept the issue of devolution on the public agenda during this period of Conservative rule. The Coalition for Scottish Democracy, uniting democracy groups, trades unions and churches, set up the Scottish Civic Assembly in the early 1990s (interview: Christie, 2006). The Campaign for a Scottish Assembly was also created around that time to keep the issue of devolution alive (Taylor, 2002; interview: Lindsay, 2006). It produced a report in 1988, *A Claim of Right for Scotland* which asserted the right of the people of Scotland to decide on their own constitution. One of the report’s key recommendations was to set up a constitutional convention which would draw up a blueprint for a Scottish parliament.

### 6.2.3 The Cross-Party Group and the Scottish Constitutional Convention

The Scottish Constitutional Convention was set up in 1988 and comprised the Scottish Labour Party, the Scottish Liberal Democrats, the Scottish Democratic Left, the Scottish Green Party, the Scottish Trades Union Congress, a number of local

Councils, the Campaign for a Scottish Parliament as well as the main Scottish Churches, the Federation of Small Businesses, ethnic minority representatives and the Scottish Women's Forum. The Convention embodied the values associated with a broad and inclusive Scottish nationalism which brought together the various groups under a common purpose. Its political project was the promotion of home rule within the framework of the United Kingdom. It enlisted the participation of all the Scottish parties (apart from the Conservatives and the Scottish National party), the local authorities, trade unions, churches and other organisations. In 1990, the Convention produced its first report: *Towards Scotland's Parliament*.

Devolution had been part of the 1992 Labour Manifesto. As the Conservative Party was once again voted into office, the disappointment in Scotland was palpable. After the 1992 election, it was again largely the civic groups which upheld the ideals of a renewal of Scottish democracy and organised the *Great March for Democracy* at the European Summit in Edinburgh. At that time, a vigil was going day and night for five years outside the parliament building on Calton Hill. The Convention's 1995 report, *Scotland's Parliament, Scotland's Right*, was presented on St Andrew's Day. By that time, the Convention had succeeded in generating a relatively high level of consensus among its members. Its activities and the documents it prepared were important elements in the preparation of the White Paper *Scotland's Parliament* and of the subsequent Scotland Bill (Schlesinger, 1998).

#### 6.2.4 Scottish Devolution after 1997

The Labour Party manifesto for the 1997 General Election included a pledge to allow the people of Scotland and Wales to vote in referendums on devolution proposals to be set out in a White Paper. Referendums were to take place as soon as possible after the general election. For Scotland the Labour manifesto proposed the "creation of a parliament with law-making powers, firmly based on the agreement reached in the Scottish Constitutional Convention" (The Labour Party, 1997: *para.* 15).

Arguably, devolution did not solely emerge out of the Scottish Convention; it also emerged out of the London-based Labour leadership in order to appropriate a share of the nationalist vote: the electoral pressure exerted by the SNP was forcing the

other parties to engage with its agenda (Hassan, 1998)<sup>17</sup>. At the end of the 1990s, the Labour party was in part motivated by its own members who favoured devolution and also in part motivated by the Scottish National Party's electoral threat. Furthermore, Labour was effectively tied up at the death of John Smith who had been strongly committed to devolution since 1993 (interview: Lindsay, 2006).

Thus, the devolutionary agenda had become a cornerstone of the party's manifesto and the 1997 election of Labour finally launched the devolutionary process. Devolution in the UK was asymmetrical, in order to appease the historical parts of the United Kingdom which had been alienated by the central state and had campaigned for autonomy throughout the eighties and the nineties. Scotland, Wales and Northern Ireland voted for directly elected assemblies, each with different powers, but with clear opportunities to move away from the London-based agenda.

After 1997, the work of the Scottish Constitutional Convention was influential in the establishment of a Consultative Steering Group (CSG), instigated by Donald Dewar. The Consultative Steering Group had the competences to generate propositions on participatory governance in a future devolved Scotland. The Consultative Steering Group needed to consider the working methods not only of parliament (with rules and procedures) but also to think about the entirety of the democratic system. In order to draw its conclusion, it conducted an extensive consultation among more than six hundred groups and individuals in Scotland. Since the responses to this consultation are public and held in one of the Scottish Executive's<sup>18</sup> libraries, it was relatively easy for me to have access to these groups' views on how the Scottish democratic system should operate.

In 1999, following the passage of the Scotland Act 1998, the Scottish Parliament and the Scottish Executive eventually gained important policy-making

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<sup>17</sup> Since the early 1990s, most of the Scottish mainstream parties (except the Scottish Conservative Party) have favoured a level of political autonomy for the people of Scotland. The differences between devolutionist Scottish Labour and the Scottish National Party lie in the fact that the SNP focuses on calls for complete Scottish independence. The party aims for a separation from England, with the acceptance of all the responsibilities that it implies. Scottish Labour, for its part, believes that a significant level of devolution is enough to grant Scots a high level of autonomy and independence from the metropolitan centres of London as well as a tangible sense of cultural rebirth, but without jeopardising the future of the Union.

<sup>18</sup> The Scottish Executive was renamed the "Scottish Government" in 2007. In this thesis, I continue to refer to the "Scottish Executive" as I refer to the activities of past administrations, led successively by First Ministers Donald Dewar, Henry McLeish and Jack McConnell. Because of time constraints imposed on this research project, the activities and attitudes of the current administration led by First Minister Alex Salmond do not form part of this research.

responsibilities. The bill detailed those issues which are reserved for Westminster decision-making. Everything else was to be considered devolved. This meant that the Scottish Parliament would exert legislative and administrative control of the following domains: health, education, economic development, the environment, agriculture, criminal law, local government, sport and the arts. In this respect, the parliament's remit was much more substantial than similar devolved organisations in the rest of Europe, which made it possible to affirm that Scotland was a full blown democratic system, as opposed to an administrative system, as in the case in some of Europe's "regions".

### **6.3 Social concertation in Post-war Britain (UK-wide)**

In comparison with processes occurring in the rest of Europe, the UK does not have a very strong tradition of setting up participatory organisations (Dorey, 2002). Wider policy concertation occurs largely within the political parties, or in processes informally organised by the government of the day (Boyd, 2002; interview: Christie, 2006). Nevertheless, over the last fifty years, the British system of "social concertation" has been overhauled a number of times and successive governments have been characterised by their approaches to the role of groups. This section details three main periods in the history of group participation: the "old labour approach", the "New Right approach" and the "New Labour approach".

#### **6.3.1 The 1960s and 1970s**

In the 1960s and 1970s, Britain was characterised by a high level of de-facto corporatism (Heselden, 2001), and, in the words of Harold Wilson, the Trade Union Congress (TUC) was very much "an estate of the realm" (*ibid.*). During that period, the trade unions had pressed for involvement in public bodies and for the ability to exert influence over new societal arenas, going beyond their immediate role in labour disputes. For its part, the Labour government had sought to ensure a high level of concertation in order to reinforce confidence between the government and the major public and private interests (Crouch, 1979; Keating, 2005). This involved a relatively high level of concertation on all the main policy issues.

As an example of the Labour Party's willingness to set up corporatist arrangements<sup>19</sup>, a National Economic Development Council (NEDC, colloquially referred to as "Neddy") was set up in 1973 in order to conduct deliberations and provide advice to government on the economy and social justice. The NEDC included both social partners (unions, employers, agriculture) as well as government representatives within one organisation. It was designed to help plan economic and social measures and was influential in formulating a series of responses to the severe economic and social crisis of the mid 1980s.

### 6.3.2 The Conservative reshuffling of social relations (1979- 1997)

Upon coming into power, the Conservative Party promoted a very different view of social dialogue, strongly emphasising the democratic role of the individual over and above that of the particularistic groups. In an unprecedented ideological effort, the New Right reverted to a traditional, top-down style of governance which was very suspicious of organised interests (see Chapter 3, section 3.5.2). Robert Cox (2005) observes that the crisis of world capitalism in the 1970s had led to an increasing questioning of corporatist arrangements.

During the 1980s, social partnership policies came under increasing attack. The neo-liberal view of the world holds that free market incentives are sufficient to bring about a good overall economic performance. During that period, businesses tried to convince the various governments that, in order to get out of the stagflation, strengthen investment and ensure sustained economic growth, it was necessary to challenge the power of the trade unions. In addition, it was also deemed necessary to implement a curtailing of public spending - as high levels of taxation were thought to impede competitiveness - and to deregulate the movement of capital, goods and services.

The debate about corporatist arrangements was therefore framed in terms of a comparison between the inefficient model of the past and a more promising model for the future (Cox, 2005; Coxall, 2005; Ferner & Hyman 1998; Keating, 2005; Scharpf & Schmidt, 2000b). In the Conservative understanding, the existing

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<sup>19</sup> By "corporatism" I refer to a continuous process of bargaining and negotiations between labour, capital, and government. In a corporatist system, some political power is exercised through a process in which large organisations (businesses, trade unions, etc) are working together with each other and with government. It is an approach which sees the state a mediator between major social groups. The state is responsible for organising the debate between the various groups which operate in the realm of civil society.

arrangement amounted to a slow, unresponsive model of decision-making. For the New Right, the established practices of concertation between the government and with the main groups was inefficient, badly managed and had “paralysed” the country and rendered it ungovernable. These procedures were deemed dysfunctional to modern society and a neo-liberal deregulation and flexibilisation of these links between governments and civil society was seen as the answer (Coxall, 2005). Consultation between social partners was seen as a factor which delayed the necessary power of adaptability in the world economy.

The government largely approved this analysis and the role of trade unions and other social-democratic groups was severely curtailed. On the basis of a neo-classicist view of organised interests, the Conservative party brought in a number of pieces of anti-union legislation during their eighteen years of office from 1979 onward. Under the impact of neo-liberal politics and a more antagonistic stance towards labour, employers’ organisations were increasingly unwilling to continue to support the social democratic consensus that had emerged at the end of the World War II (Boyd, 2002: 4). Laurie Heselden (2001, see also Dorey, 2002) notes that, while the National Economic Development Council was not formally dismantled until 1992, it had lost most of its influence very early on during the Conservative administration.

At the same time, the Conservative government also re-thought its understanding of “citizenship” and its mode of service-delivery. A number of state agencies were privatised or run along the next-step model (next-step agencies are agencies which form an integral part of the government of the day but which are managerially and budgetarily independent of it). The general trend was that privatised agencies were more efficient than non-privatised ones. Citizenship was re-framed in a somewhat consumerist perspective, furthering market values in the public service, as exemplified by the terms of the 1991 Citizen’s Charter (Bellamy, 1999; Theakston, 1995). The Charter’s programme sought to outline the best ways to turn finite resources into better services. Policy-delivery would be “joined-up” and match services more closely to people’s lives. The Charter comprised complaints procedures as well as a commitment to consultation and accountability.

The Charter was one of the first documents to promote a stakeholder approach to policy-making. It defined stakeholders as internal stakeholders (i.e., the staff and management of the public agency) and external stakeholders (i.e., sections of the

public such as taxpayers and service users). In this sense, it took the right to contribute to policy-formulation away from the “social partners” and towards the “users” and the “providers”: those who would participate are those who are “affected” by a policy sector (Barnett, 2002).

### 6.3.3 New Labour’s approach to social concertation (1997 onward)

Preceding the 1997 election, the question of the involvement of groups in political processes was once again high on the electoral agenda. Tony Blair had insisted that he was seeking to fashion a distinctive programme of social concertation. Participation under New Labour would be understood as part of a project to “modernise government”. New Labour recognised the need to listen to, and to learn from, the concerns of the population, in order to be in a position to deliver on the population’s expectations. The Labour party did not fully disown the Citizen’s charter, and indeed claimed that it had been the originator of a number of its key ideas while in local government, notably in the City of York Local Council (Wright *et al.*, 2000: 134). In effect, the Blair government largely re-launched the Citizen’s Charter under the name of *Service First* (Cabinet Office, 1998).

At the same time, the Labour government largely acknowledged the democratic deficit and a concern for “democratic renewal” (Barnett, 2002). Democratic constitutional reform was an early objective of New Labour and stakeholders would have the opportunity to be included and to contribute to policy-making:

“we must work with local partners - the business community, the local authorities, voluntary agencies, further and higher education, trade unions ... and local communities themselves - to deliver our objectives” (John Prescott, Deputy Prime Minister and Secretary of State at the Department of Transport, Environment and the Regions [DETR], 1998). Cited by Laurie Heselden (2001).

In an effort to develop innovative ways of involving citizens in policy-making, the government introduced a number of participatory innovations such as citizens’ juries and people’s panels. Under the New Labour administration, public consultation has also become a statutory requirement in a number of policy sectors (Barnett, 2002) and the commitment to participation is now widespread in the public policy agenda. However, it can be argued that the government’s modernisation programme is somewhat selective because it has tended to prioritise the services which have more direct contact with the general public.

At the same time, prior to the election, the Labour party had been wanting to reassert that it would not re-establish strong tripartite participatory models and that the trade union movements would regain all the power and privileges that they had in the 1970s (Bevir & Rhodes, 2003; Boyd, 2002; Coxall, 2005; Dorey, 2002). Tony Blair famously declared that there would be no return to “beer and sandwiches at Number 10” (Glyn & Wood, 2001) and one of the slogans of New Labour regarding its approach to working with trade unions was to “break the link” (The Times, 19 June 2001). On January 8th 1996, Tony Blair declared in Singapore that “stakeholding” would define New Labour’s programme in office. In a stakeholding democracy, citizens are “producers of government, its shareholding owners and its customers” (Barnett, 1997: 91). The approach was also endorsed by other figures within New Labour such as Alistair Darling and Frank Field.

In an article entitled *Whatever Happened to Stakeholding?* Rajiv Prabhakar (2004) notes that, whenever the term was used, Conservative politicians were very vocal in their criticism. Even the notion of “stakeholding” proved too dangerous in the days prior to the 1997 General Election during which the aim was to “make Labour safe for business” and to draw in the median voter. Prabhakar notes that the somewhat agonistic concept of stakeholding was therefore replaced by more benign references to “the community”<sup>20</sup>.

With regards, to social partnership, the New Labour government did not re-create the National Economic Development Council, but it largely upheld the tradition of direct ministerial contact and continued to invite unions, employers, and other key groups to take part on commissions and task-forces. When people gradually perceived that the “beer and sandwiches” approach seemed to be back as the order of the day, John Prescott, then Deputy Prime Minister, jokingly replied that “it [was] more a case of wine and canapés at the moment” (John Prescott, speaking in the House of Commons, 26 November 2002).

#### **6.4 Social concertation and participatory democracy in the Scottish context**

In Scotland the debate on participatory models of concertation had taken on a life of its own since the early eighties. In seeking to build a new culture of active citizenship, Scotland aimed to organise a policy process that would not excessively

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<sup>20</sup>Prabhakar believes that, while the notion of “stakeholding” was no longer being mentioned in high-profile speeches, it was nevertheless implemented to a large extent in a number of policy-areas such as network rail and foundation hospitals.

rely on party politics, but in which groups and civic society would play a very significant part in the everyday business of running the country. New relationships would be set up between the people of Scotland, the Scottish Executive, the Scottish Parliament and between the various components of civic society (Keating, 2005, Lindsay, 2000; McMillan, 2002).

#### 6.4.1 Towards a “New Politics” in Scotland

The Scottish concern with the role of civic groups and social partners largely pre-dates the ideas developed by the Labour party in the early 1990s. In the 1980s, the Scottish movement towards autonomy had been triggered by a widely shared distaste for “Westminster style” politics (characterised by a first-past-the post electoral system and generally confrontational policy-making process). Thus, the movement towards Scottish autonomy entailed a strong commitment towards establishing a “New Politics” in which numerous civic voices could be heard (Hassan & Warhurst, 2002; Keating, 2005; Lynch, 2001; Marr, 1992, 2004; Paterson, 2001; Taylor, 2002; Wright, 1997)

This occurred at a time when the downfall of socialism in Eastern Europe had led many to see a renewed hope in the role of “Civil Society” (McCrone, 1998). During this period, civil society had gained a new prominence in the specific political contexts of Latin America, South Africa and Central Europe, in which the idea of a civil society nurturing a series of political views distinct from those embodied by the state was seen as useful for bringing about reforms. Civil society was being conceptualised as a site for struggle in which it became possible to subvert existing regimes (Cox, 2005; Keane, 1998).

In some ways, the civic agenda was seen as a way to catalyse Scottish hostility to Thatcherism. For some observers, the “civic” momentum in Scotland had been engineered somewhat deliberately at a time when the parties in opposition did not have a common agenda, and were fighting between each other (interview: Christie, 2006; interview: Lindsay, 2006). The importance of Civic Scotland was something everyone could agree on. It kept the devolutionary movement “hot” in order to mobilise the population into supporting demands for greater independence. Many actors agreed that the devolved bodies should set up new participatory interfaces in order to improve the quality of policies while on the whole being more responsive to the people of Scotland.

*The Scottish critique of the Westminster democratic model*

As previously stated, there was a widespread degree of impatience with a democratic process that was characterised by a procedural “thinness” of public debate. As a result of this impatience with the London-based political system (and given the financial cost of the proposed devolutionary reforms) the Edinburgh-based political system would have to be different, and “better” than Westminster. In Scotland, the prospect of a “New Politics” was a key motivation for those who were advocating reforms (Arter, 2004; Jordan & Stevenson 2000; MacLeod, 1998; McMillan, 2002; Meehan, 2003). The new democratic system would be fairer and would combine representative politics with substantial participatory elements.

At the time of devising an actual system for participatory democracy in Scotland, consultants, practitioners, academics and the media all played a part. The Scottish media, before and after devolution, has time after time covered the fairly intensive debate which was taking place in civil society regarding the best way of organising Scottish Politics and the Scottish public sphere. The problem of the democratic deficit was not simply to be solved by creating a parliament which was closer and more representative of the people of Scotland. The aim was to combine representative politics with a more participatory approach. In this context, there was much discussion about new procedures, new deliberation models, and new participatory assemblies.

6.4.2 The post-devolution participatory designs

Immediately after the Scotland Act had gone through, it was decided that the Parliament should itself decide on the rules and regulations under which it should be governed. The Consultative Steering Group on procedures (see above, section 6.2.4) was set up by Donald Dewar, then Secretary of State for Scotland, and an official committee was set out to formulate proposals which could be presented before the newly elected Parliament. While the mode of operation of the Scottish Parliament was being drawn up, groups were being extensively consulted and encouraged to come up with solutions. This was a period of intense intellectual engagement, with representatives from groups seeking to learn about democratic participation and during which time social groups across Scotland were asked to develop a specific understanding of the functioning of the Scottish Parliament, and also on the role which “Civil Society” should assume in the new arrangements.

*The four key principles of Scottish governance*

In the Consultative Steering Group's 1998 report, *Shaping Scotland's Parliament*, four key principles of governance were outlined: sharing of power, accountability, participation and equal opportunities. The Parliament's stated aim was to create a government which would be highly responsive to the demands of the Scottish population and which would exemplify the best standards of governance at all levels, and in all sectors. This would entail promoting a high level of civic activity in Scotland, and enabling the groups' input into decision-making. The report included recommendations for the functioning of the parliament, but also for its relation to civil society. The report also recommended that a Civic Forum be set up as a key vehicle of a new way of "doing politics". Since that period, the Parliament and the Scottish Executive have been trying to engage with civil society and to implement the visions of a stronger relation, based on a permanent dialogue between the people who live in Scotland and policy makers.

*A committee-based parliament*

The first participatory innovation was that the Scottish Parliament would be a committee-based parliament. The Parliament devotes only one and a half days per week to plenary sessions. The remainder of the Parliament's activities is spent in committees (Arter, 2004). Committees are responsible for some of the more technical work of the parliament and often seek the views of people and organisations that have expertise in certain areas. Thus, the parliamentary committees themselves serve as a bridge between government and society. A specific budget was made available to the Committees to ensure "partnership with the people" in their work, and, at some point, it was proposed to include non-voting participation on committees (Arter, 2004; Taylor, 2002). Committee meetings are most often open to the general public, including the deliberation of Executive bills. Furthermore, committees have been increasingly prone to meeting outside Edinburgh in order to access local information and the opinion of local residents.

*The public petitions committee*

The report of the Consultative Steering group also specified that there should be a petitions committee. David Arter (2004: 8) notes that "the right of citizens in the new Scottish democracy to petition parliament is common to the majority of new democracies of central and Eastern Europe, although not all have established parliamentary petitions committees". He further records that such committees exist

in Bulgaria, the Czech Republic and Slovakia and that, in Western Europe, article 17 of the 1949 *Grundgesetz* entrenches the right of the German people to petition the German Parliament. Arter (2004) further notes that the *Bundestag*'s Petitions Committee is among the largest and best staffed of all the standing committees. In this vein, the Scottish Petitions Committee would enable any citizen, or groups of citizens to raise new issues on matters that seem important to them. In this respect, public petitions are understood as a significant aspect of the new relationship between parliament and the Scottish civil society. The aim was for civil society and individuals to be able to determine the agenda of issues, rather than being solely directed by the government's agenda (Arter, 2004; Taylor, 2002). In this sense, the public petition committee provides a forum for regular meetings between the government and interested groups.

#### *The cross-party groups*

The CSG report also supported the creation of the cross-party groups. Cross-party groups are made up of MSPs from different parties, along with various groups and individuals and form around particular area of interest. So, for example, there exist cross party groups that range from issues like kidney disease, Cuba, and Gaelic. According to Robin Harper (interview, 2006) the cross-party groups provide good opportunities for individuals and groups to assist in the development of Scottish policies. Many of these groups were initiated by campaigners who have gathered up enough support to get a group started. As such, the cross-party groups are able to foster a level of trust and understanding between the different sectors of Scottish Civil Society. The cross-party groups have the possibility to short-circuit the usual hierarchies and to bring the various groups and policy-makers together in an effective way. They do so by formalising exchanges and by seeking to include those groups which have traditionally had less access to policy processes.

#### *The Scottish Executive's public consultation mechanisms*

For its part, the Scottish Executive implemented a mandatory public consultation stage which ensured that all its bills would go through a consultation process before being presented to Parliament. The Scottish Executive took the position that different groups and subject matters would require different methods of consultation at various stages before any bill could be sent to Parliament, during which time it would be further developed by civil servants and Ministers in the Executive. In this sense, the Executive's strategy was to seek inputs from the citizens at a variety of

points and it subsequently organised the involvement of a variety of groups and experts via a number of participatory channels, advisory boards or public inquiry procedures.

In this sense, the Scottish Executive keeps thinking in terms of setting up a series of subsequent strategies and programs. The initiatives it supports in order to encourage citizens to participate more directly in decision-making are regularly evaluated and the Executive remains open to considering further innovations in the process of democratic consultation and pro-actively funding the most useful projects (interview: Scottish Executive Civic Participation Unit, 2006; interview: Wilkie & Murdoch, 2005). The Executive also maintains an exhaustive list of contacts and seeks to make the best use of the networks available. Any invitations to take part in a consultation will normally be advertised in the national and local press and circulated to those with a known interest but they are also readily available online.

## 6.5 The Scottish Civic Forum

The Scottish Civic Forum is an umbrella of civic organisations which promotes participation in the Scottish context. It was created out of the Scottish Civic Assembly which in turn involved a number of those who had been involved in the the Scottish Constitutional Convention (see above), an organisation which had been very active in the Scottish process towards autonomy. After 1999, the majority of the civic organisations which had been members of the Convention became members of the Scottish Civic Forum.

### 6.5.1 History of the creation of the Scottish Civic Forum

#### *The Scottish Civic Assembly*

The idea of a Scottish Civic Assembly (a precursor to the Civic forum) was first proposed by the Coalition for a Scottish Democracy, which had been created after the 1992 general election in the UK, in order to work towards a devolved parliament (interview: Francis, 2005). Its first meeting in 1995 included representatives from trade unions, churches, pressure groups and other non-governmental organisations community associations, campaign groups, and religious and cultural organisations (but no business organisations). The Civic Assembly operated as a forum in which debate policy issues in Scotland<sup>21</sup> and gradually, a close-knit network of stakeholders was being created around its activities.

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<sup>21</sup> The Scottish civic Assembly disbanded when the Scottish Civic Forum was created in 1999.

*Mention of a Scottish Civic Forum in the Consultative Steering Group's report*

As I have argued, the advent of a new Scottish Parliament was accompanied by a desire to maintain the independent civic momentum and there was an expectation that civic politics would be catered for. Based on the 1998 report of the Consultative Steering Groups, the Scottish Parliament was to develop proposals for engaging with civil society. The Consultative Steering Group had envisioned the establishment of a Civic Forum. Recommendation four had suggested that “the Parliament and the Executive should accept a commitment to extend participation in policy formulation and law-making as widely as possible in ‘civic society’”. Still, the idea of establishing a Scottish Civic Forum was mentioned among a number of other proposals for the involvement of civil society. A formal role for the Scottish Civic Forum was not enshrined in the 1998 Scotland Act, and it never became a part of the constitutional settlement.

*The Scottish Civic Forum's place in the coalition agreement*

During the Dewar administration, a mention of the Scottish Civic Forum was included in the coalition agreement between Scottish Labour and the Scottish Liberal Democrats and still the commitment by the coalition was rather vague. Isobel Lindsay (interview, 2006) believes that this was done as a concession to the Scottish Liberal Democrats, who had agreed to sign up to many of Scottish Labour's proposals, but that, on the whole, the Scottish Civic Forum had remained little more than an afterthought in the overall coalition's policy programme. The coalition-members were being asked from various sources to include it, but it seemed to remain a minor item among a large range of other priorities.

*The Scottish Civic forum is re-launched on a non-statutory base*

Immediately after devolution, and independently of the party-political processes, the Scottish Civic Forum was re-created in 1999 to “carry forward the spirit of the broadly based Campaign for a Scottish Parliament into a new era of Scottish politics” (Cathy Peattie, speaking in the Scottish Parliament 7 February 2005). For the members, there were two possible models for a civic forum - a voluntary model, and a statutory model. Many actors (also within the Civic Forum itself), argued that making the Civic Forum a statutory body would be a bad move, as such a Forum would effectively lose its independence and grassroots credentials. Instead, they argued that the Scottish Civic Forum should not be enshrined in legislation but rather on a voluntary, informal approach (interview: Maxwell, 2006). Each model

brought its own challenges with it, but it was argued that the Civic Forum should wait a number of years before making any decisions regarding its structure. Then, the experiences of the voluntary model could be properly compared to those of a statutory model, for example by comparing it with the Civic Forum in Northern Ireland.

Members of the Scottish Civic Forum thought about negotiating the Forum's status with elected politicians, but they had a sense that the Dewar administration was not sympathetic to their cause. Scottish democracy was still relatively immature and its democratically elected leaders did not want it to be associated with anything too strange which would have made it appear as if Scottish Democracy was somehow less serious than "real democracy" (interview: Lindsay, 2006). Many felt that a renewed focus on the role Scottish civic society, at the time of the emergence of newly established political bodies, formed a threat to the ability of the devolved government to deliver on its commitments unhindered (see Allmendinger & Barker, 2001). In this sense, the new Scottish government may have been reluctant to create a well organised and plurivocal forum developing alternative political programmes and permanently challenging the ruling coalition's activities, thereby making it more difficult to govern the country.

The elected politicians were not the only ones to feel threatened at the prospect of a second assembly. The major groups did not want their participation constrained in a single civic forum and did not fully support its establishment. As a result of these signals, the Scottish Civic Forum did not press for statutory recognition or for support in the implementation of its most ambitious plans. Indeed some early proposals had envisioned the Scottish Civic forum as a "second assembly" operating from the Royal High School in Edinburgh:

"On the statutory question... basically the Civic Forum went along with the idea that it should get recognition, formal recognition, and funding. It didn't push for inclusion in statutes. But we didn't have that out as a full-scale debate because we didn't think it was a starter. Well, it was a non-starter. The feedback we got was that it was going to be hard enough to get anything in relation to formal... some kind of recognition." (Interview: Lindsay, 2006)

Following direct lobbying by Civic Forum members (and by Martin Sime and Campbell Christie in particular) a concordat was negotiated in April 2000 between the Civic Forum and the Scottish Executive. The then Finance Minister Jack McConnell agreed on a package of participatory proposals, including a grant of £300,000 for the Scottish Civic Forum over a three-year period (interview: Lindsay

2006). The Scottish Executive also seconded two staff members to its office. The stated aim of this grant from the Scottish Executive was to help the Civic Forum get on its feet, assuming that it would be self-supporting after this period.

At that time, the Civic Forum board realised that this funding situation was sub-optimal and that the grander visions had found very little support. To an extent, there was a process of self-instrumentalisation on the part of the Civic Forum: in order to receive funding, the forum formulated aims and objectives which corresponded to those publicised by the Scottish Executive. In this sense, the Civic Forum was “lucky” to have secured any support at all (interview Sime, 2006; on the “self-instrumentalisation” phenomenon, see Nicholls, 2006). The Scottish Civic Forum had been officially launched in March 1999 and legally constituted as a company limited by guarantee in October 1999 (it had not been possible to apply for charitable status as, in terms of Inland Revenue rules, the Civic Forum was considered to be a political organisation). Some six hundreds organisations registered interest in the Civic Forum and two hundred and forty became full members.

#### 6.5.2 Membership of the Scottish Civic Forum

The Scottish Civic Forum does not have a formally structured membership, but an ever-expanding one. Membership of the Scottish Civic Forum is open to most groups of citizens regardless of mandate, status or representativeness. Only statutory bodies, local authorities, government agencies, political parties and for-profit companies are ineligible for membership. As a result, the Scottish Civic Forum is composed of a diverse body of opinions, boasting upwards of six hundred civil society organisations including the following: campaign groups, trade unions, religious and cultural organisations, development non-governmental organisations, women’s organisations, faith-based organisations, professional associations, self-help groups and business associations. Full membership of the Scottish Civic Forum includes voting rights and is open to all civic organisations. There also exists an affiliate status which is open for statutory bodies, political parties, and local authorities and profit-seeking companies.

The Scottish Civic Forum ran a comprehensive programme of events which attracted the participation of a number of large and small organisations. Because of this openness, the Scottish Civic Forum’s membership was never comprehensive. It

included mainly the voluntary sector and community organisations and the Scottish Civic Forum found that it was especially difficult to attract the full participation of some groups who were sceptical about the value of participating (Keating, 2005). In particular, and despite the Scottish Council for Voluntary Organizations (SCVO)'s and the Scottish Trade Union Council (STUC)'s commitment, there was clear absence of commitment to the Forum from the business sector (interview: Christie, 2006).

At the same time, most formal members were never fully involved in the Civic Forum's activities. On occasions, the Civic Forum's relations with many of its members tended to be rather nominal and limited to listing organisations on the mailing list and/ or to the sending of newsletters. Many more members did not pay yearly membership fees. Gradually, the lack of day-to-day involvement of key groups eventually led to a narrowing of the terms of the activities of the Civic Forum, forcing it to focus almost exclusively on smaller non-governmental organisations and less formal groups<sup>22</sup>. Groups representing weaker or marginalised interests welcomed the opportunity to share their experiences in the Civic Forum and thereby participate in the Scottish Policy-making process. Those who stated that they had obtained the most benefit tended to be from the smaller groups which did not have the capacity to employ in-house policy staff. In this sense, Carolyn Hendriks (2006) is probably correct in observing that groups are more likely to enter the public stage when they are in a relatively weak political position.

While some groups were systematically present in most of the Forum's activities and became what Carolyn Hendriks (2006: 578) calls "process champions", some of the more influent "social partners" were there in name only and were not sufficiently harnessed within the Civic Forum, despite public support from key figures. These organisations were mostly satisfied with their own level of access to government and did not believe that involvement in the Civic Forum would add value to their existing activities. As a result, these groups were effectively sidestepping the activities of the Scottish Civic Forum, addressing higher levels of political decision-makers and seeking better conditions of access. Some groups and individuals might

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<sup>22</sup> Although, according to its director, the fact that the forum did not become financially independent did not have much to do with lack of interest of the larger bodies. Leaders of the Forum had stated from the very beginning that subscriptions could never support its activities. Because of its aims to become an inclusive avenue for the small organisations, it did not require a membership fee to be paid. That would have been a financial barrier to organisations who had very limited or no financial resources.

have been concerned about becoming too available or getting drawn into yet another project. While they did not “need” the Civic Forum, to an extent the Civic Forum “needed” their involvement and the Scottish Civic Forum’s leadership was disappointed with the membership and level of involvement of these important groups.

### 6.5.3 Role Definition of the Scottish Civic Forum

According to some outside observers, the role and purpose of the Scottish Civic Forum were not clearly defined from the outset. There was much confusion and contestation over the Scottish Civic Forum’s purpose, role and duties (Keating, 2005). Indeed a number of incompatible views co-existed right from the start within the Civic Forum itself and this situation was further complicated by the subsequent series of guidelines issued by the Scottish Executive, the Scottish Civic Forum’s main funding body from 2000 onwards. However, the Forum’s director, Debbie Wilkie would, for her part, disagree with the statement that the role and purpose of the Forum were not clearly defined and believes that, in the Forum’s published material, the Forum’s aims and objectives were set out quite clearly from the onset. She believes, however, that the misplaced expectations of somewhat underinformed observers helped to sow confusion about its role in the public eye (interview: Wilkie, 2005).

#### *A second chamber?*

One common conception was that the Scottish Civic Forum was meant to be a pillar of the new constitutional architecture. At some point in time, the Forum seemed to be the obvious, appropriate and legitimate place in which to locate civic activity (because of its inclusion in the original Coalition Agreement and recognition by the procedures committee). According to this understanding, the Forum was going to be a strong participatory body, a second chamber, which could on occasion be a thorn in the side of government. It was suggested that the Scottish Civic Forum might be turned into a type of “civic parliament” and occupy Edinburgh’s Royal High School. Further evidence of this vision can be found in a report entitled *Involving Civil Society in the Work of Parliaments* prepared in 2000 for the Scottish Office by a relatively large number of civic organisations (the Convention of Scottish Local Authorities [CoSLA], The Scottish Council for Voluntary Organisations [SCVO], The Scottish Trade Union Congress [STUC], the European Trade Union Congress [ETUC], the Equal Opportunities Commission [EOC], The Council of Europe, The

Committee of the Regions, The European Commission in Scotland as well as further trade unions and women's organisations), two research centres (Edinburgh University's Unit for the Study of Government in Scotland and the International Social Sciences Institute) as well as several academics. The report presented the work of a Civic Forum/ Civic Assembly in the following terms:

“These initiatives widen the sectoral forum to include a broad range of social partners and concerned citizens into a civic assembly or forum. This body would be capable of addressing cross-cutting issues in a more holistic way than in a sectoral forum. There is generally a fairly open membership and the assembly meets in plenary session once or twice annually. The ‘key sectors’ of national life - such as health, agriculture, industry, education, environment, transport, culture and housing - are represented by the practitioners and client groups in each area. ‘Social interest’ organisations can also be included. Assemblies such as these can provide a useful consultative resource for Parliament and can work at a general level to enrich and encourage democratic culture, rather than being a device through which specific policy recommendations are made.” (The Scottish Office, 2000, section 4.1, para. 6)

*Hostility to the idea of the Scottish Civic Forum becoming a “gatekeeper”*

From the beginning there seems to have been strong hostility towards “gatekeeper” organisations, although this hostility is difficult to document directly, as most organisations tend to be outwardly supportive of consultative forums. Still, very early on, there was a level of semi-covert hostility on the part of the umbrella organisation towards that idea (various interviews: Lindsay, 2006; Wilkie & Murdoch, 2005; Maxwell, 2006; Christie, 2006; Harper, 2006). The “stronger” groups were generally dissatisfied at the prospect of being constrained within a Civic Forum. In some instances, some of the most powerful groups viewed the setting up of a Scottish Civic Forum as a important threat to their pre-existing level of access to decision makers. A common opinion was the view expressed in the 1998 *Compact between the Scottish Executive, its Agencies, Non-Departmental Public Bodies and the Voluntary Sector in Scotland* (often referred to as the “*Scottish Compact*”), which specified that:

“No single body of groups of bodies can represent the complete range which the voluntary sector pursues within government”.

Resistance within civil society to the setting up of a strong consultative forum appeared to be especially strong amongst those groups who felt that they had something to lose in the process. Rather than actively contributing to the activities of the Scottish Civic Forum, these groups would choose to bypass the process, and maybe even to weaken the Forum or the Forum's legitimacy in the eyes of other groups and decision-makers. The result is that many organisations believed that the

input of civil society should not be gathered only at one specific point of the decision-making system and that the opportunities to participate should not be limited to only one setting. Because of these resistances, the early attempts to make the Civic Forum the (exclusive) “home” for civil society seemed to be doomed to failure.

*Speaking on behalf of Civil Society?*

Because of the uneven level of interest shown by groups, the Civic Forum was unable to speak on behalf of the whole of “Civil Society”. The Civic Forum’s membership had never been balanced or comprehensive enough to permit such a representative role (interview: Wilkie & Murdoch, 2005). For the same reasons, the Civic Forum could not become a lobbying organisation on behalf of its members: there were not enough participants in the Scottish Civic Forum’s activities to be able to claim to speak on behalf of “Civil Society”. Furthermore, a decision to lobby on behalf of the Civic Sector would directly infringe on the Scottish Council for Voluntary Organisations (SCVO)’s own work, which does campaign to defend the interests of its aggregated members.

On the other hand, speaking on behalf of the whole of Civil Society had not been the aim of the Scottish Civic Forum. For her part, the Forum’s director wished to state that it was not because of uneven level of interest that the Forum did not speak out on behalf of the whole of civil society. Rather, it was the result of a conscious decision on the part of the board that the Civic Forum could not meaningfully “represent” upwards of 600 member organisations all of whom might have had different views on different matters. In this sense, the enabling role was not forced on the Forum, it was its chosen role from the beginning (interview: Wilkie, 2005).<sup>23</sup>

*A gateway, not a gatekeeper*

For these reasons, the Scottish Civic Forum became an “enabling body” which would not undermine the activities of the other organisations operating alongside it. The Forum would stimulate individual citizens and groups to participate in policy deliberation. The Scottish Civic Forum’s own charter specifies that the Forum should not exist to the exclusion of other groups and networks who seek to

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<sup>23</sup> However, this conception of the Scottish Civic Forum as strictly facilitative was not fully accepted by all the members (who hoped that the Forum could be more than facilitative), or understood by external observers who had formed their own ideas about what the Scottish Civic Forum should stand for.

participate in the work of the Parliament. Early on, the Civic Forum established that it would act as a “gateway, not a gatekeeper” and the phrase remained a key principle ever since (interview: Lindsay, 2006; interview Christie 2006; also Humphrey & Shaw, 2006). A gateway exists to allow its members to contribute direct input into the policy process; a gatekeeper, following Andrew Heywood’s definition, is a group that “filters the multiple demands made of government into manageable sets of claims” (Heywood, 2002: 274). Hence, the Civic Forum sees itself as “facilitative, not representative” (Keating, 2005). It aims to build a culture of participation in which the population of Scotland would have an opportunity to be involved in influencing Scottish policy-making and to create strong links between the population of Scotland, the Scottish government, and civil society.

A “facilitative organisation” is mostly of use for smaller, under-networked groups. It is assumed that the larger groups are already well catered for and that those who participate most in the policy-making process are groups which already have a high level of resources. In this sense, the added value of the Civic Forum is to help the smaller, less networked groups (Keating, 2005). This is an important role, as the contributions from a wider range of groups and individuals whose voices were meant to be included in the Scottish Political System was being established, are still insufficiently involved in the policy-making processes.

Part of the Civic Forum’s role is to bridge a gap between the expectations that there would be a participatory Scottish polity and the reality that many groups and individuals still have little access to decision-making processes. It would do so in part by demystifying politics and enhancing the groups’ confidence in these processes. The Scottish Civic Forum is committed to making sure that people have the tools to get involved and influence policy by providing information, taking on the role of a neutral broker and non partisan facilitator, all the while providing a safe place in which groups could lodge demands and discussions could take place. The Scottish Civic Forum developed as a training body which served to promote political participation and a civic culture. Incidentally, such an enabling organisation is less relevant for the larger, better-networked groups. As Carolyn Hendriks (2006: 573-574) notes:

“With such an avid focus on involving “ordinary people,” processes such as citizens’ juries have been charged for excluding relevant groups. These insulated moments of deliberation -so the argument goes- exclude the very actors in democratic societies whose passion, interests, and knowledge are so central to democratic life”.

Thus, the Scottish Civic Forum's legitimacy is not derived from the fact that it involves a representative sample of Scottish civil society, but from its commitment to providing a place of participation for a number of groups which may not otherwise have found an opportunity to participate. Good policy ideas can come from the smallest groups, but these groups can sometimes find that participation in decision-making processes is an uphill struggle. For this reason, the Scottish Civic Forum adopted the following motto: "where those who do not usually speak are heard by those who do not usually listen". The aim is to help these groups reach a threshold of political visibility. The Scottish Civic Forums's key roles were those of developing participation, promoting civic priorities, monitoring democratic participation and reinforcing the link between devolved institutions and people in Scotland, with a focus on those who feel marginalised or disempowered.

As I have shown, the various roles of the Scottish Civic Forum evolved over time, as a result of a number of forces. The definition of these roles was incremental, contested, intensely reflexive and there remained some level of confusion and tension both amongst its members and within the Parliament and Executive about its precise remits and status. To an extent, the role-definitions were still open-ended and continually being defined by both the members and the funders. The Scottish Civic Forum was in constant communication with both, enquiring about their expectations and about the ways in which they hoped to benefit from its activities.

#### 6.5.4 Administrative structure of the Scottish Civic Forum

From 2000 to 2005, The Civic Forum was funded directly by the Scottish Executive. The Scottish Executive also seconded two members of staff to the Scottish Civic Forum from that period onwards. At the time of the research, the Scottish Civic Forum occupied an open-space office in "The Tun", a modern development situated very close to the Holyrood parliament.

The Forum sets up its own set of internal rules, which are voted on by members. The agenda of the Scottish Civic Forum is set by its Council which formally oversees the implementation of the work programme of the Forum and decides what work areas the Forum should focus on. The Council is the formal steering procedure of the Civic Forum and is composed of twenty six councillors put forward by the various

groups, one third of which is elected each year<sup>24</sup>. The Council meets four times a year and is headed by the convener. In parallel, an Advisory Council exists which covers the main subject areas of the Forum. The Management Board is responsible for the day-to-day running of the Scottish Civic Forum's activities. The Management Board is elected, and is composed of one convener, two vice conveners, a secretary and a treasurer. It is also responsible for financial management and staffing of the forum and for presenting annual reports and accounts to the members.

On a day-to-day basis, the Scottish Civic Forum operates as a fairly small structure. At the time of research, it permanently employed two persons -the director and an administrator- and was assisted by one policy officer from the Scottish Executive on secondment. In addition, one or two further administrators were employed under specific projects and also worked on the premises. Because of the open-space setting of the office, and the employees' constant involvement with the affairs of the Civic Forum, all employees were almost equally knowledgeable about the various activities and the issues relative to the work of the Civic Forum.

#### 6.5.5 Day-to-day activities of the Scottish Civic Forum

The day-to-day activities of the Scottish Civic Forum were very diverse in scope. They involved: enabling groups to engage with the policy-making process, informing groups about Scottish policy-making, enabling participants to network, holding training courses, providing ad-hoc staff and documentary assistance, assisting in the conduct of specific consultation exercises, auditing democratic participation, and organising separately funded project work and special events. This section provides an overview of each of these activities.

##### *Enabling groups to engage with the policy-making process*

The Scottish Civic Forum assumes that some groups of citizens readily have the necessary resources and opportunities to engage in practices of citizenship and can be assumed to be skilled in debate and well-informed about political procedures. However, the Civic Forum is concerned that simply opening up opportunities to participate does not enable all community members actually to do so. It is difficult

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<sup>24</sup> There are thirteen categories of interest (two representatives of each of the following categories: church/religious/faith, education/research, health, economic development, employment, culture/recreation, advocacy/civil rights, environment, housing, social/community care, agriculture and fisheries/transport/ international.

for disadvantaged groups to get access to the resources necessary to participate in policy-making as there can exist massive differentials in access to political participation. In these circumstances, there is a concern that participatory policy-making will only reinforce the gap between politically inexperienced citizens and the most politically skilled groups, and also put those who are geographically remote at a disadvantage.

Thus, the Scottish Civic Forum demonstrates a clear commitment towards inclusiveness: it seeks participants out and makes it easy for voices which might otherwise remain under-represented to be heard in the democratic debate. This entails an extensive outreach effort to include marginalised, isolated and ignored groups into decisions. The powerful groups are those members of civil society who can easily gain access to decision-making processes and who are able to do so without thinking particularly about what they are doing. For these groups, the political culture is readily accessible. By contrast, for the least privileged groups, the political culture can seem fairly impenetrable. In these circumstances, the availability of formal opportunities to participate is often a trap, as these are based on impossible expectations that cannot be met by most groups. The Scottish Civic Forum aims at “reaching the most vulnerable”, who are neither particularly well-informed on policy issues nor “representative”, and it seeks to compensate the unfairness of these participatory processes.

The Scottish Civic Forum believes that most of the people and groups who participate in its activities would not have participated at all if it were not for the Forum’s own extensive outreach. The Forum has provided opportunities for participation in debate on a variety of issues in more than forty locations in Scotland and has involved several thousand participants in its activities. An internal survey indicated that indeed most participants had not had any other opportunity to participate in a discussion on the topic of the events, and that they valued the Forum’s facilitation.

“We always encourage people if they want to send their own responses directly to the Parliament or to the Scottish Executive. But the fact is that for many of them to surf websites on the chance there might be something of interest for them is something that they do not have the capacity to do in addition to their core activity. Their main role might be to deliver a service at the local level. Researching for consultation documents in which they might have an interest is very time-consuming. Whereas if they have the opportunity to come to a meeting held locally at a time when they can get to it, that would involve two or three hours at which

they can learn more about a subject and also express their views. Their views are reported to government or parliament without them having to take further time to write their own consultation response. It makes it compact and... people seem to really value that opportunity.” (Interview: Wilkie, 2005)  
[...]

“I think all of that is about building up confidence, so that if we can make that first instance of participating a comfortable experience for somebody they would be likely to come along again. It doesn't necessarily have to be psychological confidence because everybody doesn't necessarily agree with their point of view, so it's challenging from that point of view. But if it's challenging to actually physically come through the door either because you feel intimidated by the building or you're worried that you're wearing the wrong sort of shoes... If those factors intimidate you, then you're less likely to participate the next time. So if we can give people a good experience about participating then it starts to build capacity throughout society. But it's quite a slow process to build that confidence among people who wouldn't normally participate.” (Interview: Wilkie, 2005)

#### *Informing groups about Scottish policy-making*

The Forum has also taken on the role of informing its members about some of the key events around Scotland and of providing feedback on how public input can influence political decisions. The organisation provides the public with balanced information to assist them in understanding the problems, alternatives, and/or solutions to various issues in the hope that the information it produces will stimulate individual groups to participate in policy deliberation.

The Forum achieves this via three publications: eLEG, eSP and eVOX which take the form of monthly e-mailed bulletin. The first newsletter (eLEG) informs members and contacts about public consultations being carried out by the Scottish Executive. It also sums up one major consultation document per month and provides policy briefings (the topics are selected by the Forum staff on the basis of relevance to a large audience)<sup>25</sup>. The second newsletter (eSP) is similar to the first. It informs the groups about issues being debated (and the consultation processes) organised by the Scottish Parliament. The third newsletter (eVOX) provides general information about what the Forum is doing, includes a list of forthcoming events and serves as a

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<sup>25</sup> The Scottish Civic Forum produces very clear information packs, and it usually does so at the time when the services of the Scottish Executive and Parliament are themselves writing simplified information packs for the general public on some topics. During these times, there tends to be a level of overlap, and the Civic Forum and Executive have established close interpersonal contacts and work together. On occasions, the Scottish Executive and Parliament services have used the Civic Forum's briefing material (which was both well-written and timely) as their own, with permission. On other occasions, members of the public have expressed their appreciation of the work of the Civic Forum for these information packs, which were both very accessible and easily retrievable, something they did not feel was the case with the Executive's own materials.

place for the members in which to post announcements about meetings and forthcoming events. It also contains invitations to take part in consultations and policy development events with government organisations and other members of Civic Society.

The Forum also disseminates specially designed documents which contain information about how the parliament works in order to develop knowledge and understanding in the general public so that people may engage with it more effectively. The Civic Forum has also developed a number of briefing sheets which include the following titles: *Lobby Your MSP*, *Submit a Petition*, *Join a Cross-Party Group*, *Contribute to the work of committees*, *How to influence the development of laws* (Part I and II) and *Start a Campaign*. Finally, the Consultative Forum's website is also very useful in as much as it provides access to all of the above. A clear online communications, public relations and media strategy was pursued in order to keep the public informed of the work of the Forum and to provide information on how to influence its work.

#### *Enabling participants to network*

The Forum has set out to encourage participants to network and to promote a high level of interaction amongst the various groups in order to facilitate networking, cooperation and informational exchange. The various civic groups are often interested in what other groups are doing and value opportunities to converse with each other. The Scottish Civic Forum's activities are very good places for stakeholders to network with each other: because many of the Civic Forum's activities are topical meetings, people with the same interests are keen to exchange contacts. The Civic Forum also encourages networking via its e-groups, which were created so that groups operating within one area would be able to communicate with each other. The Forum created a programme of events including members' lunchtime lectures and other networking events. The Scottish Civic Forum also frequently provides an e-mail list of all the participants to an activity, which is made available at the outset of the meeting.

“It was interesting at the adoption meeting that we noticed that there were quite a few people afterwards who were exchanging contacts details. There were maybe ten people who have had similar experiences to them and so they were exchanging contact details so that they could get in touch again”.  
(Interview: Wilkie & Murdoch, 2005)

*Holding training courses*

The Civic Forum occasionally holds training courses designed to empower stakeholders to feel confident in policy setting and participate themselves. The aim is for groups to gain access to the various parts of government, to get their message across to decision-makers, to learn more about the functioning of the democratic system through contact with other groups, to acquire new skills and to raise the profile of their work in the public sphere. The forum's director, Debbie Wilkie, had previously worked as a trainer, designing and delivering training for middle managers and fast stream staff working with government ministers. A further range of skills and experiences are present in the Forum which can be brought to contribution in its work. The training activities are usually fairly general and academic in scope, based on well-known and well-recognised models -for instance, stakeholders are being introduced to Sherry Arnstein's (1969) ladder of participation. A large repertoire of techniques and methods has been developed since the 1980s in order to facilitate the expression of citizens' concerns. On these occasions, attendees can discuss their experience of participation and share information.

*Providing ad-hoc help and documentary assistance*

When based in Jackson's Entry, the forum provides *ad hoc* help for people wanting to engage with the legislative process: it provides a desk and a library as well as the advice of trained staff. The Scottish Civic Forum's main office, situated only a few minutes' walk from the Scottish Parliament' building, is itself a place within which movements can develop and further their skills and their "capacity to act". The Scottish Civic Forum sought to develop its Jackson Entry office as an "information hub" and a place in which groups and individuals could find tools of analysis and contextualise their contribution to public debate. It provides somewhere for people to come to prepare for a visit to the parliament. As such, the Civic Forum provides support and advice, office facilities and meeting rooms for the use of its members. The aim is to provide a physical and virtual participation centre. At the time of research, this approach was being extended into a network of "civic participation hubs" across Scotland: satellite centres were to be set up across Scotland and the Scottish Civic forum was exploring the feasibility of linking these participation hubs with the Parliament's partner libraries.

*Assisting in the conduct of specific consultation exercises (on a commissioned basis)*

One of the activities of the Scottish Civic Forums has been to assist in the consultations initiated by the Scottish Government. The Executive sought to ensure that inclusion could be maximised, that all views would be sought and that the most relevant ones would be given due weight. The Executive's participatory strategy was to diversify its approach and use a number of processes and techniques for the conduct of consultations (interview: the Scottish Executive's Civic Participation Unit, 2006). In a number of instances, the Executive chose to use the services of the Civic Forum on particular issues and commissioned a series of consultation exercises to be undertaken under the responsibility of the Forum. These could be quite significant, (e.g., the Scottish Civic Forum played a central role in running the Scotland-wide consultation on smoking in public places) or they can be rather more specific in scope (e.g., changes in adoption laws). The Civic Forum then takes all the necessary steps to inform the public, provides opportunities for views to be aired and feeds them back to the Scottish Executive.

The consultation activities are open for all who wish to participate and the Scottish Civic Forum usually hosts events in a variety of locations across Scotland. In these instances, the Forum attempts to be as neutral as possible, inviting people who hold a wide range of views and providing them with well-designed materials to guide their discussions. During these meetings, the Forum staff intervenes in a capacity as trained conveners, moderators, and recorders/ reporters of the material.

In the case of a simple consultation exercise, a series of meetings will be convened in accessible public spaces. A member of staff from the Civic Forum will introduce the issues at stake in a short presentation and provide handouts and consultation documents (the material provided takes the shape of a "stimulus pack" which presents the issue at hand and outlines three or four general approaches to its resolution). It is either written by the Scottish Civic Forum staff, but on occasions, the Forum might also use the briefing material provided by the Executive) before setting out informal rules for discussion between those who attend. A large repertoire of techniques and methods have been developed to facilitate the formulation of the groups' concerns (the procedural norms for meetings vary, but they often include a period during which participants are split into smaller groups for discussion and a subsequent period of reporting back). The aim is to bring together a broad sweep of views and opinions and to facilitate dialogue.

Typically, the events will be informal and non-threatening in order to de-emphasise any inequalities that exist amongst participants, for example, regarding power, influence and resources. The Forum will provide a safe space, facilitating discussions so that all participants can have their say without feeling threatened, thus promoting a desirable atmosphere for exchanges. Participants are provided with information about the issue being considered, encouraged to discuss and challenge each other's views before making a final decision or recommendation for action. Moderators then led the final sections of the discussion, in order to enable participants to reflect on what has been said. The moderators summarise the overall sense of the discussion, ask if there are other concerns, and propose an outline of the report to be sent back to the commissioning body.

The Scottish Civic Forum adopts a well thought-out view of consensus (interview: Reid 2006; interview: Wilkie & Murdoch 2005). It recognises the difficulty of achieving consensus within the Forum and of making recommendations to the Executive and Parliament. The Forum would neither force a consensus nor simply map the range of views (interview: Reid, 2006). The reports it transmits usually come from the Forum's moderators based on the deliberations at the meetings. The reports serve to organise, aggregate and articulate the key points. They also identify areas of agreement and name disagreements in order to push discussion deeper. In this sense, the Scottish Civic Forum adopts mostly a conflict-analysis role, reporting the main points of agreement and disagreement. In this way, the Forum seeks to explore the potential for consensus while also reflecting on and recording disagreements and a diversity of viewpoints.

Deliberation processes within the forum are usually assisted by an experienced moderator who knows how to conduct the exchanges and records the contributions made within the context of a specific event. Events are characterised by a high level of effective organisation and facilitation, which is usually managed by the Civic Forum's permanent staff. On some consultations, the time dedicated to a consultation meeting can be rather short, a meeting of two or three hours and the discussion has to be completed within the time-frame of the meeting itself.

“If we hold consultation meetings we will write up the range of views and we'll say: ‘this was the range of views expressed by people who attended the meeting at the Civic Forum’. So we don't take their point and summarise it on their behalf (Interview: Wilkie & Murdoch, 2005).

[...]

We try to always ensure participation across the board. You therefore don't get a uniform view: you get a mix of views. Often government wants a clear way on one issue. This conflicts with the Forum role of not taking a position on subject issues. We are able to encourage people to give all of their views. But it means that the reception of reports sent to government could be mixed because they wouldn't state "this way and not that way". It seems to be that some people have difficulty with trying to understand that rationale (Interview: Wilkie & Murdoch, 2005).

[...]

We don't try to force a consensus. So if people have got different points of view we encourage them to enter debate and to enter dialogue and sometimes that will mean that people will change their minds and sometimes there will be a consensus. But if there are genuine differences of opinion, we won't try and push people to agree. But what we will do is we will record the different opinions on the way. So quite often in doing that, you can actually get a flavour of where the strengths of opinion lie. But it's just that you're not coming out with two sentences and just saying: 'well the majority of those that attended the meeting thought that this should happen or that should happen'. It maps the picture more fully than that (Interview: Wilkie & Murdoch, 2005).

[...]

And the meeting tends to be very much a process whereby, you know, people may come forward with very polarised viewpoints but think that they're meeting somebody who thinks somewhat differently from themselves. A dialogue happens and the positions are modified in a quite natural way rather than somebody saying that 'it would be a good idea if you changed your mind because bla bla bla bla bla, I feel very strongly about that', or whatever" Interview: Wilkie & Murdoch, 2005).

Attendance from MSPs and other governmental bodies sometimes assists in the two way process. From my observations, many participants in consultation meetings are inexperienced groups who are often directly affected by policy: they have built a considerable expertise and spoken to hundreds of people, over years of engagement, but they have not yet managed to channel this knowledge into the policy-making debates. Initially, their knowledge, material assets or social and political connections are somewhat limited. These groups attend the meetings of the Scottish Civic Forum in order to get their point across to other participants and to learn how to get their point across to government. They are extremely attentive, make extensive notes and generally gather as much information as possible.

#### *Auditing Democratic Participation*

From the outset, the Scottish Civic Forum was also responsible for auditing democratic participation and raising issues related to it. The aim was for the Forum to act as an independent commentator on topics related to the new democratic

processes in Scotland. The Scottish Civic Forum would try to put forward ways in which the Scottish governmental apparatus might over time become more genuinely participatory. This was understood as an incremental process in which the various participants would feel valued and which would testify of a genuine concern on the part of the government to foster and encourage the development of a strong participatory culture in Scotland.

“We envisage the Forum as a reliable source of advice, for both Executive and the Parliament, on how all relevant interests can have their say in what we do. If the forum succeeds in that, this new venture will have proven its worth” (Jack McConnell, speaking at a Scottish parliamentary debate on June 1<sup>st</sup> 2000).

This responsibility for auditing democratic participation is the only domain in which the Scottish Civic Forum could be understood to have a “lobbying” role. In the Scottish context, the Civic Forum is explicitly dedicated to increasing the role of groups within regional governance and to act as a watchdog for the civic participation activities of public bodies. A full-scale audit of democratic participation, undertaken by the Scottish Civic Forum, was funded by the Joseph Rowntree Charitable Trust in 2003. The Scottish Civic Forum also set out to design a Civic Participation Charter.

#### *Separately funded Project Work*

In addition to the activities outlined above, there is also a certain amount of project work undertaken by the Scottish Civic Forum. One of the major projects was the *Forum on Discriminations* (FonD) for which the Scottish Civic Forum had established a separate funding stream. The Forum on Discrimination is a network of organisations whose aim is to counter all kinds of discrimination in Scotland. Through FonD, these various organisations have an opportunity to work together on discrimination issues in Scotland. The Forum on Discriminations was formed after a Scottish Civic Forum event entitled “Zero in on Discrimination”. Another major project, also separately funded, is *Future Scotland*, an initiative designed to promote participation in issues related to sustainable development.

#### *Special activities and events*

Finally, the Scottish Civic Forum organises a series of one-off, special activities, such as Parliament Day events where organisations from civic society are invited to sit in the parliament’s chamber with MSPs and have the opportunity to participate in direct discussion. The themes for each of these special events were: (1) participatory

democracy as an essential underpinning to representative democracy, (2) the celebration of the Parliament's first birthday, and (3) building civic media. Similarly, a special initiative, "*Imagine Scotland*", took place at Heriot Watt University in April 2003 and brought together people from all over Scotland for a two-day participatory event.

#### 6.5.6. The Scottish Civic Forum and the government of Scotland

While the Civic Forum certainly had a legitimate role in the eyes of Parliament and the Executive, there was no formally sanctioned role for it enshrined in statute or legislation. There had been a commitment to the Scottish Civic Forum in the 1998 CSG report, but it had remained unspecific. While it had been envisioned as a major organisation in the first draft of the CSG report, it did not appear as such in the final version of the CSG report, which did not wish to favour one organisation over others, and had mentioned the Civic Forum in passing, among other proposed participatory processes.

The Scottish Civic Forum was again mentioned in the coalition agreement, but, as noted, this mention was also rather vague. The aim was never that of developing a formalised mechanism for exchange of views between parliament and civic world. At the time of allocating initial financial resources to the forum, Jack McConnell (2000) had expressed clearly that the Scottish Civic Forum could not hope to replace the Executive itself as the sole source of policy ideas and that the Civic Forum was to be regarded as one among a number of other initiatives designed to increase public participation in decision-making.

Isobel Lindsay (interview, 2006) was of the opinion that the three subsequent Scottish administrations adopted different approaches towards the Scottish Civic Forum. The Scottish executive under the leadership of Donald Dewar adopted a clear approach of "affirmative pluralism" (outlined in Chapter 3, point 3.5.7). This approach is best outlined in the statement by Jack McConnell upon announcing the initial seed-corn funding to be made available for the Scottish Civic Forum:

"We cannot be simply reactive, waiting for the public to come to us. Be that by the internet, or by more conventional means. We must be pro-active in seeking out the views of those who have not had the time, inclination or confidence to respond in the past to the questions that the Executive asks to support its policy-making. Therefore, we must be imaginative in how we consult and a raft of bland consultation documents will not be enough" (Jack McConnell speaking at a Scottish Parliamentary debate on June 1<sup>st</sup> 2000).

Jack McConnell had emphasised that the Scottish Civic Forum should remain independent of the Executive and ideally supported fully by civic society organisations. Initial funding was provided by the Executive on the basis that the forum would raise its own funds. Upon announcing the allocation of an initial grant on the first of June 2000, he further declared that he was “keen to ensure that the Civic Forum [did] not rely on the Government for funding. It is important that the Civic Forum should try to identify other sources of funding” (Jack McConnell, speaking at a Scottish parliamentary debate on June 1<sup>st</sup> 2000). In the Scottish Executive’s vision, the Scottish Civic Forum should be organised by private or voluntary arrangements between individuals and groups outside the direct control of the state. It would then be able to grow organically from the needs of civil society.

According to Isabel Lindsay (interview, 2006), the change in the cabinet and senior bureaucracy which occurred with the McLeish administration was much more positive towards an expanded, “second chamber”-type Civic Forum. During the McLeish administration, the Civic Forum was asked to draw up new proposals advocating an increased role for the Scottish Civic Forum. Perhaps unsurprisingly, when Jack McConnell himself became First Minister in 2001, he embraced his own initial position and reverted back to seeing the Scottish Civic Forum as one among many participatory processes. Thus, for Lindsay, it is possible to show the challenges posed to the Scottish Civic Forum by the Executive’s ever shifting strategies, which involved a distinct lack of visibility and predictability for the leaders of the Scottish Civic Forum.

At a time when “signals” had been positive, the Scottish Civic Forum had envisioned a new role and it subsequently applied for more funding from the Scottish Executive in order to implement a more ambitious scheme. At this point, the Forum’s leadership argued that a lack of resources was severely limiting the ability of the forum to fulfil the expectations of its work programme and to recruit new participants for its activities. Augmenting the number of members was a difficult and resource-intensive task, especially as it related to locating and involving first-time participants. Around that time, the Scottish Civic Forum also sought to launch a wider debate by mobilising its supporters in the Scottish Parliament and in civic society more broadly, who initiated two parliamentary debates and a public petition.

Meanwhile, at the onset of the McConnell administration, the Scottish Executive had reverted to citing its initial statements, and continued to argue that it wished to be able to flexibly diversify its approach to participation. The benefits of this way of operating would enable the Scottish Executive to react to ideas and proposals that went beyond the proposals initially designed by its own staff and civil servants. This diversified approach would also allow decision-makers to come in contact with innovative proposals and partners (interview: Scottish Executive Civic Participation Unit, 2006). This clash of priorities between the Scottish Civic Forum and the new Executive led to a full-scale debate, in which a number of MSPs took sides either in favour of re-establishing a solid Scottish Civic Forum, or in favour of continuing to fund the “best” projects on a competitive basis.

While the topic was taken up by a number of MSPs, the Scottish National Party (SNP), and the other parties in opposition, became very vocal in their support for a strong Scottish Civic Forum, which in effect made it difficult for the coalition to support it. Despite the Scottish Civic Forum’s leadership’s political neutrality, some of the Forum’s regulars were known to have party political affiliations, including roles within the SNP. This further reinforced the governing coalition’s suspicion that the Scottish Civic Forum’s active membership was peopled with SNP supporters who had temporarily found a home in civic politics. In one interview, the forum director noted that:

“We’re definitely trying to adopt a party-neutral stand. And it’s quite difficult sometimes because, for example, the SNP is very supportive of the Civic Forum, so we’ve got to watch that we’re not too close to them” (Interview: Wilkie & Murdoch, 2005).

During 2005 and 2006, the debate over the future of the Scottish Civic Forum took place in a number of settings (the Scottish Parliament’s debating chamber, the Scottish Parliament’s public petition committee, the Scottish Parliament’s Corporate Body, the Scottish Executive Civic Participation Unit, the Scottish press etc.) and a very large number of arguments were mobilised by supporters and opponents alike.

It is difficult to document concrete cases of policy influence brought about by the Scottish Civic Forum, since it mostly collected points of view and transmitted them to the Scottish Executive. It was then entirely up to the civil servants and politicians to make the appropriate decisions. In this sense, it is not possible to trace any decision straight to the Civic Forum’s activities. The real achievements of the Scottish Civic Forum lie primarily in its ability to convey a rich variety of voices,

while leaving the decision-making to governmental entities. The objective of the Scottish Civic Forum was not to advocate for a specific point of view and press for policy change. Rather, it was to ensure that those groups who usually do not get listened to in the process will have a chance to participate in Scottish policy-making processes.

It follows that the Scottish Civic Forum gauges its success by the number of first-time participants which it has managed to engage, not the policy changes that it has brought about. This approach, of course, can breed dissatisfaction for those first-time participants who used the Forum to engage policy-makers, only to discover that their point of view has been collected among a number of other points of views and that the policy-changes for which they were campaigning had not taken place. If nothing happens on the policy front as a result of their participation, these groups can feel rather placated, and they might eventually become fairly critical about the participatory processes.

In my observations, one of the key factors determining whether the Scottish Civic Forum could be a valued mechanism for engaging groups was the length and intensity of the interaction among the groups. If the meetings are short (say from 6pm to 8pm) and poorly attended (fifteen people or less, together with one or two facilitators from the Civic Forum), the groups can get dissatisfied with them and begin to think that they have taken part in a less valuable consultation exercise. While if the events are more substantial, involving key actors, politicians and other social groups in a genuine exchange of views, the groups tended to be much more positive about the process.

One example in which the Scottish Civic Forum provided a very valuable series of participatory exercises in support of the consultation relative to *A Breath of Fresh Air for Scotland*. As part of a broader consultation exercise, the Scottish Civic Forum had been asked to organise a number of regional and area events. This series of exercises on smoking in public places was one of the Civic Forum's largest, and best-funded project. A series of events took place over the summer of 2004 and the results of each of them were reported to the Scottish Executive as part of its public consultation exercise. Four major regional events, facilitated by the Scottish Civic Forum, took place in Aberdeen, Dundee, Glasgow and Inverness. Eleven smaller events were organised in Aberfoyle, Ardrossan, Bellshill, Dalkeith, Falkirk, Glenrothes, Granton, Greenock, Kilmarnock, Livingston and Stranraer. Two

additional meetings were held at St Stephen's High School, Port Glasgow, and in Galashiels. All these events had been widely advertised using local media, networking by members of the Scottish Civic forum, emails, written invitation letters and phone calls.

The four regional events began with a Scottish minister's talk. The next phase involved a panel of experts answering questions from the floor. In one case, the panel consisted of the deputy minister for health and community care, a representative from the National Health Service (NHS) Scotland, a delegate from Action on Smoking and Health Scotland (ASH), members of the Scottish voluntary charter signatory group, a representative from the Health Promotion Agency and delegates from the NHS Tayside. Following this, participants were split into smaller groups and group discussions were facilitated by the SCF coordinators. The group discussions enabled participants to put forward their views on the proposals. Towards the end of the event, a general discussion was organised to ensure all points and concerns had been recorded. Finally, all attendees were given a consultation form and encouraged to return an individual contribution to the Executive as soon as possible. On this particular series of events, the Scottish Civic Forum was arguably performing at its best, bringing the insights and techniques from early events into subsequent meetings, thereby enhancing the quality of both the debate and the moderation.

However, on other topics, the consultations conducted by the Scottish Civic Forum were more modest in size. In these cases, smaller group discussions were organised with less budget available and the consultation exercises did not involve an impressive panel of representatives who could be approached directly by the public. In a way, these smaller consultations could be less rewarding for some of the participants, especially for those with a minority point of view. The first twenty minutes of these smaller meetings tended to focus on providing the background to the consultation process, explaining the Forum's role as facilitator, and on personal introductions by participants. This was usually followed by agreeing some ground rules and a proposed topical structure for the group discussion. On the occasion of the 2005 *Adoption Policy Review* in Scotland, I interviewed one group of participants whose point of view was going against the grain of policy tendencies. As a group of adoptees, they held the view that it was not desirable for children to be adopted by unmarried and/ or same-sex couples (interview: Craig, 2006). A few weeks after the consultation exercise in which the Tayside Adoptees group had

taken part, the Scottish Executive did recommend that legislation should allow joint adoption by unmarried couples (including same-sex couples) and fostering by same-sex couples - although the document did include a line which it explicitly stated that the Executive was “aware of the sensitivities around adoption by unmarried and same-sex couples” (The Scottish Executive, 2005). On the one hand, this particular group had valued the opportunity to find out about ways in which they could take part in the consultation being held and to contribute to the debate. On the other hand, the level of interaction on that particular consultation exercise had been rather less intensive than on other consultations which had been chaired by the Civic Forum. This particular group had organised to travel to Edinburgh in order to contribute an opinion, only to later find out that their view had not prevailed.

In this sense, some of the relative strengths or weaknesses of the Civic Forum do not lie in its overall approach, which remains largely unchanged from meeting to meeting, but in the intensity of the exchanges which it is able to organise as part of each meeting. This, in turn, depends for a large part on the budget which it is able to allocate to the running of events (which in the case of a commissioned project, also depends on the budget made available by the Scottish Executive). A more intensive debate which involves ministers, decision-makers and numerous other participants is more satisfying for the participants than a less well-attended small gathering of self-selected participants. A larger event can make the groups more aware of other views and possibly less discouraged when their views do not prevail. When the interaction is sustained among a somewhat balanced set of participants, it goes some way towards helping the groups understand that they will not necessarily get their way and it increases their factual knowledge as well as their knowledge of the other participants in the debate. In this sense, an intensity of interaction is desirable.

#### 6.5.7 The Civic Forum and the other channels of group participation in Scotland

As I observed, the Scottish Civic Forum operates as just one of the voices of civil society in devolved government while participation takes place in a large set of settings and organisations, involving a very broad range of actors and processes. For the various groups operating in Scotland, there exist a great number of “transmission mechanisms” between them and the policy processes. As a result, the various groups tend to adopt a number of different strategies in a range of territorial contexts as they engage in a number of participatory arenas. This section outlines the organisational structures that have developed within Scottish civil society and considers the

implications of this for inclusion and in particular for the engagement of local organisations.

*The role of readily existing umbrella organisations*

Within Scotland, there exists a number of umbrella organisations and members pay hefty annual dues to belong to them. Groups may join a broad-based umbrella organisation for a variety of reasons, but they value the opportunity to work with people they would not otherwise meet. As defenders of sectional interests, the broad-based umbrellas are organisations which campaign on a limited number of issues and are able to campaign on issues that affect their members, to influence policy and to assist their members in the political process. By building up their capacity individually and through networks, these organisations provide opportunities for participation at many different levels. Some of the key umbrellas for third sector in Scotland are The Scottish Council for Voluntary Organisations (SCVO), the Scottish Trade Union Congress, Environmental Link, Youthlink, Actions of Churches Together in Scotland and the Poverty Alliance.

The umbrella organisations had existed before the 1998 devolution wave, and to an extent they were used to working with the Scottish Office (Hassan & Warhust, 2001; Keating, 2005) which already had developed a form of concertation in which the umbrella organisations enjoyed a relatively privileged level of access to government in regular consultations. Participation in these themed platforms offers a compromise between respecting the overall diversity of the civic sector while also promoting the possibility of formulating precise demands shared by many groups that would then be able to exercise more leverage. As it was being created, the Scottish Civic Forum had to position itself as an organisation that would not replace or stand in the way of these organisations but support the existing umbrella organisations in their representative role.

*Other “enabling” organisations*

In Scotland, there also exist other “enabling” organisations which vaguely resemble the Civic Forum in their aims and objectives, and some have been granted financial support from the Executive, such as the Centre for Confidence and Well-Being and the People and Parliament Trust.

### *Social partnership in Scotland*

A number of institutions and initiatives already exist in Scotland that can broadly be defined as social partnership such as the Scottish Social Inclusion Networks and the Local Economic Forums. While this would seem to reaffirm the traditional Scottish patterns of corporatism (Keating, 2005), these initiatives occur at the local or regional level. The establishment of a Scotland-wide Economic Development Forum (on a par with Northern Ireland's), which could have become an arena for negotiated governance, was never proposed. This does not prevent the Scottish Executive from adopting its own beer-and-sandwiches consultations in a less than structured form as the need is felt.

### **6.6 Chapter Conclusion**

In Scotland the prospect of a "New Politics" was among the key rationales for devolution. The new mechanisms of participation would not solely seek to alter the balance of power between the executive and the parliament, they would also counter the British tradition of adversarial "yah-boo" politics, by encouraging more participation and listening to the concerns of the population. However, the nature of this "new politics" was never formally defined. Instead, its meaning needed to be "discerned from statements by senior campaigners for a Scottish Parliament; new institutions, new processes and a new political culture" (Meehan, 2003: 13).

By most current standards, Scotland's decision-making processes are remarkably open and participatory. As the determination is to "do something different", usually entails a commitment to do something better, the various groups report significant increases in engagement and improvement in relationships with the Executive and Parliament. The Scottish government is relatively permeable *vis-à-vis* the various interest groups expressing specific societal preferences and the groups can plug into a very open polity and win the most for their group. As Stephen Maxwell (cited in Hassan, 1999) notes, Scotland seems to have favoured an open model, congruent with the "affirmative pluralism" (see Chapter 3, point 3.5.2) outlined in the previous chapter as opposed to more corporatist arrangements.

In this process, the interaction between the groups seems to have been neglected, as individual groups feel no obligation to discuss issues with other groups with whom their interests conflict in order to come to an agreement they all can accept. The civic groups which struggled for the democratisation of Scotland are now operating in a context of governance where decision-making processes are largely insulated

from co-ordinated contestation and struggle. As a result of these tendencies, the negotiation of the broad societal project is leaving the civic sector behind. Whereas Scottish civil society once served as a relatively autonomous site of resistance, it could be argued that it has now morphed into a somewhat disaggregated ensemble of increasingly professionalised and narrowly-focused groups.

This chapter has shown that the role and responsibilities of the Scottish Civic Forum have been somewhat unstable, contested and malleable over time, as a multitude of participatory discourses have been called upon in a situation characterised by a growing complexity. The Scottish Civic Forum was the object of a constant (re)negotiation of meanings and practices between a number of actors, on many sites and in a variety of contexts. For this reason, I chose to adopt a research strategy of intensive participant observation, in order to gain an understanding of these dynamic processes and debates at a time when very little of that information was codified in any way, shape or form, and much of the relevant information (e.g., the letters exchanged between the Scottish Civic Forum and its funders) was classified.

The Civic Forum started out as the heir of the Scottish Constitutional Convention, but a couple of observers contend that, after devolution took place, there was a clear split between “real politics” and “civic politics” (Keating, 2005, interview: Lindsay, 2006). Many actors of the pre-devolutionary civic movement found a new role in the realm of “real politics” and subsequently disowned the civic world. While some of the initial visions for the Scottish Civic Forum were rather grand (it would be like a second assembly and operate from the Royal High School), these grander visions never gained the full support of the newly established Scottish political class.

After devolution, the Scottish Civic Forum struggled to secure any position at all in the Scottish public sphere and it was grateful to receive seed-corn funding from the Scottish Executive. The seed-corn funding grant was allocated to the Scottish Civic Forum so the Scottish Civic Forum would become financially independent, but this did not happen because the users of the civic forum were mostly small groups which could not fund its operations while there was not much interest from the larger groups, whose level of involvement was too low. The major groups did not wish to have their role curtailed to participation within an enclosed forum and the elected representatives did not wish to grant an unduly official role to the unrepresentative

“white woolly socks politics” of civil society, which, they thought, had no democratic legitimacy to be part of decisions (Interview: Lindsay, 2006).

At the time of research, the Scottish Civic Forum had been operating as an “enabling organisation” which contributed to enhancing citizen participation and capabilities. The Civic Form existed in parallel to the Scottish Parliament and sought to enable more people to have their voices heard in decision-making processes. Because of the lack of core funding from either the Scottish Executive or the Scottish Parliament, the Civic Forum has evolved in other ways, turning more into a consultant of sorts. As of 2006, the Scottish Civic Forum had moved out of its office in Jackson’s Entry into cheaper accommodation. It survived in a much smaller form for a further two years, thanks to project funding provided by the Scottish Executive. At the time of writing, the Scottish Civic Forum as an organisation has receded under the *Sus it Out* project, a project designed to enable civic groups to determine how they can contribute to the promotion of sustainable development objectives. *Sus it Out* has become the main activity of (some) of the people formerly involved in running the Forum. Chapter 8 will provide a detailed analysis of the Scottish Civic Forum’s overall approach to participation, but first I would like to examine the workings of a rather different form of consultative forum in Nord-Pas de Calais, the Regional Economic and Social Council, which is the object of the next chapter.

## Chapter 7:

### The Nord-Pas de Calais' "Second Assembly": the Regional Economic and Social Council.

#### 7.1 Chapter Introduction

Devolution in France was a response to territorial inequalities and a form of social concertation had existed in the French regions before they were created as scales of government. Since the early sixties, the central government had gotten into the habit of convening a region's key social partners and of organising a debate about the development needs of each particular parts of the territory. These instances of concertation are the direct predecessors of today's *Conseils Economique et Sociaux Régionaux* (Regional Economic and Social Councils - hereafter referred to as "RESC").

The Regional Economic and Social Council is a permanent body where all participant groups have an opportunity for a regular exchange of views and for the mediation of different interests. Its recommendations, in the form of formal position statements (*avis*) and fuller reports (*rappports*) are prepared by the participating groups to aid the regional government's decisions. The RESC was created in 1982 to replace the pre-existing structures of social concertation which had existed in the region prior to decentralisation, although there was a large degree of continuity between the two structures, and people who had been involved in concertation structures beforehand were generally involved in the RESC from 1982 onward.

In order to fully situate the RESC within its context of operation, the chapter details the process of French decentralisation before briefly reviewing the French approach to social concertation at the national level (since 1925) and in the regional context (since 1972). The chapter then delves more specifically into the origins and present mode of functioning of the Regional Economic and Social Council, detailing its creation, its role definition, its membership and its ways of operating on a day-to-day basis. As with the previous chapter, this chapter also reviews the RESC's

relationship with the regional government and its place among other channels of social concertation.

## 7.2 Background to Regional Decentralisation in France

Nations can be organised in a fully unitary fashion, where decision making power is entirely concentrated at the national, central level. Until a fairly recent wave of decentralisation, this was undoubtedly the case in France, which used to have a very strong tradition of state regulation, control, and integration. Since the French revolution, various governments had tried to fashion a similar identity on the whole territory: the unity and indivisibility of the Republic became fundamental principles that have long guided state intervention. The move toward decentralisation began in the 1950s, when it became obvious that the territory suffered from severe developmental inequalities and that it had become necessary to pay particular attention to each region's particular situation.

### 7.2.1 *Paris et le Désert Français*

Initially, French territorial administration was no more than a local presence of the central state, and some levels of government, such as the *départements*, were created purely for administrative purposes. However, one of the main concerns of French regional policy in the post-war years was linked with the national allocation of resources (Kolinsky, 1991). The first interest in regional action stemmed from a concern about the growing domination of a few urban cores over other parts of the territory. In 1948, Eugène Claudius-Petit, then minister for reconstruction and urbanism, sought to implement a better distribution of the population according to resources and economic activities. Following the publication of Jean Francois Gravier's report entitled *Paris et le Désert Français* in the early 1950s, it was widely believed that state intervention was required to redistribute income and employment between regions. The policy sector in charge of this redistribution of resources came to be known as territorial planning (*aménagement du territoire*). This policy aimed at giving some balance to the whole country on an economic and demographic level and it brought into focus the need to institute a new level of land management.

### 7.2.2 *The Comités d'Expansion Economique*

In the 1950s, a regionalised approach to public-service delivery was introduced for the first time. The regional entities were intended to be territories in which services of the central state would be regionally managed. In 1955, a governmental initiative

laid down the principle of the state establishing regional development programmes. On that occasion, “economic growth committees” (*comités régionaux d’expansion économique*, widely referred to as the “*comités d’expansion*”) were created in order to elicit localised knowledge which could be used for territorial planning. In each of these administrative regions, a conference joined the *préfets* (representatives of the central state in the French territory) and the *comités d’expansion* that helped devise the French territorialised development plan.

### 7.2.3 *The Délégation à l’Aménagement du Territoire et à l’Action Régionale*

In 1963 the *Délégation à l’Aménagement du Territoire et à l’Action Régionale* (DATAR) was created to administrate regional issues. Its task was to harmonise all state policies taken in the regions. At the same time, the regional commissions for economic development (*Commissions de Développement Economique Régionales*, CODER) were created. The CODER replaced the *comités d’expansion* and were somewhat more substantial consultative bodies composed of representatives of the main socio-economic actors of a region. The CODER were meant to formulate their own position about all territorial development, which were then be contrasted with that of the central state devised by the DATAR.

### 7.2.4 *The referendum of April 27<sup>th</sup> 1969*

On April 27<sup>th</sup> 1969, President Charles de Gaulle called for a referendum on two simultaneous topics. The referendum proposed the creation of autonomous regions together with reforms of the state senate, the French second parliamentary assembly. According to the proposal, the first half of the senate would have been composed by elected representatives (members of parliament and town mayors), while the second half would have been designated by the social, economic, and cultural organisations of the country. The referendum failed and de Gaulle left government as a consequence of the results.

Soon thereafter, in the 1970s a further step towards regionalisation was introduced in 1972<sup>26</sup>, still by a Gaullist government (the government of Pierre Messmer<sup>27</sup>). New regional assemblies were composed of Members of the *Assemblée Nationale* (60%) and mayors (40%). At this time, the region was reasserted as the right level for the

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<sup>26</sup> *Loi du 5 juillet 1972 portant sur la création des régions.*

<sup>27</sup> Prime Minister from 1972 to 1974. It is customary in France to analyse and evaluate policy ensembles according to time sections relating to a prime minister’s time in office. Thus, the “Messmer government” (*gouvernement Messmer*) refers to all the policies passed during Pierre Messmer’s time in office as Prime Minister.

planning and provision of major public amenities, but still remained subordinated to the state's central services. At that time, the CODER were replaced by the Economic and Social Committees (*Comités Economiques et Sociaux*) which mirrored the nation-wide Economic and Social Council<sup>28</sup>.

#### 7.2.5 Progress towards regional decentralisation in the 1970s

In the 1970s the French Left had also adopted the idea of regional *décentralisation* and had made it part of their programme for the presidential election of 1974. Many on the Left had hoped that the 1974 election would bring the Socialists to power. Still, Valéry Giscard d'Estaing, of the centrist *Union pour la Démocratie Française* party, was elected as president. It is customary to explain Giscard's victory by reference to a televised debate in which his opponent, Francois Mitterrand, had embarked on a rather idealistic soliloquy. Giscard d'Estaing replied with an oft-quoted phrase indicating that the Left did not have "a monopoly of the heart" ("*vous n'avez pas le monopole du coeur*"). The phrase has remained famous in French political history for tilting the scales in favour of the Gaullist candidate. Following this result, there was much disillusion among the ranks of the Left, which had not been in power since the end of the war.

In 1977, the government of Raymond Barre called for an extensive study on the possibilities of decentralisation. This report (the equivalent of a British white paper) became known as the *Rapport Guichard*, and was titled "Living Together" (*Vivre Ensemble*). In 1977, the municipal elections were largely won by the Socialist party, and Socialist politicians used their position in the towns to devise their own policies on the issue of decentralisation. Municipalities had been bastions of support for the Socialists prior to 1981 and had consistently pushed for reforms. Incidentally, a team in the Lille municipality had been very active on issues related to decentralisation. Pierre Mauroy, mayor of Lille at the time, would become Prime Minister immediately after the socialist victory in 1981 and oversee the programme of regional decentralisation.

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<sup>28</sup> Art 14.1. *Loi du 5 juillet 1972*. The Economic and Social Committees are the direct predecessors of the Regional Economic and Social Councils (RESCs)

*7.2.6 Implementation of regional decentralisation by the Mauroy Government (1981-1984)*

In 1981, Socialist Francois Mitterrand won the presidency of France with the support of the Communist Party. His electoral programme included a move towards decentralisation. The Left's ascent to the presidency in 1981 was preceded by electoral success in local governments, the *communes* and the *départements*. This strengthened the position of those in the party who wanted to abolish the direct oversight (*tutelle*) and increase the powers of local elected officials. In 1982, real autonomy was devolved towards the regions, regionalisation having become the "great endeavour" of the presidential mandate ("*la grande affaire du septennat*"). The regions did not obtain many competences or a large budget, and at that point the regional decision-makers were not directly elected. Still, the important innovation was that they had been consecrated as territorial communities (*collectivités territoriales*), that is, regions could take decisions autonomously from the central state and design policies for themselves, within their areas of competences. These reforms are known in France either as the Deferre laws (*lois Deferre*) or as the legislation of March 2<sup>nd</sup> 1982 (*lois du 2 mars 1982*).

*7.2.7 The French Regions gain further autonomy (1986)*

In 1986, the regional institution effectively gained the level of autonomy which had been decided in 1982. Regional assemblies, or regional councils (*Conseils Régionaux*), were elected for the first time and held the power to deliberate and voted decisions which engaged the future of the region. Since that period, the regional councils have been elected every six years by direct universal suffrage. The councillors, organised in political groups, form an assembly that presides over a determined area, endowed with a budget and an administration that carries out the regional council's decisions. The regional councillors elect a regional president who composes the regional executive with fifteen vice-presidents and six delegate advisors, each responsible for a specific policy (e.g., culture and international relations).

The regional competences, as defined by law, include the following: the construction, rehabilitation and maintenance of secondary schools; vocational training, including that of social workers, nurses and apprentices; economic development; regional public transport; regional planning and development, development of the information society, social and economic dynamism. The region

may choose to assist other levels and extend its competences to other areas, if there are sufficient funds once the mandatory competences have been covered. These areas include: the promotion of culture, policies towards young people, sports, the environment, research and town policies. The regions may also support higher education (a competence retained by the central state) by increasing the capacity of universities and encouraging new areas of study.

#### 7.2.8 *The French regions since 1986*

Regions regularly lobby for more competences and resources. Not infrequently, the regions do obtain new competences but the funding would be insufficient (a phenomenon commonly referred to as “*désengagement de l’Etat*” by its critiques). The regions are mostly funded by indirect taxes: property taxes on buildings and land, business tax, a tax on vehicle registration and a specific tax on petroleum products. Out of every hundred Euros of local taxes paid to territorial authorities (*Communes, Intercommunalités, Départements and Regions*) the region receives only about five Euros. Other revenues include funds from agreements with the central states (*Contrats de Projet Etat-Region*) and European programmes.

The Region’s budget is voted on on a yearly basis. It reflects the choices and defines the priorities set by the regional majority. An important concern in considering the significance of a region’s budget is the dichotomy between the ordinary expenditures (*dépenses de fonctionnement*) and the investment expenditures (*dépenses d’investissement*). Much of the region’s budget (around 80%) goes into ordinary expenditures and yet most regions will try to spend as little as they can on the ordinary expenditures so they can be more creative in allocating investment expenditures towards new policy areas.

After the 2002 general elections, in which the Socialist Party had been defeated by the *Front National* in the first round of the presidential election, the Socialist Party was able to win every French region (except Alsace and Corsica) in the regional election held in 2004. At the regional level, the law<sup>29</sup> grants the majority party a surplus of 25% of the available seats (known as the *prime majoritaire*). This means that the majorities in the regions are very strong, and are usually able to implement their policies unhindered by the opposition. After 2004, the regions became the place in which to conduct Socialist politics and a number of national politicians

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<sup>29</sup> Loi du 11 Avril 2003 relative à l’élection des conseillers régionaux et des représentants au Parlement européen ainsi qu’à l’aide publique aux partis politiques.

became involved at the regional level. As a result, the relationship between the central state and the regions became very strained. All the while, the regions used their modest discretionary budget to expand their activities beyond their direct competences. This phenomenon of going beyond direct competences is permitted under the *Code Général des Collectivités Territoriales*, which enables each level of government to undertake the measures it deems necessary for the harmonious development of its territory, even when the measures potentially infringe on another level's area of competence.

On the whole, since the 1980s most subsequent French governments have shown a level of interest for *décentralisation*, which has become a fixture of the main parties' election manifestos, and a standard line of governmental policy-making. The Jospin Government (1997-2002) spoke of introducing the second act of decentralisation (*Acte II de la décentralisation*) with the 1999 Voynet law (*Loi Voynet*, or *Loi d'Orientation pour l'Aménagement et le Développement Durable du Territoire*). The Raffarin government (2002-2005) also took on *décentralisation* under the heading of a decentralised organisation of the republic (*l'organisation décentralisée de la République*). The reforms adopted in March 2003 furthered the competences of the region.

#### 7.2.9 The continuing role of the central state administration in the running of the French regions

Since the introduction of the Defferre laws in 1982, the public administration in regions is split between decentralised services (which operate autonomously from the central state) and the services of the central government, headed by the *préfets*, who are hierarchically subordinated to the central government. The *préfets* are the representatives of the central government and the representatives of each individual member of the government. They are appointed by a decree of the President of the Republic in the Council of Ministers, following the proposal of the Prime Minister and the Minister of the Interior. They serve at the government's discretion and can be replaced at any time. The *préfets* are responsible for the implementation of centrally ordained policies which have an effect on the region. In order for the *préfet* to be able to work effectively, there has been a hierarchical transfer of responsibilities towards the *préfet* and the centrally administered services located in

the region. This phenomenon is known as *déconcentration*<sup>30</sup>. Since this period, the *Secrétariat Général pour les Affaires Régionales* (SGAR) has existed as an inter-ministerial body to assist the regional *préfets*.

Each separate government department (*ministère*) must implement its policies on the whole of the French territory and at the same time ensure that the whole state strategy is coherent for a given region. For this purpose, the *Commissariat Général du Plan*<sup>31</sup> was, until recently, responsible for the formulation of a national plan. For their part, the regional councils are expected to design a broad and long-term perspective on the future of the area, along with a sense of what is needed for such development. To this day, the design of regional policy takes place essentially through the contract-making (*contractualisation*) procedure, in which each region periodically negotiates its objectives with central government. This allows the central government to decide on a differentiated treatment, according to the regions' territorial specificities. Through this process, the central government can maintain a level of interregional redistribution and continue to coherently influence the development of the whole territory. The contract between the central government and the individual region (*Contrat de Projet Etat-Région*) commits the two partners for a duration of six years to work on priority actions defined jointly by both sides.

#### 7.2.10 The French regions and the other decentralised entities

The successive waves of decentralisation have not only benefitted the regions, but also the other levels of government, ranging from the *communes*, the *intercommunalités* and the *départements*. The *communes* had been created at the time of the French revolution in 1789. They are governed by an elected town council (*conseil municipal*) and by an elected mayor. The *communes* are mainly competent over urban planning, but also have a number of additional competences for running primary schools and local roads. Before the 1982 creation of the French regions, the main political level apart from the central state was the *commune*, and mayors who were of a different political persuasion than the central government were able to exert much influence on the running of cities.

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<sup>30</sup> “*Décentralisation*” refers to the process of transferring a competence previously held by the central government to another level of government. “*Déconcentration*” refers to the process of allowing the central government’s representatives in the region to take some decisions in the name of the central government itself, without gaining permission from the central government.

<sup>31</sup> The *Commissariat Général du Plan* was replaced in 2005 by the *Centre d'Analyse Stratégique*.

In 1999, the Chevènement laws allowed individual *communes* to re-group into urban communities (*communauté urbaine*), agglomeration communities (*communauté d'agglomération*) or rural counties (*pays*). This possibility was devised in order to avoid wasteful duplication, inter-locality competition, uneven public service provision, and environmental degradation into a consolidated metropolitan-wide level. The groups of communes, known as *intercommunalités* must be based on the intention to conduct common projects. As a result, there has been a transfer of competences and a pooling of some financial resources from the communes towards the intercommunal structures. Their governance is composed of designated elected members of the municipal councils and they oversee relatively large budgets in a certain number of essential domains. As such, the *intercommunalité* became a key scale of government.

Each *département* is administered by a departmental council (*Conseil Général*), an assembly elected for six years by universal suffrage, and its executive is, since 1982, headed by the president of that council. The *département* are responsible mainly for the administration of social services (childhood, disability, unemployment, old age, and housing) and for the running of secondary schools, intra-cities public transport, and the maintenance of a number of local roads.

As previously noted (see section 7.2.8, above), each level of government is entitled to conduct the policies which it thinks are necessary for its development. This calls for a level of co-ordination between the various levels. Among the various levels of governance, the regions are conceptualised as “thinking places” that could co-ordinate the action of the other decentralised bodies and “leading” levels of governance (*collectivité tête de file*) which serve as appropriate levels for strategic reflection. In 1999, Dominique Voynet, serving as minister for territorial planning and the environment (*ministre de l'Aménagement du Territoire et de l'Environnement*), reinforced this notion and declared that regions must be the leaders of territorial planning. This leading role, however, amounts solely to a broad co-ordinating task, and does not entitle the regions to commit the other communities to a course of action.

When it comes to considering the actual competences of the various territorial communities, the *intercommunalités* appear as the scale which oversees the largest discretionary budgets (much of the budget of the *département* and *régions* goes

towards ordinary expenditures, such as the running of schools and the repairing of roads while the *intercommunalité* have a substantial role in shaping a territory). For this reason, politicians sometimes pay more attention to the *intercommunalités* than they do to the region (interview: Lecaille, 2006). This has direct repercussions in terms of the quality of social concertation in the regions, since both the regions and the *intercommunalités* have set up similar consultative forums which compete for the regional actors' time and commitment.

### 7.3 Social concertation in the French context

The political philosophy of France has long been characterised by a strong Jacobin ethos. The construction of French nation-state was accompanied by a will to create a homogeneous political community which would erase local particularities, which were believed to uphold the inequalities of the *Ancien Régime*. Jacobinism as a political doctrine defends the popular sovereignty and the indivisibility of the French Republic. The Jacobin ethos encouraged the centralisation of the French Republic. Furthermore, Jacobinism as a political doctrine is relatively hostile to the organised intermediary bodies (*corps intermédiaires*) and to particularistic social groups (*communautarismes*) which do not adhere to the universalistic system of value of the Republic.

#### 7.3.1 The Conseil National Economique: a precursor to the National Economic and Social Council.

At the end of the Nineteenth Century, the trade unions had been pressing for the creation of a tripartite assembly. In 1919, Léon Jouhaux, then leader of one of the major trade unions, presented a project to create an Economic Council of Labour (*Conseil Economique du Travail*), which would be tasked with examining the social issues in the post-war era. This council was eventually created in 1925 under the name of the National Economic Council (*Conseil National Economique*). This body was reinforced in 1936 but was then suppressed by the Vichy regime. It was again enshrined in the French constitutions in 1946 and 1958 as France's "third assembly" after the national assembly (*Assemblée Nationale*) and the senate (*Sénat*). By this time its name had changed to the National Economic and Social Council (*Conseil Economique et Social*). Since 1958, the *Conseil Economique et Social* has been a tasked with providing answers to serious social and political problems. It formulated an opinion on all the projected laws which are submitted to its evaluation. The *Conseil Economique et Social* includes not only members from the employers' organisations and the trade unions, but also members from associative life.

### 7.3.2 The Gaullist approach to social concertation

In the early 1960s, participatory democracy in France mostly took the shape of a Gaullist construct characterised by a political culture of co-operation and consultation. There was a great deal of discussion between the government and social partners most of which was formally institutionalised. Formal processes comprising government and social partners were designed to promote co-operation and/ or contribute to policy formulation. According to de Gaulle's own view, there were two ways in which to discuss public affairs. The first method refers to the traditional debates which occur between elected representatives from the party system. The second method consists in bringing together the representatives of major forces within society to discuss the formulation and implementation of difficult socio-economic policies. In 1946 de Gaulle had already proposed the creation of a chamber in which a variety of particularistic groups (the *corps intermédiaires*) could be heard (Frayssinnet, 1996).

The post-war era was a period characterised by economic *dirigisme* and *volontarisme*. Gaullism as a political movement also entailed a commitment to the working together of all French people and the relative absence of major class struggle, best embodied in Charles de Gaulle's 1946 *Discours de Bayeux* in which De Gaulle declared that "the rivalry between parties seems to adopt a fundamental character, and too often this rivalry masks the superior interests of the country as a whole" (*Discours de Bayeux.*, para. 7, my translation). To an extent, this amounted to a rejection of class antagonism and to an assertion that all citizens of a nation had equal interest in this prosperity.

### 7.3.3 The legacy of the 1968 student movement

In the late 1960s a number of voices became opposed to the Gaullist representation of national unity. Underneath the unanimity of the Gaullist construct, there emerged a number of new sensibilities embodied in a variety of new social movements which were somewhat unhappy with the democratic system of the time. In March 1968, a group of students were arrested for opposing the Vietnam War. This led to widespread revolts in universities. In response, the government closed the Sorbonne, leading to even more violent street demonstrations, which were joined by a variety of movements besides the student movements, and by the major trade unions.

Charles de Gaulle famously referred to these movements as the “*chienlit*”, an uncommon French word referring to a state of undesirable chaos, or a carnival. In a famous phrase pronounced on May 19<sup>th</sup> 1968, de Gaulle declared: “yes to reforms, no to the *chienlit*” (“*la réforme oui, la chienlit non!*”). The protesters promptly retorted that de Gaulle himself was the French *chienlit* (“*la chienlit, c’est lui*”) implying that the established political system was itself an undesirable, chaotic carnival operating under the pretence of embodying rationality and order. While the subsequent general elections reaffirmed de Gaulle’s government, the student revolts had set in motion a new current of thought, the “New Left” which continues to influence French politics and social thought, and bears directly on issues of participatory democracy.

#### 7.3.4 The new participatory ethos in the 1990s and 2000s

While for a long time consultation with the broader public had not been a part of French culture, new forms of participation have been developed in recent times. Governments have to face the increased challenge of an economic, social and environmental nature which their electorate want them to deal with. In the late 1990s, there emerged a new rhetoric of listening to the territory (*écoute du terrain*) and new participatory elements were incorporated into public policy decision-making processes under the influence of the Green party which formed part of the Jospin government.

This tendency was embodied in a number of initiatives such as the 1992 *Circulaire Bianco*, the 1995 *Lois Barnier*, and the 2002 *Loi Vaillant*. These new participatory phenomena are referred to as “near-at-hand democracy” (*démocratie de proximité*) in contrast to unqualified democracy. Since the introduction of the participatory reforms, analysts have sought to reflect on the differences between the two different modes of participation. They called these two phenomena the “social dialogue” (*dialogue social*), which refers to more or less tripartite arrangements and the “societal dialogue” (*dialogue sociétal*), which refers to all the processes of concertation through which contemporary societies attempt to gather in one place, in order to solve them, the issues they have to face in a variety of domains (Ecole Nationale d’Administration, 2004).

The societal dialogue is being organised outside of the traditional social dialogue, and developing flexible structures to facilitate feedback and to foster participation (Conseil Economique et Social, 2002; Ecole Nationale d’Administration, 2004). The

new participatory ethos was first implemented in the territorial state. Still, in 2007 presidential candidate Segolène Royal planned to introduce more participatory democracy at the central level. Segolène Royal had put participation on the national agenda, thereby abdicating the concept of strong leadership in favour of a more intensive societal concertation.

At the same time, the social dialogue, which involves the traditional “social partners”, remains popular. Decentralised administrations continue to create bodies which are very similar to economic and social councils (*conseils économiques et sociaux*). In 1999, most *intercommunalités* set up development councils (*conseils de développement*). Similarly, at the level of the *département*, there is no statutory requirement to develop consultative forums, but in practice, most *départements* have set up consultative committees (*comités consultatifs*). The three types of consultative forums, despite their different names, operate along very similar lines.

There is also a widespread sense that the social dialogue and the societal dialogue are going separate ways. The more established organisation of the “social dialogue” have a somewhat ambivalent attitude towards the processes of “societal dialogue”. Their attitudes range from an outspoken questioning of the legitimacy of the new procedures to a desire to reaffirm that the established, “old” organisations can form an integral part of the new, innovative wave of participatory democracy. (Blondiaux, 2006; Vincente, 2002).

#### **7.4 The Economic and Social Council of the Nord-Pas de Calais region**

The Regional Economic and Social Council (*Conseil Economique et Social*) is a consultative assembly which contributes to the administration of the region through the formulation of its formal position-statements (*avis*). The council is a deliberative body which gathers a number of social groups into a deliberative process. It is composed of non-elected delegates from various social and economic sectors and serves as an advisory organ to the regional government. Despite its role as a strictly *consultative* body, the council can affirm or challenge the affairs of the region. It is a permanent body established through legislation in which all participating groups have the opportunity for a regular exchange of views and for the mediation of their diverging interests.

#### 7.4.1 History of creation of the Regional Economic and Social Council

As I have noted (see section 7.4, above), a National Economic and Social Council has existed in France since 1925. The assembly is composed of economic and social actors drawn from civil society in response to the groups' demand for participation in the affairs of the State. At the regional level, the co-operation between the stakeholders had existed in one form or another before the *décentralisation* of decision-making powers. The first Regional Consultative Forums in France had been established in 1964 in the form of the *Commission de Développement Economique Regional* (CODER)<sup>32</sup>, although the CODER themselves were a post-hoc formalisation of the pre-existing, more informal *Comités d'Expansion Economique* which dated from 1955 (Schmidt, 1991).

These organisations had been created in order to provide information and policy input to the executive services of the central state responsible for regional policy. They existed because the Gaullist administration believed that it was impossible to implement regional policy without the help of the social partners, and tended to seek their co-operation on all major reforms. The Regional Economic and Social Councils in their present forms were created in 1972<sup>33</sup> along with the first regional councils. They were based on the model of the existing National Economic and Social Council.

#### 7.4.2 Role definition

The aim of the RESC is to organise a concertation and cross-sectoral debate before any major decision taken by the regional assemblies. The organisation is best conceptualised as a political arena where regional groups can meet to design and implement their own strategy. The RESC is not a decision-making body but a space for deliberation and for slow considered reflection between the various groups. The RESC provides the regional council with balanced information to assist it in understanding the issues faced by the region. In this sense, the RESC also serves as place which gathers both social actors and tools of analysis (in the form of information, commissioned research projects, lecture series, and study-trips) in order to situate social debates within a general perspective. The remit of the RESC is to

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<sup>32</sup> While the CODER are often considered to be the predecessors of the RESCs, the Regional Economic and Social Council of the Ile-de-France region believes that the *Comité Consultatif Economique* for the Paris region, created in 1963, served as the original experiment and as a blueprint for the 1964 CODER model.

<sup>33</sup> Art. 14.1. loi du cinq juillet 1972. At the time their formal name was *Comités Economiques et Sociaux Regionaux* as opposed to *Conseils Economiques et Sociaux Regionaux*.

encourage social partners to review and consider broad economic and social issues, to seek a consensus on these issues and to advise the regional government with the outcome of its deliberations. The RESC draws up statements (*avis*) and accompanying reports (*rappports*) on draft bills and draft regional decisions concerning social, economic, labour and regional development issues as well as on any regional decision which can entails important repercussions for such matters.

#### 7.4.3 Membership

As previously stated, the Regional Economic and Social Council involves economic, industrial, agrarian, and professional groups but it excludes groups other than labour and employers' organisations and key regional umbrella organisations. The members of the Regional Economic and Social Council are designated<sup>34</sup>, rather than elected, for a six year (renewable) period, by their organisation of origin. They are nominated directly to the regional *préfet* who officially confirms membership. The members are organised into four colleges (*collèges*) of organisations with broadly similar interests:

- *The first college* gathers employers, professional associations, artisans' organisations, agricultural interests, the liberal professions, consumers' associations, various business associations and the regional chambers of commerce. In Nord-Pas de Calais, it comprises thirty eight members.
- *The second college* comprises trade unions and other workers' organisations. In Nord-Pas de Calais, it comprises thirty eight members.
- *The third college* comports disparate organisations, mostly from the voluntary sector and from non-governmental and non-profit organisations of many different kinds. Smaller or more specific social groups are represented via their umbrella organisation. This includes organisations representing the interests of women, the disadvantaged, youth organisations, older people, people with a disability and environmental organisations. In Nord-Pas de Calais, it comprises thirty two members.

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<sup>34</sup> It is sometimes suggested that only 'dead wood' would become members of the RESC, because participation in the RESC is not crucial to a social partner's activities while still being a valorising activity. This is not verified in the Nord-Pas de Calais context, as organizations usually delegate their most senior officials to the RESC.

- *The fourth college* is composed of prominent individuals who are known for their contribution to regional developments (the *personnalités qualifiées*) and are nominated directly by the *préfet*. While the first three colleges each amount for roughly a third of the delegates, the fourth college is only composed of a few individuals. In Nord-Pas de Calais, it comprises five members.

The *préfet* (a representative of the central state in the region) has an important role in establishing the membership of the RESC. In allocating seats, s/he is meant to be a neutral broker while also following the regional tendencies. Across France, it is expected that each of the thirty regional RESCs will have a slightly different composition, in accordance with the region's geographic specificities and with societal evolutions. For example, a wine producing region will include the wine-making sector among the members of the first college, while a region like the Nord-Pas de Calais will include major ports.

The *préfet's* role is especially salient in the composition of the third and fourth colleges. Some time before the onset of a new mandate, the *préfet* compiles an exhaustive list of organisations (at which point an organisation can get in touch with the *préfet* and lobby for a seat). The *préfets* remains representatives of the central government and take their cue from it. In nominating the fourth college, a *préfet* may nominate people of a similar political colour than to the (national) government of the day (interview: Cottrez, 2006).

The composition of the RESC is slightly unusual inasmuch as it combines the traditional "corporatist" actors with other sectors which are not necessarily natural bedfellows of the traditional social partners. Employers and unions occupy a majority of the seats, while the other organisations and the *personnalités qualifiées* occupy comparatively few seats. For instance there are only two seats for environmental organisations and some organisations which would like to be represented in the third college do not gain seats, for instance organisations of the unemployed, organisations defending the rights of immigrants, and religious organisations.

#### 7.4.4 Administrative structure

At the time of the research, the RESC in Nord-Pas de Calais occupied two floors of the main regional building. The councillors each have pigeon holes and there are rooms available for them to book. The RESC is funded directly by the regional council via a general allocation (*crédits de fonctionnement*). The status of the various RESCs is set out in the *Code Général des Collectivités Territoriales*. The law stipulates that the funds must be sufficient to fund the councillors' time, all of the RESC's activities, as well as a fully operative secretariat. The regional council can also contribute in kind, by making buildings or research assistants available. The internal working system of the RESC gets voted at the beginning of a mandate (though, in practice, the various RESCs across France resemble each other).

##### *The secrétariat*

RESC members are assisted in their activities by a secretariat (*Secretariat Général*) which facilitates communication between the members of the council and between the RESC and the rest of the regional polity. The secretariat employs roughly fifteen grade A civil servants (*chargés de mission*) as well as a number of administrative and secretarial staff. In effect, the *chargés de mission* are the permanent team of the RESC. Each *chargé de mission* is responsible for ensuring the good working of a commission and works closely with a commission president. The *chargés de mission* are usually very knowledgeable about the organisation and are aware of most things happening at any given time (there also exists a network connecting the various RESCs across the whole of France for the exchange of ideas). As a result, the secretariat is extremely valuable in sustaining the RESC as an effective organisation and serves as the point of first call for the councillors who are not involved on a day-to-day basis.

##### *The presidential apparatus*

On the executive side, both the president and the vice president are elected by the RESC members. The president represents the RESC to the exterior. S/he manages the requests which are sent to the organisation (*saisines*) and oversees the transmission of the *avis*. S/he is the main contact person of the president of the regional council and the *préfet*. The president is assisted by a cabinet director (a grade A civil servant) and s/he may choose to set up a presidential council (*conseil de présidence*) with the various college leaders and a communication group. The president also convenes the technical group of co-ordination (*groupe technique de*

*coordination*) which is composed of the president, the vice presidents, the various commission presidents, the general rapporteurs, and the two second vice presidents.

#### *The bureau*

The bureau is the formal steering procedure of the RESC. It is composed of thirty five councillors (roughly one third of the total membership) put forward by the various groups. It is elected for three years. Once the bureau is elected, it designates two further vice presidents, seven commission presidents, two general *rapporteurs*<sup>35</sup>, and secretaries. The bureau meets once a month to assist the president, organise the work of the RESC and prepare the plenary sessions. It decides on the *autosaisines*, determines the composition of the working groups and circulates a report of its activities to all RESC members. The technical group of co-ordination (*see above*) can be described as a “smaller bureau” and organises the activities of the bureau.

#### *The themed commissions*

In Nord Pas-de-Calais, there currently exist seven themed commissions (*comissions thématiques*). The commissions are (1) economic development, (2) the knowledge economy, (3) transport, infrastructure, accessibility and planning (4) health, social and family policies, prevention and solidarity, (5) the living environment, housing and the environment (6) international relations and (7) culture, sports, leisure and the associative life. This corresponds broadly to regional competences. Each commission is composed of a number of councillors. In effect the themed commissions each function as a “council within the council”. The commissions each have their own bureaus composed of the commission president, two vice presidents and one secretary. Each member of the RESC must become a member of at least one commission and at most three. The working groups (*groupes de travail*) are smaller groups set within the commission for the preparation of a specific *avis* and report.

#### *The financial compensation of RESC members*

The members of the RESC are compensated in daily allowances (*vacations*) for each day in which they have attended an activity of the council. It is up to individual members and to their organisations to decide whether this allowance is available to the individual or whether it is transferred to the organisation. Members also benefit from a paid allowance (*crédits d'heures*) for work done in preparation of meetings,

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<sup>35</sup> The position of general rapporteur were created in order to oversee the most important areas of the RESC's work: “budget and prospective” and “territorial development and evaluation”.

the amount of which is pre-set (0.6 preparation hours for each hour spent in RESC activities). The president and others who play a more substantial role in the organisation receive a slightly higher general allowance, and more allowance for preparation. The overall allowance can be modified according to the councillor's actual presence and it can be reduced, but it cannot be reduced by more than half the maximal amount. Councillors may claim expenses for transport, parking, food and accommodation which they have incurred in order to take part in the RESC's activities.

#### *Level of active involvement of RESC members*

Active participation in the RESC's numerous activities requires interest, time, energy and long term commitment on the part of its members. For this reason, the members' employers are required by law to allow members to take time off from their main activities in order to participate in the activities of the RESC, but the employers do not have to remunerate members for time spent away. In effect RESC members differ in their level of engagement with the RESC activities. For a start, members vary according to their level of presence at RESC activities: some are more involved than others<sup>36</sup>. A few members are known to be almost entirely disengaged, but this is fairly uncommon and generally frowned upon. Members also vary according to the time they spend in preparation for RESC activities. On average it takes about four hours per week to read all the communications and material and sometime councillors delegate this task to an assistant in their organisation (interviews: Lefèvre, 2006; Salhi, 2006).

#### 7.4.5 Day-to-day activities of the Regional Economic and Social Council

##### *Producing an "avis".*

Most of the activities of the Regional Economic and Social Council are centred on the production of the statements (the "*avis*") which are systematically accompanied by an explanatory report (the "*rapport*"). The *avis* take the form of nearly unanimous statements, which are voted on during a plenary sessions. By the time it is finalised, participants have usually developed a shared vision, common objectives and agreed goals: what is laid on the table is acceptable to all who were involved in the discussion. The RESC can produce an *avis* on all topics related to the regional competences, or more broadly to issues of quality of life in the region. Producing a

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<sup>36</sup> It is usually understood that members are very busy and may not be able to attend all meetings. In which case, others members from their college can watch out for their interest and let them know if they are needed (interview: Cottrez, 2006)

formal *avis* is a slow decision making process, where all groups are heard. It is a process through which all members cooperate to provide input into programs and projects. Preparing an *avis* can take up to six months or a year. About fifteen *avis* are brought to completion every year<sup>37</sup>.

#### *Selecting topics for deliberation*

There are three ways in which topics for the production of an *avis* may be selected. To begin with, there are a number of topics upon which by law the RESC must be consulted (*saisine obligatoire*): (a) the central administration's project in the region (preparation and implementation), (b) the region's overall policy plan and its yearly evaluation scheme, (c) all documents relative to the region's budget, (d) the main regional economic, social and cultural directions of the regional policy and (e) the funding allowances to various education bodies. On some other issues, the RESC responds to specific requests from the Regional Council: it can be convened by the president of the regional council<sup>38</sup> for the purpose of providing its opinion on projects of interest (*saisine simple*). On yet other occasions the council can convene itself on any topic related to the devolved competences of the region (*autosaisine*). *Autosaisines* are comparatively rare because of the need to dedicate resources to the two other *saisines* types. Still, *autosaisines* are one way in which the RESC can raise its own profile by carefully choosing which policy areas to concentrate on. Pierre-Marie Cottrez, Secretary General of the RESC, who has been involved with the organisation (in its various forms) since the 1960s, states that:

“right at the beginning, it was on things which were of interest to the RESC. But increasingly, we are starting to co-ordinate our activities and go in the same direction” (Interview: Cottrez, 2006, my translation).

Any member of the RESC can suggest a topic, concern or idea for discussion as long as it relates to Region's major areas of competence or to any other issue that impacts upon quality of life in the region. Topics for an *autosaisine* are proposed by individual RESC members to their commission and then to the bureau. As far as possible, members tend to self-consciously steer away from the party-political debates of the day. This ensures that the members' party-political preferences do not unduly interfere with their work as “social partners”. A number of topics do not get discussed because the various members' positions would be too touchy and

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<sup>37</sup> In effect, the frequency can vary according to the time of the mandate and there are more of them towards the end of a working mandate, when the commissions endeavour to bring their work to a close.

<sup>38</sup> Very occasionally, the RESC can also be convened by another state entity, usually the regional *préfet*.

inflexible. The RESC seems to have adopted an incremental approach: it will get as far as possible in a number of topics, but it will not tackle sensitive topics until there are signs that a discussion would be fruitful and not result in an overly watered-down consensus. In choosing a topic for an *autosaisine*, the RESC seems to favour “doable” topics first and only addresses the “problematic” ones if it is mandatory (interview: Peltier, 2006).

Some mandatory topics are more contentious than others. At the time of research, the Nord Pas-de-Calais was torn by the A24 project (a project to build a new highway). On this occasion the debates among RESC members can be very intense, the RESC’s approach to formulating an *avis* implies that the members will go as far as they can, but the resulting *avis* can be relatively vague if all members are to be willing to endorse it. In this case, a number of respondents can be frustrated by an *avis* that is extremely watered down as this can mean that organs of concertation are becoming “less the instruments of a real concertation than the institutionalized agents of muted conflicts” (Knapp & Wright, 2006: 331). However, a number of respondents considered that these difficult topics are in fact the occasions on which the RESC can contribute real added value: even if the *avis* are relatively weak, the debates which took place beforehand are excellent and enable the various members to find out more about each other’s position (interview: Delearde, 2006).

The topics discussed by the RESC are usually fairly general in scope (interview: de Bernonville & Cousin, 2006). They are normally focused on socio-economic issues and the RESC usually takes a holistic perspective for the region by adopting “big picture” strategies about the region’s ultimate social or economic goals. Members are expected to develop broad and long-term perspectives on the future of the region, together with an understanding of what is needed for its further development. Some of the issues discussed include: regional social policy, regional strategic economic action, job-creation and training, education, regional cultural festivals, environmental policy, regional roads and highways, housing, transnational cooperation between regions, the practice of foreign languages in the region, the management of the European structural funds, tourism and health.

In recent times, the RESC’s tendency to focus on very general topics has been critiqued and RESC president Georges Guillaume tried to move away from it. In his view, each topic discussed should result in a specific “partial pact” meaning that, gradually, the sum of all topics discussed in the RESC will point towards a durable,

robust and coherent vision for the region. For this reason, when choosing a topic for an *autosaisine*, the theme chosen should be both significant and feasible. If a situation is known to be especially contentious, it is sometimes deemed not to be feasible. This is because an agreement between members would be very difficult to reach, and the RESC would not be able to generate the added value of a strong, strategic *avis* pointing in a clear direction. When the *saisine* originates from the regional council, however, even difficult topics have to be discussed, in which case it is significantly more arduous to reach an *avis* acceptable to all members. The secretariat's awareness of group interest through research and accumulated expertise may be sufficient to define the area in which the RESC will be able to "speak with one voice".

For each new possible *avis*, the process begins with the identification of an issue, followed by a period of analysis. A potential working group convenes within a commission to talk about the topic, the questions, the methods, the resources, the timing and to designate a possible *rapporteur*. Forum participants work through the issue by considering each possible approach to the issue; examining what concerns them, and also what the costs, consequences, and various trade offs which may be required in following that approach. Once a general approach has been agreed between the members of a commission, the proposal goes up to the bureau which approves it. The commission can then organise the final working group which will be responsible for researching and discussing the proposed *avis*.

#### *Searching for a common ground*

As a general rule, the RESC aims to achieve cross-sectoral unity rather than inter-sectoral rivalry. The aim is to develop strategies which mobilise the business community, trade unions and individual citizens to work towards achieving a set of regional objectives. There is a clear tendency towards consensus-building and shared ownership of the *avis* in the RESC's deliberation process. When asked whether the members were able to use the RESC to further their own agendas, one respondent replied in the following way:

"That's not the RESC's aim. The RESC does not exist to help foster the interest of the ones or the others. That is not the RESC's objective. The RESC does not exist for the benefit of the individual organisations. Of course, various lobbies interact within the RESC but as such; the RESC's objective is not to 'help' an association or interest groups. Some groups may be able to defend their interest through it, but that's not [the idea]" (interview: Delearde, 2006, my translation).

Members are expected to pursue a consensus strategy, or if this is not possible, they should seek to find the *highest common denominator*. The notion of consensus implies that either the views of the various can co-exist unproblematically and that an overarching consensus that can be reached between them. In practice, the Nord-Pas de Calais RESC will try not to forcefully go against the interest of one member (or groups of members) and it avoids forcing votes through which could leave participants dissatisfied. At any stage of the process, if an *avis* still goes against the wishes of some RESC members, the *avis* is not ready and requires more work. The approach to voting depends to an extent on the RESC president's personal preferences. Georges Guillaume favoured well-discussed *avis* in which the highest common denominator is achieved. Another RESC president might try to push through an *avis*, in which case the *avis* would be less well supported (interview: Delearde, 2006). Another member of the secretariat notes that:

“It's the only place in which they [the various groups] meet up in which there isn't a conflictual climate. There is no conflict here... We choose a topic and we discuss it in a lively manner around the table. Some topics can be more sensitive than others, but if we adopt an objective approach in order to go around them, or accommodate them, all will be good” (interview: Cottrez, 2006, my translation).

There can be sometimes be considerable change of attitude on the part of groups as a result of their participation in RESC activities. The groups can learn a new identity and considerably increase their political knowledge. As a result of participating in RESC activities, individual groups come to experience their own responsibilities in different ways, they adopt new stances towards their counterparts and they learn new ways of taking part in political debates. In this sense, one of the real added value components of is not in the final *avis*, but in the interactions themselves. At the same time, the RESC is not a place in which decisions are made and tangible funds are allocated towards concrete policy goals. There is no agreement to undertake action and the discussions are more qualitative in nature, which makes it relatively easy for the participants to sign up to: participants are not really committing to anything, and therefore they do not have to be worried about consulting with their base. As a result of interactions, members form more informed and reflective judgments and it becomes possible to gain “individual opinions shaped by group deliberation” (Fishkin, 1991).

*The RESC's deliberative method*

Substantive agreements are not easily achieved between the various members of the RESC. The coordination of diverging positions is difficult for any large-scale organisation, and agreement is all the more difficult to reach when the numerous groups involved have very marked preferences. Since conflict between its members is a foreseeable aspect of the RESC's activity, the organisation has over time developed a method through which the members can meet, negotiate and, over time, formulate common objectives.

*Themed commissions and working groups*

On an everyday basis, RESC deliberations are conducted in commissions. Each commission is headed by a president who is assisted by a civil servant (*chargé de mission*) whose main responsibility is to enable it to run smoothly. Both are responsible for the running of sessions and the drafting of reports and *avis*. This means that there is a very close working relationship between the commission president and "their" civil servants. Together, they prepare the reports and the draft statement (*projets d'avis*). The members of a commission meet about once a month to discuss, what they, as a commission, will submit to the bureau and the plenary session. Between meetings, the commission president and the *chargé de mission* circulate a number of communications to all commission members.

The work of a commission is further subdivided into several working groups (*groupes de travail*), one per topic covered by the commission, under the oversight of a *rapporteur*. Once a working plan has been approved, the working groups can go ahead. The *rapporteur* is usually not a commission president, in order to spread the workload more evenly. In the working groups, all participants contribute facts and opinions to give their *avis* and report a solid and realistic content. Still, there is very little emphasis on obtaining the most up-to-date information available, and the approach is far from technocratic. What is discussed is the existing point of view of the members of the RESC, which is valuable as such, because the members are high level practitioners in their field and possess much expertise as is.

*Access to outside expertise*

It is sometimes important to ensure that all the participants in a deliberative process of this kind have all the relevant information needed for deliberation. While it is expected that councillors will be expert practitioners of their field, the RESC is not

expected to produce all the necessary expertise from within its membership as this can be brought into working groups when needed (interview: Cousin, 2006). Outside expertise is available on demand, and the *rapporteurs* have the possibility to request the support of a research assistant (*vacataire*). Often, the research assistant is a student from one of Lille's universities, and is recruited directly by the *rapporteur*, in consultation with the *chargé de mission*. The informational base for the reports is compiled by the *rapporteur*, the RESC civil servants and their research assistant.

#### *Finalising the rapport and avis*

After hearing from, and questioning, a number of experts such as academics and interest groups, the members of a working group develop a document encompassing their analysis and set of written recommendations drafted by the *rapporteur*. The rapport takes the form of a synthesis of all the information gathered, the outcome of group deliberations and any additional information deemed useful by the *rapporteur*. Reports (*rapports*) can be relatively bulky documents, but the *avis*, on which members get to vote, are usually only two or three pages long. When the work of a working group is ready to be submitted to a general vote, it is discussed within the commission, at which point the proposed *avis* is sent up to the *bureau* or to the *conseil de présidence*. After this, the proposals are circulated to the sectoral groups (*collèges*) for comments and are forwarded back to the individual commissions for possible modifications. The proposals are then sent again to the *bureau* and *conseil de présidence* for a final approval before being subjected to a vote in a plenary session.

#### *The plenary sessions*

The various proposals are adopted during the council's plenary sessions, which are held roughly every month<sup>39</sup>. The plenary sessions are formal occasions, in which rapporteurs deliver formal presentations and most members wear corporate suits. Members may sit as they like, though effectively they tend to sit more or less according to their *collège* affiliation. Attendance in a plenary session is not mandatory since it is understood that councillors might be busy elsewhere<sup>40</sup>, but a quorum of at least half of the members of each *collège* is necessary for a vote to be

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<sup>39</sup> Although plenary sessions can be more frequent in some periods of the year. In September and October, many working groups have finished their work, which means that plenary sessions were needed to vote on their *avis*. This is also the case towards the end of a term of office, when the time has come to close the various projects.

<sup>40</sup> Under certain specific circumstances, it is also acceptable for a member to leave before the end of the session, if it doesn't affect the quorum.

held. Plenary sessions are open to the public unless the RESC president requests otherwise (this is the case whenever the president fears that members or guest participants will not be able to speak openly if the press, or the general public, is in attendance). The president or a delegate chairs the session, leading the participants from topic to topic, as the successive *rapporteurs* stand up, present the report and draft *avis* (*projet d'avis*), briefly reports on the teamwork which went into producing the documents, before each *avis* is brought to a vote.

During a plenary session, members can intervene either on behalf of their own organisation, or on behalf of their broader *collège*, although it is understood that the third *collège* is too eclectic to speak as a category. The interventions are few, and relatively short. A plenary session marks the end of the deliberation process. Its main function is to report the consensus and compromise after the debate has already taken place in commissions. By the time it reaches the plenary session, the *avis* is usually acceptable to all. Thus, while members are invited to deliberate before voting on an *avis*, it would be unacceptable to raise a totally new issue in a plenary session, or to talk for too long. Interventions are very polite, and it is customary to preface any comments with praise for the report. Because the report and *avis* are the result of negotiation that took place upstream between the members of a commission, and because the documents have been pre-circulated, they usually get passed without any difficulty. The majority of opinions and proposals are adopted unanimously (or nearly unanimously)<sup>41</sup>, with occasional abstentions or the *Confédération Générale du Travail* (CGT, a notoriously vocal trade union) voting against it, but not threatening it in any way.

Plenary sessions can be rather sedate, unless the topic itself is contentious. The Regional Transport Plan (*Shéma Régional des Transport*, SRDT) is traditionally a very contentious issue each time it is discussed. Because the topic is mandatory (*saisine obligatoire*) and there are deadlines for submitting the *avis* to the regional council, the *avis* and report are less worked out than they could be. In this case, the plenary sessions are better attended and somewhat livelier, as members attempt to lodge amendments. An amendment cannot be proposed by less than five councillors.

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<sup>41</sup> Under the Guillaume leadership, most *avis* were voted by 80% or 90% (interview: Matricon 2006.). Those who do not vote in favour of an *avis* usually abstain.

Once voted, an *avis* is the official position of the RESC. It is then sent officially to the president of the regional council. With the permission of the president of the regional council, the *avis* can also be formally presented to all regional councillors in a sitting of the Regional Council. On the other hand, if an *avis* was not passed, nothing would get transmitted to the Regional Council. This explains the RESC's emphasis on formulating the *highest common denominator*, so that its *avis* are neither rejected, nor passed with significant opposition, and truly represent a position which with the RESC members agree.

On occasions, the consensus can be fairly vague. The RESC will usually go for the best, most detailed consensus. If a forum aims at achieving a consensus between a large number of decision-makers (such as "visions" for the future development of a region), it will most likely consist of very vague common places. By contrast, a rich consensus is enriched by the aspirations and resistances of the various members.

Recently, the RESC has gotten in the habit of attaching the group's explanations (*explication de vote*) to the report and *avis* (interview: Cottrez, 2006). These documents are very short and include no more than two thousand characters. This allows RESC members to express their views in two ways: the report and the *avis* convey the maximum possible consensus acceptable to all. The explanations allow members to express their hard-line views if they choose to.

Most people interviewed were very much in favour of the explanations. They were seen as useful for the smaller stakeholder whose opinion might go unnoticed in the *avis* (especially if they had not been part of the commission which discussed a particular topic). In practice, however, it is the employers' organisations and the trade unions which tend to use the explanations most. These groups see the explanation as an additional channel through which to convey their undiluted point of view. As such, the explanations help provide a better picture of the consensus because they bring to the surface the internal dissensions and allow the decision-makers to find a compromise on the basis of a better knowledge of the situation. They allow the readers (that is, the regional councillors) to side with one sectional group if they so wish.

#### 7.4.6 Other activities of the RESC

Besides the core activities (commission work and plenary sessions), there also exist plenary sessions without a vote. These can be meetings which serve to launch a new project (*plénière de lancement*). There are also plenary sessions held solely for the purpose of conducting a debate (*plénière de débat*). This tends to occur more often in the first years of a term of office when the various commissions' work is getting started and no *avis* can be voted on, but holding a plenary session is important in order to allow the members to meet each other<sup>42</sup>. The RESC also organises informational lectures, the "five-to-seven" (*cinq-à-sept*) held between 5pm and 7pm on working days during which subject specialists come and give presentations. Finally, the RESC occasionally conducts studies and reports on economic and social policy issues containing recommendations (the *communications*) which do not take the form of a formal *avis*, in order to publicise the position of the RESC on issues of interest to the region's development.

#### 7.4.7 Level of informal interaction between councillors

Around plenary sessions, plenty of time is built in so that participant groups can meet others and exchange views. The plenary sessions are almost festive and the councillors expect hospitality. The atmosphere is deliberately pleasant and there is an emphasis on building trust, confidence and understanding between the different sectors. At these times, members can have "real-time" conversations with each other. Councillors often praise the fact that the model enables them to meet new people from different backgrounds and perspectives, to learn about new topics, to participate in decision making, and to foster a sense of regional community. Hearing from different groups also enables the participants to better learn from each other, to make allies, but also to know their opponents better. For some groups (primarily the "smaller" umbrella organisations), the RESC is rather more important than the other channels, because it grants them direct, lengthy access to the other social partners.

The plenary sessions are opportunities to network and exchange views with similar organisations. They bring an individual in contact with many new and diverse people. Plenary sessions rarely begin at the stated time. Councillors are left to mingle and introduce themselves to each other over coffee. It is customary to shake the hand of every person one meets, introducing oneself if not previously acquainted, and to launch into a chat until the president decides that it is time to

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<sup>42</sup> In the early plenary sessions, members frequently bring a glossy brochure (*trombinoscope*) which includes the photographs of all other members.

begin the session<sup>43</sup>. Plenary sessions are also the occasion to approach a person you would otherwise rarely meet. The *chargés de mission* often attend with a clear idea of people they want to speak to.

The informal character of exchanges between members is exacerbated towards the end of a working mandate (*fin de mandat*) when participants have interacted with each other for years and have become friends. The style of exchange is frequently rather informal. Commenting on the members' tendency to drift away from the topic at hand and the necessity to "clean up" the minutes of meetings, one *chargée de mission* remarks that:

"They speak about football, too. Yes, it [the RESC] also serves that purpose, so to say. They're just meeting up. It creates some sort of convivial team spirit. So sometimes one needs to clean this up a bit, they don't always feel like taking themselves too seriously. And sometimes we simply need to get work done" (interview: Claezman, 2006, my translation)

#### 7.4.8 The Regional Economic and Social Council and Regional Government

##### *A modest statutory role*

The Regional Economic and Social Council is a consultative assembly and it does not have any decision-making powers. The RESC's only duty is to transmit the finished *avis* to the office of the region's president and to all interested. An *avis* is nothing more than a formal position statement, which can be read by the elected regional councillors. Formally, only the region's president is in direct contact with the RESC. Each time it deems it to be necessary; the RESC can also send the rapporteur to present the *avis* to the appropriate commission of the regional council. In this sense, the RESC's activities can remain fairly separate from the government.

Of all the statutory organisations created by the state, the Regional Economic and Social Councils in general have one of the most modest roles (Frayssinet, 1996). The fact that the RESC is statutory means that it exerts a form of institutionally sanctioned influence. Yet this formal recognition does not necessarily generate a substantial level of critical engagement with the regions' governmental processes. To this day, the RESC's public profile had remained very low: civil servants working in the regional council frequently do not know it. Still, the RESC itself naturally wants to be an example of an organisation which adds value in a region operating a devolved system of government.

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<sup>43</sup> After nearly despairing of ever working my way up the bureaucracy to reach these very important people, most of my interviews were arranged over coffee before the plenary sessions.

*Lobbying for more influence*

The actual patterns of influence between the RESC and the Regional Council are not set in stone: depending on the specific regional conjecture, the RESC could be a major player of regional policy-making, or it could be a relatively innocuous “talking shop”. By status the RESC’s influence is minimal while *de facto* there is scope for each region to interpret the texts as it wishes. As a result, the effectiveness of the organisation does not depend so much on its formal role, but it depends to some extent on its sustained and deliberate moves to position itself in the regional policy-making system. In order for RESC members to be able participate more fully in formal concerted policy-making and contribute to the delivery of policies in the form of enforceable rights, goods and services, the RESC must be able to position itself sensitively. Thus, the impact of the RESC's contribution on the quality of life agendas of the devolved governments varies according to a number of variables.

For a start, the bilateral relationship between the regional council’s president and the RESC’s president is crucial. In the opinion of many respondents, the relationship between the RESC and the regional council is currently very good and many attribute the RESC’s relative popularity in the eyes of the regional council to the skilful and sensitive management of its president, Georges Guillaume. At the time of research, Georges Guillaume had been nominated to the RESC by the *Mouvement des Entreprises de France* (MEDEF), which is France’s main employers’ organisation, and he had been formally elected to the role of president by RESC members for two successive working mandates (i.e. twelve years).

In effect, nothing prevents the region’s president from ignoring the RESC’s *avis* altogether once they have landed in her office<sup>44</sup>. Thus, where the relations between the regional council and the RESC are not very good, the formal exchanges between both institutions can be fairly minimal<sup>45</sup>. On the other hand, the regional council can also take the initiative to dispatch the RESC’s *avis* to each of the elected regional councillors so they can be reviewed before a vote is called on. The RESC president, Georges Guillaume was being fairly proactive, monitoring and adjusting his strategy for developing effective links to policy-making and maximising the ways in which

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<sup>44</sup> This is true of the National Economic and Social Council also, and of all the organizations that preceded its creation. Jean Frayssinet (1996: 121) points out that, in 1946, it was often stated that the Conseil National Economique was working for the paper bin (“*travaille pour la corbeille à papier*”).

<sup>45</sup> However, the RESC’s *avis* would always be available to the general public and to any regional politician who would choose to consult the website.

the RESC could make a contribution in the formulation of the regional programme of government.

*A priori*, someone from the MEDEF would not necessarily get along with a traditionally left-leaning regional council such as Nord Pas-de-Calais'. Georges Guillaume, however, consistently sought to promote the RESC and, over time, he has earned the respect of the regional council and the region's president, Socialist Daniel Percheron. Because of the dynamism of the RESC's president, there are now more non-mandatory *saisines* initiated by the region, and the results of the RESC's work are more broadly publicised among regional councillors. As a result, the regional councillors frequently refer to the work of the RESC in their deliberations, if it can add weight to their own political argument and there are some good examples of policy adjustments based on RESC recommendations.

There is also some scope for innovative practices in structuring the relationship between the regional council and the RESC. For instance, the Regional assembly and the RESC have begun to organise joint plenary sessions (*assemblées plénières communes*), study days (*journées d'information communes*) and even joint trips abroad<sup>46</sup> to foster mutual knowledge between the elected regional councillors and the RESC members. The Regional Council's glossy literature can also raise the profile of the RESC by presenting it as "the second assembly", on an equal footing with the regional council, or by frequently stating that the region is run by two assemblies. If the regional council has good relationships with the RESC, the RESC is frequently granted a full page in the regional council's own literature and website to explain what it does.

Finally, the RESC's leadership also seeks to raise the organisation's profile in the broader regional public sphere. The president hopes to raise the organisation's profile in the local or even national media. Ideally, the RESC's *avis* would get the same coverage as other eventful regional decisions. The RESC keeps a file of articles published about itself and devises brochures and press-packages to publicise its activities. In general terms, however, the press talks about RESCs when they are renewed, every six years.

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<sup>46</sup> A delegation of members from both the Regional council and the RESC visited Bilbao (Spain) in 2006. The choice of Bilbao was justified by the very successful social reforms to overturn unemployment in the Basque Country, as well as the obvious parallel between Bilbao's Guggenheim museum and the projected Louvre-Lens which would locate some of the Musée du Louvre's prestigious art collections in Nord-Pas de Calais.

*Timing considerations*

If the RESC wishes to contribute constructively to the political process and to agenda setting, it must follow the regional agenda closely, and try to seize issues ahead of time. Whenever RESC members work on an issue which the regional council will discuss in the near future, they have a chance to draft a report and to issue recommendations which stand a good chance of being adopted by the regional assembly. There have been cases in which the Regional Council fully endorsed the RESC's recommendations<sup>47</sup>. Since the RESC's influence is purely communicative, timing is crucial. In this respect, the RESC's formal status (as set up in the *Code Général des Collectivités Territoriales*) is relatively unhelpful. The *Code* specifies that the president of the regional council must communicate the *saisines* at a time which allows the RESC to formulate an *avis* twelve days before the regional council's own deliberation. Across French regions, the various presidents of regional councils interpret this regulation in various ways and differ in the amount of notice they give to their RESCs, which sometimes gives rise to full-blown tensions between the two assemblies over late notifications (*délais de saisine*)<sup>48</sup>.

It is clear that RESCs are very dependent on the timely communication of *saisines* (and thus on excellent time-management on the part of the regional council, which must reach proposed decisions months before they are voted on). Timely *saisines* give the RESC an opportunity to participate in the earliest planning stages and allow them to contribute their special competences to defining the regional agenda. On some topics, it can take the RESC between six months and one year to reach a well thought-out *avis* based on a comprehensive report.<sup>49</sup> Increasingly, the regional council understands this situation and welcomes the RESC's ambition to tackle policy issues as early as possible.

While in the past, the RESC has had to rely on informal personal contacts to learn about upcoming regional themes, it now receives this information as early as possible via formal channels. This is consistent with Jacques Dermagne's<sup>50</sup> vision

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<sup>47</sup> The RESC was then formally asked to provide an *avis* on a document which it had produced in the first place (Interview: Cousin, 2006).

<sup>48</sup> In 2005, Jean-Louis Chauzy, president of the Midi-Pyrénées RESC was pointing out that the Regional Council had given the RESC less than two weeks' notice before an *avis* had to be reached on a very significant document (the regional budget), at which point the Midi-Pyrénées RESC was considering non-compliance with the expected delivery of an *avis*, in order to make a statement and call for a change in practice (Conseil Régional de la région Midi-Pyrénées, 2005)

<sup>49</sup> This is mostly the case with *autosaisines*, or a non-mandatory *saisine* with no strict deadlines.

<sup>50</sup> Jacques Dermagne is the president of the nationwide Economic and Social Council. There exists a number of occasions in which representatives of organisations similar to the ESC and the RESC in

for the French Economic and Social Councils in general. In his view, the elected politicians should have the “*last word*” on every policy issue and they have the democratic legitimacy for it. As far as possible, organised civil society should have the “*first word*”, in order to help set the terms of the debate and to create a vibrant public sphere (Conseil Economique et Social, 2002: para. 17).

*Use of non-mandatory saisines and autosaisines*

Because of the good relationship between the RESC and the regional council, the latter has made more use of non-mandatory *saisines*, requesting the RESC’s point of view on issues on which it could have acted without it, and giving the RESC ample notice to produce quality work and a good “first word”. In recent years the RESC has also gotten into the practice of producing “own-initiative” opinions and *autosaisines*, which enable the RESC to determine the agenda of national issues, rather than being solely directed by the government’s agenda. As a general rule, the RESC seeks to be relevant, timely and in touch with policy processes, the government’s workings and existing participation exercises. One civil servant who had been involved with the RESC since the 1960s reports that:

At first, apart from the mandatory *saisines*, there weren’t any *saisines*. It began to change a little bit with Delebarre [president of the Nord-Pas de Calais region from 1998 to 2001]. There were practically no other *saisines*. There were mandatory *saisines* and *autosaisines*. But nevertheless the *autosaisines* were a bit “inspired” [meaning influenced by the regional council’s agenda]. You must have noticed this, there are bridges between the two assemblies, even if only at the level of the individual councillors (interview: Cottrez, 2006)

*The difficulty of adopting a contestatory stance*

Because of the necessity of establishing good working relations with the Regional council, a RESC must learn to avoid both complacency and radicalisation. If the RESC was to go against the tendencies in the regional assembly, it would have very little influence on policies (especially since regional “boosted” majorities are very strong and usually able to get their policies through). In other French regions, Regional Economic and Social Councils have sometimes adopted a contestatory stance<sup>51</sup>. By contrast, Nord Pas-de-Calais’ RESC endeavours to work out views which stand a chance of being adopted by the elected regional assembly.

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France and abroad can meet and discuss their role. Jacques Dermagne is known for his well thought out views on the topic.

<sup>51</sup> These are informally known as “contestatory RESCs” (*CESR de contestation*).

Furthermore, because the RESC's effective functioning is to an extent dependent on its good relations to the regional council, it tries not to obstruct the regional council's work too much. On the whole, the RESC remains largely positive about the regional council and its policies. There are cases when the political imperatives of the regional council are known to the RESC members by the time they are discussing an *avis*. The RESC members usually also know the regional president's preference on an issue. If the regional council were torn over an issue, the RESC's recommendations can play an important role: the *avis* can provide ammunition for some regional councillors to reject a regional decision. As a result, RESC members might choose to tone down their *avis* in order to avoid going against the President of the regional council<sup>52</sup>. It is fair to say that, under the presidency of Georges Guillaume, the RESC usually operated with the regional government in view.

#### *Lack of governmental feedback*

The RESC is affected by the absence of feedback and the members would like greater accountability for their participation. The members are frequently unsure whether the regional decision-makers have read their reports or changed their opinion or stance as a result of reading the RESC's material. At minimum, they would like to hear about any ensuing decision taken by the regional council, and ideally also an idea of how their recommendations have been considered in the decision-making process (Litva *et al.*, 2002; Abelson *et al.*, 2002).

#### *The members' party-political affiliation and informal relationship to regional councillors*

Finally, and while this is rarely discussed openly, there is often a close communication between the RESC members and regional councillors. While it is not legally possible for someone to be a regional councillor and a RESC member at the same time, both types of councillors often frequent the same social circles, political parties, clubs and/ or religious organisations. RESC membership is also not incompatible with membership of a political party. In practice, someone who has not been selected to represent a party during an election, has lost an election, or does not wish to face the ballots could still play a legitimate and somewhat significant role in regional politics by being nominated to the RESC by their organisation of origin.

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<sup>52</sup> In one meeting I attended, one unspoken question was hovering over the deliberations: "we know that Percheron (the Regional Council's president) really wants this motion through. If our *avis* is critical it might tip the balance in the other way. Are we prepared to go against Percheron and damage the relationship with the Regional council, or do we go with the flow?"

Becoming a member of the RESC is a way to play an important role in the region without ever facing the electors. It is a niche for people who might be members of a party, but who are not put forward for elections.

Members will usually try to avoid discussing “hot” party-political themes in most deliberations, and the RESC will shy away from launching an *autosaisine* on a topic with party-political resonance. The party affiliation of members are never discussed (the discussion is deliberately avoided), but they exist nonetheless. In this sense, while party-political considerations are systematically erased from the day-to-day activities of the RESC, the social dialogue and the party-political process sometimes overlap behind the scene (interview: anonymised *chargé(e) de mission*, 2006).

#### *Exerting policy influence*

As an example of a concrete case where the RESC has had a clear influence over a particular policy, I should probably mention its work on the *Schéma Régional des Transports* plan in 2005, where a combination of factors have led to the RESC having a very effective influence over the formulation of policy (Interview: De Bernonville and Cousin, 2006). For a start, the RESC had been informed ahead of time (see Chapter 4, point 4.5.4). This timing advantage was crucial, and early on, the members were excited by the prospect of making a meaningful contribution and set on formulating the “first word”. In this way, RESC members had the opportunity to shape the thinking about an issue and they hoped that the regional council would allow the RESC proposals to, in some way, give shape to the debate. The members were looking forward to making an impact and to producing a report that could be accepted wholesale. They were pleased when this did, in fact, happen. The regional council used the literature produced by the RESC to frame the debate, and ended up following its recommendations. In this particular instance, all involved parties had reasons to be pleased with the process. RESC members were especially satisfied to have made a genuine impact with their activities and the regional council took pride in successfully involving the social partners and succeeding at uniting the region’s key actors on a difficult dossier.

On the other hand, a situation in which one of the RESC’s activities was less efficacious was the initial phase of “Nord-Pas de Calais as a maritime region” project, which I attended. Some of the members I subsequently interviewed thought that the topic was in itself fascinating, but they were sorely disappointed by the

approach adopted by the *rapporteur*, who adopted an overly academic (and historical) approach which did not address the tangible concerns of members. Members shared with me that they had gotten excited when the topic was first taken up, but had been disappointed by the approach of the *rapporteur* and chose not to attend the plenary session. In this particular instance, the RESC not only failed to make a significant and meaningful contribution to policy-making, it also alienated some of its own members who had lost interest in that particular *avis* and report.

#### 7.4.9 The Regional Economic and Social Council and the other instances of participatory democracy in the region

As we have seen, the RESC operates as one of the voices of civil society in devolved government but there also exist a variety of other participatory processes. In most territories, the participatory space is complex, and participation takes place in a large set of settings and organisations, involving a very broad range of actors and processes. Most interviewed members of the RESC report that they are involved in participatory processes beyond the RESC (interview: Bonder, 2006; Lefèvre, 2006; Lavieville, 2006; Vivier, 2006).

#### *Multi-scale governance and the “mille feuilles administratif”*

The French context is characterised by a great number of scales of governance. One research participant talks about a *mille feuilles administratif* (interview: Lecaille, 2006) composed of *Communes*, *Intercommunalités*, *Départements* and *Régions*. Regional actors with public aims tend to think about the whole area in which they operate, and the area can be affected at a number of levels, not necessarily the region. As readily pointed out (see section: 7.2.10), there exist participatory instances at these various levels and as a result groups may devote more time trying to impact other levels of government. Their competencies enable them to genuinely be in competition with the region.

As a result, the relative importance of the RESC is in direct correlation with the importance of the region as a scale of governance. As it happens, in terms of budgetary autonomy, the region is probably the least important scale of government and it has very little competences. At the time of research, the *intercommunalités* were gaining significance and they were also setting up structures that were similar in form and scope to the RESC, which were called the *Conseils de Développement*. The conurbation around Lille, the region’s capital, is the fourth largest nationally

after Paris, Marseille and Lyon. The same people are often members of the RESC and the *Conseils de Développement* and they might choose to invest much more of their time and energy in the latter (Rozet, 2006).

*The other organisations and processes in which the major groups interact with each other*

Finally, the agenda setting efforts of groups tend not to take place within the RESC. A substantial level of interaction between the groups (involving decision-making as opposed to the formulation of broad *avis*) takes place in other settings in a process of collective bargaining (*negotiation collective*). For this reason, it is unlikely that either business or the trades unions will treat the RESC as their primary means of engagement with each other, with other sectors or with government. The COPIREs (*Commissions Paritaires Interprofessionnelles Régionales de l'Emploi*) were set up in 1969 on the basis of an informal agreement between the major trade unions and employers' organisations. They involve discussions between employers' organisations, unions and state representatives concerning medium-term macroeconomic targets in particular relating to the macro-policies of regional investments, regional employment and wage costs. In this sense the COPIREs operate as genuine discussions during which the participants reveal their real margins in order to reach a decision that works for all.

For Serge Bonder (interview: 2006), secretary general of the regional seat of the major employer's organisation MEDEF, the added value of the RESC is relatively limited, insofar as the real debates take place elsewhere, in the numerous policy forums. Still, the RESC continues to serve as a functional place where partners formally convey their positions to the regional council. It is the tip of the iceberg. Once something has been debated elsewhere it "goes up" to be enshrined in a formal *avis* at the RESC.

*Organisations and processes in which "smaller" groups interact*

A further aspect of the relationship between the RESC and the other forms of participation in the region is the consideration that a number of smaller actors cannot get their voice heard through the RESC. Compared to a "pure" corporatist organisation involving only employers and trade unions, RESCs are already operating an expanded social dialogue in which the smaller groups are represented via umbrella organizations. Nonetheless, there is a marginalisation of the interests of

less powerful groups. In this sense, the RESC's claim to represent the totality of "civil society" is rather misleading and these groups would argue that "civil society" is a much more complex web of interests, positions and relationships the value of which would be weakened by allocating seats on a "representative" basis.

As a result, the smaller organisations rarely consider the RESC as one of their tribunes of choice and convey their demands in other settings such as the *Maison Régionale de l'Environnement et des Solidarités* (MRES). Despite a name that suggests mostly environmental concerns, the MRES resembles the Scottish Civic Forum discussed in the previous chapter. It involves more than a hundred associations, and it exists to assist them and enable their activities, provides advice and information, meeting rooms, managerial advice, and a place to discuss "civic" values.

#### **7.5 Chapter Conclusion: The RESC in the Nord-Pas de Calais participatory processes**

In many ways, the RESC does not operate solely as a consultation mechanism; it is a "thinking club", designed for the purpose of addressing the broad issues faced by the region. The RESC is open to a region's key interest groups and serves as a platform for dialogue and exchange of ideas among political organisations on the region's challenges and policy options, thus helping to institutionalise the region. Through their interactions within the RESC, participants are expected to widen their concerns: the organisation draws them into participating in public affairs and heightens their interest in specific issues and in public affairs. While in their daily activities members may be occupied merely by running a firm, or pursuing an environmentalist agenda, while they are participating in RESC activities they are expected to think about the future of the region, sometimes on topics which are far removed from their area of expertise and/ or interests and this increases the members' political knowledge and makes RESC activities both educative and valorising.

As an organisation, the RESC brings each individual member in contact with many new and diverse people and generally seeks to minimise sectionalism. The RESC's president understands the organisation's major role as establishing working relationships between its members and enabling them to better understand the conflicts which might exist between them as a preliminary to formulating objectives which would be acceptable to all. It is commonly understood that the RESC will

function as a “gentlemen’s club” where various groups can be civil to each other. The atmosphere at RESC meetings is genuinely warm and collegial. The sit-down lunch provided after most plenary sessions plays an important role and contributes to the atmosphere. The food is generally very good and councillors frequently comply with the RESC’s ethos and deliberately sit with their traditional opponents to talk a point through.

The RESC’s mode of functioning does not necessarily imply that trade unions and employers have common interests and that their inherent disparities can ever be fully resolved. In fact, the RESC is not a place in which the groups get to negotiate or bargain. It engages participants in different roles where they are not required to let go of their strategic goals. The debate and eventual statements take the form of the *highest achievable common denominator* but, if not much is achievable; the members have the option of turning the *avis* into a somewhat more abstract reflection.

As a result of this, it would be tempting to disparage the RESC’s activities as “cheap talk”. It is necessary to point out that RESC members are not delegated by their organisation in order to pursue a specific policy position or press a particular point, which would restrict their capacity to have open preferences. Many, if not all, of the groups which will participate in the RESC have significant experience of working with others in a variety of settings. While taking part in RESC activities, they are expected to remain as open-minded as possible. It is believed that their ongoing interaction with each other, even when it does not result in substantial agreements, often fosters a high level of awareness of each other’s interests which can prevent conflict from unfolding and becoming important while at the same time enhancing the coherence of the region as a level of government.

## Chapter 8:

# Do Consultative Forums enhance Regional Democracy? A Comparative Analysis

### 8.1 Chapter Introduction

As stated in the introduction to this thesis, in both the regions I studied, some groups are involved in political decision-making processes (at least in part) through the activities of consultative forums. The object of my research is to critically examine the extent to which consultative forums can promote dialogue and democratic participation. I wish to evaluate how effective the forums can be in promoting democratic engagement and in channelling the diverging societal aspirations of the various particularistic groups.

In each of the case studies, I have looked carefully at the complex configuration of participatory processes within and surrounding each consultative forum. I have described the two organisations, detailing the context within which they have emerged, locating the institutional actors who participated in their activities and generally highlighting the contested dynamics of power which surround the two organisations.

There are very clear differences in the trajectories and development of the two organisations: faced with broadly similar challenges, the two forums have made different strategic choices. The task of this chapter will be to work through the themes developed in Chapters 2, 3 and 4, in order to offer a comparison of the two forums' way of operating. For the purpose of conducting a comparison, the structure of this chapter is based on the insights developed in Chapter 4, in which I argued that consultative forums have four key characteristics: the consultative forums need to develop an approach to the preservation of the participants' voice (theme one), they can devise an approach to organising a level of interaction between the various groups (theme two), they define a mode of relating to the regional decision-making processes (theme three) and they situate their role within a multiplicity of other participatory channels (theme four).

## 8.2 Comparison theme one: preserving the voice of participants

As pointed out in Chapter 4 (section 4.3), the principle of preserving “voice” refers to a desire to foster the inclusion of an ever greater number of different points of view, in as much detail as possible, into the public debate. Radical democrats believe that the various groups and individuals could (and should) foment new demands and viewpoints. Ideally, they argue, individuals, groups and movements should have the possibility to reflect upon their specific conditions of existence and to formally or informally organise themselves into a set of separate entities, thereby providing a counterbalance to the powers of the state and enriching the public debate (Mouffe, 2000a; Phillips, 1995; Sanders, 1997; Žižek, 2007).

Following feminist concerns, radical democrats do not favour the bracketing of specificities away from the public debate. Instead, as I have argued in Chapter 2 (section 2.5.3), scholars associated with radical democracy tend to favour the practice of problematising existing social inequalities. In this sense, a concern for voice “encourages the democratic consideration of the worthiness of perspectives not obviously rooted in common ground and not necessarily voiced in a calmly rational way” (Sanders, 1997: 15). According to this principle, the consultative forums would need to remain open for a constant influx of contributions by the various groups. From the point of view of the government bodies, an awareness of the various voices enables the legislator to consider a wide range of options and alternatives that might not have been taken into account otherwise.

### 8.2.1 The Scottish Civic Forum

One of the Scottish Civic Forum’s stated aims is to reinforce the link between the devolved government of Scotland and the Scottish people, with a special focus on the potential participants who are currently marginalised in decision-making processes (disaffected youth, for example, or members of minority ethnic groups). As a result of this concern, the Scottish Civic Forum seeks to broaden the range of people who have access to participatory opportunities.

One of the key assumptions of this approach is that larger groups already benefit from a good level of access and that the most efficient groups are already incorporated into participatory processes. It is the smaller, less organised groups which might need further assistance getting their voice heard. Since these groups would need a high level of resources, such as labour, finance and access to

information (see discussion in Chapter 4: point 4.3), the Scottish Civic Forum sets out to compensate the inequalities by providing some of these resources within its own premises. The Scottish Civic Forum aims to provide an organisational infrastructure which enables groups to develop a more effective approach towards political participation. In other words, the Scottish Civic Forum provides a space in which citizens can create their own approaches for engagement in the public sphere. The Scottish Civic Forum gathers informational resources, discussion guides, and published research material in order to be able to increase the groups' access to information. The Forum is also able to train the participants in the social interaction and skills needed for effective participation. In this sense, the Scottish Civic Forum provides the groups with opportunities to develop their skills and competences and plays an important role in the process of the mobilisation of groups for political goals. The Forum serves as a mechanism which ensures that social inequalities are explicitly problematised within the Scottish public sphere.

Since one of the Civic Forum's primary aims is to encourage more groups to become involved in its activities and in participatory processes more generally, the Scottish Civic Forum does not have a formally structured membership. The ambition to "reach the most vulnerable" and to "help the groups to reach a threshold of visibility" is omnipresent, together with a stated priority of actively correcting inequalities, and enhancing the groups' sense of themselves as "political actors who can make a difference". As a result of its efforts, the Civic Forum is able to welcome a number of first-time participants to its activities and to provide a positive first experience of participation.

The Scottish Civic Forum is very focused on preserving the participants' voices and strives to become an "amplifier" of the voices of its members. In this sense the Civic Forum seems to favour an approach of "affirmative pluralism" (see discussion in Chapter 3, point 3.5.2). Incidentally, since the Scottish Civic Forum lays a strong emphasis on reaching the most vulnerable groups, the larger, more established organisations tend not to be involved in its activities. Understandably, the more established groups do not need the kind of empowering activities proposed by the Civic Forum. To an extent, the Civic Forum's leadership deplores their lack of involvement as it was suggested that the larger organisations who were members of the Civic forum could have been "mentors" for the other groups (interview: Wilkie & Murdoch, 2005).

Whenever the Scottish Civic Forum organises a consultation meeting, a report gets transmitted to the Scottish Executive. Arguably, if the various points were to be collected and broadly summarised, the participants' "voice" would be lost. By contrast the Civic Forum endeavours to record the various contributions as unaltered as possible, and to report dissent as well as consensus. Participants are never expected to discuss an issue until they reach a common conclusion. The Forum considers that while consensus is sometimes desirable, it should never be forced (interviews: Wilkie and Murdoch, 2005; Reid, 2006). The groups may use the meetings to become aware of the other points of view, but in the end product, all of their original positions will be faithfully recorded.

This does not mean that the Scottish Civic Forum transmits the various points without organising them, but it leans heavily towards preserving the substance of each contribution. The Forum leadership feared that the Civic Forum might otherwise become perceived as a "gatekeeper", that is, as an organisation which loses the substance of the groups' communication and disfigures their contributions by overly summarising them (interview: Wilkie & Murdoch, 2005). For this reason, the Scottish Civic Forum aims to maintain the various contributions as unaltered as possible and does not seek to manufacture consensus out of difference.

Whenever the Scottish Civic Forum organises a consultation meeting, participants are expected to have a point of view which primarily reflects their own experience and area of expertise. Participation in these exercises is voluntary, which means that groups tend to participate on topics that are important to them, while they do not necessarily attend meetings held on other policy topics. This can lead to an excessive fragmentation of the policy-making process, in which groups contribute to the one policy sector which is most relevant to their activities, but do not play any significant role in defining the overall policy directions of a country or region. This can have the result of isolating the various groups, which are then only concerned about their very specific preoccupations. Democratic participation becomes a matter of lodging one's particular demands at the right point of impact without necessarily encountering the demands of others.

### 8.2.2 The Regional Economic and Social Council

By contrast, the Regional Economic and Social Council's main aim is to bring the region's key groups and social forces to reflect on broad, regional issues. Only large umbrella organisations are represented on the RESC, and the council does not cater for the more specific groups. The membership is set in advance for a period of six years and there are no attempts to include those groups which are not members, except on occasions when these might be invited to contribute to information meetings designed for the benefit of existing RESC members.

If any of the smaller, more specific groups should wish to be involved in a debate organised by the RESC, it could raise an issue with the most appropriate umbrella organisation. For example, the regional branch of Greenpeace could raise a point with the umbrella organisation *Nord Nature*. In practice, while Greenpeace is very active within *Nord Nature*, it tends not to proactively seek to have its voice heard through the RESC (interview: Vivier, 2006). Furthermore, the smaller groups (the *nouveaux acteurs*) argue that the RESC only includes the usual suspects, consults on extremely general topics and produces extremely general statements.

The RESC organises debates and formulates statements on broad socio-economic issues, thereby assisting the regional government in formulating regional policies. Again, in clear contrast to the Scottish Civic Forum's objectives, the members are expected to express themselves on very broad general topics such as the Regional Council's approach to culture, education, transport and health. Thus, members are valued not merely as defenders of their own interests, but they are expected to form an in-depth opinion on all the issues discussed within their commission<sup>53</sup>. As a result, RESC members usually take away an enriched understanding of the region's key challenges: many of the RESC's deliberations prove to be occasions in which members have an opportunity to learn about new facts and ideas. This situation results in participants gaining a broader and more comprehensive awareness of public affairs.

During the deliberative processes, a change in the groups' original position can occur with time. The groups meet regularly over long periods of several months at a time for the formulation of a single *avis* and, over the course of this process, they are

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<sup>53</sup> Members must also be prepared to form opinions on the issues presented to them in their own commission, or in plenary sessions (that is, issues which have been tackled in depth by other commissions, but on which all members are expected to vote).

expected to enrich and modify their initial views during the debates. There is no emphasis on preserving the original “message” of the group. Instead, the individual voices tend to become more “realistic”. Through the flow of arguments, participants learn from each other, make sense of their previous (mis)conceptions and are able to develop better informed points of views.

In my observations, the views held by groups within the RESC become their “RESC views”. This means that the opinions expressed in the RESC are usually more peaceable and benign than the stance the groups might adopt in other settings (e.g., in a street demonstration, in a bargaining meetings where the stakes are higher). The member organisations of the RESC are usually articulate and networked enough and do not need the RESC’s assistance in getting their message across. In addition, and while this is never openly discussed within the RESC itself, the members are often personally very close to the regional decision-makers through a number of other networks and clubs (Interview: Anonymised *chargé(e) de mission*, 2006).

At the end of a deliberative process, the RESC members are expected to agree on a common statement. There is an emphasis on reaching a level of unity among the various sectors and a desire to articulate the public interest by developing a shared vision, common objectives and agreed goals. By contrast, there is very little emphasis on preserving the substance of the original contributions. Again, this is not perceived as a problem by the members because they have numerous opportunities to make themselves heard in a number of other settings. In the final statement which gets transmitted to the regional government, the life of preliminary debates which occurs in the commissions and working groups is condensed and watered down (Vincente, 2002). The individual voices tend to be “drowned out” beneath very general conclusions.

Although the RESC does work specifically to move beyond the lowest common denominator (it talks of reaching the *highest possible common denominator*) sometimes a substantive consensus is simply not within reach. Within the Nord-Pas de Calais RESC, it was highly unusual for the president to try to push through a vote on a slight majority, and the RESC members consistently aimed for near unanimity. From the point of view of the regional council, the value of the finished document (which contains no specific points of view and instead tends to report a very broad consensus) can be somewhat limited. Some RESC members who have spent

considerable time and energy working on an *avis* are sometimes disappointed by the result: there are no stakes to the agreement they vote on, there is no real bargaining and no tangible decision-making. In order to counter this tendency, RESC members in recent times have pushed for the new practice of attaching the groups' specific positions to the final *avis* and report.

Consultative forums and concern for the groups' "voice"

When radical democrats speak about voice, it is often in order to question the hegemonic tendencies of a political status quo. According to this understanding, domination is achieved through the construction of an ideological consensus. Thus, for Adrian Little (2002: 378), it is "necessary to provide a counterpoint to the perfectionism of theories that see consensus as a healthy state of affairs by recognizing the untidy contingency which emanate from incommensurable value pluralism". Radical democrats also frequently encourage the activities of newly empowered voices and new areas of struggle (see Chapter 2: section 2.5.3). In this sense, the Scottish Civic Forum, by working as a "greenhouse" for the unheard voices seems to be fairly compatible with radical democratic concerns as it encourages the expression of a variety of new viewpoints by less privileged groups.

However, the practice of encouraging a high level of participation, without also encouraging a level of interaction between the various groups can be fairly counterproductive. In a "pluralist" environment (see Chapter 3: section 3.5.2), the various contributions are isolated from each other. Too much emphasis on the formulation of individual voice renders the weakest movements impotent as each demand appears isolated among a large number of other demands. Participation in that sense cannot set the terms of the political debate. Decision-making takes place through a depoliticised and somewhat technocratic governance model which is devoid of full-scale societal contestation, as each group lodges its own demand close to the point of impact.

In effect, when groups do not attempt to reach an agreement, they leave the synthesis to the governmental actor. Almost all of the information required in the process of decision-making is gathered by the government. This reinforces the idea of a "certain kind of representative government, with the emphasis firmly on strategic planning and service delivery, rather than a desire for widened participation and democracy as a good thing in itself" (Amin, Massey & Thrift, 2003: 42). The

government is able to act autonomously, pre-empt a comprehensive debate among social groups and only relate to groups individually in order to obtain information. Thus, in the next section, I will look at the ways in which consultative forums orchestrate a level of interaction between their member organisations.

### **8.3 Comparison theme two: the forms of interaction between participants**

Fomenting a level of interaction between various interests is about promoting the active engagement of a community's full diversity in the public debate. As I have shown, the values associated with democracy have often embraced the image of a communal meeting-place where citizens gather to make decisions (see Chapter 2, section 2.2.5). This democratic myth implies that a dynamic democratic life involves a level of confrontation among a diversity of democratic political identities in which participants interact with groups outside of their own political culture.

In the previous section (8.2.2), I have argued that lobbying for their own interest without concern for the demands of other groups is not necessarily the most effective thing for groups to do, and that there are occasions when joint working with other groups can be valuable. In practice, however, organising the interaction of a number of social groups can prove very difficult to achieve. This section examines the way in which the two consultative forums facilitate a level of interaction between the various groups by looking at issues of both processes and outcomes (Fung & Wright, 2003).

#### **8.3.1 The Scottish Civic Forum**

On a day-to-day basis interaction between groups is not a key focus of the Scottish Civic Forum, although the Forum does organise interactive meetings across Scotland when carrying out consultation activities as commissioned by the Parliament or the Executive (see Chapter 6, section 6.5.5). These meetings are open to all interested parties and topics are usually reactive to the commissioning body's agenda.

Participation in the Scottish Civic Forum's activities is never mandatory. As a result, there can be some issues related to lack of involvement of certain groups, as some of the key Scottish groups choose not to be involved. Furthermore, while some groups and individuals are involved on a very regular basis, there can be relatively little duration and continuity in the involvement of other groups, which involve themselves on a more "on and off" basis.

Because of this, it would become very difficult for the Scottish Civic Forum to claim to represent the whole of Scottish Civil Society, if that had been the Forum's intent. At best, an agreement between the groups in attendance at a particular meeting could represent the views of those present but the participants assembled have no mandate to take any substantial decision. There can be no meaningful bargaining, as key groups remain absent and only a small percentage of the public is involved. There is a clear danger that those who do participate are not sponsoring the interests of Scottish society as a whole (see Lowndes, 2001).

The meetings are usually focused more on individual participants giving testimony rather than on consensus-making. As a result, even interactive discussions become another medium through which to get a point across rather than an attempt to reach an agreement. They serve primarily as mechanisms through which groups convey their own message, without seeking extensive communal dialogue (although some participants said that some of their preconceptions about issues had been changed in the light of the discussions they had been part of, and they felt that they would be prepared to rethink their position as a result). When the Scottish Civic Forum does organise interaction it is committed to implementing the principles outlined by radical democrats and aims for "the constructive mobilisation of differences towards promotion of democratic decisions which are partly consensual but which also accept irresolvable disagreements" (Hillier, 2000: 52, see also section 6.5.5, above).

Still, as a result of the unpredictability in the levels of group engagement, the Scottish Civic Forum does not stage purposeful interactions between groups in which the various participants are expected to come to an agreement. As a result of these tendencies, the negotiation of the broad societal project in Scotland is leaving civil society behind. In its early days, the Scottish Civic Forum and the organisations which came before it, such as the Scottish Civic Assembly, did seek to rally like-minded groups and to formulate joint statements. Likewise, the Scottish Constitutional Convention had succeeded in generating a high level of agreement between a number of groups, despite the lack of involvement of some important social forces such as the Conservative Party, the Confederation of British Industry and the Scottish National Party. But whereas the Scottish Civic Forum could have served as a site in which groups would be able to engage in a comprehensive debate on a number of societal options available to Scotland, it now functions as a more unstructured community in which the participants to different activities have a

relatively low awareness of the aims and purposes of other groups, whom they do not meet on a regular basis.

### 8.3.2 The Regional Economic and Social Council

Again in stark contrast with the Scottish Civic Forum, the RESC's key activities are essentially centred on interaction between its various members. While the RESC's membership reflects a bias towards the traditional "tripartite" actors, such as trade unions and employers' organisations, the RESC can, in a sense, claim to represent the totality of all social groups, as most of them are represented via umbrella organisations (see discussion in Chapter 4, section 4.4.1). The organisation's aim is to foster the active engagement of a community's full diversity in the public debate and it includes the major sectors of economic and public life, and the voluntary sector and organisations in the pursuit of that objective.

The activities of the Regional Economic and Social Council are mostly geared towards the production of an *avis* and report. The RESC lays much emphasis on forging a common position and on creating coherence between its members and consistently aimed for near unanimity. The RESC aims to enhance territorial cohesion. This is consistent with the Forum dual origins: the Gaullist *National Economic and Social Council* (see Chapter 7: section 7.3), and the original regional *comités d'expansion* (see Chapter 7: point 7.2.2), both of which sought to promote cohesion in lieu of the potential antagonisms present in society. In the search to balance unity and disagreement the RESC leans more heavily towards unity. This could be seen as a drawback, inasmuch as it ignores antagonism and suppresses strife. The joint statements are so general that most groups can assent to them. As pointed out in the previous chapter (section 7.4.5), members occasionally resent having their views "drowned" into a consensus. This is not so much because the outcome mattered (the agreements were acceptable to all) but because hours upon hours of discussion were being overly summarised.

Since organising a level of interaction requires the commitment and fulsome participation of a number of groups over long periods of time (see Chapter 4, section 4.4.1), the RESC developed a structure of expectation which ensured a high level of involvement in its activities. The direct remuneration and the legal status of the RESC (which allowed members to take time away from their main activities) ensured that members could dedicate significant time to the activities of the RESC.

The RESC stops short of making participation mandatory. To an extent, it is up to members to decide how involved they will be in the day-to-day activities of the RESC. It is generally understood that participatory processes are not the groups' sole activity and that members may be kept away for very legitimate reasons. In effect, the members' level of involvement and the amount of resources which they dedicate to RESC activities can vary. There are some instances of insufficient involvement on the part of some groups, but these are countered by the presence of very strong institutional norms encouraging active engagement and by the threat of a financial disincentive (the RESC can reduce the financial compensation received by its members when these did not attend its activities).

The modalities of interaction between groups within the Regional Economic and Social Council occur through a well-established commission method. Work conducted in commissions generally provides good results whenever speedy decisions are required. Thus, the various participants are separated into commissions and working groups which usually enlist the participation of the most appropriate individuals. Day-to-day facilitation is mostly done by the participants themselves, sometimes assisted by the RESC's permanent staff, who operate as the repository of the institutional culture.

Getting a topic through is generally the outcome of a long cycle. The various members engage in intense interaction over the years (a term of office lasts six years, and many members are members for several terms of offices). Over time, this can have an educative dimension as the various groups learn to interact politically with each other. As discussed in Chapter 2 (section 2.5.4), individuals and groups' propensity to exert political agency depends to an extent on the social resources which they gain through their interactions with other groups. In my observations, RESC members are usually intensely interested in the other groups and value the opportunities to converse and exchange information.

I have also noted (Chapter 7, section 7.4.7) that the RESC functions as a relatively heterotopic environment. The RESC operates outside of the usual inhibitions and norms which can be expected between groups which defend incompatible interests in the public realm. In this respect, it serves as one of the places in groups can meet outside a conflictual situation and take the time to discuss things, even on delicate topics. Thus, the findings in relation to the RESC are somewhat relevant in radical

democratic terms: by securing a high level of interaction between various groups, the RESC serves to build up the groups' subject position by enabling them to borrow elements of discourse from other participants.

Most participants believe that the finished *avis* and reports do not represent the real added value of the RESC's approach. The work of the RESC is as much about the process as the outcome. It is about gathering groups together, allow them to communicate with each other and look for ways in which they might work together. Participants benefit from the interaction in terms of networking opportunities and in terms of the knowledge they gain about other participants over very long periods of time. The RESC provides a setting in which the "usual suspects" really meet over extended periods of time, and while its *avis* remain fairly general and consensual, the deliberation processes themselves provide its members with a deep knowledge of the regional issues, and an equally deep understanding of each other.

### 8.3.3 Consultative forums and the form of interaction between social groups

Radical democrats envisage interaction between groups in *agonistic* terms, which effectively means that both normative values and decision processes are opened to be challenged at any time by groups who see each other as adversaries (Hillier, 2000, Mouffe, 1999; 2000b). Radical democrats object to most forms of arbitrary closure, and insist on the impossibility of defining a universal common good (contra Rawls) and of justifying political authority through the use of fair deliberation mechanisms (contra Habermas). In their view, democracy cannot exist without a high level of contestation and dissensus.

While the principle of agonism was developed in an attempt to pre-empt the formation of an overbearing hegemonic consensus, when pushed to its further limits, agonism would only generate turbulence and contention (Latour, 2003). For this reason, radical democrats acknowledge that agreements between agonistic groups sometimes do have to be made, and in this case, debate can result in modest "settlements", rather than striving for a more utopian consensus. They advocate the dual principles of *partiality* and *reversibility* (Keenan, 1997).

As pointed out in Chapter 4 (section 4.4.1), there can exist different types of "fair and comprehensive" representation. Both consultative forums did at some point seek to achieve a level of representativeness. While the Civic Forum very early on

decided against it, the RESC succeeded at outlining a principle of representativeness and, in a sense, the RESC could claim to speak on behalf of the whole of civil society. However, when radical democrats speak of interaction, they often refer to a somewhat restricted form of interaction between like-minded groups. Radical democrats often advocate interaction between “radicals” or between groups “on the Left” in a form of interaction reminiscent of the processes occurring at the World Social Forum (Amin & Thrift, 2003; Amoore, 2005; Keane, 2003; Tarrow, 2005; Žižek, 2007). These partial forms of co-operation can be a means of creating a more integrated participatory landscape in a context in which practices of contestation are often excessively fragmented (Lowndes, 2001).

Following this understanding, a deliberation process which does not set out to include the whole of civil society could still be truly valuable. Rejecting the option of seeking to define a weak agreement between “all” groups, radical democrats sometimes favour a strong agreement between “some” groups. An agreement (or an alternative project) between these groups would be difficult for a government to resist (see Žižek, 2007). Thus, even when a consultative forum cannot hope to represent the whole of Scottish Civil Society, this is no reason to abandon the interaction element and shift focus towards becoming an organisation that primarily helps groups to participate in other processes.

In the second chapter, I have also argued that intersubjectivity can be understood to be the foundation of subjectivity (see section 2.5.4). According to this understanding, the way to bring about group empowerment is by enabling them to appropriate the democratic discourse of other groups. The emancipation of proto-political movements can be achieved by “developing and multiplying in as many social relations as possible the discourses, the practices, the ‘language games’ that produce democratic ‘subject positions’” (Mouffe, 2005: 151). By securing a high level of interaction between various groups, the RESC serves to build up the groups’ subject position by enabling them to borrow elements of discourse from other participants. The interaction between groups within the RESC was relatively intense and repetitive, while the interactions within the Scottish Civic Forum were more sporadic in nature, with groups being involved on an irregular basis, for a few hours. In comparative terms, the Civic Forum provides significantly less opportunity for the individual groups to engage with other groups and learn from them.

#### **8.4 Comparison theme three: The Consultative Forums' interfaces with the region's governmental processes**

I now turn to the question of the position of consultative forums in regional policy-making processes. Both regions have directly elected governments and both consultative forums seek to have some form of impact on the political agenda of devolved government. The section enquires about the significance of consultative forums in decision-making processes and seeks to draw conclusions on whether consultative forums can ever be influential enough to allow groups a significant role in enhancing democracy.

##### **8.4.1 The Scottish Civic Forum**

In the early days of the Scottish Civic Forum, there was much resistance to the Scottish Civic Forum becoming the actor "anointed" as speaking for all civil society as some groups became anxious at the prospect of being locked within a "gatekeeper" organisation. The groups generally preferred to be able to influence policy-makers directly (see Chapter 6. Section 6.5.3). As a result, the Scottish Civic Forum became an "enabler organisation" and an agitator for participation. The phrase "a gateway not a gatekeeper" became one of the Forum's operative mottos. The Forum's aim became that of developing participation, promoting civic priorities, monitoring democratic participation, inclusion and empowering hitherto excluded or marginalised social groups.

The Forum usually adhered closely to governing processes in its newsletters and everyday activities (e.g., the commissioned consultation activities). On the other hand, the Civic Forum wasn't always an insider of these processes and it obtained most of its information from readily available sources. Michael Keating (2005), Isobel Lindsay (2000) and Joyce McMillan (2002) have noted that the activities run by the Scottish Civic Forum can seem at the fringe of the real political process, with the forum remaining somewhat disconnected from the policy process. The work conducted by the Scottish Civic Forum was somehow separate from the "real business" of Scottish politics.

On the issues of the implementation of the Forums' recommendations by the Scottish Executive, the Forum could be described as a black hole in which the participants' contributions disappear, inasmuch as the participants are rarely given extensive feedback regarding their proposals. Participants in Scotland are

understandably demanding greater accountability for their participation. At minimum, they would like an opportunity to find out about the decisions which have subsequently been made and to hear about how the views expressed during participatory exercises have been taken into account.

In theory, the Scottish Civic Forum could have chosen to set itself up as a militant counter-power. However, because of a lack of representativeness, the Forum did not feel entitled to take a view on any policy topic (interview: Wilkie & Murdoch, 2005) and as such it never challenged government objectives. There was one exception though: as part of its contractual mandate, the Scottish Civic Forum regularly did adopt positions on the overall quality of Civic Participation in Scotland (*ibid.*).

As noted in the conclusion to Chapter 6 (section 6.6), the Scottish Executive and the Scottish Parliament seem to have been continually looking for the best projects to assist them in the implementation of a distinctively Scottish model of participatory democracy. The two entities are relatively proactive in terms of fostering participatory democracy and seek to widen the political space in which citizens can play a more significant role in the shaping of policies. Still, by pitching the various participatory initiatives against each other, a government can weaken civic voices and confuse the various groups. This scattered approach enables the central government to incorporate the contributions on the government's own terms and it can result in an excessive fragmentation of the public sphere. A further point worth making is that the Scottish Civic Forum often feeds immediately into specific policy-lines (see discussion in Chapter 4, section 4.5.2). This has repercussions on the ability of civil society to develop its own locus of debate about the overall direction of Scottish Politics.

#### 8.4.2 The Regional Economic and Social Council

With regards to its relations with the regional government, the issues faced by the RESC were to some extent similar to those faced by the Scottish Civic Forum. Attempts to position the RESC as "the one obvious channel for Civil Society" have also been rejected, as the organisation could not position itself as the single channel for group participation, or even as the most important one.

As was pointed out in the case study (section 7.4.8), the law specifies that the RESC transmits an *avis* (together with an accompanying report) to the regional president

on a number of topics of interest to regional policy-making. The RESC must be requested to submit an *avis* at least twelve days before the Regional Council is set to bring an issue to the vote. Thus, while the *composition* of the RESC is reminiscent of a corporatist construct, the intensity of engagement between the government and the social partners within the RESC is not comparable to the more substantial forms of corporatist co-determination (see discussion in Chapter 3: section 3.5.2). Corporatism is an arrangement that links the representatives of different interest groups (and the state representatives) into collective decision-making processes (Schmitter, 1974). However, there is no real bargaining at the RESC. Furthermore, from the point of view of the Regional Council, the material transmitted can be too thin. It is difficult to see how the work of the RESC can effectively contribute to policy-making if the documents transmitted are so broad in scope.

In statute, the RESC is the second assembly (*deuxième assemblée*) of the region. It contributes to regional decision-making via its *avis*. The regional council can seize the RESC on any topic, but apart from a few very general files, this is not a requirement and, in any case, the ultimate decision remains in the hands of the region's president. Interestingly, whether or not a consultative forum has a statutory basis seems to have little impact on how influential it becomes. Formal, statutory organisations can remain peripheral while informal bodies sometimes take on fundamental importance (Boyd, 2002; Crouch, 1979; see also the discussion on the British National Economic Development Council (NEDC) in Chapter 6, section 6.3). However, and importantly, a statutory role is usually coupled with security of funding. This prevents the organisation from having to divert a substantial amount of time and resources in attempts to secure funding from other sources.

In my opinion, the inbuilt, statutory relationship between the RESC and the government is in fact so weak that it can have a disciplinary effect: it coerces the RESC to seek the favour of the regional government in order to exert a modicum of influence. If the relationship between the regional council and the RESC was strained, the former could ensure that the RESC would remain fairly irrelevant. It follows that the RESC is only as significant as the regional government makes it. As I have argued, it is difficult to adopt a contestatory stance in these conditions.

As a result of this design, the Nord-Pas de Calais RESC under the presidency of Georges Guillaume endeavoured to remain close to government objectives and

priorities. Georges Guillaume used his personal contacts to be informed ahead of time of the issues to be voted on by the regional council, so that the RESC would have the time to conduct a substantial reflection. The RESC also set out to transmit its *avis* and report to more recipients (e.g., the individual regional councillors) and to have opportunities to present the outcome of RESC discussion within sessions of the Regional Council, but again this was dependent on the goodwill of the region's president.

As is the case with the Scottish Civic Forum, it is theoretically possible for the RESC to set itself up as counter-power. In some French regions it occasionally does happen and it is explicable for specific regional characteristics, by the stances adopted by the individual RESC members, and especially by the RESC's president's approach. In that case, a RESC could seek to engage more with the public sphere (e.g., the press) and less with the regional council. At the time of research, President Georges Guillaume was adopting a strategy of close cooperation and did not "rock the boat". The RESC was extremely cautious not to upset the region's president, and sometimes delayed the publication of its *avis*, or watered it down further, so as not to interfere.

Like the Scottish Civic Forum, the RESC also suffers from a lack of feedback. The members of the RESC regularly desire feedback, and would like to know how their contribution has been taken into account and whether it contributed to the formulation of policies. Since members spend much time engaging with the RESC, the absence of feedback can generate a certain level of frustration. However, the RESC sees its role as informing policy "upstream". This means that the policies are devised at a later stage by the regional government and hopefully, they will be broadly consistent with the broad orientations it gives. It therefore makes little sense to ask whether the government enacts the RESC's recommendations because the RESC does not formulate recommendations, but broad orientations. In its relation to state-processes, the RESC seem to have adopted a holistic and integrated approach in order to deal with complex, multi-faceted issues, formulate opinions, and relate to the regional executive.

#### 8.4.3 The consultative forums in relation to regional governments

When studying participatory practices, it is important to note that there is no complete break with the traditional governmental processes. The aim is not to deny

the continuing legitimacy of formal government (Martin, McCann & Purcell, 2003). As Europe's regions have been gaining more competences, the relationship between governments and groups can remain fairly unequal. Both consultative forums recognise that only the elected regional governments have democratic legitimacy to take decisions and that they can only provide a supplement to democracy.

As argued in Chapter 3 (section 3.5), the value of any participatory arrangement depends to an extent on the amount of responsibility which governments are willing to share and on the politicians' readiness to develop participatory mechanisms (Boyd, 2003; McCall & Williamson, 2001). Both consultative forums seek to gain more influence in regional deliberative systems and to enhance and further develop their own role in the regional polity. In this endeavour, they often remain dependent on the attitudes of political representatives towards them, but they are also affected by the other channels of participatory democracy discussed in the next section of this chapter.

As was pointed out in Chapter 4 (point 4.5), consultative forums are meant to operate as interfaces between the groups and the governmental decision-making processes. It is important to establish whether the forums are able to provide holistic approach and an integrated method of facing complex issues, and whether the executive organisations are surrounded by important counter powers which are able to prevent an excessive concentration of powers. If the consultative forums are unable to effectively influence the apparatus of the regional state and have no real importance in the running of the region, their purpose is defeated. In this case, there is a danger that the forums might effectively misdirect the groups' time and resources. If the forums simply collected viewpoints but failed to then lodge them with decision-makers, its purpose would have been defeated and its ideals threatened.

#### **8.5 Comparison theme four: consultative forums and the other channels of participatory democracy**

As was discussed extensively in Chapter 3, and in each of the case studies, there is a great deal of institutionalised dialogue between the national and regional governments. Contemporary regional public spheres encompass a plurality of participatory mechanisms which may be used by groups that seek to participate. While the consultative forums are able to play a specific role in participatory arrangements, they are by no means the only, or even the main, channels through

which groups are able to express demands to policy-makers. To study the public sphere amounts to studying the space where the various arguments and views are being confronted and how it happens. Thus, the quality of the consultative forums' participation in consultative forums depends to a large extent on the other options available to groups. Again, the authors usually associated with radical democracy have not generally addressed the issue of competition between various democratic channels of expression.

#### 8.5.1 The Scottish Civic Forum

The Scottish Civic Forum's most important issue is that it can get sidestepped very easily. As was pointed out by its critics, the Scottish Civic Forum operates in competition with efficient outreach mechanisms by the Executive and Parliament themselves<sup>54</sup>. The current funding arrangements promoted by the Scottish Executive (now Scottish Government) set the Civic Forum in direct competition with other "providers" of similar "services". Because the Scottish Civic Forum is not an ongoing independent association with expected continuation, it is directly threatened by this competition.

#### 8.5.2 The Regional Economic and Social Council

Within Nord-Pas de Calais, it is unlikely that either business or the trades unions will treat the RESC as their primary means of engagement with each other, with other sectors of civil society, or with government. There exist a number of other channels in which the groups can either transmit information to the regional government, or engage with each other. However, because of the statutory nature of the organisation, and because of the system of incentives which strongly encourage groups to attend (e.g., the direct remuneration, the prestige of membership, the opportunities to obtain information and network with other groups and the overall agreeableness of the process) these organisations do, in fact, engage with each other through the Regional Economic and Social Council.

While the point has often been made that different interest groups use different channels of participation, within the Nord-Pas de Calais, this point should probably be complemented by the observation that the same groups, and the same people, are frequently involved in many different channels. Thus, the groups will participate in the activities of the RESC, but they will not generally use it as their main forum. In

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<sup>54</sup> The participants to a Civic Forum activity are often added on the Executive's own mailing list, after which they are susceptible of being contacted directly.

my observation, the opportunity to participate in a number of separate channels means that the groups can be relatively “friendly” towards each other in one setting, and more belligerent in another. This is tolerated and even encouraged. As an observer I was initially surprised that a union calling itself *Force Ouvrière* (meaning: “the workers’ strength”) should be on very friendly terms with the *Mouvement des Entreprises de France* (MEDEF, the main employers’ organisation). I later realised that this “friendliness” was limited to the context of the RESC, which functioned as an arena of increased civility and muted conflict. One of the RESC’s derivative functions was precisely to keep the various groups on talking terms and, on a more mundane note, to ensure that they knew each other’s phone numbers.

An added issue in the Nord-Pas de Calais is the strongly felt significance of the other levels of devolved governance. The RESC competes not only with the more substantial (and more unruly) regional bargaining processes (such as the tripartite *Commission Paritaire Interprofessionnelle de l’Emploi*), it also competes with the Consultative Forums of the *intercommunalités* (the *Conseils de Développement*), because the *intercommunalités* have many more administrative competences than the French regions.

#### 8.5.3 The consultative forums’ relation to other channels of participation

As previously noted, neither forum was able to evolve into “the” obvious channel in which groups could get their message across. At some point, both forums could have been expected to encompass the whole sector, be the anointed second chamber, the necessary corridor to power, but neither of them did. This “failure” is due to the lack of importance granted to the consultative forums by both the governments and the groups, neither of which truly valued the forums at the time of research (although they might have done so in the past, and they could still do so in the future as the relative prevalence of an organisation over others can evolve over time, see Crouch 1979).

#### *Inequalities of standing among the various participation channels*

The introduction of additional, new consultative organisations as a supplement to the pre-existing participatory mechanisms does not inevitably foster democracy and the various participation mechanisms are not necessarily mutually reinforcing. Andrea Cornwall (2002) further notes that each time a new participatory channel is created; it repositions groups *vis-à-vis* readily existing structures. An excessive diversification of the possible channels of engagement is not necessarily

constructive. Participation channels that are designed to promote inclusion in democratic debates can have the effect of excluding participants from certain settings, thus effectively reinforcing the segmentation that exists between the various participatory channels and between the various groups (Gray, 2007). In fact, operating a peripheral participatory forum is a positive threat to the ideals of democratic inclusion, insofar as it can deprive the participants of other opportunities in different participatory channels. In the words of Nancy Fraser (1992: 115), “a discourse of publicity touting accessibility, rationality, and the suspension of status hierarchies is itself deployed as a strategy of distinction”.

Michael Keating (2005: 82) notes that there is almost a hierarchy of participatory channels in Scotland, in which the “bigger” groups handle directly with ministers while other groups get their point across in parliament. If a group chooses to involve itself solely through a consultative forum, it can be disadvantaged. Since participation and decision-making takes place in a large set of settings, there is a risk that a particular group will engage with a participatory method which ranks low among other participatory channels. Thus, the forums’ main challenge is the existence of other organisations that conduct similar activities, and which for a reason or another, are able to attract the fuller participation of the various groups. This point is echoed by Jacqueline Costa Lascoux:

“Multiplying the sites of citizenship may seem attractive, but we must be wary of producing a two tier system of citizenship: one for the poor, who are locked into restricted spaces with second-class rights, and the other cosmopolitan and encompassing all the levels for the dominant groups in Europe” (Costa Lascoux, 1992; cited in Kofman, 1995: 135).

Mia Gray (2007: 1) remarks that “social networks function not only to connect and include but also to exclude and to reinforce segmentation”. Within a field replete with transmission mechanisms of all sorts, the activities run by the forums can seem like an epiphenomenon of the real thing, at the fringe of the real political process.

#### *Groups engage in “venue shopping”*

Particularistic groups generally have limited time and resources and they will invest these in the most efficient way, as they shop for the best venue to get their point across (Baumgartner & Jones, 1991). As a result, groups tend to adopt a number of different strategies in a range of territorial contexts as they engage in “venue shopping” in a number of participatory arenas. As a general rule, groups tend to value the most direct route. Some groups already have a number of well-developed

links to policy-making, either through official channels, or through personal contacts to the regional executive. They resent being locked in a deliberation, and would rather speak directly to policy-makers.

For this reason, the various groups approach participation within consultative forums in a cautious way: some engage actively, others decline to participate or do not invest resources in it as much as they could (Hendriks, 2006). As a result, the groups intent on participating (see Chapter 3: section 3.6) tend to adopt a number of different strategies in a range of territorial contexts as they engage in “venue shopping” in a number of participatory arenas (Baumgartner & Jones, 1991; Fung & Wright, 2003; Hendriks, 2006). As they navigate participatory processes, groups may not always be willing to take part in time-consuming activities, especially when they cannot be certain that their participation will make a difference. As a result, groups tend to seek the most efficient channel available to them.

*Why do some participatory organisations “take root” and not others?*

As Colin Crouch (1979: 107) observes at the end of a *longue durée* study of industrial relations arrangements in various periods and contexts, organisations can “take root” and, while some organisations undeniably do take root, others do not. Furthermore, their relative significance as transmission mechanisms can vary over time. I wish to argue that consultative forums depend very much on the importance granted to them by decision-makers in the traditional, elected, decision-making sphere. If groups had the impression that they are listened to through that channel and if significant decisions were taken there, they would likely be more involved. If the stakes are high, interest is also high. Conversely, the various groups also sense the lack of traction of certain consultative organisations. If the Forums are to be truly valuable, the links between the Forums and the government must be reinforced in an incremental manner, ensuring in the process that the Forum as an institution becomes more of a close collaboration between groups and governments.

Another definite factor in the “clout” surrounding consultative forums is the level of endorsement which they are able to attract: a consultative forum, endorsed by a major union, can become a force to reckon with. This was the case at the creation of the French *Conseil National Economique* (CNE), a predecessor of the National Economic and Social Council. The creation of CNE had been pushed through by the unions leaders, in order to ensure that they would be consulted on major issues, and

the unions themselves ensured that it operated as an important element of decision-making. Leaders of consultative forums understandably wish to see their organisation gain more significance among other participatory channels. Inevitably what it takes to make them more significant is a significant policy actor (a government, or a major social group) choosing to take them seriously. If significant decisions were taken there, the groups would be more inclined to participate.

### 8.6 Chapter conclusion

At the beginning of this thesis, I noted that democracy is always mediated in one way or another and that representative democracy is one way of channelling the people's sovereignty. In Chapter 2, I have argued that democracy probably benefits from the input of particularistic groups: groups can play a role in political decision-making processes and convey their demands through transmission mechanisms.

In Chapter 3, I acknowledged that, in all modern democracies, some of this control is already being exerted by sectional groups. Besides the party-political modes of representation, there has been an incorporation of participative elements into public policy decision-making processes. In effect, modern democracies are often "hybrid democracies" in which citizens and groups delegate power by electing representatives, but in which citizens also simultaneously retain the possibility to raise issues or participating in decision-making between elections. Modern democracies might benefit from the input of particularistic groups, but the groups themselves need transmission mechanisms and well-structured public spheres in order to channel their views into decision-making. In some areas, the public sphere will be well institutionalised, enable a comprehensive public debate and become instrumental to the strivings of communities. In other areas the public sphere can be relatively disempowered and reduced to its minimal expression.

As a result, the question becomes that of determining how Europe's regions are able to structure their own *regional* public spheres, in which groups would be able to occupy this radical ground in contesting decisions and in which a well organised and plurivocal opposition is able to permanently monitor the regional governments' programmes. In Chapter 4, I explored the possibility that *regional* public spheres might be enhanced by setting up new organisations of popular democracy designed specifically so that participation can occur. I have chosen to study two such organisations: these consultative forums operate as one of the voices of civil society

in devolved government and they potentially contribute to the empowerment of citizens as a preliminary to the pursuit of major and minor societal decisions.

While the consultative forums might not necessarily be the primary means through which particularistic groups interact with the state, the main outcome of my research has been both to highlight the democratic potential of the forums and, where required, to critique the alienating tendencies of their day-to-day activities, in order to facilitate a critical reflection on these organisations. To apprehend the work of consultative forums, I have sought to outline the factors which ensure that a consultative forum works: its approach to voice, its approach to interaction, the quality of its relationship with government and its position vis-à-vis the other transmission channels. Despite variations in their roles, most consultative forums will probably have a thought-out approach to these tasks. After depicting both organisations in Chapters 6 and 7, I have conducted a comparison of both forums according to these four criteria.

For the purpose of evaluating the democratic contribution of consultative forums, I used a number of concepts developed by authors associated with radical democracy. Up until now, the radical democratic agenda had remained fairly abstract and idealistic. The term “radical democracy” can refer to a number of different things. This characteristic of radical democratic scholarship can make it arduous to follow the various debates associated with it and to evaluate its potential as a conceptual and empirical approach (Keenan, 1997). Nevertheless, I found that the radical democratic conceptualisation was especially useful because of its focus on fomenting numerous axes of struggle, its concern for the problematising of inequalities and its concept of agonism. The concept of agonism offers a rich understanding of political conflict. It refers to the belief that opposed and incompatible worldviews may never be reconciled and it advocates a frequency of inter-subjective encounters, an increased tolerance of strife, and an acceptance of the partiality and reversibility of decisions. The themes put forward by radical democrats seemed to map very well with the functions of a consultative forum (i.e., handling a multiplicity of demands, and organising a level of interaction between them).

In answering my key research question about the role of consultative forums in the effort to give groups a voice in regional government structures, it is necessary to

acknowledge that the two consultative forums are very different organisations. Each consultative forum plays an important role in the complex system by which regional democratic communities negotiate issues and make decisions. I found that both consultative forums have made very different choices, and combined these four factors in very different ways, which resulted in two very different organisational designs. In each instance, we are bound to notice the pre-eminence of certain cultural values and practices which in turn submerge and partially exclude other normative values.

- The Scottish Civic Forum developed as an “enabling body”, acknowledging that significant inequality exists between groups. As such, the Scottish Civic Forum engaged primarily with first time participants and the most disempowered sections of the population in order to assist them in their attempts to bring about policy-change. Groups have various levels of access to labour, finance, information, time, energy and long term commitment of their supporters. As a result, the weaker groups find it more difficult to organise, articulate, mobilise, and ultimately integrate their voice into policy discussions. In this sense, the Scottish Civic Forum serves as a way to generate citizen empowerment and extend democratic control. Ultimately, this should result in better policy formulation, as the Scottish devolved government becomes more responsive to the needs of specific sections of the population. In a radical democratic sense, the Scottish Civic Forum is useful in its role of problematising inequalities, questioning the status quo and empowering new voices. On the other hand, the Scottish Civic Forum is less efficacious on the agonistic front: there is no great interaction and a lack of spontaneous involvement from certain groups hinders this dimension.
- The Regional Economic and Social Council operates as a “thinking club for the region’s key interests”. It gathers unions, employers’ organisations, and the region’s key umbrella organisations around one discussion table and foment real, sustained interaction between these key groups. Despite its reputation as a somewhat bureaucratic structure, the working of the RESC echoes some of the concerns linked with an agonistic confrontation of incompatible interests: intensive work in commissions enables the intersubjective construction of new regional voices, consensus is rarely forced against the wishes on any participants (even the most

uncompromising ones), reports seek to formulate the *highest common denominator* but also make clear where agreement could not be reached, and each group has the possibility of attaching its own separate point of view to the final report. However, the RESC can only formulate position statements and is not a place where tangible decisions are made. In this sense, the RESC's main achievement is that it enhances the groups' awareness of the region's challenges and their sense of connection with elected representatives and with each other. The results are more in the mutual knowledge than in the *avis*. Whenever real decisions have to be taken, they are not taken there.

Thus, each in its own way, the two "consultative forums" offer interesting contributions to the way in which we conceptualise "the public" and democracy and the emergence of *regional* public spheres. Surprisingly, the thesis has found that the two consultative forums fulfil such different roles that they could, in fact, productively operate together on the same territory without infringing on each other's effectiveness. There is room for empowering small movements that are looking to participate for the first time, and there is room for a broad social concertation between key interests about the future of a region. Both are eminently worthwhile objectives and the consultative forums fulfil important functions in *regional* public spheres.

The thesis has found that policy influence is only one of the criteria by which the success or usefulness of the consultative forums should be evaluated and yet it would be wrong to conclude that the two consultative forums do not influence regional policy processes in any major way. Although both are sometimes criticised as a waste of resources by external observers who are largely unaware of the details of the forums' activities, I believe that both are to be valued for what they do in fact achieve. Even if the Scottish Civic Forum had never influenced the direction of any specific policy (and participants to its activities have done so), it would still have enabled some of the most marginalised groups to get on the first rung of the participatory ladder. In a non-threatening way, it would have enabled smaller groups to take their first steps towards future engagement in the Scottish public sphere. Without the activities of the Scottish Civic Forum, a number of them would never have had their voices heard. In a similar way, even if the RESC had never significantly influenced policy (and it occasionally does), it would still operate as an

organisation with the essential role of giving shape to the potential conflict between the members. Without the RESC, there would be no forum in which the various protagonists could get to know each other, which in turn could result in a much more conflictual and less coherent regional entity.

Still, my last concern would be that, while organisations such as the Scottish Civic Forum engage new, smaller participants and organisations such as the RESC engage established regional “social partners”, no mechanism seems to engage the most “radical” and critical elements of civil society (see Chapter 3, point 3.4.3). Too often, governments and radicals pass like ships in the night. This is a very worrying political tendency, and it is to be deplored because some of the most innovative ideas may be found among the groups which have grown disillusioned with state processes: today some of the most interesting political sensibilities exist well below governmental radars. In a truly reformist fashion, it would probably be useful for regional public spheres to encourage the creation of arenas in which more radical demands may be expressed and confronted with each other.

## Chapter 9:

### General Conclusion

In this thesis, I have sought to address the tension between the traditional role of government and the role of particularistic groups in decision-making processes. The opportunity to address this classic question has enabled me to engage with important theoretical and conceptual questions about the ways in which citizens are able to relate to structures of political power and authority. The empirical work has focused exclusively on the activities of two consultative forums and the project has enabled me to study the genealogy and contextual dynamics of the two forums by observing their immediate origins, but also by asking more essential questions about the functioning of modern democracy. The major contribution of this study has been to provide extensive descriptions of the functioning of two organisations, highlighting their strengths and weaknesses. A comparative analysis of the working of the two consultative forums was conducted in Chapter 8. This chapter provides a further reflection on the conceptual framework, a list of potentially policy-relevant observations and some directions for future research on participatory democratic mechanisms.

#### **9.1 Reflections on the conceptual framework**

I have chosen to study consultative forums within a very broad questioning strategy. The conceptual framework has enabled me to take into account many aspects of region's governance, defined as "a complex set of values, norms, processes and institutions by which democratic societies manage their development and handle political conflict, both formally and informally" (UNDP, 2005).

Chapter 2 challenged some of the most taken-for granted assumptions about democracy by underlining some of the "deep structures" inherited from the Enlightenment period. I argued that, since the early Nineteenth Century, there has been a rise in the activities of political parties whose candidates engage in a competition for the people's vote in general elections. Under this arrangement, voters exert minimal influence between elections. I then reviewed some of the

theoretical contributions offered up by proponents of radical democracy, more specifically radical democrats' approach to voice and to agonism. On one level, for citizens who operate daily in systems of representative democracy, a simple critique of their institutions and practices seems valuable, but in itself insufficient. By contrast, radical democracy is an attempt to define the purest form of democracy in positive terms. In the words of Douglas Lummis (1996: 25) "radical democracy means democracy in its essential form, democracy at its root, quite precisely the thing itself". The first theorists to have conceptualised radical democracy were Ernesto Laclau and Chantal Mouffe (1998 [1985]). In an innovative Post-Marxist approach, they sought to de-emphasise the importance of class as the central axis of struggle and to reassert the importance of other forms of subjectivity as vehicles through which to pursue more empowerment and equality among citizens.

Still, as I have shown in Chapter 2, Laclau and Mouffe are not the only scholars to have claimed the term radical democracy (see: Aronowitz, 1997; Barns, 1996; Connolly, 1995; Little, 2002; Lummis, 1996; McClure, 1992 and Pløger, 2004). In addition, Laclau and Mouffe themselves have actively encouraged the work of thinkers who wish to reinvigorate the ideals of democratic engagement but who nevertheless do not advocate a complete break with the current practices of democracy. Chantal Mouffe's 1992 edited volume, *Dimensions of Radical Democracy*, includes a range of contributions from the likes of Bryan Turner, Michael Walzer and Sheldon Wolin. In this larger sense, radical democracy refers primarily to an "extension and deepening of the democratic revolution initiated two hundred years ago" (Mouffe 1992a: 1). According to this understanding, the ideals of radical democracy can be realised through the creation of new organisations in which the demands emanating from the various groups can be formulated and negotiated. This, in turn, can lead empirically-minded researchers to study organisations which are not yet perfect with regards to their ability to foster radical approaches to democratic participation, but which are nevertheless a step in the right direction.

Thus, while I did not adopt the more Post-Marxist analyses expounded by Laclau and Mouffe in *Hegemony and Socialist Strategy*, I have made use of some of the concepts which they and others have developed. In my own understanding, radical democracy fosters the ideal of renewing democracy through three key theoretical elements: (1) a communitarian approach which refers to the belief that particularistic

groups can function as the places of emergence of new democratic concerns -for this reason, the presence of groups and the propensity of individuals to join them can play an important role in the democratic life of a political community, (2) an understanding of the notion of voice which refers to the capacity to formulate demands and the propensity to exercise this capacity -it allows groups to question taken-for-granted universals by formulating alternatives to them. Finally (3) radical democracy is also associated with an interest for the practices associated with agonism, which refers to resisting the need for closure and raises interesting questions around the practice of making and enforcing decisions when no agreement can be reached. As a general rule, radical democrats do not accept that conflicts can be solved, but they believe that conflicts will always be present among human groups.

I believe that some of the arguments put forward by radical democracy, such as the three factors outlined above, offer a solid basis on which to begin to formulate detailed models for the evaluation of participatory mechanisms in regions. I think that the insights provided by these three aspects are important and especially appropriate for the study of consultative forums which (1) acknowledge the role of particularistic groups in democracy, (2) seek to empower their voices in the public debate, and (3) organise a level of interaction between them which effectively incorporates elements of agonism (e.g. the Scottish Civic Forum' insistence on transmitting the contributors' original points without forcing consensus, or the Regional Economic and Social Council's practice of transmitting both a compromise acceptable to all participants, as well as their individual positions in the form of *explications de vote*).

Chapter 3 began by acknowledging that, in contemporary democratic processes, groups do, in fact, play an important role in political decision-making processes. Groups and governments already interact to some extent, either because the groups themselves have become active in a "bottom-up" way, or because the governments have created new spaces in order to facilitate the participation of groups. Thus, the chapter provides a review of the ways in which groups seek to engage governmental processes as well as an exploration of the ways in which governments seek to relate to particularistic groups. This conceptual review has enabled me to situate the project in relation to previous work and existing theoretical trends in the study of democratic processes.

Chapter 4 offered a fresh conceptualisation of the phenomenon of “consultative forums” and outlined four key themes to be used for the purpose of comparing the two organisations. The forums’ approach to the groups’ voices, to interaction between groups, the interface between forums and government and the forums’ relation to their broader policy environment. These four themes have proved highly relevant for the present discussion about the modalities through which groups are implicated in democratic debates through the activities of consultative forums.

Together, these different theoretical contributions have allowed me to gain a good overview of the themes and issues which could be brought to bear on the everyday functioning of consultative forums. They have also enabled me to develop a comprehensive theoretical framework which provided a series of useful conceptual tools of analysis.

## **9.2 Strengths and limitations of the research process**

The major contribution of this study has been to provide extensive descriptions of the functioning of two consultative forums. In both settings, I have attempted to draft complete descriptions of the functioning of the two organisations. However, as pointed out in Chapter 5, case studies can never be the perfect representations of a phenomenon. Inevitably, there are gaps in the stories which I have been able to tell about the two organisations. Because of the realities of research practice, not all relevant aspects of the functioning of the two forums were worked up equally and there are many ways in which alternative approaches could have been selected.

To begin with, the study could have been more extensive. I could have chosen to study a larger number of groups instead of dedicating the core of my resources to understanding the in-house dynamics of the consultative forums. Undeniably, it would have been very interesting to document the ways in which each particular group engages with regional policy in more detail. The relative neglect of the government’s side is another possible weakness of the study. It is probably not possible to reflect meaningfully on the interface between consultative forums and governments if the government’s side is not fully investigated. Besides documenting the activities of groups in their attempts to engage with the polity, it would have been interesting to study the “intake” of recommendations by regional governments. Finally, when it came to exploring the role of the consultative forums in relation to other modes of participation, it was not possible for me to extensively research these alternative channels of participation.

Despite these limitations, the study has achieved a good degree of success in meeting its objectives. As a researcher, I was able to gain an enviable level of access and to establish long-term trust with respondents in each forum. This could not have been achieved if each of the two case studies had been designed to be more extensive. On the whole, my level of access was very good, and I was able to develop working relationships with key figures of the forums. This, in turn, enabled me to draft fuller narratives. In this sense, the thesis fully answered the research question and provided a critical evaluation of the two consultative forums. It has provided substantial new data about the scope and limits of the involvement of groups in regional governance through this mechanism.

### 9.3 Policy-relevant observations

The field of participatory democracy is a domain in which practitioners are regularly called to develop and implement new designs and practices. In the three conceptual chapters, I have reviewed a number of issues which can be brought to bear on the exchanges between particularistic groups and governments. In addition, the empirical findings presented in this thesis could potentially have a number of policy implications. However, in formulating policy-relevant observation, I remain reluctant to be too specific: it is probably not possible to generalise from two case studies. If anything, the thesis can do no more than highlight the specificity of two organisations operating within very specific historical and geographical contexts. The following section provides a number of policy-relevant observations.

- To begin with, as Stephen Boyd (2002) notes, organisations such as consultative forums cannot easily be transposed from one country to another. Their effectiveness, or lack thereof, can rest on institutional preconditions which can exist in one place and not in another. As Robert Putnam observed in *Making Democracy Work* (1993), organisations that are similar in design can operate in very different ways according to the characteristics of the place in which they are found (see also Crouch, 1979). For this reason, it seems essential to explore more fully the social, institutional, cultural and geographical specificities of a locality before setting up new participatory mechanisms.
- It is often believed that fostering efficient participatory democracy requires the continual creation of new opportunities for the involvement of

individuals and groups in decision-making. Governments can seek to be increasingly innovative by introducing new sets of processes and organisations. My findings, like those of a number of other scholars (Keating, 2005; Kofman, 1995; Gray, 2007), have shown that participatory mechanisms serve not only to include the various participants into decision-making but that these very processes can on occasions also serve to reinforce inequalities between the various groups. An excessive diversification of the approaches to participation runs the risk of reinforcing the inequalities between the various channels of participation.

- On the regional level, it would be probably be worthwhile to design a comprehensive approach to social concertation, as there is a need for a level of coherence between the various participatory channels. A purposeful strategy could weld state and groups together in a well-institutionalised public sphere.
- If a regional government wishes to improve the contribution of groups in decision-making, it seems very important to cease looking for the best possible projects and to instead favour a degree of continuity and legibility. In my observations, a lack of visibility and predictability can have the effect of weakening the groups' voices while also preventing the organic development of strong participatory organisations with an expected continuation (see point 6.5.6).
- As I have observed, the field of participatory democracy is characterised by a high level of dynamism. New organisations and processes are continually being created while others disappear and yet others gain or lose significance over time (Crouch, 1979). For this reason, it could be worthwhile to compile a clear directory of the available participatory channels. This would make it easier for groups to make decisions about how they may gain access to decision-makers. Over time, this increased transparency could grant further coherence to the regional public sphere.
- The most significant challenge facing consultative forums is the way in which they can become sidestepped both by the particularistic groups and by the governments. If the consultative forums are to be truly valuable, the links

between the forums and the government should probably be reinforced. As Cathal McCall & Arthur Williamson (2001) have noted, many channels of participation depend very much on the importance granted to them by decision-makers. Similarly, a major group (such as a trade union, or an influential umbrella organisation) choosing to endorse a consultative forum could ensure that it gains influence. For instance, when the *Conseil Economique du Travail* was being fostered by a major French trade union as a valuable channel of engagement with the government and with other sectional interests, the organisation effectively did fulfil that purpose (see Chapter 7, section 7.3.). A few decades later, an organisation with similar statutes, but which was not endorsed by the groups or by governments as instrumental to their strivings, could have comparatively very little relevance to policy processes.

- There are a number of issues related to the funding of consultative forums. An organisation which largely serves to enable first time participants to enter policy debates should probably not be expected to be financially self-sustaining. At a minimum, that organisation would need the salaried organisers and facilitators to be funded on a secure basis. On the other hand, if a consultative forum requires the participants to expend much time and resources in order to take part in the forum's activities, these participants should probably be compensated for their time and effort.
- In both case-studies, I have noted that feedback on the part of the government was insufficient. The provision of feedback is a very important aspect of enhancing the participatory experience. For this reason, it would be interesting to develop new methods through which governments could provide a type of feedback which goes beyond the sending of a simple letter.

#### **9.4 Directions for future research**

Frequently, one of the main contributions of a doctoral research project is the new questions which it is able to raise as opposed to the answers it provides. This section presents some of the areas of work which I would like to visit in the future. The recent popularity of participatory democracy has led to a drastic modification of the values associated with democracy. In addition, I have noted that the terrain of social concertation is characterised by a very high level of dynamism as new opportunities

for participation are being created on a regular basis. The especially fluid character of these participatory relations calls for deeper understanding and further critical research efforts. There is a pressing need for researchers to adequately conceptualise the complexity and heterogeneity of the various participatory channels. For this reason, it would be interesting to research a whole host of actors' processes and to conceptualise the challenges, the opportunities and the limits of the various participation mechanisms.

Another area of interest relates to the observation that, while radical democracy amounts to a clear renewal of the democratic imagination, most theorists associated with this school of thought have tended to write about regulative norms rather than undertake more descriptive studies. Nevertheless, many of them agree that there is a need to conduct an exegesis of radical democratic concepts in order to ensure that its prescriptions remain within the realm of practical possibility. Much work remains to be done on exactly how the principles associated with radical democracy might be transformed into working institutions. My work is unusual inasmuch as it has applied some of the concerns expressed by radical democrats to the functioning of organisations which are not usually considered 'radical' and may even be perceived as somewhat bureaucratic bodies. In their everyday functioning however, the activities of the two consultative forums reflect some of the concerns formulated by radical democrats.

### **9.5 Summary and conclusions**

The thesis has addressed a crucial aspect of modern society, namely the legitimacy of political decisions. It has dealt with some of the great theoretical and conceptual questions about the ways in which citizens are able to relate to structures of political power and authority. It has also addressed some of the most complex questions raised by the ways in which democratic societies seek to solve the conflicts of interest which necessarily arise between the various sectors of society.

Empirically, the thesis has looked at two instances which constitute real-world experiments in the redesign of participatory democracy. By continually monitoring the regional policy processes, the consultative forums enliven the democratic life of an area. In my opinion, the task of addressing the most important challenges of our century - including climate change, ageing and economic development will, to an extent, depend on the ways in which modern societies are able to mediate between the preferences of their populations. These new challenges should once again

encourage political geographers to engage with the important theoretical and conceptual questions about the ways in which citizens relate to structures of political power; and about the institutional arrangements by which they may structure the flow of influence from society to governmental decision-makers.

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**Appendix 1: Letter of access, Scotland**

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Liberty in  
Today's

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Shaped by the past, creating the future

Dear [.....],

I am a PhD student at Durham University researching the involvement of Civic Society in Scottish politics. As part of this research, I will document the story of the Scottish Civic Forum. The PhD is part of a broader research programme funded by the ODPM and looks at ways in which to potentially design the most appropriate institutions for the English regions.

I have reviewed the available literature and spent some time doing participant observation at the Civic Forum before it closed in December, working quite closely with its director. However, my understanding of the processes that led to the evolution of the Civic Forum in its 2005 form is still patchy. I am especially interested in the concepts of New Politics and in the early views of the Civic Forum as a “second chamber”.

As someone who was involved in the early stages of the Civic Forum, I would be very grateful if you would be willing to share some of your insights in an interview. Any other type of information on the topic would also be greatly appreciated. I am currently based in Edinburgh and I am naturally prepared to meet you at your convenience.

Best Regards,

Danielle Firholz

## Appendix 2: Briefing Pack, Scotland



Office of the  
Deputy Prime Minister  
Creating sustainable communities

PRICEWATERHOUSECOOPERS 



### GOVERNANCE AND QUALITY OF LIFE POSTGRADUATE RESEARCH PROGRAMME

Project Title: **Consultative Forums, Devolution, and Quality of Life: A Cross-National Comparison**

PhD Student: Danielle Firholz

Academic Supervisor(s): Professor Joe Painter, Dr Gordon MacLeod

Institution: University of Durham

ODPM Advisor: Dr Sarah Morgan

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#### Project Background

In 2004, the Government proposed to give the people a say in referendums on whether to have elected regional government in England. The question remained opened about how English regional assemblies should consult their publics. One option, currently used in Scotland and France, was to establish a specially designed consultative forum that includes representatives from a wide range of social, economic, cultural and community organisations and groups (known as 'stakeholders'). This doctoral project studies how consultative forums are organised in Scotland and France by investigating the workings of the Scottish Civic Forum (SCF) and the Regional Economic and Social Council (RESC) in the Nord-Pas de Calais region in northern France.

English regional assemblies may well be inclined to look first to Scotland for models of stakeholder involvement, where the Scottish Civic Forum (SCF) established itself as major player in post-devolution Scottish politics and governance. The SCF does indeed represent a diverse and growing body of opinion and now boasts upwards of 400 member organisations. However it is not necessarily a good model for consultative forums in the English regions. First, the SCF has been closely involved in the development of a renewed sense of Scottish nationhood, whereas the English regions do not have distinctive national identities. Second, the SCF is a voluntary and self-governing body. This can provide an effective and independent voice in governance when, as in Scotland, there are existing strong civic associations organised on the same territorial scale as the devolved government. In England, though, regional civic associations are weakly developed and a more formal, statutory system of stakeholder representation may be required. All of this means that the English regions might do better to look to France for appropriate examples of consultative forums. The RESC in Nord-Pas de Calais is a statutory, rather than a voluntary body and is not associated with any strong sense of territorial or separate national identity. It therefore seems that it may be a more appropriate model for the English regions. The research will focus particularly on the ability of the two forums (the SCF and the RSEC) to represent stakeholders' concerns about quality of life issues to their elected decision makers.

**Research Objectives/ Questions:**

This project will study how consultative forums are organised in Scotland and France by investigating the workings of the Scottish Civic Forum (SCF) and the Regional Economic and Social Council (RESC) in the Nord-Pas de Calais region in northern France. The research will contribute to policy by clarifying through comparative analysis some of the preconditions for successful stakeholder engagement. The aims are:

- To assess the role and effectiveness of consultative forums as a mode of stakeholder involvement in devolved government.
- To identify the conditions that promote effective stakeholder involvement through the forum model.
- To inform the development of effective stakeholder involvement in the English regions through the identification of good practice in Scotland and France.

**Methods:**

Literature review: review of academic and policy literatures relating to stakeholder involvement in regional governance with special reference to the role of consultative forums and their effectiveness in relation to quality of life issues.

Case-Studies Research: Data sources will include documentary evidence, in-depth informant interviews and interviews with key regional actors, members of the consultative forums and regional stakeholders.

### Appendix 3: Letter of access, Nord-Pas de Calais



Shaped by the past, creating the future

Cher Monsieur [.....],

Dans le cadre d'un projet de recherche portant sur les instances participatives régionales en France et en Grande Bretagne, je souhaiterais pouvoir vous rencontrer afin de recueillir votre opinion sur le mode de fonctionnement et les priorités du CESR en Nord-Pas-de-Calais. Vous trouverez ci-joint un descriptif du projet. Je reste à votre disposition pour un entretien à la date qui vous conviendra.

Cordialement,

Danielle Firholz

## Appendix 4: Briefing pack, Nord-Pas de Calais

Department for  
**Communities and  
Local Government**

PRICEWATERHOUSECOOPERS 



### **GOVERNANCE AND QUALITY OF LIFE POSTGRADUATE RESEARCH PROGRAMME** (Programme conjoint de recherches doctorales sur la gouvernance et la qualité de vie)

Titre du Projet: **Forums Consultatifs, Décentralisation et "Qualité de Vie": Une comparaison transnationale**

Doctorante: Mme Danielle Firholz.

Directeurs de Thèse: Professeur Joe Painter et Docteur Gordon MacLeod, Université de Durham, Royaume Uni.

Superviseur associée: Docteur Sarah Morgan, Department for Communities and Local Government (DCLG)

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#### **Résumé du Projet**

En 2004, dans le cadre de son projet de réformes administratives, le gouvernement britannique a introduit une proposition de loi relative à la décentralisation administrative et politique au profit des régions Anglaises (l'Ecosse, le Pays de Galles et l'Irlande du Nord bénéficiant déjà de mesures spécifiques depuis 1998). Cependant, les moyens par lesquels les assemblées régionales Anglaises pourraient choisir de consulter les organisations de la société civile et les divers publics régionaux restent à définir.

L'une des options possibles, déjà utilisée en Ecosse et en France, consiste à établir un « Forum Consultatif » composé de représentants issus d'un certain nombre d'organisations et de groupes à caractère social, économique, culturel et sociétal. Ce projet de thèse explore la manière dont ces Forums Consultatifs sont organisés en observant le fonctionnement du Forum Civique Ecossais et du Conseil Economique et Social (CESR) du Nord-Pas-de-Calais

Tout porte à croire que les assemblées régionales anglaises pourraient choisir d'imiter en premier lieu le modèle écossais. Là-bas, depuis les lois de décentralisation de 1998, le Forum Civique a su s'imposer en tant qu'acteur essentiel de la politique et de la gouvernance écossaise. Le Forum Civique Ecossais représente un corps d'opinions très diverses et compte actuellement plus de 400 membres affiliés.

Néanmoins, le Forum Civique Ecossais ne constitue pas forcément le meilleur modèle de Forum Consultatif pour les régions anglaises. En premier lieu, le Forum Civique Ecossais s'est distingué par son rôle majeur au sein du mouvement autonomiste Ecossais (*Scottish Home Rule*) depuis sa création en 1995, ce qui a largement contribué à ancrer sa légitimité dans la sphère politique écossaise. Les régions anglaises, pour la plupart, ne bénéficient pas d'identités régionales très marquées, ni de forts mouvements régionalistes auxquels puissent s'associer les groupes citoyens comme ce fut le cas en Ecosse avant 1998.

En deuxième lieu, le Forum Civique Ecossais est un organisme à caractère quasi-associatif. L'adhésion, pour ses membres, est purement volontaire et le Forum définit lui-même ses objectifs indépendamment du pouvoir politique. Ce modèle peut très bien fonctionner lorsque, comme en Ecosse, il existe une forte présence des organisations de la société civile organisées au même

niveau d'échelle que les administrations décentralisées. A cause de spécificités historiques très marquées, la plupart des organisations de société civile britanniques ont une antenne à Edinburgh ou à Glasgow. De plus, un grand nombre de groupes ont vu le jour en Ecosse spécifiquement dans le but de défendre les intérêts de leurs membres écossais et n'ont pas de caractère proprement britannique. En revanche, au sein des régions anglaises, les organisations de la société civile sont beaucoup moins développées (elles sont fréquemment regroupées sur Londres), et un système plus formel de représentation pourrait s'avérer préférable.

Tout porte à croire que les régions anglaises feraient mieux de s'inspirer du modèle régional français pour y trouver des exemples de forums consultatifs. Le Conseil Economique et Social Régional (CESR) du Nord-Pas-de-Calais est une organisation statutaire régie par la loi, et non pas un organisme à caractère volontaire. La participation des groupes est régie par le Code Général des Collectivités Territoriales et par un règlement intérieur qui garantissent un équilibre des forces en présence. En outre, le CESR du Nord-Pas-de-Calais n'a jamais fait partie intégrante d'une large campagne de promotion de l'identité régionale (comme on a pu en voir en Catalogne et en Ecosse), mais l'organisme a néanmoins su asseoir son rôle au sein des institutions régionales en fonction d'autres dynamiques politiques et administratives. Au premier abord, il semble donc que les CESR constituent un modèle plus adapté aux réalités des régions anglaises.

Ce projet de recherche s'attache à étudier la manière dont les deux "Forums Participatifs" sus-cités (le Forum Civique Ecossais et le CESR du Nord-Pas-de-Calais) prennent en compte les préoccupations des organisations de la société civile et les communiquent aux décideurs régionaux.

#### **Objectifs du projet:**

Cette étude porte sur deux types de "forums consultatifs" en Ecosse et en France: le Forum Civique Ecossais et le Conseil Economique et Social (CESR) de la région Nord-Pas de Calais. L'objectif de cette recherche est de contribuer indirectement au programme de réformes administratives du Royaume-Uni en accumulant des connaissances sur la décentralisation régionale et sur les modes d'implication de la société civile au sein des collectivités. De manière plus précise, les objectifs sont les suivants:

- Etudier le fonctionnement des "forums consultatifs" en tant que mode d'implication des organisations de société civile dans la gouvernance régionale.
- Identifier les conditions organisationnelles, politiques et culturelles qui permettent une intégration efficace des acteurs de la société civile dans la décision politique par le biais de forums consultatifs.
- Contribuer au développement de nouveaux modes d'implication des organisations de la société civile au niveau régional à travers l'identification de "bonnes pratiques" en France et en Ecosse.

### **Méthodes de recherche:**

En premier lieu, les recherches seront de type documentaire: une revue des sources universitaires et pratiques relatives aux modes d'implications de la société civile dans la gouvernance régionale sera effectuée, avec une attention particulière portée sur le rôle des « forums consultatifs » et leur impact sur les thèmes liés à la qualité de vie

En deuxième lieu, deux études de cas seront menées à bien entre octobre 2005 et décembre 2006: les données à analyser comporteront de multiples sources documentaires (compte-rendus de délibérations, rapports annuels etc.) ainsi qu'une série d'entretiens individuels et collectifs avec des acteurs clefs de la vie régionale, des membres de forums consultatifs et des groupes issus de la société civile régionale

### **Ethique professionnelle**

La conduite de ce projet de recherche est soumise à des règles d'éthique strictes, définies par la charte éthique de l'Association Professionnelle de Sociologie britannique (*British Sociological Association*) et consultables en ligne à l'adresse suivante: <http://www.britsoc.co.uk/equality/63>. Une traduction intégrale pourra être fournie par Mme Firholz sur demande. Les principes élémentaires de l'éthique sociologique sont les suivants:

- Dans la mesure du possible, toute recherche est conditionnelle à l'obtention d'un accord informé (*informed consent*) de la part des participants, les objectifs de la recherche auront été spécifiés clairement et de manière inéquivoque par le chercheur (Art. 16 ).
- Les participants peuvent demander à conserver l'anonymat. Dans ce cas, toutes les mesures seront prises pour que celui-ci soit maintenu. Ceci implique aussi de ne pas divulguer d'informations pouvant amener un lecteur potentiel, par recoupements, à "deviner" la provenance des sources (Art. 18, 19, 34 & 35).
- Les participants peuvent à tout moment décider de ne plus participer au projet de recherche et ce sans devoir se justifier. Dans ce cas de figure, toutes les informations fournies par les participants seront détruites (Art. 17).
- Les résultats d'une recherche de type universitaire ne peuvent en aucun cas nuire aux participants qui l'ont rendue possible. Ils / elles conservent un droit de regard sur les produits de la recherche lorsque ceux-ci sont publiés sur des supports auxquels le public a accès (Art 20, 24 & 26).

### **Pour plus d'information sur ce projet de recherche:**

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