

# Enhancing the democratic legitimacy of independent offices for future generations: the case for embedded public participation

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STUDY OF  
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FOUNDATION FOR DEMOCRACY  
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# Three cases

- Knesset Commission for Future Generations, 2001-6
  - Right to information; examine parliamentary bills; request reasonable time to prepare opinion (delay)
- Hungarian Parliamentary Commissioner for Future Generations, 2008-2011 (Deputy Ombudsman 2011 onwards)
  - Ombudsman role in relation to Fundamental Law; power to suspend administrative action
- Future Generations Commissioner for Wales, 2016-present
  - Promote 'well-being goals'; monitor action of all government ministries and public bodies; Future Generations Report one year before election

# Shared characteristics

- Oversight function
  - “democracy can flourish *only if it acknowledges the risks of dysfunctionality and equips itself with institutions capable of subjecting its own inner workings to constructive evaluation*” (Rosanvallon 2008: 74-5)
- Independence
- Creatures of statute

# Legitimacy challenges faced by OFGs

- Unelected body
    - Derivative legitimacy from statute
  - Political vulnerability
    - Challenge core policies and projects of political elite
    - No constituency / influential lobby
  - How to represent future generations
    - Surrogate representation
    - Plurality of interests across / within future generations
- ➔ Public participation as strategy to enhance legitimacy of OFGs

# Participation practices of OFGs

- Israeli Commissioner
  - Creature of parliament – no explicit public participation
- Hungarian Commissioner
  - Ombudsman function – complaints from public
- Welsh Commissioner
  - “The Wales We Want” national conversation precursor to Well-being of Future Generations (Wales) Act 2015
  - Legislative basis – “Greater engagement in the democratic process, a stronger citizen voice and active participation in decision making is fundamental to the well-being of future generations”
  - Strategic plan (2017-23) – “Champion effective public involvement and engagement, challenging ourselves and others to better understand the needs of our communities, our people and their influence on the decisions that affect them”

# Democratising OFGs

- How to bring citizens into strategic decision making processes of OFG and other bodies?
- Deliberative mini-publics particularly well-suited to bring diverse voices into work of OFGs

	No of participants	Time	Output	Example
Citizens' jury / reference panel	12-43	2-5 days (or longer)	Recommendation in a citizens' report	Oregon Citizens' Initiative Review, US MASS-LBP, Canada NewDemocracy, Australia
Planning cell	25 run in parallel or series ➔ 100s	2-7 days	Citizen report collates findings from different cells	University of Wuppertal, Germany
Consensus conference	10-24	3 days (plus prep weekends)	Recommendation in a citizens' report	Danish Board of Technology
Citizens' assembly	(50) 99-150	Series of weekends	Recommendation	British Columbia/ Ontario, Canada, Ireland
Deliberative poll	200+	Weekend	Post-deliberation survey	Center for Deliberative Democracy, US
G1000	1000	1 day	Series of votes on proposals	Belgium (Netherlands)



# Random selection + deliberation...

- Socially and cognitively diverse body
  - plurality of perspectives on interests of future generations
  - Type 1 → Type 2 thinking
  - common good / long-term orientation
  - considered judgement / collective intelligence
  - “‘*fact-regarding*’ (as opposed to ignorant or doctrinaire), ‘*future regarding*’ (as opposed to myopic) and ‘*other regarding*’ (as opposed to selfish)” (Offe and Preuss 2016 [1991]: 59)
- Sortition as defence against asymmetries in social and economic power
- Builds political capital of OFG
  - Mini-publics as trusted proxy



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# Extinction Rebellion

1. The Government must tell the truth about the climate and wider ecological emergency, reverse inconsistent policies and work alongside the media to communicate with citizens.
2. The Government must enact legally binding policy measures to reduce carbon emissions to net zero by 2025 and to reduce consumption levels.
3. A national **Citizen's Assembly** to oversee the changes, as part of creating a democracy fit for purpose.

<https://rebellion.earth/demands/>



# Ameliorating harmful short-termism

- Tendency to look towards traditional, elite and technocratic institutional solutions
- “Democratising democracy” as complementary (alternative?) strategy
- Independent OFGs as one potential vehicle for democratisation...
  - Plurality of perspectives on future generations
  - Builds political capital
  - Defends against social and economic power

Thank you for your attention

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