

CITIZENS' ASSEMBLIES IN THEORY AND PRACTICE

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Citizens' assemblies are randomly selected groups that develop recommendations on how to address a particular topic. They are usually commissioned by an elected body or authority. This commissioning entity receives the recommendations of the citizens' assembly and incorporates them into the political decision-making process¹. This brief description already includes the main characteristics of citizens' assemblies: the random selection of participants, the deliberative mode of collaboration within the group, and its advisory function for representative democracy, implemented through an appropriate process design.

In recent years, citizens' assemblies have seen remarkable growth. Cases of their application are now documented in nearly all modern democracies and beyond². Among the most notable examples are the Citizens' Assemblies in Ireland, the Convention Citoyenne pour le Climat in France, and the citizens' assemblies based on the "Vorarlberg model" in Austria. The concept was even tested on an international scale as the Global Assembly in the context of the 26th UN Climate Conference in 2020/21, bringing together people from all parts of the world, albeit without a mandate from any global political body³. However, the vast majority of applications worldwide take place at the local level.

In Germany, citizens' assemblies have convened at all political levels, and their use is supported by the general public⁴. Most recently, the

"Nutrition Citizens' Assembly" commissioned by the German Bundestag has garnered considerable attention, sparking discussions on topics like a "welfare cent for animal welfare" and free school lunches. The undisputed pioneer in Germany is the state of Baden-Württemberg, where citizens' assemblies, referred to as "citizens' forums," have been in use since 2011. As a core element of Prime Minister Winfried Kretschmann's "politics of being heard," this form of civic participation is being systematically expanded and overseen by a dedicated State Counselor for Civil Society and Citizen Participation⁵. In 2021, Baden-Württemberg established a legal framework for citizens' forums with the Act on Dialogic Citizen Participation⁶. Recently, a new agency has been set up to support municipalities, authorities, and state-controlled companies in implementing such processes⁷.

SCOPE OF ACTION FOR CITIZENS' ASSEMBLIES

In the political and media discourse about citizens' assemblies, misunderstandings frequently arise. One primary source of confusion lies in the ambiguity of the term "citizen participation." When this term is mentioned, most people instinctively think of elections or direct democratic voting. However, there are many other ways to engage in the political process. A broad understanding of "citizen participation" includes activities such as

¹ Own definition based on Matt Ryan/Graham Smith, "Defining Mini-Publics," in: Kimmo Grönlund/André Bächtiger/Maija Setälä (eds.), *Deliberative Mini-Publics. Involving Citizens in the Democratic Process*, Colchester 2014, pp. 9–26.

² For an overview, see <https://sfb1265.github.io/mini-publics/>.

³ See Nicole Curato et al., *Global Assembly on the Climate and Ecological Crisis: Evaluation Report*, Centre for Deliberative Democracy and Global Governance, Canberra 2023.

⁴ See Angelika Vetter/Frank Brettschneider, *Satisfaction with Democracy and Trust in Institutions in Baden-*

Württemberg, in: *Zeitschrift für Politikwissenschaft* 4/2023, pp. 583–607.

⁵ See Ulrich Arndt, "The Referendum on 'Stuttgart 21' and Its Consequences – The Start of the 'Politics of Being Heard' in Baden-Württemberg*", in: Hermann Heußner et al. (eds.), *Dare More Direct Democracy*, Reinbek 2024, pp. 379–390.

⁶ See Ulrich Arndt, *The Act on Dialogic Citizen Participation in Baden-Württemberg. A Milestone for Citizen Participation*, in: DVBl – Deutsches Verwaltungsblatt 11/2021, pp. 705–711.

⁷ See www.servicestelle-buergerbeteiligung.de.

demonstrations, petitions, citizen initiatives, or involvement in a grassroots movement, as well as hearings in the context of planning law, informational events, participatory budgeting, future workshops, and also citizens' assemblies.

It has therefore become common to speak of "dialogic citizen participation" when referring to citizens' assemblies and related processes. They share the purpose of "exploring the needs within the population regarding a specific issue or project."⁸ As informal processes, they aim to facilitate open-ended dialogues between citizens and politicians to shed light on the core issues of a conflict⁹. The goal of dialogic participation is to make citizens' experiential knowledge accessible for the consideration of political questions. Citizens' assemblies, as a specific form of dialogic participation, are designed to develop recommendations oriented toward the common good, rather than merely advocating for personal interests.

Another source of misunderstandings is the term "citizens' assembly" itself, as its structure can vary greatly. Citizens' assemblies held at the federal level, for example, often last several months. During this period, participants (on average 160 people) meet repeatedly to hear from experts, stakeholders, or interest groups and, based on this, develop recommendations¹⁰. In the case of the "Vorarlberg model," however, only 12 to 15 people participate, and they develop their recommendations in just a day and a half.¹¹ Different models have now emerged, each distinguished by its own terminology. Occasionally, something is labeled a "citizens' assembly" even though it does not meet the fundamental principles defined above.

Another misunderstanding relates to the goals and purposes of citizens' assemblies. A citizens' assembly is not intended to replace municipal councils or parliaments. On the contrary, the sole purpose of most models is to develop

recommendations to support representative democracy¹². Nevertheless, municipal councils in many places are skeptical and fear a loss of power or competition from citizens' assemblies. These misunderstandings are based on the aforementioned difficulties in defining the concept. It is often overlooked that a citizens' assembly can only become effective if it is commissioned by an elected body. This commission, along with the commitment to subsequently handle the assembly's recommendations, forms the basis of the entire process into which citizens' assemblies must be embedded. Without a formal commission, a randomly selected group has no claim to have its results considered politically. In such cases, the initiators of these processes are often left with the option of adding weight to the results through an appropriate campaign. It is often argued that the random selection and recommendations of the group should be listened to, as its composition through a lottery process already provides an independent basis for legitimacy. However, this argument seldom succeeds¹³. More often, these processes run the risk of being ignored, which can lead to frustration among participants and increase distrust of citizens' assemblies in politics.

Among the misunderstandings surrounding citizens' assemblies is their elevation as a "cure" for the multiple crises of democracy¹⁴. Desired side effects of the assemblies, such as increasing satisfaction with democracy and its elected main actors, should not be confused with the primary goals of a citizens' assembly. In fact, these side effects only occur, if at all, when citizens' assemblies are used appropriately and thereby impact political discourse.

Similar misunderstandings are fueled by radical proponents of the principle of randomness, who believe that citizens' assemblies hold more legitimacy than consultative bodies. However, a randomly selected assembly is not suitable for making binding decisions—at least not as long as

⁸ See § 1 para. 1 of the Act on Dialogic Citizen Participation (DBG).

⁹ See Cristina Lafont, *Deliberative Democracy After the Digital Transformation*, in: *APuZ* 43–45/2023, pp. 11–17.

¹⁰ See Nicolina Kirby et al., *Evaluation of the Citizens' Assembly on Germany's Role in the World. Final Report of the Scientific Evaluation*, Potsdam 2021.

¹¹ See www.buergerrat.net/at/vorarlberg.

¹² See Volker M. Haug, *Participation Law. Foundation and Measurement of a Legal Field*, Baden-Baden 2024, pp. 515 ff.

¹³ See *ibid.*, pp. 517 ff.

¹⁴ See Kathrin Kühn/Uli Hufen, *Does East Germany Need More Citizens' Assemblies?*, June 27, 2024, www.deutschlandfunk.de/party-democracy-in-crisis-does-east-germany-need-more-citizens-assemblies-dlf-a3f61f3f-100.html.

political decision-making is intended to meet the principles of liberal democratic constitutional states. The key issue here is the gap in accountability: there would be no feedback loop to the actual distribution of political views in the population if the composition of a decision-making body were determined solely by random selection, as the lottery selects individuals, not advocates or representatives. This would disable essential control mechanisms of the separation of powers.

Dialogic citizen participation processes are certainly capable of addressing weaknesses and blind spots of representative or direct democracy. However, they cannot replace the inherent strengths and functionalities of these forms of democracy.

RANDOM SELECTION

Nevertheless, the principle of random selection is a unique feature of citizens' assemblies: recruiting participants by lottery is intended to create a special basis of legitimacy for the intended functions and effects of the assemblies. It is by no means a new idea to use randomness in democratic processes. In fact, the lottery principle is inherently democratic and was used in the polis of the city-state of Athens in ancient Greece. At that time, judges of the people's courts and members of the Boule—a council comparable in function to today's parliaments—were temporarily chosen by lot. Although only male citizens with full rights were eligible for selection by lot, meaning that only a small, homogeneous elite could be chosen, the democratic potential of random selection is significant¹⁵: it guarantees equal opportunity. In theory, a lottery can ensure the formation of a group as diverse as possible.

While elected bodies are often predominantly composed of older men with higher educational backgrounds, in randomly selected groups, everyone has an equal chance of participating. Compared to self-recruited groups, commonly seen in open participation processes, random selection also has this advantage, as it avoids a narrow focus on particular interests. The lottery promises to

break through both dynamics—those of unequal representation and self-recruitment. Members of a randomly selected group are not meant to see themselves as advocates or representatives of a particular position or interest group but rather as individuals. Political party preferences, worldviews, or identity politics are therefore secondary, allowing the focus to shift to the topic at hand.

The lottery can, in this way, foster openness for constructive exchange and a consideration of arguments oriented toward the common good on a given topic. Random selection also aids in ensuring the intended deliberative quality of discussions. The absence of a rigid adherence to one viewpoint allows participants to recognize the strength of better arguments and broaden their own perspectives.

In practice, the use of the principle of randomness is somewhat more complex than in theory. The reason for this is the voluntary nature of the invitation to participate in a citizens' assembly. Response rates typically range between 3 and 7 percent, depending, among other factors, on how personally the invitation is delivered and how actively the participation topic is discussed in public. Consequently, it becomes necessary to compensate for distortions arising from the voluntary nature of participation. Unfortunately, not all population groups are equally inclined to accept or decline the invitation. On the contrary, individuals who are generally less inclined to participate are less likely to accept invitations to citizens' assemblies than those with prior experience in participatory processes¹⁶.

Among the many ways to address this issue, the "two-stage criteria-based random selection" has proven particularly effective in approximating the theoretical goals of random selection¹⁷. In the first step, the desired demographic mix of the random group is defined. Best practice is to set quotas for gender, age groups, place of residence, migration background, and educational level, aligned with the actual distribution in the general population. Next,

¹⁵ For an in-depth discussion, see Hubertus Buchstein, *Democracy and Lottery. The Lottery as a Political Decision-Making Instrument from Antiquity to the EU*, Frankfurt/Main, 2009.

¹⁶ See also John Gastil/Peter Levine, *The Deliberative Democracy Handbook: Strategies for Effective Civic Engagement in the Twenty-First Century*, San Francisco, 2005, p. 272.

¹⁷ Regulated in Baden-Württemberg under § 2 DBG (see note 8).

a large number of individuals are selected from the population registry and invited. The number of invitations is set high enough to ensure significantly more responses than there are spots available in the random selection group. Upon response, additional personal information, such as educational status or migration background, which may not be available from the registry data, can be collected. In the second step, a second random selection is conducted from the responses received. This approach ensures the highest possible diversity within the random group and mitigates unwanted distortions that arise from the voluntary nature of participation.

DELIBERATION

A second core feature of citizens' assemblies is their aim to enable a “deliberative” quality of discourse within the group of participants. This is intended to ensure that citizens' assemblies produce outcomes that are not simply what an opinion poll might yield. Deliberation is understood as an open-ended, “consensus-oriented consultation” in which participants listen to each other and draw shared conclusions¹⁸. A deliberative conversation fundamentally differs from discussions, debates, or negotiations, which aim to convince others of a particular argument or viewpoint. Philosopher Jürgen Habermas introduced the concept of an “ideal speech situation,” where there are no external or internal constraints¹⁹. This means, among other things, that all participants should be equally familiar with the topic, genuinely strive to understand what the other person is saying, and be willing to adjust their own viewpoints. Ideally, time constraints are irrelevant, and all participants are equally articulate.

In practice, it is only possible to attempt to approximate the ideal speech situation, as it can never be fully achieved. Random selection can provide an essential foundation for this, but the key factor is how participants work together. In

citizens' assemblies, professional facilitation teams are employed for this purpose. Their role is to establish a fair framework for a quasi-deliberative conversation through rules, interventions, and appropriate methods. Facilitation is highly varied and includes creative small-group activities, plenary sessions, expert interviews, creative tasks, and many other techniques. This structure is usually directed by the facilitators, who hold a key role in the process. Since discussions within the randomly selected group typically take place behind closed doors to create a necessary protected environment, facilitation becomes all the more crucial.

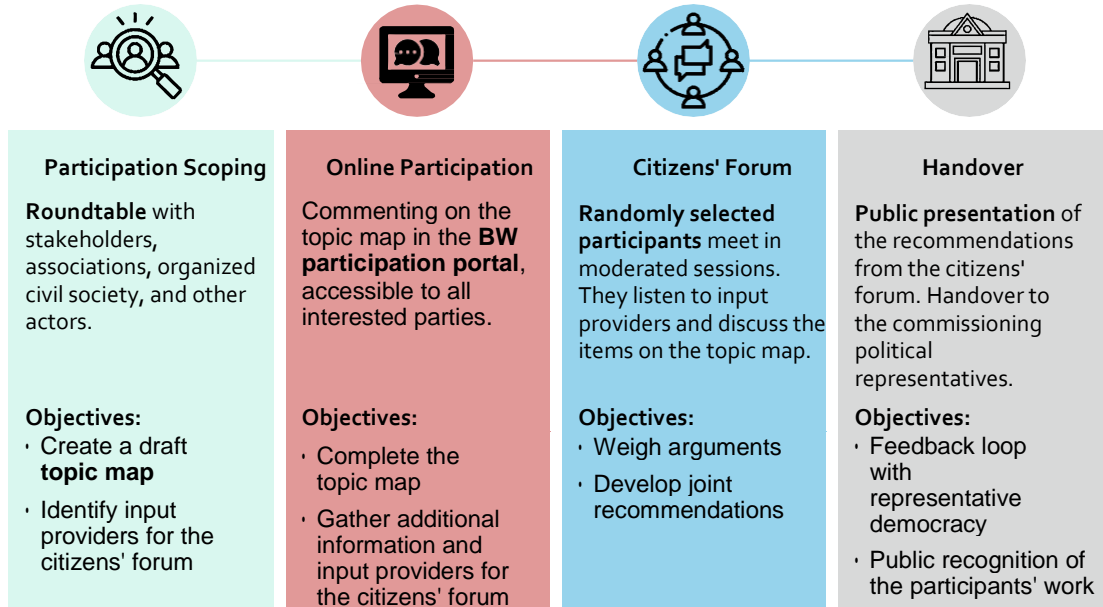
OVERALL PROCESS DESIGN

Citizens' assemblies are highly demanding and are intended to become effective through integration with representative democracy processes and public discourse. A prerequisite for this is that they are convened—typically by a municipal council. While the mandate does not guarantee that recommendations will be implemented, it provides a reliable foundation for serious engagement with the results afterward, which can influence decision-making on a topic. Citizens' assemblies are also intended to be recognized in public discourse in order to achieve their desired side effects. For this purpose, public launch and closing events, as well as digital participation steps, play an important role. In this way, the public and media representatives can gain insight into the process. The involvement of interest representatives, so-called stakeholders, is also important. An example of how this integration can be structured in practice is the overall process surrounding citizens' forums used in Baden-Württemberg.

¹⁸ See Manfred Schmidt, *Theories of Democracy: An Introduction*, Wiesbaden, 2010, p. 237.

¹⁹ See Jürgen Habermas, *Communicative Rationality and Transnational Politics: A Reply*, in: Peter Niesen/Benjamin Herborth (eds.), *Anarchy of Communicative Freedom: Jürgen Habermas and the Theory of International Politics*, Frankfurt/Main–Berlin, 2007, pp. 406–459, here p. 433.

Illustration: Standard procedure of a citizens' forum in Baden-Württemberg



Source: Agency for Citizen Participation Baden-Württemberg.

This process consists of four steps (*illustration*): first, the so-called participation scoping, during which stakeholders create a topic map and determine which experts or representatives should provide input to the citizens' forum. The topic map later serves as the working basis for the randomly selected citizens' forum and, in a second step, is expanded by the public and all interested parties through online participation before the forum begins. In the third step, the citizens' forum meets and develops its recommendations. Finally, in the fourth step, these recommendations are publicly handed over to the commissioning bodies.

Developing an appropriate overall process design is essential for citizens' assemblies. However, many municipalities and authorities that wish to implement such a process lack the necessary expertise in participation and the capacity for organizational implementation. In Baden-Württemberg, the establishment of the Agency for Citizen Participation (SDB) has created a unique infrastructure in Germany to promote the implementation of citizen participation processes. The SDB provides free advice to municipalities, authorities, and state-controlled companies on citizen participation issues. It helps clarify which

participation steps are suitable in individual cases and also offers to take on process responsibility. Often, a commissioning body faces a dual role: it is responsible for the fairness of the process while also having its own interests it wishes to represent. The SDB can help to avoid this situation, thereby enhancing the legitimacy of the process.

OUTLOOK

Citizens' assemblies have long outgrown the experimental phase. Those responsible at the local level increasingly recognize the direct benefits of these assemblies for their work and for democratic debate culture. Especially in contentious discussions, often distorted by a few particularly loud voices, citizens' assemblies can help to bring objectivity to the debate. However, they can only function effectively if their added value for addressing a specific problem is clear. They are not a universal solution for all possible problems of the democratic system. However, for specific and contentious issues, which often share similar characteristics, they work remarkably reliably.

A major future challenge for citizens' assemblies—and dialogic citizen participation in

general—is to institutionalize them in an appropriate way. The goal must be to simplify their use and ensure high process quality. The structures in Baden-Württemberg provide guidance here, and there are also interesting institutional models in other German states and abroad. Recently, Hamburg legally anchored the option to use citizens' assemblies. In 2011, the Austrian state of Vorarlberg even amended its constitution to facilitate citizens' assemblies. In Oregon, USA, Citizens' Initiative Reviews were also legally established in 2011. One of the most extensive legal frameworks was adopted in East Belgium in 2019, where citizens' assemblies were permanently integrated into political decision-making. These developments offer valuable lessons and insights for feasible institutionalization paths in Germany.

It is important to avoid over-regulation—primarily to not hinder further development, but also because dialogic citizen participation, unlike direct democratic processes, must remain adaptive in practice. Not every challenge can be addressed with standardized models like a citizens' forum. However, developing suitable process designs requires expertise and core principles in citizen participation, which are still scarce in many administrations. External consulting cannot fully compensate for this. Therefore, training and education of administrative personnel are of utmost importance. The same applies to training opportunities for facilitators. Here too, there is currently a lack of a sufficient infrastructure of high-quality offerings that are reliably connected to the latest knowledge in research and practice.

The development of the democratic-political discourse will be crucial for the future of citizens' assemblies. The functional misunderstandings around the differences between direct, representative, and dialogic democracy threaten the further development of dialogic participation

forms. At the federal level, such misunderstandings have resurfaced since the cross-party consensus on experimenting with citizens' assemblies dissolved. The experiences of commissioning bodies, organizers, and participants in citizens' assemblies—as well as scientific research, which still has many unanswered questions regarding the empirical study of citizens' assemblies—can play an important role in bringing objectivity to the debate.

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