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Inside the innovation: participants' perceptions of the Consultative Committee of Inquiry to Enhance the Quality of Democracy in Austria, 2014–15

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ABSTRACT

This article is a comprehensive analysis of the democratic benefit of a democratic innovation introduced to the Austrian Parliament in the year 2014–15: the Consultative Committee of Inquiry to Enhance the Quality of Democracy in Austria. As a novelty, eight citizens, selected by lot, were included to participate in this committee. This article looks at the perceptions of these citizens (gathered via interviews), committee protocols and media coverage. The committee deepened the lack of trust in politics, and it fell prey to party politics. Pseudo-participation to window-dress problems is likely to be detected by participants and the media, especially when they occur in established forms of deliberation. This article shows that, instead of enhancing democracy, democratic innovations can backfire.

KEYWORDS

Austrian Parliament;
committee of inquiry;
democratic innovation;
democracy; political
participation; political parties

Introduction

Democratic innovations (DI) is a term that has been established in political science over the last 15–20 years.¹ It refers to new democratic practices that have been or are currently implemented in representative democracies, with the aim to enhance participation of citizens and to tackle the crisis of representative democracy. The ‘crisis’ of representative democracy has been one of the long-standing topics of political science.² While some scholars focus on growing complexity, global interdependencies, loss of national sovereignty, the financial crises of 2008 and other structural aspects, others discuss the deteriorating relations between democratic institutions and citizens.³ Declining voter turnout and party membership, disenchantment with politics in general and lack of trust in

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¹M. Saward, *Democratic Innovation: Deliberation, Representation and Association* (London and New York, 2000).

²W. Merkel, *Nur schöner Schein? Demokratische Innovationen in Theorie und Praxis* (Frankfurt, 2015).

³S. Pharr and R. Putnam (eds), *Disaffected Democracies: What's Troubling the Trilateral Countries?* (Princeton, 2000); R. Dalton, *Citizen Politics: Public Opinion and Political Parties in Advanced Industrial Democracies* (Washington, DC, 2008); G. Agamben, A. Badiou, D. Bensaid, W. Brown, J. Nancy, J. Rancière, K. Ross, and S. Žižek (eds), *Demokratie? Eine Debatte* (Frankfurt am Main, 2009); M. Zürn, ‘Perspektiven des demokratischen Regierens und die Rolle der Politikwissenschaft im 21. Jahrhundert’, *Politische Vierteljahresschrift: Zeitschrift der Deutschen Vereinigung für politische Wissenschaft* 52, (2011), pp. 603–35; D. Michelsen and F. Walter, *Unpolitische Demokratie. Zur Krise der Repräsentation: Politik im apolitischen Zeitalter* (Berlin, 2013).

political institutions are symptoms of this development. A different perspective argues that citizens are active in multiple ways, focusing not only on the political decision-making process but also on influencing politics and political decision-making through unconventional channels.⁴ Democratic innovations are institutionalized forms of political participation beyond parties for both: those critical of political institutions and those who seek to participate in multiple ways.

Austria seems to be only mildly affected by some of the general trends described in the literature on the crisis of democracy. In national elections, about three quarters of eligible voters present themselves at the ballots. One explanation for this could be the fact that in countries which have had compulsory voting, voter turnout stays high even after compulsory voting was abolished.⁵ Voter turnout and party membership are traditionally high in Austria, and consequently recent declines are often perceived as severe even though both parameters are still higher than in other European countries.⁶ This also holds true for other indicators such as trust in the national parliament, government and political parties and the overall satisfaction with the way in which democracy works.⁷ However, even though the comparative data might present an optimistic picture, it seems that the political system in Austria is struggling with severe challenges.

This article analyses one of the first tentative democratic innovations in Austria, the inclusion of citizens in a consultative body in parliament. The Consultative Committee of Inquiry to Enhance the Quality of Democracy in Austria (CCI) can thus be seen as the first cross-party and nationwide response to a perceived democratic malaise.

Formally, the function of a consultative committee of inquiry lies in information gathering as well as opinion formation but not in actual parliamentary decision-making. Still, the committees are meant to be an open space for deliberation and to prepare comprehensive and meaningful recommendations. From this perspective, the strengthening of democracy is framed as a pressing issue as the chosen instrument the political relevance. The goal was twofold: to deliberate on the mechanisms to enhance direct democracy and to strengthen and modernize parliamentary work. The CCI was the first committee of inquiry that allowed eight citizens to participate in such an arena, and expectations were quite high. In this paper the following questions are asked: How is the Consultative Committee of Inquiry to Enhance the Quality of Democracy in Austria perceived by the participating citizens? To what extent can the CCI live up to the ascribed democratic benefits of democratic innovations?

After this short introduction, I look at the theoretical debate on democratic innovations and clarify the democratic functions connected to these tools. I then briefly describe the background of the CCI by looking at the setup and its function. Next, I analyse the CCI according to Smith's⁸ principles of DI that help to evaluate the democratic benefit of democratic innovations. The study is based on guided interviews with six out of eight citizens who were selected to participate in the CCI and a content analysis

⁴D. de Nève and T. Olteanu (eds), *Politische Partizipation jenseits von Konventionen* (Opladen, 2013).

⁵D. de Nève, *NichtwählerInnen – Eine Gefahr für die Demokratie?* (Opladen, 2009), p. 40.

⁶D. Winerither and H. Kitschelt, 'Die Entwicklung des Parteienwettbewerbs in Österreich im internationalen Vergleich', in L. Helms and D. Winerither (eds), *Die österreichische Demokratie im Vergleich* (Baden-Baden, 2012), p. 202.

⁷Eurobarometer 77–83, 2012–15, accessed at http://ec.europa.eu/public_opinion/archives/eb_arch_en.htm on 11 April 2021.

⁸G. Smith, *Democratic Innovations. Designing Institutions for Citizen Participation* (Cambridge, 2009).

of CCI protocols, press releases by parties and newspaper coverage (54 articles). In the final section, I discuss the lessons learned.

Democratic innovations

While the aim of democratic innovations is rather straightforward, definitions are at times not as clear. Saward⁹ stresses: ‘The phrase “democratic innovation” expresses a critical commitment to democratic values of popular participation and political equality, allied to an urgent imperative for theorists to articulate and analyze new solutions to the problems of democracy.’ Newton’s¹⁰ cautious definition is somewhat surprising as it does not make any direct reference to citizens as actors in the democratic government or politics. According to Newton, they consist of a ‘successful implementation of a new idea that is intended to change the structures or processes of democratic government and politics in order to improve them’. Smith¹¹ summarizes DI as ‘institutions that have been specifically designed to increase and deepen citizen’s participation in the political decision-making process’.

In accordance with Smith, I argue that the innovative aspect lies in the fact that representative democracies test new democratic practices of citizens’ inclusion, be this a governmental strategy or as a result of pressure from below, by strengthening merely electoral participation or by introducing complex deliberative procedures. There is no blueprint for DI and they are developed in country-specific contexts. For example, participatory budgeting in Porto Alegre has little resemblance to participatory budgeting projects in Germany. The Porto Alegre case aims at tackling inequality and social exclusion,¹² while many German participatory budgeting projects aim at legitimizing budget cuts.¹³ From the perspective of deliberative democracy, there is also tension between normative ideals and underlying power structures that shape deliberation such as speech culture, expertise/information and resources.¹⁴ Furthermore, DI can have different effects in different democratic systems.¹⁵ They are an institutionalized reaction to the debate on the crises of democracy.

DI follow different theoretical concepts of democracy and mostly relate to participatory practices of democracy in general. They follow normative concepts which aim at an incremental change of ‘real existing’ democracy.¹⁶ Smith¹⁷ highlights the fact that ‘no practical design can realistically hope to meet all the rigorous demands of any particular

⁹Saward, *Democratic Innovation*, p. 4.

¹⁰K. Newton, ‘Curing the Democratic Malaise with Democratic Innovations’, in B. Geissel and K. Newton (eds), *Evaluating Democratic Innovations – Curing the Democratic Malaise?* (London and New York, 2012), p. 4.

¹¹Smith, *Democratic Innovations*, p. 1.

¹²B. de Sousa Santos, ‘Participatory Budgeting in Porto Alegre: Toward a Redistributive Democracy’, *Politics & Society* 26, (1998), pp. 461–510.

¹³A. Röcke, *Framing Citizen Participation: Participatory Budgeting in France, Germany and the United Kingdom* (Basingstoke, 2014).

¹⁴For a critical assessment of deliberation in democratic innovations see also H. Asenbaum, ‘Facilitating Inclusion: Austrian Wisdom Councils as Democratic Innovation between Consensus and Diversity’, *Journal of Public Deliberation* 12, (2016), article 7; M.E. Jonsson, ‘Democratic Innovations in Deliberative Systems – The Case of the Estonian Citizens’ Assembly Process’, *Journal of Public Deliberation* 11, (2015), article 7.

¹⁵A. Michels, ‘Innovations in Democratic Governance: How Does Citizen Participation Contribute to a Better Democracy?’ *International Review of Administrative Sciences* 77, (2011), pp. 275–93.

¹⁶B. Geissel, ‘How to Improve the Quality of Democracy? Experiences with Participative Innovations at the Local Level in Germany’, *German Politics and Society* 27, (2009), pp. 51–71.

¹⁷Smith, *Democratic Innovations*, p. 10.

theoretical model'. He also warns that democratic theories 'oversimplify the complexity of democratic practice'.¹⁸ These arguments hold true as democracies cannot be implemented from scratch but undergo a constant process of development and (re-)calibration to old and new challenges. DIs are important tools in the incremental transformation of existing democracies. They can be selective, short or long term, successful or failures.

One has to be aware of the fact that they can be initiated as or turned into pseudo-participation, a problem that has already been discussed with regard to participatory democracy,¹⁹ or into 'window dressing and symbolic action', as Geissel²⁰ puts it.

Moreover, democratic innovations are embedded in a wider societal and governmental context and power structure. Cornwall²¹ and Gaventa²² have reflected on different levels of participatory space and inherent power relations from the perspective of development assistance/cooperation. They do not refer to 'democratic innovation' but rather use the term 'participatory governance' or 'citizen participation' and focus primarily on dynamics that promote a more 'inclusive, just or pro-poor' change.²³ This approach also sheds light on the 'power relations which surround and imbue these new, potentially more democratic, spaces'.²⁴ Three different spaces constitute the core of the concept: closed (or provided) space where actors make decisions without any outside involvement from citizens or non-governmental organizations (NGOs); invited space where authorities call other people to participate; and claimed space where less powerful actors create space autonomously, beyond institutionalized configurations. These versions of space are dynamically interrelated. Closed space may be challenged by excluded actors who ultimately might organize in claimed space. Or, '[C]losed space may seek to restore legitimacy by creating invited space'.²⁵ The spacial dimension of participation is thus already a result of existing power relations and its challenges and preconfigures in a way the newly created invited or claimed space. Gaventa argues further that visible, hidden and invisible powers are inscribed in these new forms of participation.²⁶ Visible power refers to formal rules, procedures and institutions of political decision-making; hidden powers control the political agenda, while invisible power describes how socialization, culture and ideology shape participation by all actors involved. Here, dominating forms of behaviour manifest themselves as normal and norms by which all participants are indirectly measured. Gaventa calls this power the 'most insidious' of the three.

Combining the concepts of democratic innovation, spaces and power helps us to analyse the case of the Consultative Committee of Inquiry to Enhance the Quality of Democracy in Austria.

¹⁸Smith, *Democratic Innovations*, p. 10.

¹⁹S. Verba, *Small Groups and Political Behavior: A Study of Leadership* (Princeton, 1961), p. 69.

²⁰B. Geissel, 'Democratic Innovations – Theoretical and Empirical Challenges of Evaluation', in Geissel and Newton (eds), *Evaluating Democratic Innovations*, p. 211.

²¹A. Cornwall, 'Locating Citizen Participation', *IDS Bulletin* 3, (2002), pp. i–x.

²²J. Gaventa, 'Finding the Spaces for Change: A Power Analysis', *IDS Bulletin* 37, (2006), pp. 23–33.

²³Gaventa, 'Finding the Spaces', p. 23.

²⁴Gaventa, 'Finding the Spaces', p. 23.

²⁵Gaventa, 'Finding the Spaces', p. 27.

²⁶Gaventa, 'Finding the Spaces', p. 29.

Typologies of democratic innovations

Within the literature there are two different typologies of DI: one that is oriented along democratic principles,²⁷ the other one approaching the question from access points (broadly speaking, actors and institutions) within the political system and potential range of the innovation. Based on Geissel, Newton²⁸ differentiates between (1) voting in elections; (2) information, consultation and deliberation; (3) co-governance; (4) direct democracy; (5) e-democracy and, on the top-down level, vertical and horizontal accountability. Committees of inquiries are situated in Austria between (2) and (3). Their main purpose, as described by law,²⁹ lies in the consultations and discussions before a parliamentary decision-making process. The power to decide is formally decoupled from this body but implicitly tied: the parliamentary parties send members to the committee and a final report should reflect the common understanding of all actors. This should translate into a political decision in parliament. Smith's democratic theory-led typology differentiates six principles and will be the guiding concept for this analysis.

Inclusiveness

Smith addresses inclusiveness in three distinct forms. The first one is rather conventional, asking who participates and whether different social groups are adequately represented or overrepresented (selection mechanism), as certain criteria (education and social strata) make some people more likely to engage than others. The second aspect is 'fairness in making contribution' or the 'equality of voice'.³⁰ He discusses here the (feminist) critique of deliberative democracy,³¹ highlighting that particular forms of expressions are considered appropriate, 'thus perpetuating the dominance of citizens more skilled in these "higher" forms of communication'. Finally, Smith links the equality of voice also to the output dimension.

Popular control

Another dimension is the control over the agenda. The topic citizens deal with should be salient, not merely marginal, and participation should have a real effect on political decisions. Citizens should be able to be part of and influence all stages of the process from problem definition to the actual outcome.

Considered judgement

Considered judgement concerns the capacity of citizens. These judgements are individual or collective and should be based on a reflective examination of the issue. Smith³² refers to Hannah Arendt's idea of an 'enlarged mentality' that makes citizens more reflective, considering positions of others and not only acting out of self-interest. Besides this, the capability of processing information plays a role as well.

²⁷Smith, *Democratic Innovations*.

²⁸Geissel, 'How to Improve'; Newton, 'Curing the Democratic Malaise'.

²⁹BGBI Nr. 720/1988, accessed at https://www.ris.bka.gv.at/Dokumente/BgblPdf/1988_720_0/1988_720_0.pdf on 11 April 2021.

³⁰Smith, *Democratic Innovations*, p. 21.

³¹I. Young, *Inclusion and Democracy* (Oxford, 2000).

³²Smith, *Democratic Innovations*, p. 24.

Transparency

Transparency refers to the whole process of participation, from its initial idea to the proposed output. It helps to protect citizens from pseudo-participation. Smith also sees the external transparency – the creation of publicity and provision of information to the public – as an important pillar of successful DI.

Efficiency

Efficiency relates to balanced equilibriums between individual, administrative and social costs of participation and the expected benefits. The efforts that are demanded from the citizens are taken into account. Those costs depend on the political circumstances and the type of DI applied.

Transferability

Transferability refers to the (administrative) level where participation takes place and whether some forms are only applicable on the local community level, while others can operate on the global level. Furthermore, country-specific elements might affect the design of DI. In our case, the criteria are slightly different as the question is whether the innovation might be institutionalized or transferred to other parts of the political system.

These criteria outlined by Smith³³ are of course a reflection of a normative understanding of democracy, but they can be applied as guidelines for the evaluation of democratic innovations that are rooted in the normative idea of inclusive political participation.

The Consultative Committee of Inquiry to Enhance the Quality of Democracy in Austria

In the following section, I will give a short overview of the Consultative Committee of Inquiry (CCI) and its composition as well as its genesis. In October 2011, the opposition parties proposed the extension of instruments of direct democracy in the national parliament. Several civil society organizations drafted initiatives concerning the same issue. Those plans fell through, and in January 2013 the two governing parties, the Social Democratic Party (SPÖ) and the conservative Austrian People's Party (ÖVP), presented a Democracy Package. This contained only minor improvements to existing regulations. Challenging this Democracy Package, the opposition parties (the Green Party and the populist FPÖ) presented their own legislative proposals in the spring of 2013. Since none of the proposals could reach a majority in parliament, the governing parties negotiated a compromise with the Green Party. A new draft was presented in June 2013, which was criticized by various civil society actors. The summer break in parliament and the upcoming national elections put it on hold. After the election of September 2013, all parties – now six – in parliament decided to install the CCI as a reaction to the growing dissatisfaction with the way in which democracy was working in Austria and to give a new impulse to the failed Democracy Package. The goal was to enhance tools of direct democracy, strengthen parliamentary work and modernize parliamentary

³³Smith, *Democratic Innovations*.

procedures and framework conditions, as well as increase the participation of citizens.³⁴ Therefore, the CCI was implemented as a special form of a committee of inquiry.

Committees of inquiry aim at informing responsible MPs concerning a certain issue by inviting experts and stimulating deliberation among the MPs.³⁵ The decision to invite citizens to take part in a committee of inquiry was explicitly framed as an innovative approach to tackle the crisis of democracy. The organizers (the Austrian Parliament) of the CCI invited citizens to apply to participate in this CCI and used different channels (newspapers, parties as multipliers, and social media) to advertise it. Citizens with the right to vote in Austria were eligible to apply. All approximately 1200 applications were assigned to four different categories: female under 35 years, female over 35 years, male under 35 years and male over 35 years. The general secretary of parliament then drew by lot two citizens from each category, making a total of eight. These citizens were invited to participate and speak in each session of the committee.³⁶ There was no public debate on the selection criteria, the number of citizens and the internal selection process. In the end, the lot brought together citizens with different professional backgrounds (university of applied science student, graduate of an evening school, retired persons, and employees in various fields). Most of them were from Vienna or nearby. While eight people cannot represent the most relevant different groups in society, at least some attention was paid to the composition. Even though the CCI had only consultative functions, (legal) residents without Austrian citizenship were excluded.

The other members of the CCI were MPs of all the parties in parliament (SPÖ, ÖVP, FPÖ, Green Party, NEOS and Team Stronach) and experts who had been nominated by the parties (political scientists, jurists, etc.). A total of eight sessions took place from 18 December 2014 to 16 September 2015 in the assembly halls of the Austrian *Nationalrat* and *Bundesrat*. All the sessions were open to the public.

In the first two sessions (18 December 2014 and 22 January 2015), discussions were held on the status quo regarding the legal and de facto status of direct democracy and possibilities of participating in the political process in Austria aside from elections. The topic of the third session (18 February 2015) dealt with different forms of direct democracy and participation of citizens in other countries. In the following sessions, the civil society actors and NGOs (session four, 11 March 2015) and the media (session five, 15 April 2015) presented their positions. Session six (6 May 2015) focused on parliaments in different countries. In each of those sessions, experts, MPs and the eight citizens were allowed to speak for 5–10 minutes, followed by discussions in the assembly. Before each session, the general secretary of parliament provided the citizens with detailed information about the following session. However, there was no real facilitation of the whole process of the CCI. Two final sessions (2 June 2015 and 16 September 2015) concluded the CCI.³⁷

Before the official end of the CCI, the governing parties (SPÖ and ÖVP) declared in a joint press conference on 6 July 2015 that the CCI had failed and no conclusions had been

³⁴ Austrian Parliament, 'Enquete-Kommission zur Stärkung der Demokratie', 2015, accessed at <https://www.parlament.gv.at/PERK/NRBRBV/NR/PARLENQU/PEKDEMO/index.shtml> on 11 April 2022.

³⁵ Austrian Parliament, 'Parlamentarische Enqueten und Enquete-Kommissionen', 2015, accessed at <https://www.parlament.gv.at/PERK/NRBRBV/NR/PARLENQU> on 11 April 2022.

³⁶ Austrian Parliament, 'Parlamentskorrespondenz Nr. 912', 2014, accessed at https://www.parlament.gv.at/PAKT/PR/JAHR_2014/PK0912/index.shtml on 12 April 2022.

³⁷ Austrian Parliament, 'Enquete-Kommission zur Stärkung der Demokratie'.

reached. This was especially surprising since the press conference took place several weeks before the final session in September, where the MPs as well as the participating citizens were supposed to draw their conclusions from the CCI. This line of action led to upset and a lack of understanding by the opposition parties, the participating citizens and the media.

In this sense, this CCI democratic innovation is unusual in many ways and presents a modification to the literature on DI. It is proclaimed a democratic innovation by the organizers, but it is not a new institution in itself. According to Gaventa, one could argue that the classical committee of inquiry is a closed space in terms of access where only elected representatives and experts have the right to participate. However, it is not closed in the sense that consultations and decisions are kept secret from a wider public. Rather the opposite, it is – in its core – a deliberative forum of political participation with restrictive access. This specific committee has been transformed into an invited space and ultimately into a democratic innovation. At the same time, the topic itself was the promotion of new forms of citizens' engagement. Furthermore, it is unusual as it invites citizens into the centre of power of representative democracy – the parliament where hidden powers (shaped through discourse practices, socialization and habitus) are institutionalized over a long period. This also holds true for the political power constellation, as the governing parties used their powers to put an end to the CCI.

Citizens' perceptions of the CCI (as DI)

In the following, I look at the perceptions of the CCI from the perspective of the participating citizens. In addition, I also include the debate within the CCI where participating actors discuss their understanding of this new instrument. Finally, I include the media coverage on the CCI and look for direct and indirect evaluations of the CCI. I presume that the media coverage has an impact on how citizens view the whole process.

As one can see above, *the* central innovation constitutes the inclusion of eight Austrian citizens in a consultative body in parliament. I reached out to all of them, and six agreed to a guided interview. **The interviews were recorded and took between 25 and 45 minutes each. They were structured along the aforementioned criteria of DI but left room for additional observations and perceptions by the participants with regard to the perceived democratic potential of the CCI.** Each interviewee was assigned a letter (A–F), which will be used for quotations.³⁸

In addition to the interviews, I analysed the protocols of the eight sessions of the CCI. I evaluated how the tool was discussed within the committee itself in order to determine what expectations were expressed. The protocols are accessible through the homepage of the general secretary of parliament.³⁹

Democratic innovations are supposed to tackle disenchantment with democracy as outlined by the literature. Therefore, the way in which they are discussed in public can have an impact on how society assesses these instruments. The general secretary of

³⁸Citizen A, face-to-face interview 3 March 2016 at the Department for Political Science, University of Vienna. Citizen B, face-to-face interview 3 March 2016 at the Department for Political Science, University of Vienna. Citizen C, telephone interview 14 March 2016. Citizen D, face-to-face interview 3 March 2016 at the Department for Political Science, University of Vienna. Citizen E, telephone interview 4 April 2016. Citizen F, telephone interview 3 May 2016.

³⁹All protocols are accessible at <https://www.parlament.gv.at/PERK/NRBRBV/NR/PARLENQU/PEKDEMO/index.shtml>.

parliament regularly issued a press review exclusively on the CCI between 23 September 2014 and 23 September 2015. I included all 54 articles in my analysis that were distributed in this press review.

The general observation is that press releases from the parties or the general secretary of parliament mainly triggered media reporting. Therefore, coverage had three peaks: the first session in December 2014 and after the final session in September 2015, when the parties presented their reports. In between, there was one peak when the two governing parties held a press conference (6 July 2015) to declare the failure of the CCI.

Analysis of the interviews and media coverage

The participation of eight citizens was an important step towards more *inclusiveness*. Most of the citizens remembered the very open framing of the call, which dealt basically with ‘strengthening democracy in Austria’. A remembered that the goal was to ‘create innovation together’.

The participating citizens represented different social groups, but the selection mechanism took only age and gender into account. There was no reflection on the selection criteria or underlying excluding effects such as the individual economic situation, education and citizenship, nor references to the actual contribution expected by citizens. Within the CCI, ‘fairness in making contributions’⁴⁰ was given since the selected citizens had the same rights to speak as the politicians and experts. But formal rights do not necessarily equate to equality in practice. Surprisingly, most of the citizens stated that they did not feel institutionally disadvantaged and felt that they adapted rapidly to the setting. Nevertheless, most participants interviewed expressed some kind of unease when they first stepped up and talked at the speaker’s desk in parliament. ‘To speak there for the first time was a huge challenge’ (F). They described themselves as nervous (D), afraid of making a fool of themselves (C) or as having to overcome their inhibitions (B). Most of them valued that they were talking in the parliamentary assembly. Only one citizen, who is also professionally organizing innovative participatory formats, voiced severe criticism with regard to the overall static setting that did not allow for in-depth exchange or deliberation (A). Two citizens described a learning process. One mentioned how she started to copy certain linguistic patterns used by MPs (D). Retrospectively, none of the citizens interviewed regarded ‘equality of voice’ as a serious problem, and most emphasized that they all did a good job. Still, they indirectly questioned whether the organizers had a clear vision of the citizens’ role in the CCI, and they tried to adapt to the rules of the parliamentary game. Only interviewee D – who defined her role as bringing in new topics and who discussed two subjects throughout the whole time – perceived the whole process as overwhelmingly positive and successful.

Throughout all the statements from all the actors, there is clear appreciation and enthusiasm about the inclusion of citizens as such, but no specific idea how and to what extent this committee profits from their involvement. The protocols also show that other speakers such as experts and MPs hardly referred to the citizens’ contributions. During all the sessions, there were in total 11 direct references to statements from the

⁴⁰Smith, *Democratic Innovations*, p. 21.

citizens present, and these referred to only two citizens. This is an indicator for a mismatch between expectations and practices.

When looking at the power relations and experiences of the actors involved, the citizens interviewed do not display clear patterns of how they regarded the contact with parliamentarians and other actors. One stated ironically, 'I didn't even think of the possibility to talk to one of the honourable MPs outside of the CCI' (F). Two of them remembered interactions with parliamentarians as difficult. One interviewee recalled the only encounter where the citizens and parliamentarians sat around the same table and discussed behind closed doors. She remembered the meeting as a lecture: 'the politicians wanted to convey the message of how difficult and complex political decision-making can be and that the citizens can now see for themselves' (A). The interviewees were particularly irritated by the implicit assumptions made by the politicians that citizens have no idea how hard the work of an MP is. All of them reported hardly any or only selective interactions with politicians throughout the whole process. The relationship to the MPs remained ambivalent as they ultimately felt ignored by the professional politicians. Consequently, existing power relations were not discussed and tackled but rather cemented from the very beginning. Even the one participant who already knew one of the parliamentarians before the CCI started, mentioned that there was no contact between them. The anticipated and officially celebrated intention by MPs to interact with citizens did not materialize. Formal inclusion and deliberation were met with informal ignorance.

Another aspect reflects structural problems that have not been addressed. The eight citizens had to organize their leave of absence from work or university themselves. It depended on their employer to what extent they were able to participate or on their willingness to use leave days (E). 'I had to take time off work but I was gladly willing to do so for this seemingly important and significant effort' (F). One person explicitly thanked her employer for the opportunity to take part in the CCI. Another one implied that he was disappointed at how the CCI developed and preferred to go to work than participate under the given conditions. Others could only attend some of the sessions because of work obligations. There was no representation allowance, just reimbursement for travel expenses and free parking. The non-regulated leave of absence from other obligations had a direct influence on the attendance in the CCI. One can presume that it might also have had an effect on the composition of the whole process, as only people who would have been able to organize this leave of absence might have applied. On the whole, these findings show that the organizers of the CCI did not reflect on the relevance of 'skills and competences' needed for deliberation⁴¹ nor on the 'deliberative capital'.⁴² The division between the normal citizens and the professional MPs was not addressed properly within the CCI. The citizens adapted to the dominant group but did not gain any form of recognition.

Popular control: the citizens were not involved in the agenda setting of the CCI. They were merely an add-on to an already existing process, and several interviewees raised this issue. The expectations with regard to the citizens' role and input remained unclear throughout the whole CCI.

⁴¹For a discussion see J. Knight, and J. Johnson, 'What Sort of Political Equality Does Deliberative Democracy Require?' in J. Bohman and W. Rehg (eds), *Deliberative Democracy: Essays on Reason and Politics* (Cambridge, MA, 1997).

⁴²M. Holdo, 'Deliberative Capital: Recognition in Participatory Budgeting', *Critical Policy Studies* 10, (2016), pp. 391–409.

All citizens perceived the CCI as an interesting experience and saw their invitation as an opportunity to impact discourses on various issues. However, they highlighted more the flaws than the achievements. All agreed that deliberation on the strengthening of democracy in Austria is relevant and needed. There was no doubt about the salience of the issue. 'The motivation was to strengthen the rights of all citizens' (F). All remembered being elected to the CCI as a positive moment and were motivated to engage. But there was no clear vision laid out of the contribution that citizens should make within this democratic innovation – a construction fault.

Most of the interviewees were disappointed (though to different degrees) to find out in due course that they were supposed to jump on a bandwagon that had been set in motion long before – a very constrained agenda for direct democracy. The origin of the CCI (as a result of the failed Democracy Package) and the strong focus on instruments of direct democracy came therefore as a surprise to most of them. One person (B) said: 'it doesn't make sense that, after three years of political debate to suddenly say, let us bring in the citizens as well'. One of the citizens wrote a very harsh assessment of the CCI, accusing especially the governing parties of lacking the political will to actually make democracy more innovative.⁴³ This article led to a response by another citizen who wrote a letter to the editor, thanking her for her insight into this delusion.⁴⁴

Most of the citizens mentioned that party politics and the conflict between government and opposition dominated the CCI. Some felt even exploited by the political elite. 'I am very disappointed, since I believe we were used by the political parties' (C). Describing the CCI retrospectively, they used the phrases 'alibi' (B), 'nice PR strategy' (A) and 'marketing gag' (E). One citizen remembered that the press release of one party had as its central message 'citizens in Austria are not yet mature enough for direct democracy' (C). This was generally perceived as a (partly personal) offence.

While the importance of citizens' participation was highlighted (virtually overemphasized) throughout the whole process, the results suggest a different reality. There was no doubt that the CCI has no power to decide, but its symbolic nature and consultative function legitimized its relevance for all actors and the wider public. The limited democratic benefit is twofold. First, it results in the limited agenda of purely direct democracy and other technical issues and not as expected and promoted in advance. Second, the traditionally prestigious consultative committee of inquiry fell prey to the self-interest of governing parties. This has rather perpetuated the disenchantment with politics of the citizens involved and the larger public. The citizens were supposed to play an active role and ended up feeling they were *nice to have* in the regular political power play. 'I am very disappointed because I think we were being used by the political parties' (C). They felt that the agenda had already been set long before the first meeting, and therefore popular control was reduced to an orchestrated show. Here Geissel's critique of pseudo-participation comes to mind.⁴⁵

All interviewees displayed a clear willingness to act out of **considered judgement**. They highlighted their expertise as citizens and tried to display different views. One citizen even voiced his concern that citizens should be selected more carefully, implying

⁴³*Tiroler Tageszeitung*, 'Rückfall in den alten Stil', 25 July 2015.

⁴⁴*Tiroler Tageszeitung*, 'Leserbriefe', 28 July 2015.

⁴⁵Geissel, 'Democratic Innovations'.

doubt in a random selection process and questioning the capability of some of the eight partaking citizens. Most of them reported that they made considerable efforts to prepare themselves for their statements in the committee. For example, C contacted institutions and asked for information about the topic he wanted to discuss. In the interview he mentioned how his input was challenged by a parliamentarian implying that he had used unreliable data, followed by an expression of surprise when informed that C had acquired the information himself.

Most of the citizens interviewed struggled with their role within the CCI: while the format was clear, the real meaning of citizens within the CCI remained undefined to them. D saw her task in proposing ideas as a non-politician to parliament, while B wanted to seek the opportunity to set the agenda for topics he had been promoting in other bodies as well. C and F commented on their role as presenting the people's voice and to counter disenchantment with politics. Most of them highlighted two contradictory perspectives, that of an 'expert' and that of an 'ordinary' citizen, drawing from their own experiences. Some stressed the fact that they were not invited to participate because of a specific expertise in the field of direct democracy. 'I was surprised about the subjects of the sessions. As a normal citizen it was sometimes harder to follow what the experts were saying' (C). Citizen E voiced severe reservations about the capabilities of the group. He felt that some of them misused or misinterpreted their function within the CCI and addressed individual problems, not the topic of direct democracy. According to him, the selection process should be revised and improved (E). This statement also shows clearly that the citizens struggled with the ambivalent role they were assigned.

The general secretary of the parliament provided detailed information – which was appreciated – but being on an equal footing with the invited experts and MPs was perceived as problematic. This led to a certain imbalance within the CCI, since 'expertise inevitably generates exclusionary discourses and closed circles of deliberation, which become barriers to citizen participation'.⁴⁶ Again, this impeded the potential democratic benefit of the idea of citizens as a supplementary resource with specific experiences.

Transparency was partly present, as some of the sessions were broadcast on television and one can find the protocols of all sessions online. The final decision was not transparent since the governing parties basically terminated the CCI single-handedly without the involvement of the opposition parties or the citizens. The media did not help to add to the success either. The stage and improvement of democracy does not seem to be an issue worth reporting on a regular basis, since the committee was barely covered by the media. Media coverage was almost only triggered by press releases from the parties or the general secretary of parliament. Official press releases were rarely supplemented by own research. The reporting also clearly reflects that the CCI failed because of a lack of political will and not because of irreconcilable differences or flaws. One can speculate that there was not a lot of pressure on the governing parties to make the CCI a success as it took place under the radar of the wider public. Thus, the criticism by the media towards the end of the committee matches the impression of most of the citizens involved (see

⁴⁶P. Dahlgren, *Media and Political Engagement: Citizens, Communication and Democracy* (Cambridge, 2009); S. Chambers, 'Balancing Epistemic Quality and Equal Participation in a System Approach to Deliberative Democracy', *Social Epistemology* 31, (2017), pp. 266–76.

‘popular control’ above). The *Vorarlberger Nachrichten* called it a ‘tragedy’,⁴⁷ and the *Tiroler Tageszeitung* detected a backlash to old habits.⁴⁸ Others stated that ‘the government buries the planned democracy reform’⁴⁹ and that the ruling parties ‘killed the heart of democratic reform’.⁵⁰

In sum, the opposition parties and the citizens involved were left with a bitter after-taste that the committee had resulted in pseudo-participation and not even a trace of deliberation, owing to the unwillingness of the governing parties to bring about change by better integrating citizens in the political decision-making process through various instruments. The citizens felt hindered in their ability to exert popular control on the one hand and presumed a hidden agenda by the governing parties. The procedure was transparent but not the decision-making process. This was dominated by the most powerful actors, the two governing parties, who used their informal and de facto positions and side-lined the whole CCI while not following the anticipated process of the CCI itself.

Efficiency was mentioned in two ways. One participant basically dropped out of the CCI as he felt that the time was not well spent and it was not worth the hassle with his employer, who was not happy that he was taking time off to participate in the CCI. Some citizens stated that the result of the CCI stands in no relation to the effort they made, for example in preparing their own contributions.

Transferability is more complicated to estimate. Ideally, the CCI would have had a signal effect for a more encompassing agenda for democratic innovations and implementation of other mechanisms for more citizen participation. The abrupt end of the CCI and the way in which the governing parties framed the whole process make the transfer of such a process to other bodies in Austria highly unlikely. As a residue, political participation is once again reduced to mechanisms of direct democracy, prone to instrumentalization by (right-wing) populist parties. As for the public discourse in the media, one can observe a similar pattern. The opposition is voicing critical stances right from the beginning. One phrase stands out here as often cited and referred to, as one member of the Green Party said, ‘I will not take part in a first-class state funeral’, implying that she is aware of the risk that the commission could be exploited.⁵¹

The interviews also brought up a new criterion that could be included in the assessment of democratic innovations. Political efficacy⁵² refers to individual self-empowerment and reflection on one’s own competences to impact political decision-making.

While almost all of participants were critical towards the (results of the) CCI, they stated that this would not affect their willingness for further political participation. It turns out that some have intensified their engagement (one interviewee joined a political party on the local level parallel to the CCI, and another interviewee was asked by a political party to run for office on the local level and was elected). They displayed a defiant attitude towards the national level and opted for local engagement. Thus, an individual

⁴⁷*Vorarlberger Nachrichten*, ‘Ein Trauerspiel’, 10 July 2015.

⁴⁸*Tiroler Tageszeitung*, ‘Rückfall in den alten Stil’.

⁴⁹L. Kogelnik, ‘Regierung begräbt geplante Demokratiereform’, *Der Standard*, 7 July 2015.

⁵⁰*Wiener Zeitung*, ‘Regierung kippt Herzstück der Demokratiereform’, 7 July 2015.

⁵¹D. Musiol, ‘Direkte Demokratie: Ein Rückblick’, 2015, accessed at <https://www.gruene.at/themen/demokratie-verfassung/direkte-demokratie-rueckblick> on 11 April 2021.

⁵²C. Pateman, *Participation and Democratic Theory* (Cambridge, 1970), p. 46.

democratic benefit is the result, even though partially as a reaction to a frustrating and negative experience.

Conclusions and lessons learned

The perceptions of the CCI on Austrian democracy are quite ambivalent, when looking at the discussion within the CCI, the media reporting and the evaluation by the citizens involved. It shows that DI, when not used in the right way or not used with sincere pre-emption, can easily fail. Opening closed space is highly important for democratic societies, but it also runs the risk of cementing hidden and visible power relations.

The majority of the – initially highly motivated – involved citizens were disappointed, and the media reported the failure of the CCI. The democratic benefit of democratic innovations did not materialize and is extremely ambivalent. The citizens felt used, primarily by the governing parties. The media reporting on the CCI had a similar direction. The democratic benefit can be seen in relation to some of the citizens, as their political engagement has become more intensified but rather as a backlash to this experience.

While the importance of citizens' participation was highlighted (virtually overemphasized) throughout the whole process, the results suggest a different outcome. The citizens' contributions were hardly referred to by the other speakers, and most of the politicians and experts spoke more about the citizens (including the eight chosen ones) than with them. Formal inclusion was met with informal ignorance, and the role of the citizens remained unclear throughout the whole CCI.

The limited democratic benefit is twofold. First, it results in the limited agenda of purely direct democracy issues and not as expected and promoted in advance. Second, the traditionally prestigious consultative committee of inquiry fell prey to the self-interest of governing parties. This has rather perpetuated the disenchantment with politics of the citizens involved and the larger public. The citizens were supposed to play an active role and ended up feeling they were *nice to have* in the regular political power play.

The findings support previous findings by Geissel⁵³ that DI are often used as pseudo-participation and citizens are not taken seriously. In the end, the CCI left many participants and observers frustrated and disillusioned even though initial motivation was high. This might add to the increasing disenchantment with politics as some classical stereotypes have been confirmed: MPs kept their distance from 'regular' citizens and did not display any interest in their positions, or in real interaction or exchange. The rationale of governing parties (for example, accumulation of power) was more important than any form of real participatory innovation. Still, it resulted in a growing feeling of political efficacy for some citizens.

Overall, the democratic benefit was rather marginal, not to say counterproductive. The lessons learned from this democratic innovation are quite simple: DI need to be carefully crafted and cannot be implemented on top of a process that is about to fail or has already failed. All actors involved must have a real commitment to the declared and communicated aims of the DI. Power relations do not disappear and need careful reflection and consideration in the procedural setup of DI. There should be an in-depth mutual consultation of all the stakeholders involved about the aims and expectations of DI and

⁵³Geissel, 'Democratic Innovations'.

everyone's role, as well as clear guidelines for the whole process. External supervision also improves the chances of an acceptable outcome.

Since the Consultative Committee of Inquiry to Enhance the Quality of Democracy in Austria in 2015, there have been other consultative committees of inquiry on various topics such as the climate and environment⁵⁴ or free trade.⁵⁵ However, no citizens were included in those committees. Time will tell if political actors in Austria are truly willing to improve the way in which democracy works.

Notes on contributor

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⁵⁴Austrian Parliament, 'Enquete-Kommission Mission2030 – Die Klima- und Energiestrategie der österreichischen Bundesregierung', 2018, https://www.parlament.gv.at/PAKT/VHG/XXVI/VER/VER_00001/index.shtml

⁵⁵Austrian Parliament, 'Enquete-Kommission Freihandelsabkommen CETA und TTIP', 2016, https://www.parlament.gv.at/PAKT/VHG/XXV/VER/VER_00005/index.shtml