

3rd Pan-European Days on Environmental Education toward Sustainability – Barcelona, 1-2 October 2015

Workshop:

“Experiences of citizen participation in public policy advocacy”

Chair:

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Panellists:

Luigi Bobbio, Head of the Political Science Department, Università degli Studi di Torino.

Moises Subirana, Activist at the Aigua és Vida Platform.

Relatoria:

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Based on three presentations (available in the website) the group discussed about two main questions:

- a) How citizen participation experiences could reach influence in environmental public policies?
- b) How citizen participation could become a tool for empowerment and learning.

1. Introduction. Marc Parés.



The main framework was introduced by Marc Parés who **clarified the concept of governance**, as the creation of a structure of government, the structure of governing resulting from the interaction of multiplicity of actors. So, the idea appears is that we are not governing alone anymore and we are involving many other actors and citizens in doing so.

Traditionally in political sciences we have distinguished between hierarchies and markets, and between these distinctions, “network governance” was a new idea developed sin 1990s.

Typically the environmental resources are subject to be managed and governed by local or regional governments or by the markets, (so we are in this part between hierarchies and markets), but new forms of governance are emerging in our present day society. We use the term “**common governance**”, which means a form of governance or a mode of governance without public institutions but also without markets. The main question now is how can we govern a common good, as environmental resources such as energy or water without public institutions and without markets. What is happening now is that we have some interesting experiences of **self-management of public goods**. So we are talking about these **new forms of citizen participation coming from below**.

In this point it is very important to distinguish these two kinds of forms of participation and governance:

- top-down processes of participation, which we identify with most of the experiences promoted by public institutions and specially local governments trying to engage people. In this case the institutions are saying how we have to do the process, which are the topics that we are going to talk about or even which are the goals that it's possible to achieve or not...etc
- bottom-up **processes promoted by social movements and new forms of governance coming from below**, are related with social innovation practices, that they are trying to engage people in common governance (the government of public goods and collective resources).

Three questions are important to answer, related with participatory forms of governance:

- a) The first one is **who participates**. We have seen that often in this forms of network governance most of the citizens are not invited. There are a lot of stakeholders that are not participating and the network governance is then more related with public institutions with private partnerships, but without citizens.
- b) Secondly, **some stakeholders are being excluded especially if they are not in the frame**. So, we are often inviting people to participate in a framework, assuming that everybody agrees (for example with the dominant concept of sustainability). The conclusion is that if you are not in the frame you are excluded for the discussion and if you are in the frame there is not a real discussion. The impression is that we cannot discuss about anything if you do not agree with the framework. In fact, we are avoiding a real chance for the debate.
- c) **How we are participating**, which are the power relationships that we can find during the process of participation? How we are reproducing these relationships of power? If the question is how the citizens can influence the environmental

policies it's clear that not everybody, not all the stakeholders have the same power.

After that, he showed some figures trying to illustrate **how citizen participation is being affected by politics** in Catalonia, probably likewise other parts of Europe. While the satisfaction with democracy is dropping down clearly interest on politics is increasing. In fact citizens are more engaged now that they were before. On the other hand we see as voluntary sector and the number of cooperatives is also increasing. This could mean that at the same time the public institutions are in a process of refreshment civil society is being self organized and more organized, in new forms of citizen participation that they are not the traditional top-down ones of the participatory governance. This new forms of participation are really interesting and they are where we are now.

Just to summarize and to give some examples to that, he showed a schema to explain the evolution from traditional forms of government to communing.

- **Traditional forms of government** are identified when there is no social participation and public institutions are the only ones who are governing. Even if we are still here, this was the hegemonic form of governance during the eighties in Catalonia. (for example for the energy sector).
- **Participatory governance**, increases social participation and it tries to engage people in the process of government with mechanisms of top-down governance. In many cases they were really good processes, some processes with a lot of weakness, but most of them were good. (for example participatory processes on river basis water management in Catalonia, promoted by ACA (Water Agency of Catalonia). In general people who participate think that they were good processes but they are unsatisfied with the results. Their feel is that people didn't have a real influence on the final decision of the public policies.
- . **Market**. If we don't have public institutions and we don't have public participations, that we have is the markets who are regulating our social life and our relationship with environmental resources.
- **Commoning**. The governance of commons is ongoing trending. The local, regional and national government are in a process of refreshment. In this scenario we have less State, people is being self-organised and we have several examples of self-mangement of common resources (for instance in Catalonia, Som Energia o la Plataforma Aigua és Vida). The shared idea is the understanding that the common goods are something that is collective and it has to be managed in a collective way is an emerging form of participatory governance.

2. Experiences of citizens participation in Environmental Policy-Making. Luigi Bobbio.



The presentation included his reflections as a professor of political sciences but also as a practitioner because he has organised a lot of participatory processes.

He talked about only **top-down experiences of citizens participation** in which the administration decides to involve people to make decisions.

There are many experiences of citizen's participation in environmentally policy-making around the world, even if they concern a tiny minority of decisions and most of decisions are still made in a traditional hierarchical way.

Unluckily, bad experiences of participation are more frequent than good ones, depending if politicians and civil servants are ready or not to learn from citizens. We are just at the beginning, because there is still a lot to do.

The paradox of participatory devices. They should involve all affected people but actually they are able to involve only a tiny minority. As an example he remembered that in one of the best known processes, the Porto Alegre participatory budget, participants are about the 3-5% of the population. This is why the results of participatory processes are very weak, because they have very tiny legitimacy, because people who participate are very few. This could be the problem of legitimacy of these processes.

So, in fact a selection of participants is always needed. But...**how we deal with this paradox?** If a thorough inclusion is impossible, how to reach an incomplete inclusion that it makes sense?

After this, Luigi Bobbio explained three families of participatory methods (with their advantages and drawbacks) to deal with this problem of inclusion and legitimacy, using Italian examples.

Random selection. The basic idea is to obtain a representative selection of ordinary citizens, based on demographic criteria. As examples he presented **deliberative polls, citizens'juries and consensus conferences**. While different in several aspects these methods share: balanced information, auditing experts and stakeholders, professional facilitators, discuss in small groups, a setting that favours rational exchange of arguments. The final outcome may be different as: surveying participants' opinions

(before and after) o to establish recommendations to the public administration. As example he explained a **deliberative poll held in Turin in march 2007**, in which 180 citizens, randomly selected, discuss in small groups on two controversial issues: foreigners' right to vote an high speed train Lyon-Turin.

From his experience, he has identified the following drawbacks of the random selection: minorities may be underrepresented, participants may be weakly interested in the stake and then may tend to make trivial recommendations; there is a strong self-selection: 90% of people do not accept to participate; manipulation is easier with ordinary citizens who have weak positions; low level of legitimacy.

Targeted selection. The basic idea is to involve selected stakeholders representing the diversity of interests or ideas. We don't need to represent population, but we have to represent ideas. We need a sample of ideas not a sample of population. As examples he presented environmental mediation, stakeholders partnerships and "concertation". While different in several aspects, these methods shares: representing non people, but interests or ideas; very often need assistance by a mediator; integrative negotiation among parties; looking for an agreement. As example he explained a **stakeholders commission for deciding the site of an incinerator and landfill in the province of Turin in 2000-2001**.

After this experience he identified the following drawbacks for the targeted selection: representation- Do the stakeholders really represent their constituencies?; inclusion-It is possible to include all affected interests and all positions? Even the most radical ones?; ratification- An agreement among representatives will be accepted by their represented?

Self-selection. Open doors: everyone can decide whether to participate or not. The basic ideas is that every interested person must have the possibility to participate. This is the most common approach. Nearly 90% of the processes are of this kind. Among different experiences of self-selection we found public meetings, participatory budgets, French débats publics-

An **example of a French style public debate was held in Genova in 2009 on a new highway**.

In his opinions the main drawbacks of self-selection are related with: minorities may be overrepresented; organised groups may prevail over ordinary citizens; the usual suspects (people who always participate in this kind of public meetings..).

To conclude, there is no one best way to make participation. For example if we want to chose among a random selection (a deliberative poll) or self selection (public debate) we should know that with the first option legitimacy may be poor but with the second

one deliberation may be poor. Both can be appropriate. It depends on the context and on what we want.

3. Influence of the social movements in public policies. Moisés Subirana



First he has introduced **what is Aigua és Vida**. He explained that they were born in 2011 when the so-called “austerity” was deeply implemented. “Aigua es Vida” is a platform of organizations and individuals that includes NGO’s, Ecologists, trade unions and Neighbours Associations. They are convinced that “**water is life, not a commodity**”, and try to rethink the water policies based on the not-for profit and democracy bases, encouraging the remunicipalisation.

Any way after the two previous presentations may be they can say that they were born basically because they feel “excluded”. Even if there were a lot of participatory processes related with water management at that time, they deeply disagree with them because they thought that the main framework was not negotiable and they reacting, first protesting and after proposing a new way to avoid the privatisation of the water en Catalonia.

Their efforts to promote the remunicipalisation (when after privatisations, the water management turns back to the municipality) makes quite a lot of sense in Catalonia where near of 84% of people is affected by privatisation of water, while in the world most of the water is delivered by the public sector. They have a lot to do.

After he explained how do they work and what they do basically through four steps: a) discovering what is going on; b) reacting to what they don’t like; c) building and enlarging a political consensus; d) and finally proposing what they like, in their way.

Discovering what is going on. The water sector in Catalonia in totally opaque (we don’t know how the contracts are being done, neither which investments are being done, the participatory spaces today are few and most of them have been already closed) and usually even the government is not aware of its reality.

They are really interested to obtain this kind of information and also to share publically this analysis with the society. In that way they are not only raising awareness, but also gaining legitimacy for their demands as an actor because it becomes much easier to put their voice and make it hear.

To discover what it’s going on they send a letter to the municipalities asking them for information about the water system.

The map of privatisations in Catalonia shows that even if apparently only 48% of the towns has a private water management, in reality 83,7% of the population of Catalonia are affected by the private sector.

Also if we look which companies are today managing this system , it seems that we have 87 private companies delivering water but if we see this companies to which corporation group do they belong we see that most of them are from AGBAR-SUEZ multinational group. So even it seems that we have a divers small private sector competing to provide the services we have in fact one single group with differences “faces” providing the water all over the country with a clear economic objective as it is showed in his corporative images from 1920 until 2009.

The contracts should include among other conditions when it is going to end. This information, that it is not available, could be used by the company Group to anticipate its strategy to focus the struggles in these municipalities to facilitate the privatisation in a nearly future. Aigua es Vida try to share this kind of information to better understand the opaque practices behind the new privatisations.

In 2014, they also analyse and disseminate what are people paying in reality with the tariff water of Barcelona. The conclusion was that more than the half that we pay in Barcelona in the water bill are costs that are not related with the water services and unfortunately this is accepted by the government.

Reacting to what we don't like. He briefly explained three examples of actions in which they were involved . One, when they went to protest to the City Hall in a meeting related with the privatisation of water services in the metropolitan area of Barcelona. The other is related with Algués Ter Llobregat (the biggest privatisation that any catalan government has ever done). At that time they collected the support of city councils that were also public owner before the privatisation. The latest is related with the amendments presented to Hydrologic Plans of Catalonia promoted by Water Agency of Catalonia.

Building and enlarging political consensus. In his opinion the approach of reacting to what they don't like is quite difficult to do because they are just reacting and finally the process has already been developed a lot . An because they participate at the end of the process and its difficult to have a real influence. It is exhausting and quite useless to keep forcing end-pipe-solutions, as in NUMBY style. Why they don't try to do in another way? Try to be there from the beginning, to present your ideas and make sure that your ideas are being accepted by a wide majority. It's necessary to explore how to convince the others that your arguments are much more interesting. With this philosophy to reach a major capacity of impact and influence they tried to build and enlarging political consensus. For example, in November 2012 before the elections they sent a

questionnaire to different main political parties with questions related with water policies to publish the level of agreement of Aigua és Vida with their answers (the big parties, didn't answer). In 2015 they have put an statement with all their demands and presented in a press conference to disseminate their point of view. Thanks to that, today 35% of local elected and 43% of national elected are committed with the proposals raised by Aigua es Vida. They reach to put the topic of water management in the mainstream media and when you do that it is much easier to reach your demands.

Also it is important to confirm that things are not static. For example important changes have taken place recently in the political renovation in the main important Council Towns as in Barcelona or Madrid with politicians that are supposed to be quite close and committed with the demands of Aigua és Vida. Also is a good new for them the last sentence of the court striking down ATLL award. The conclusion is that in the mid-long term things start to happen.

Proposing what we like, in our way. He also explained a couple of examples of his bootom-up approach. One is related with to collect 150.000 signatures to present and ILP (Iniciativa Legislativa Popular) in the catalan parliament with their demands. On july a law was approved for all the political parties in the Parlamient related with housing and energy poverty. It was a huge victory and now it is the mainstream topic.

And also at european level they promote a European citizens imitative and they collected around two million of signatures and at the end of September the European Parliament approved this initiative related with the human right to water and with the necessity of excluding water from the market world.

4. Questions

Before starting with the questions the moderator wanted to highlight two important ideas that directly link with both presentations:

- 1) One, related with the aim of this general conference of environmental education. In this sense it is important to keep in mind that through participation people can learn a lot, thanks to the involvement of social movements, the citizens and the academy. Are we really learning or not about the topic we are discussing?
- 2) The other is if trough these processes people is being empowered. Are we really changing the relationships of power trough theses different forms of participation.

After **four questions** were done to the panel, related with:

P1. *Which were the questions that Aigua és Vida has put to the political parties in catalan elections of November 2012? Which was the exact content of that questions...for example if you are in the government would you publish all this information that should be of public interest...(data, contracts, etc)..*

They asked to the main political parties about water topics at catalan level not depending on the town. They put questions related with regulation, the role of the Water Catalan Agency (ACA), , if they were agree or not with the privatisation... an other several questions on ecological points as if they were to implement the ecological flow according to the Water Framework Directive.

They have also send more specific questionnaires to council towns as it is showed in the letter (see slide nº 5 of his presentation). Depending on the contents of the questions they prefer to involve the professionals working in the city hall, because they know much better the technical problems related with water delivery systems.

P2. *The most important aspect is how the population get the basic information. To participate you have to be informed about the basis questions for a rich deliberation. Before starting with participation all information should be shared and facilitated by who promotes the process. Which is your point of view?*

For Aigua es Vida this is a key question and they don't have really the answer. They are convinced that public sector can do much more that is doing because it makes no sense that a platform without resources is putting more information on the table than the public sector is doing. It shouldn't be acceptable. It doesn't means at the same time that everything has to be done by the public sector because we come back to the old fashioned way of thinking where "father State" is the only responsible of this.

For L.Bobbio don't agree exactly with the idea of to get all information before participation. For him information makes sense when people participate. We need the participation and the information at the same time.

P3. *In the presentation of Marc Parés, put cooperatives as an example of civil engagement. Because of the markets, it could be tricky thinking about cooperatives as civil engagement...*

Sure it is depending on the cooperatives it could be more o less related with new forms of participation. For example here in Catalonia we have Som Energia (cooperative working on energy services created in 2010) that it is an innovative example of

cooperative understood as an alternative to the capitalism model providing green energy to the consumers, members of the cooperative, engaged in a democratic form of organization.

P4. *Are you sure that the water management services in Barcelona contains extra-profit items?*

Trying to answer this question Moises Subirana showed again the slide nº12 “What are we paying” to say that they divided among costs that they consider real costs of water services (44% on the left hand) and cost that they consider a real good profit no associated to water services (56% on the right hand).

But even if we go on the left we can see the amount of salaries per worker that reach an average of 65.000 euros/worker per year which is a really huge salary here in Catalonia. This means that the executives are earning a disproportionate amount of money linked to provide this service.

At the same left side we see that subcontractations are linked to other companies belonging to the same group and they include new profits that sometimes are twice or three times more expensive that the market prices.

Going to the right side, and related with loses of water, what AGBAR is doing is not to invest to improve the distribution network. It is easier for the company simply increase the tariff and don't be worried about the performance of the delivery water system. There are many other examples.