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# Towards an Innovative Democracy: Institutionalizing Participation in Challenging Times

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## Towards an Innovative Democracy: Institutionalizing Participation in Challenging Times

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### Abstract

Democratic innovations designed to deepen citizen involvement, inclusion, and decision-making legitimacy increasingly face a question: how can experimental practices transition into stable and enduring institutional forms capable of sustaining meaningful impacts? Institutionalization exceeds legal codification, spanning regulatory, administrative, and cultural processes that socially and politically embed participatory practices in the contexts where they take place. This includes the symbolic aspect whereby citizens recognize these innovations as indispensable to democracy's fabric, thanks to the authority and legitimacy conquered through their own concrete impacts. This editorial stresses that institutionalization involves balancing standardization for durability with maintaining creativity and flexibility to avoid ossification or co-optation. Hence, some challenges emerge, such as the Collingridge dilemma, according to which governing fast-evolving innovations struggles to keep pace with the incremental slow-rhythm of legal adaptation. Through a brief synthesis of the articles that compose this thematic issue, this text highlights how theoretical reflections and empirical case studies are combined to show how different political and cultural contexts shape institutionalization dynamics. Collectively, these contributions enrich the understanding of how democratic innovations can foster more inclusive, resilient democratic governance amid contemporary challenges.

### Keywords

citizen participation; Collingridge dilemma; democratic innovations; embedding participatory practices; institutionalization; participatory governance

## 1. Introduction: Understanding the Multiple Facets of Institutionalization

Our democracies—or what has been understood as such until now—are going through challenging times. A widely discussed global “democratic malaise” (Jacquet et al., 2023), marked by falling turnout, growing disillusionment, and declining trust in representative institutions and intermediary bodies, has renewed interest in democratic innovations. These participatory practices, ranging from participatory budgeting and citizen juries to deliberative mini-publics and referenda, seek to deepen citizen involvement between elections, broaden inclusion, and strengthen the perceived legitimacy and effectiveness of public decisions. As these innovations proliferate, a key question arises: how can they move beyond a pilot phase—either through integration into formal institutions or via alternative trajectories—so that their impact, durability, and democratic relevance are sustained over time? This thematic issue addresses this multifaceted question by analysing the institutionalization of participatory practices, the conditions that facilitate or obstruct it, the most desirable forms and degrees of institutionalization, and the specific challenges posed by different patterns of democratic decline.

In debates on public action and democratic innovations, institutionalization is often equated with incorporation into legal or regulatory frameworks. Yet a broader view is needed, encompassing not only formal law but also soft-law instruments and administrative practices that shape how participatory processes are integrated into public administration and how participatory rights consolidate over time. These instruments (e.g., constitutions, bylaws, guidelines, and local regulations) are strongly context-dependent, as democratic innovations emerge from locally rooted “ideoscapes” and evolve through variation (Appadurai, 1996). Effective legal and administrative tools must therefore reflect specific legal cultures, political attitudes toward participation, and local patterns of institutional action and reaction.

Institutionalization also involves processes that go beyond formal codification, captured by the notion of embedment, the capacity of a participatory device to consolidate its ability to generate outcomes and to become a socially and politically rooted part of existing systems (Bussu et al., 2022). Crucially, using the term institutionalization adds a symbolic and perceptual dimension, as citizens perceive a participatory mechanism as an indispensable component of the institutional landscape. Once this recognition is achieved, democratic innovations gain authority and legitimacy, so that their removal would be widely experienced as a democratic loss. This resonates with Morlino’s (2005) concept of democratic anchoring, where intermediary institutions stabilize democracy by renewing citizen-institution linkages. Embedment emphasizes integration, while anchoring highlights its effect on democratic legitimacy and resilience.

In this perspective, institutionalization can better respond to democratic decline through combining formal adoption of procedures with the social consolidation of their authority and by attending to the legal, political, and cultural conditions that allow innovations to evolve from experimental ad hoc events into stable governance components. Deliberative and participatory experiments often arise when representative institutions lose credibility, attempting both to repair legitimacy and reimagine democratic practice (Escobar, 2022). The “time” dimension has long been central in innovation diffusion theories (Rogers, 1962; Ryan & Gross, 1943), showing how new ideas spread through social systems. Applied to democratic innovations, participatory mechanisms may remain marginal for years before demonstrating impact or may become routinized once mainstreamed. While diffusion theory highlights gradual spread, Escobar’s (2022) concept of “liminality” captures their ambivalent position as a permanent work in progress between empowerment and

co-optation. Institutionalization, in this view, is neither an endpoint nor a guarantee of deepening democracy, but an ongoing negotiation between stability and innovation.

Reflecting on institutionalization from this perspective provides a privileged vantage point for observing the tensions between stabilization and adaptability. Efforts to mainstream and consolidate participatory practices inevitably carry a component of ossification, as procedural standardization may stifle creativity and experimentation. Yet, institutionalization is what grants participatory rights' durability and protection from arbitrary political reversals. This tension reveals the dual imperative of maintaining openness and flexibility while safeguarding the procedural integrity of participatory democracy. Hence, reading institutionalization as a pathway rather than a destination allows for unpacking the multiple and sometimes contradictory processes through which democratic innovations interpret societal change, adapt to institutional contexts, and respond to the demands of diverse actors across different scales of governance. It also implies a continuous capacity to incorporate new repertoires of social struggle and deliberation. In this sense, studying institutionalization offers an analytical prism for understanding not only how democratic innovations become embedded, but also where fault lines emerge, where participatory and deliberative devices risk being instrumentalized, and where institutionalization may become a symbolic act rather than a substantive transformation.

Empirical research on citizens' assemblies underscores this ambivalence in practice. As Macq and Jacquet (2023) demonstrate, political elites often endorse such mechanisms less to redistribute power than to restore institutional legitimacy. Given that only a small fraction of democratic innovations reached stable institutional status worldwide, conclusions must remain cautious, but this tension between consolidation and domestication lies at the very heart of contemporary democratic innovation. Indeed, we still lack systematic knowledge about how frequently institutionalisation actually occurs in practice. Recent comparative research suggests that such cases are highly exceptional; however, this conclusion is based primarily on analyses of scientific articles indexed in Scopus and Web of Science (Schiuma & Cagnoli, 2025), as well as on a limited number of action-research networks, rather than on a comprehensive sample of real-world institutionalised cases.

## 2. Diffusion, Dynamics, and the Pacing Problem of Democratic Innovations

Early work on the institutionalisation of democratic innovations mainly relied on normative democratic theory, which limited its ability to capture ongoing, context-specific processes and their variations. Recent scholarship, as anticipated by Smith (2009) and reinforced by Elstub and Escobar (in press), has shifted toward the concrete dynamics of institutionalisation and the notion of embedment within socio-institutional systems. However, comprehensive mapping remains difficult and incomplete, often constrained by single case-study designs.

Comparative analysis is hindered by diverse contexts, conjunctures, and uneven maturity across countries, regions, and localities. Nonetheless, comparisons are eased when focusing on specific "devices" with recognizable features across borders. Participatory budgeting and citizens' assemblies, supported by extensive bodies of handbooks, guidelines, and toolkits, now anchor much of the literature that maps both participatory practices and their institutionalisation dynamics (Dias et al., 2021; McNulty & No, 2021; Smith, 2009). Networks spanning local authorities, academics, facilitators, and consultants have been crucial to

these efforts, as illustrated by The Knowledge Network on Climate Assemblies and the World Atlas of Participatory Budgeting community.

This thematic issue does not map individual participation devices or their specific institutionalization. Instead, it surveys diverse processes, highlighting efforts to align the experimental character of democratic innovations with regulatory frameworks that secure participatory rights and advance equality, justice, and transparency amid socio-technical and environmental transitions. The call for contributions was intentionally broad, inviting theoretical and empirical work from varied regions and regimes to foster cross-pollination and a mature debate on the ambivalences of institutionalization worldwide.

The “Collingridge dilemma”—the difficulty of steering technologies before their effects are known and of changing them once entrenched—applies equally to democratic innovations (Collingridge, 1980). Understanding institutionalisation in both its controlling and emancipatory dimensions (Santos, 2020) is crucial in light of the “pacing problem” (Thierer, 2018), where fast-evolving innovations and their social drivers outstrip slower, incremental legal adaptation (Downes & Nunes, 2014).

Viewing democratic innovations as consolidating technologies helps explain how institutionalisation can drive consolidation, transformation, diffusion, and, at times, regression, co-optation, or ossification under power. Yet, this perspective also underscores the need for richer, more diverse analytical frameworks, precisely where the contributions in this thematic issue intervene.

Among the contributions, Pierri (2026) challenges the presumed paradox between innovation and creativity, often treated as contradictory or fundamentally different in nature, process, and temporality. Pierri shows that this tension stems from a dualistic view of institutions and change rooted in traditional institutionalism. Using the lens of political creativity, she reframes institutions as dynamic, evolving constructs shaped through creative bricolage by internal and external actors. Although political creativity is not yet central in debates on democratic innovation, Pierri underscores its strong potential.

Pudar Drasko and Fiket (2026) propose a conceptual model to understand the roles played by various socio-political actors in driving democratic innovations’ institutionalization, drawing an analogy with the successful institutionalization of National Human Rights Institutions. The authors show how state actors, civil society groups, participation professionals, academics, and international organizations contribute, often independently yet reinforcing, to the adoption, anchoring, and potential ritualization of democratic innovations. The model argues that institutionalization hinges on their interplay, with roles spanning incentives, acculturation, persuasion, and advocacy.

Anđelković and Tepavac (2026) explore how to integrate deliberative mini-publics (DMPs) into political systems beyond one-off events. It offers a normative framework for embedding DMPs in a policy subsystem, focusing on legal and organisational requirements to secure inclusion, contestation, and openness to stakeholders. The authors outline six conditions, ranging from citizen agenda-setting power and inclusive design to multi-stakeholder oversight and final policy vetting, envisioning DMPs as permanent actors in the policy cycle. They stress that institutionalisation depends on clear legal bases and flexible integration that fits political realities.



Veri and Stojanović (2026) conceptualise institutionalization of DMPs as both repetition over time and formal legal embedding. Using OECD data and new cases, they build a typology linking forum permanence to governance levels and compare patterns in federal and unitary systems. They find federal systems' multiple decision arenas foster experimentation and stable regional uptake, while unitary systems centralize and formalize deliberation more episodically. The study advances understanding of how democratic innovations endure within governance and how political architectures enable or constrain lasting citizen deliberation.

Pospieszna and Hoffmann (2026) examine the institutionalization of DMPs in countries like Poland, where citizens' assemblies lack formal legal status. They treat rules of procedure as key indicators of institutionalisation, frame institutionalization as an evolving, learning process across assemblies, and apply a descriptive, not normative lens, showing how institutionalization sustains and creatively adapts practices over time.

Daher et al. (2026) explore the potential of citizens' assemblies (CAs) in politically volatile contexts, where representative institutions are fragile. They highlight trade-offs between institutionalizing assemblies and preserving transformative potential, challenging universal standardized Global North models. Based on multi-sited fieldwork, they advocate a critical, decolonial perspective that adapts CAs to local realities, histories, and cultural practices. The article further emphasises that in such fragile contexts, issues like local legitimacy, foreign interference, and political "red lines" shape feasibility, requiring flexibility, relational engagement, and community ownership rather than rigid standardisation.

Indeed, the topic of DMPs, in line with recent academic literature (Elstub & Escobar, 2025; Smith, 2009), represents a central core for this thematic issue, being declined at different administrative and political scales, and in very different contexts. For example, Petit and Olear (2026) examine some citizen panels on tech policies, which could be viewed as a legacy and a consequence of the Conference on the Future of Europe. Through participant observation, the authors argue that these panels, while presented as empowering "everyday citizens," constitute a form of "citizenwashing" and represent a strategic effort to institutionalize this form of public engagement as a legitimacy-building activity in EU-level policymaking processes.

The consistent ongoing technological changes that are affecting democratic innovations inspired Ohren et al. (2026) to examine how AI technologies are shaping emerging institutional trajectories for democratic innovations. Introducing the democracy-in-the-loop framework, the authors argue that institutionalisation in the age of AI cannot rely on efficiency-driven logics alone. Instead, AI must be embedded within practices that foreground contestation, reflexivity, participant agency, and "meaningful frictions." Drawing on experimental workshops conducted across four European cities, the article demonstrates how AI-supported democratic innovations can be designed to enhance deliberative quality and democratic oversight. In doing so, it offers a normative and practical model for institutionalizing AI-enabled democratic innovations in ways that preserve and expand their democratic character.

Goldfrank et al. (2026) examine the institutionalisation of democratic innovations through the lens of Latin American Institutions of Citizen Participation. Their article offers three key contributions to the understanding of the institutionalisation of democratic innovations. First, it introduces a four-dimensional framework for analysing institutions of citizen participation, focusing on formalization, political embedding, professionalization, and social engagement. Second, applying this framework to three Latin American



institutions of citizen participation reveals that institutionalisation is highly context-dependent and evolves differently across mechanisms and over time. Third, the findings challenge the assumption that formalization alone ensures success, highlighting instead that political embedding is particularly vital for sustaining democratic innovations and integrating them effectively into broader political systems.

Drawing on the specific context of Hungary's hybrid regime, Kovács Szitkay et al. (2026) examine how the degree of institutionalisation shapes the functioning and quality of institutions of citizen participation. Assessing five institutions of citizen participation (open primaries, referenda, national consultations, public hearings, and citizens' assemblies), the authors show that institutionalisation alone is not sufficient to guarantee their effectiveness. The article further proposes a typology of democratic innovations in backsliding contexts, illustrating how these institutions can support, protect, or undermine democratic practices depending on the broader political environment.

Finally, Ravazzi (2026) reflect on several ambivalences that emerge from the chosen example. The author examines the legal institutionalisation of public debates on major infrastructure projects in Italy (2021–2023), a participatory device shaped around the consolidated French experience. The article shows that institutionalisation legitimised deliberation, enhanced professional recognition, and improved project designers' communication skills, fostering more serious engagement with local communities. At the same time, proceduralisation and bureaucratic compliance reduced flexibility, transforming debates into formal administrative procedures and shifting attention from substantive to procedural aspects. By highlighting these trade-offs, the article contributes to debates on the institutionalisation of democratic innovations, showing how legal frameworks can simultaneously support and limit the embeddedness of deliberative practices.

### 3. Conclusion

In conclusion, this thematic issue brings together a series of relevant studies and reflections on the challenging journey of democratic innovations from experimental ideas to embedded features of governance. It underscores that while institutionalization holds immense promise for strengthening democratic stability and fostering more inclusive, legitimate, and effective policymaking, it is not a monolithic concept nor a guaranteed panacea. Instead, it is a dynamic process shaped by contexts, power dynamics, the interplay of diverse actors, and the continuous negotiation between steadiness and creative adaptation. The contributions collectively advance our understanding of how to navigate these complexities, advocating for approaches that are context-sensitive, inclusive, and genuinely committed to empowering citizens, even in the most challenging political times.

As with many thematic issues, its timing did not necessarily allow for capturing all the ongoing reflections on the topics, especially in contexts (as the African one, see Ministério da Administração do Território, 2020) where institutionalisation of participation coincides with a process of re-institutionalization of the decentralization framework that presides over the formalization of some central institutes of representative democracy. But, for sure, it can establish a serious and mature dialogue with future analyses, based on a wide body of high-level contributions with convergent and empirically enlightened reflections.

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# Creativity or Institutionalization? Beyond the Dualism in Democratic Innovation

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## Abstract

Democratic innovation and institutionalization processes both seem to aspire to achieve the same goals: to ensure that democracy can evolve and thrive over time and to generate and embed new modes of functioning that can include more people and respond to emerging needs. However, both conceptually and in practice, the two approaches tend to be depicted as apart, as some scholars of democratic innovation take a critical stance toward institutionalization, while those researching modes of institutionalization struggle to account for the messiness of emerging practices that evolve in unexpected ways. This article aims to reflect on how a strong dualism in debates about democratic innovation and institutionalization risks that certain forms of change go unnoticed and therefore under-theorized. By drawing on the concept of political creativity, this article introduces an anti-dualist perspective and advances new critical reflections within existing democratic innovation literature. Interestingly, the scholarship on political creativity has so far not entered the democratic innovation debates, despite some interesting points of contact and shared concerns with recent publications in this field. Drawing on practical cases, this article advances three main suggestions for re-thinking institutionalization beyond the dualism in democratic innovation, which all directly emanate from the political creativity scholarship and concern the importance of taking into account the dimension of time, the concept of relationality, and a novel understanding of order as assemblages.

## Keywords

critical institutionalism; democratic innovation; institutionalization; political creativity

## 1. Introduction

In the context of this thematic issue, this article aims to contribute to the questions of which *types and degrees* of institutionalization are desirable and how institutionalization can develop processes of democratic innovation and continuous experimentation. I argue that many discourses on the institutionalization of democratic innovation perpetuate an unspoken assumption that depicts the two processes as distinct, risking fueling a dualist way of thinking about the institutionalization of democratic innovation. Then, the concept of political creativity, as a way to build an alternative beyond this dualism, will be applied. I will begin by briefly introducing the field of institutionalization and then draw on more recent and critical approaches that have started to appreciate the more informal, evolving, and dynamic parts of its nature. Scholars of democratic innovation describe, use, critique, or discard the term *institutionalization*, hinting at the need to rethink this concept to maintain its strong analytical function. Therefore, I introduce the concept of political creativity—which has so far not entered the democratic innovation debates—hoping it could guide future research and practical experimentations, building on recent studies about dynamic and informal ways of framing institutionalization (Bussu et al., 2022) and on the relationship between rules, practices, and narratives for institutionalization processes (Blanco et al., 2022).

The process of institutionalization is central in discourses about democratic innovation. Debates about the need and value of institutionalization cover a range of diverse opinions on the matter, and this brief introduction cannot do justice to the variety of the literature. In an attempt to simplify, I trace the field through its two main camps: The first camp consists of those, including practitioners, who believe that institutionalization is the preferred outcome of a democratic innovation. This group includes those who consider the success of democratic innovation to entail the shift from one-off events to permanent and established features of the political sphere. In these views, democratic innovations are depicted as being born as an alternative to respond to the perceived limitations and failures of representative institutions (Elstub & Escobar, 2017). Therefore, through this process of being formalized and introduced into public bodies, these innovations appear to increase the democratic value of the institutions themselves. On the other hand, some argue that institutionalization can potentially endanger the radical and creative disposition of democratic innovation (Blaug, 2002), diluting their potential and co-opting their original intentions by taming the spirit of those who initiated them. Both camps seem to share an understanding of the two processes as distinct (when not in tension or opposition) on at least three dimensions: (a) temporally, with democratic innovation taking place before the process of institutionalization; (b) practically, with distinct actors and places for each process; and (c) conceptually, as demonstrated by the diverse scholarly positions previously presented.

Interestingly, Bussu et al. (2022) have recently introduced the concept of *embeddedness*—to shift the attention from institutional design and toward embedding dynamics—as inherently different and more flexible in comparison to institutionalization. According to these authors, this concept can illustrate instances where (a) democratic innovations are embedded outside institutional spaces, such as, for example, civil society; (b) innovations become a habit that displays iterations; and (c) instances where the “informal practices of embedding” are given greater emphasis than system-level formalization (Bussu et al., 2022, p. 139). This article significantly builds on this recent literature and contributes to it by introducing the new lens of political creativity to confirm and further advance these works.

Scholars have been interested in the question of how institutionalization and innovation relate to each other. Reflecting on the analysis of the Irish Citizens' Assembly, Courant (2018) provided some typologies of institutionalization and identified key elements of institutionalized democratic innovation. These elements include: (a) repetition, which describes the length of time that a democratic innovation is repeated in a place or across different places, and (b) systematicity (which Courant also refers to as stability), which indicates the extent to which the democratic innovation stays the same over time and operates according to fixed rules. With these elements, Courant (2018, p. 13) concludes that: "In order to become an institution, a democratic innovation must therefore exist for a long period of time and keep a similar shape; in a way, it must become *predictable*." Courant (2022) later developed a more nuanced systematization of typologies of institutionalization, which introduced three ways for thinking about it: in terms of temporality, of legitimacy and support, and of power and role within a system. In this article, I will focus on Courant's 2018 talk, in which this author well captured what often seems implied in many definitions of institutionalization: that predictability and stability are key features of institutionalized processes and, perhaps, central features of institutions themselves. In that talk, Courant (2018) also reflected on the fact that democratic innovations—despite their success and popularity—risk remaining in an in-between state, neither proper institutions nor novel experiments. In this article, I explore the option that this in-between state is more than a stage in a process toward a certain and predetermined outcome, being perhaps a key feature of institutionalized innovations that deserves renewed attention. I do that by drawing on different approaches to institutionalization and introducing the concept of political creativity.

Since the 1980s, new approaches to understanding institutions have emerged (so-called new institutionalism), which shifted the focus from stability and order to studying how institutions function as well as how they change. Within these accounts, institutions emerge as more complex actors that are dynamically shaped by creative actions. Building on from them, I aim to explore (a) how we could understand institutionalization as more creative, while still ensuring the continuation and mainstreaming of innovation within an institutional framing, (b) whether and how democratic innovation can be institutionalized without losing its generative character.

In the next sections, I briefly map the neo/critical institutionalism and political creativity approaches, highlight the frictions between them, and outline the potential benefits of possible collaboration. In Section 3, I present practical cases and advance three main suggestions for re-thinking institutionalization beyond the dualism in democratic innovation, which all directly emanate from the political creativity scholarship and relate to the importance of taking into account the dimension of temporality, the concept of relationality, and a novel understanding of order as assemblages.

## 2. Creativity or Institutionalization: Clarifying the Terms

Scholars within the field of political creativity (Berk & Galvan, 2009, 2013) suggest that creative action in the political realm functions according to three main characteristics:

1. It uses existing habits as its main raw material.
2. It transforms these habits through deliberative recombination, by intentionally breaking old habits into parts and transforming them through the recombination of old parts into new habits.



3. It works through narratives as processes of sharing with others how creative action—as a social process—involves those maintaining order as well as those bringing change.

The importance of narratives within institutions in giving legitimacy to change is also reflected in recent and critical approaches to institutionalization (Blanco et al., 2022). As Douglas (1987, as cited in Cleaver & de Koning, 2015, p. 5) reminds us, through processes of narrative building—including appeals to tradition, the development of symbols, and discourses that aim to foster certain views of what institutions are and how they behave—institutions are “naturalised” (i.e., made to appear self-evident). These narratives seem to be central in constructing specific versions of institutions, either as being based on order and traditions or on change and improvisation, and their analysis and the mapping of their evolution can be useful in tracing the early stages of processes of institutionalization (Blanco et al., 2022).

The concept of political creativity is not uncontroversial, with authors such as Smith (2018) arguing that creativity could not possibly be applied to the political sphere. If we frame creativity as an individual and embodied function, based on the principle of intentionality, then thinking of creativity politically (and collectively) is not easy to achieve. In Smith’s (2018, p. 384) words: “Treating political creativity as just a kind of gigantic, collective form of Beethoven’s creativity ought not to be taken seriously.”

Those who argue for the impossibility of a form of political creativity draw on a certain understanding of creativity as originally developed by Boden (2004), which assumes intentionality—usually understood as an individual characteristic—as a central component of creativity that produces novelty as a result. However, as I have argued elsewhere (Pierri, 2020), when we deal with political creativity, we are dealing with a different form of creativity that exists *sui generis*, rather than being simply understood as a sum of individual forms of creativity resulting from different intentional acts. Based on my previous work and adding to Berk et al.’s (2013) definition, I argue that political creativity: (a) involves a certain extent of loss of individual creativity and control over it—in the attempt to achieve shared control among a collective, each individual must give up some of the control they had; and (b) assumes and generates a collective (metaphorically speaking) body and identity. This claim draws on the vast literature on social movements and frames political creativity as consisting of joint, future-directed intention (Tollefsen, 2014, p. 27) that creates connectedness (Diani & Bison, 2004, p. 284), which in turn generates “relationships of trust” (Della Porta & Diani, 2006, p. 94), provided certain conditions are present. In this framing, the actors of political creativity are not the individuals but the collectives that, through these processes, are formed anew, reinforced, or broken apart and recombined differently through shifting roles.

Starting from the concept of democratic innovation, I reflect on the role of political creativity. Although the two terms might seem adjacent, it is important to clarify that I do not contend that they should be used interchangeably, since not all forms of political creativity entail democratic innovation, i.e., I understand political creativity to be different from democratic innovation in at least two ways: First, political creativity is a constant feature of all political processes, encompassing both change and continuation, whereas democratic innovation always implies something new and results in change. Second, political creativity is less value-laden and normative compared to the idea of democratic innovation, which already contains democracy in its name and understands the point of innovation as always being about advancing democracy. Political creativity, instead, aims to describe all instances of creativity toward outcomes and practices that might be distant—or even hostile—to democracy and its values, as “autocracies are same products of political

creativity as democracies” (Minakov, 2023, p. 68). This is an important point that would need further elaboration, especially in consideration of classic democratic theories that depict democracy as both an outcome of and a precondition for creativity itself (e.g., Arendt, 1958; Dewey, 1988), although these reflections are beyond the scope of this article.

The concept of political creativity draws on the idea that creativity is used and is necessary for both the achievement of change and the maintenance of the institutional order (Berk et al., 2013). In other words, a political creativity lens recognizes that change and order are not two separate and irreducible concepts, which, in my view, highlights the added value of this new lens; rather, change and creativity are already present within apparent conditions of order and institutionalization. For this reason, I believe that looking at the concept of the institutionalization of democratic innovation through the lens of political creativity might be a fruitful choice.

### ***2.1. Far Apart or Maybe Closer Than Anticipated***

Theories of institutionalization seem to have moved away from more traditional understandings of institutions as key guardians of order, predictability, and stability. New institutionalism was initially defined as a collection of ideas (March & Olsen, 1984) that, although still based on earlier versions and studies of institutions, aimed to depart from those approaches in several ways. For instance, it shaped a more autonomous role for political institutions, which are seen not as simple representations of social forces, but as complex actors whose internal processes have become of renewed interest for study. New institutionalism, for example, challenged the view of outcome-focused decision-making, foregrounding the importance of political processes rather than just political outcomes (March & Olsen, 1984, p. 742).

In its more recent evolution, new institutionalism has moved even closer to discourse and theories of political creativity. In its different articulations (DiMaggio & Powell, 1991; Orren & Skowronek, 2004; Streeck & Thelen, 2005), it comprises approaches like discursive institutionalism (Schmidt, 2010), which appreciate structural ambiguity, change, and agency as central concepts for a novel understanding of institutions; or “critical institutionalism” that embraces complexity to explain both continuity and change in evolving institutions (Cleaver & de Koning, 2015). As Cleaver and de Koning (2015, p. 4) explain:

Critical institutionalists question the underlying rational choice assumptions of much institutional thinking. Instead they emphasize the multi-scalar complexity of institutions entwined in everyday social life; their historic formation dynamically shaped by creative human actions; and the interplay between the traditional and the modern, formal and informal arrangements.

Their definition of institutional bricolage shares several elements with the definition of political creativity presented in Section 2: “Institutional bricolage is a process through which people, consciously and non-consciously, assemble or reshape institutional arrangements, drawing on whatever materials and resources are available, regardless of their original purpose” (Cleaver & de Koning, 2015, p. 4).

Similar to political creativity, critical institutionalism sees change happening through the transformation and recombination of existing materials and arrangements within institutions. In framing these changes as instances of bricolage, critical institutionalism attempts to capture the fact that people who contribute to

change do so both consciously and non-consciously, by assembling institutional arrangements from the social and cultural resources available to them (Whaley, 2018). By doing so, “people modify old arrangements and invent new ones” (Cleaver, 2017, as cited in Whaley, 2018, p. 139).

This seems to be in line with recent research in democratic innovation literature, which analyzed the trajectories of change and continuity in Barcelona’s participatory governance since 2002. Blanco et al. (2022, p. 218) interestingly reflect on:

How rules, practices and narratives can combine to produce stability but also diverge to create conditions for change. The complex and non-linear coevolution of rules, practices and narratives serves to explain the changing landscape of participatory governance in Barcelona, whilst also providing conceptual tools for research in other concrete cases.

This brief overview of the main concepts highlights the risk that a strong dualism in debates about democratic innovation and institutionalization, often seen as temporally or conceptually distinct, can lead to certain forms of change being unnoticed and under-theorized. Addressing this risk through the lens of political creativity could introduce a clear anti-dualist perspective and promote critical reflections in the ongoing debates about the concept and process of institutionalization.

Based on this conceptual overview, I try to present a different focus for research and analysis of democratic innovation and institutionalization from within, including studies that explore institutionalization temporally and as an ongoing creative process (as it is further illustrated in Section 3). Furthermore, I also aim to highlight different actors or shed new light on familiar ones through a more nuanced approach informed by the concept of political creativity. Through the lens of political creativity, institutions and institutional actors are not always conservative; rather, they play a central role in introducing, maintaining, and regenerating democratic innovation within and beyond institutional settings. This aligns with a broader understanding of what counts as democratic innovation, also beyond formal institutions (Asenbaum, 2021; Crouzel, 2014; Elstub & Escobar, 2017). The next section examines some practical examples of these instances to explore what can be learned from them and what gaps remain.

### 3. Identifying Practical Examples

It might be challenging to identify examples in democratic practice of where institutionalization and political creativity occur jointly, due to at least three main reasons:

1. The two approaches have long been depicted in contrast (including within purposefully constructed narratives of institutionalization as order and stability). Therefore, most case studies that present instances of institutionalization of democratic innovation tend to fall into the either-or narratives.
2. Framing political creativity within processes of institutionalization requires a detailed perspective from within institutions—the only vantage point that seems capable of noticing and capturing the long-term, slow, and complex dynamics that shape processes of institutionalization as bricolage. With some exceptions (Cooper & Smith, 2012; Escobar, 2022; Velghe et al., 2025), this internal view is rarely the object of research on issues of institutionalization of democratic innovation.

3. Finally, appreciating the different ways in which political creativity and new forms of institutionalization have developed in combination requires a specific temporal sensibility. These acts of bricolage, in fact, demand an attention to mundane details and small-scale changes that might—over time—accumulate and generate significant innovation. This type of innovation, though, can only be appreciated retrospectively. The duration and slowness of these kinds of innovations make them difficult to capture and narrate.

Some of the most interesting cases appear in literature that examines activism within institutions (Neaera Abers, 2019; Olsson & Hysing, 2012; Pettinicchio, 2012). Institutional activism was the subject of several studies from the late 1990s and has gone through phases of variable attention and redefinition. Although the terms used in this literature are different (e.g., insider activism, institutional activism, and others), they generally describe “what people are doing when they take jobs in government bureaucracies with the purpose of advancing the political agendas or projects proposed by social movements” (Neaera Abers & Tatagiba, 2014, p. 2).

Pettinicchio (2012) provides a useful historical overview of how social movement studies and political process approaches have addressed the question of insider and outsider activism over time, as sociological studies have moved away from viewing social movements solely as outsiders. If we follow from Pettinicchio and start moving away from a stark insider–outsider dichotomy, we can appreciate how institutions might not always (and only) demobilize protests (see Katzenstein, 1998, as cited in Pettinicchio, 2012, p. 507). They can, in fact, act as allies in solidarity with specific issues and groups (Duplan, 2023) or as “movement institutions” (Bereni & Revillard, 2018), developing institutional settings that are embedded with a protest dimension, as a form of new repertoire of protest actions as “insider tactics” (Bereni & Revillard, 2018, p. 425). In Section 3.1, I briefly introduce three examples that help illustrate the main points of the argument. I draw on instances of bureaucratic activism and radical municipalism, and introduce a case from the field that reflects on a long-established democratic innovation. I argue that although none of these cases fully exemplify the relationship between political creativity and institutionalization, each one, in its own way, contributes to lessening the (apparent) opposition between the two concepts.

### **3.1. Bureaucratic Activists, Radical Municipalism, and Less Permanent Innovation**

The first case study draws on Neaera Abers’ (2019) research of Brazilian bureaucratic activists, where she describes the role of public servants in advancing the environmentalist cause within the Ministry of the Environment to ensure that the principles and innovations introduced by social movement actors in 2011 could continue within the institution, even when this required challenging the priorities of their superiors.

Neaera Abers (2019) presents the key episodes during the time of the Workers’ Party administration in Brazil. During the Lula government (2003–2010), a number of active environmentalists took temporary positions within the Ministry of Environment. As this author illustrates, these collaborations with social movement actors were not an exception within the Lula government, as activists entered the institutions to push for their political agenda. By the time of the Dilma Rousseff administration (2011–2016), many had left the government, and the Ministry of Environment started operating with permanent employees who were neither connected to nor members of social movements. Neaera Abers (2019, p. 22) argues that through their attitudes and choices, the public employees operated in unexpected ways: “Neither rule followers,

apolitical technocrats, nor selfish individualists, these actors pursued environmentalist agendas. They were activists.” These bureaucratic activists moved strategically within public administration to influence and reform government policies and actions toward certain values of justice and environmental protection (Neaera Abers, 2019).

Drawing on various examples and literature—including the work of Banaszak (2010) on women’s movement—I question whether social movement literature’s assumption that institutionalization leads to moderation and demobilization is always accurate. This aligns with arguments presented in Pierri (2023), where I articulated how social movements can play a key role even when they act as collaborators with institutions to advance democratic innovation. Moreover, as Corry and Reiner (2021) argue in their research, this dynamic is particularly evident in recent climate movements, which have shown interest in piecemeal institutional policy measures while maintaining their more radical edge. Environmental policies have already been identified as particularly conducive to forms of bureaucratic (or insider) activism, as demonstrated by Olsson and Hysing (2012) in their study of local environmental governance in Sweden. According to these authors, several factors made environmental policy more favorable for inside activism, including: (a) the dynamism of the policy area, which was still evolving; (b) the need for diverse forms of knowledge to support experimentation and creative problem-solving in the environmental field; and (c) the large number of organizations and a strong tradition of civic engagement on the issue (at least in Sweden). These features warrant further exploration to advance a better understanding of the conditions under which democratic innovation and institutionalization can develop in dialogue.

The second case study comes from the work of Flesher Fominaya (2022), who explored the role of social movements in democratic innovation, referring to the case study of Spain’s 15-M movement. Following the 15-M mobilizations, many activists decided to engage with political institutions to drive change from within. Either by supporting the rise of the party Podemos or by directly entering municipal governments and coalitions in several cities in 2015. The 15-M *Indignados* movement significantly contributed to the emergence of radical municipalism:

The democratic innovation introduced by 15-M activists into the institutional arena in Spain’s major cities through Barcelona en Com. (Barcelona) and Ahora Madrid coalitions is well documented, and includes participatory budgets and experimentation with citizens’ assemblies based on random selection that is designed to put forward proposals and to intervene in designing public policies. (Flesher Fominaya, 2022, p. 88)

Radical municipalism aims to open up a shared public sphere between social movements and institutions of local government, where traditional institutions, social movements, and citizens all experience a democratic transformation (Mota Consejero & Herranz, 2023). In these instances, social movements succeeded in moving into institutions and radicalizing participatory governance and democratic innovation from within. I therefore suggest that, given its ambition, values-based approach, and inside–outside dynamics, radical municipalism could be considered a counterpart to bureaucratic activism.

Social movement actors are traditionally seen as removed from political institutions because (a) the latter are designed to resist change furthered by the former and (b) institutions’ role is to maintain stability and be self-perpetuating (Flesher Fominaya, 2022). However, recent research (Bua & Bussu, 2021; Wagenaar, 2023)

has introduced new modes of governance—namely, democracy-driven-governance—that identify the creativity of social movements as a driver of institutional change. A close examination of emerging case studies illustrating how democracy-driven-governance has developed may, in the future, prove beneficial for mapping new instances of political creativity embedded within processes of institutionalization.

Finally, the third case study exemplifies a multifaceted relationship between the process of institutionalization and democratic innovation by reflecting on the Ostbelgien Model (Velghe et al., 2025), which describes the Permanent Citizens' Dialogue that was introduced in 2019 in the German-speaking community of Belgium. What started as an experiment with deliberative mini-publics was iterated and institutionalized as a well-known precursor of the deliberative wave and the object of much attention and research. This case is particularly relevant for this article because it provides one of the few internal views on processes of institutionalization of democratic innovation. Moreover, it reflects on a process more than five years old, thereby providing the temporal perspective that, as argued before, is needed to appreciate practices of democratic innovation and institutionalization beyond either-or narratives. In fact, while the tensions between stability and creativity seem to be higher for newly institutionalized democratic innovations, citizens as well as bureaucrats (within and outside institutions) seem to come to terms with the blurred boundaries between institutionalization and creative experiments after the process has become older. This phenomenon, and the distinct ways in which political creativity and stability interact during the life of a process of institutionalization, would be an interesting subject for further reflection and research, as once should not assume that the interplay will remain constant over time.

Reflecting on more than five years since the institutionalization of the Permanent Citizens' Dialogue, the authors state clearly: "To start with, don't let the term 'permanent' deceive you into thinking this is a static process; in fact, it is very dynamic" (Velghe et al., 2025). The field reflections and the practitioner accounts regarding the process of institutionalization of the citizens' dialogue reveal a nuanced picture of continuous change and emerging surprises, providing a more accurate description of institutionalization as it happened in Ostbelgien. As the authors themselves note, the word *evolving* may be more appropriate than *permanent* "to capture (and cherish) the changing and dynamic nature of the OBM" (Velghe et al., 2025). These insightful reflections from a relatively long-standing institutionalization aptly describe how political creativity continues to operate within institutionalized democratic practices. The main takeaway is that accounts from established democratic innovations may depict a reality where the interplay between political creativity and institutionalization becomes more evident over time. This is clearly illustrated in the words of the authors:

The five first years have shown that institutionalized forms of citizen deliberation remain in their infancy and that more attention should be paid to their experimental and evolving nature. There is always a drive to formalise these processes, especially when embedded in formal institutions. This, however, can have a negative impact on the agency of the citizens, who believe that they have to strictly stay within certain predetermined boundaries. A big takeaway from five years of institutionalization in *Ostbelgien* is to always allow enough space and time for flexibility, learning, and adaptation. This not only benefits the citizens but also the politicians who have to find their way of dealing with changing norms in a changing society and democracy. (Velghe et al., 2025)

#### 4. Beyond the Dualism in Democratic Innovation

Although the examples explored in the previous section are the closest to exploring the potential interplay between creativity and institutionalization within public institutions, they still display a fundamental dualism that assumes change and order to be two distinct and contradictory moments (although this is less the case for the Ostbelgien Model). Actors—such as bureaucratic activists or social movements within municipalities—need to identify a breach in ongoing stability and use it to depart from established order and recombine existing factors to create something new. The analysis of these cases needs to identify the conditions, the profiles, the skills, and other variables that can influence the extent to which an actor can use such breaches in the structure to bring about innovation in democracy.

Scholars of political creativity build on well-established anti-dualist perspectives, including the work of Mustafa Emirbayer (Berk et al., 2013, p. 283), that focus on the interplay and dynamics between political actors, institutions, procedures, and rules. In their approach, Berk et al. (2013, p. 5) state that “order is not so orderly, and change not so intermittent.” In both traditions of institutional bricolage and political creativity, we can frame creative processes of institutionalization as a patchwork (Cleaver & de Koning, 2015), where old institutional arrangements coexist with new institutional arrangements in ways that are not always planned or fully intended. In a similar direction, Escobar (2022, p. 157), drawing on a 10-year-long study in Scotland on democratic innovation and participatory governance, showed how these practices should not be considered an “accomplishment, but as a contested, fragile, and evolving assemblage that takes constant political work; and that there can be more scope for manoeuvre than it is often assumed.” This finding appears to be consistent with the reflections on the Ostbelgien Model presented in the previous section.

In their definition of political creativity, Berk et al. (2013) identify three threads that characterize a research agenda on institutions and institutional change based on the concept of political creativity: (a) the idea of agency as relationality; (b) the framing of order as assemblages; and (c) the concept of change as the politics of time. In introducing a non-dualist view in democratic innovation—a middle way between, on the one hand, classic ideas of institutionalization (understood as replication, stability, and duration) and, on the other, the volatility of innovative practices that never stabilize—this section draws on and elaborates further the second characteristic: (b) order as assemblages. This choice is in line with more recent debates that are bringing assemblage theory and democratic theory into dialogue (Asenbaum & Bussu, 2025). Before I delve into this point, I briefly reflect on the role of relationality.

The idea of agency as relationality is central in what Berk and Galvan (2009, 2013) call creative syncretism, in which creativity is conceptualized as a chain structure, where novel creative tinkering draws upon an indeterminate number of resources, concepts, and materials that were themselves the result of previous creative tinkering, forming an ongoing, iterative, and dynamic process. The framing of political processes as relational assumes that the involved actors, their identities, institutions, and rules merely derive meaning from the changing roles they assume in response to each other’s creative actions.

Within creative syncretism, one can see creative tinkering occurring at all levels, not only from the bottom up. Institutions and those in power, just as actors from social movements, can also tinker like bricoleurs and they may equally be involved in purposefully engineering and designing the change they want to see. This approach does not ignore or erase power differences; instead, power is explored as experiential (rather than



structural), and attention is paid to how actors perceive and live institutional rules, as well as their power to change them: “By role, right education, or circumstances, some believe they have the privilege to tinker with rules or prior practices. Others perceive messing with the rules or past practice as audacious” (Berk & Galvan, 2013, p. 29). According to creative syncretism, therefore, actors (from the top and from the bottom) act relationally and unexpectedly in response to each other’s actions. Attention to these continuous processes of re-adjusting and re-aligning shows how, at different times, the same actors might have a different perception of their power to tinker (or not), as well as a different purpose for their tinkering.

#### 4.1. Order as Assemblages

A recent special issue invites scholars to employ assemblage theory to “rethink democracy in terms of fluidity, transformability, and becoming and extends democratic inquiries to more-than-human realms” (Asenbaum & Bussu, 2025, p. 1). In this section, I briefly take the special issue’s debates into account (which are too recent to be fully analyzed), mostly reflecting on the potential of using assemblage theory to study the dynamism and complexity of democratic innovations: “Assemblage theory can help us to develop conceptualizations of embedded democratic innovations, beyond just institutional characteristics and arrangements, as plural, experimental and multifaceted, highlighting interactions between different practices, contexts, and actors” (Bussu et al., 2025, p. 10).

According to Berk et al. (2013), thinking about institutions and institutional changes in terms of assemblages and processes of assembly foregrounds three specific modes of political creativity. First, *making order* through a lens of assemblages becomes a creative act of ordering among the different raw materials from which political action is made. These materials are considered to be decomposable and their nature allows them to be easily taken apart to fashion new solutions. Second, *shoring it up* describes the process of maintenance as one that also requires creativity, as actors produce new configurations to ensure continuity and stability, when following the rules proves not successful. Fung and Wright (2003) illustrate several examples in the case studies they present, showing that maintenance of institutions only succeeds as a result of tinkering from below when performed by empowered actors. Lastly, Berk et al. (2013) describe the creative work of *smoothing over*, which aims at uncovering the messiness of assemblages and hiding it from view so that a perception of order can be ensured, as well as its legitimacy. As Berk et al. (2013, p. 9) note: “Hiding creative assemblage is work—ironically, a work of creative assemblages.”

The main point of this shift to assemblage for the purpose of political creativity is to emphasize that order requires creativity to create, maintain, and keep it relevant. Although assemblage theory can be (and has been) criticized (see Buchanan, 2015; Kinkaid, 2019; Lemke, 2021) for its lack of normativity, explanatory potential, and for the vagueness and indeterminacy of what constitutes an assemblage and what this affords, it still seems to offer a relatively novel perspective for framing political processes as relational, contextual, and creative. According to Bussu et al. (2025, p. 15):

A participatory assemblage thus encourages a move from top-down design toward co-design with participants; from emphasis on a given model and process to openness to participation as an ecology, embedded in the local political and social context; from democratic innovations as institutional arrangements attached to political arenas to deepening participatory democracy in everyday life.

Further research is needed to explore the full potential of adopting an understanding of democratic innovation and institutionalization as assemblages and to trace whether and how assemblages for innovation differ from or resemble assemblages for institutionalization.

## 5. Conclusions

This thematic issue (in which this article is inserted) reflects on the role and value of institutionalization of democratic innovation in challenging times. In this context, I contribute with a novel approach based on the concept of political creativity that transcends debates about institutionalization as being in contradiction to, or fundamentally different in nature from, democratic innovation itself.

This article has begun by providing a critical outlook on traditional forms of institutionalism, which shape an understanding of institutions as rational political actors primarily concerned with stability and order. Drawing on critiques from within institutionalism itself—namely, neo-institutionalism and critical institutionalism—as well as scholarship on political creativity, I explored whether and how democratic innovation can be institutionalized without losing its generative character, and whether and how institutionalization can become more creative while still ensuring the continuation and mainstreaming of innovation within an institutional framework.

I argued that the apparent paradox between democratic innovation and creativity, on the one hand, and institutionalization, on the other, rests on a dualist understanding of institutions and change, which refers to traditional institutionalism and resonates with a long tradition of social and political studies on agency and structure. This understanding sees institutions as formal organizations that shape the behavior of other political actors according to given norms, with an ambition toward stability and predictability. Seen through the lens of political creativity, however, this apparent paradox disappears: Institutions are understood as being in motion and as the result of a complex and creative process of bricolage carried out by both external and internal actors.

Therefore, I present three main suggestions for rethinking institutionalization beyond the dualism in democratic innovation. None of these suggestions is completely new—as they resonate with and confirm pre-existing findings—but they all directly emanate from the three dimensions of political creativity illustrated in the literature: (a) the dimension of time, (b) the concept of relationality, and (c) a novel understanding of order as assemblages. The suggestions are the following:

1. To favor new research on accounts of institutionalization of democratic innovation from *within*, including studies that explore institutionalization temporally, not as a “static object” (as also suggested by Courant, 2018) but as an ongoing, dialectical, and creative process.
2. To reconsider the actors of democratic innovation and institutionalization in relational ways, for instance, by blurring distinctions between *inside* and *outside* actors, and by recognizing the potential shifting of roles among actors. This will address the risk that certain forms of agency and change go unnoticed and therefore under-theorized.
3. To further explore the possible implications of assemblage theory through the lens of political creativity, exploring how institutionalization of democratic innovation emerges, interacts, and changes, in context-specific ways.

In analyzing the relationship and trade-off between creativity and institutionalization, I have focused only on instances of democratic innovation. However, the question arises of whether and how a political creativity lens might be insightful when applied to more traditional representative democratic institutions, including how this relationship and its trade-off might play out differently—or not—within the two, and whether democratic innovation might address these tensions more effectively in practice. These are interesting questions that would require further research to be fully explored.

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# Institutionalization of Participatory Democratic Innovations: Understanding the Roles of Established and Emerging Actors

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## Abstract

While existing research has increasingly emphasized the need to embed democratic innovations within formal political structures to ensure their sustainability, analytical frameworks are largely rooted in normative democratic theory and often lack tools for understanding the processes of institutionalization of democratic innovations. We draw on the framework developed for analyzing the institutionalization of National Human Rights Institutions (NHRIs), using it as an analogy to better understand the mechanism of these processes, with a specific focus on the roles of the socio-political actors involved. While we acknowledge the structural differences between NHRIs and democratic innovations, we argue that this analogy provides a valuable perspective and theoretical model that could be used for analyzing mechanisms and the roles actors may play in these processes, especially in the context of increasing international support for participatory norms. Ultimately, we contend that successful institutionalization depends on the parallel efforts of state actors, civil society, participation professionals, academics, and international organizations, whose actions may unfold independently yet contribute collectively to the institutionalization of democratic innovations and suggest that the model we propose should be further refined and validated through empirical research.

## Keywords

actors; democratic innovations; institutionalization; National Human Rights Institutions



## 1. Introduction

The increasing spread of democratic innovations such as participatory budgets, citizen assemblies, referenda, town meetings, online citizen forums, e-democracy, public debates, collaborative policy making, etc., reflects a global effort to address a democratic malaise and a widespread sense of democratic disillusionment (Baiocchi & Ganuza, 2016; Jacquet et al., 2023). This democratic malaise is manifested through eroding participation in conventional political channels like elections and party membership, diminishing public trust in political actors and institutions, and pervasive concerns over accountability mechanisms in representative systems, factors that fuel anti-political sentiment and corrode social cohesion and citizens' sense of political efficacy (Elstub & Escobar, 2019).

To address democratic malaise, researchers, civil society organizations, social movements, governments, the EU, and international organizations, as well as other socio-political actors, are experimenting with various models of democratic innovations aimed at bridging the gap between political institutions and citizens (Jacquet et al., 2023; OECD, 2021). Yet, the mere experimentation and implementation of these mechanisms does not guarantee their effectiveness. Too often, innovations remain disconnected from the core structures of representative systems, leading to limited political impact and short-term existence (Adenskog, 2018). The OECD report on innovative democratic practices, published in 2020 and based on a database of 289 cases, identifies only 14 as cases of institutionalized practices (OECD, 2020). The Democratic Knowledge Database, developed in 2024 within the EU-funded project Network of Networks 4 Democracy, which collects 344 texts that focus on democratic innovations, shows that even though democratic innovations often involved some political authorities, only 17% of the cases were implemented within some kind of legal or strategic framework explicitly mentioned as the basis for the innovation's implementation (Markov et al., 2024). Moreover, more than half of the cases in the database were ad hoc initiatives, lacking any form of existing or planned regularity.

Research on democratic innovations, in fact, warns us that they risk becoming experimental or ad hoc gestures without political impact, unless they are anchored in formal political structures and norms (Fiket, 2023; Fournier et al., 2011; Fung, 2015; Lima, 2025; Mansbridge et al., 2012; Mazeaud & Gourgues, 2023; Smith, 2009). And from a "systemic turn" that has emerged in both theoretical (Mansbridge et al., 2012; Owen & Smith, 2015) and empirical studies (Jonsson, 2015; Smith, 2009), more attention has been placed on understanding processes of institutionalization of democratic innovations. Understanding democratic innovations as embedded within broader political systems, in fact, recently became one of the key topics of the research agenda on democratic innovations (Elstub & Escobar, 2019). However, while existing analytical frameworks address some systemic dimensions (Dryzek, 2009; Mansbridge et al., 2012), they are largely rooted in normative democratic theory (Rowe & Frewer, 2000; Smith, 2009) and are not tailored to exploring institutional development (Adenskog, 2018).

By acknowledging concerns that overly rigid institutionalization may constrain the adaptive and experimental nature of democratic innovations (Caluwaerts & Reuchamps, 2018; Niemeyer & Felicetti, 2022; OECD, 2020), this article tries to better understand what roles actors can play not merely as initiators or supporters of democratic innovations, but as key agents in shaping how the institutionalization process unfolds. It should be noted that we do not seek to engage in a normative debate over the desirability of institutionalizing democratic innovations. While we approach this critically in the conclusion, our starting



point is the assumption that the appropriate response to democratic malaise lies in expanding democratic practices, following the reasoning that *the cure for the ills of democracy is more democracy*, particularly through enhanced citizen participation. From this perspective, effective democratic innovations serve as mechanisms to deepen democracy and address the perceived disconnect between institutions and the public. We follow Elstub and Escobar's (2019) definition of democratic innovations as processes or institutions developed to reimagine and deepen the role of citizens in governance processes by increasing opportunities for participation, deliberation, and influence. Democratic innovations are new practices that are consciously and deliberately introduced to enhance the quality of democracy, regardless of whether these innovations have previously been implemented in other political systems (Geissel, 2009).

Existing scholarship on democratic innovations highlights that their trajectory depends not only on their institutional design but also on the interactions among the actors who support and seek to embed them within governance systems (Elstub & Escobar, 2019; Escobar, 2022). To understand the roles that actors in processes of institutionalization of democratic innovations may play, we draw an analogy with the successful institutionalization of National Human Rights Institutions (NHRIs). Rather than proposing an impossible universal model of institutionalization suitable for all socio-political contexts and types of democratic innovation, we aim to examine the roles that political and societal actors play, or could potentially play, in this process. We understand analogy as a process that facilitates the transfer of knowledge from one domain, the source, to another, the target (Ward, 2011). This means that we are using insights from a familiar context—NHRI institutionalization (the source domain)—to better understand or generate new perspectives in a less familiar one – democratic innovation institutionalization (the target domain). In this sense, analogy enables us to make advancements in one area by recognizing structural similarities with another (Gentner & Smith, 2012). Using the institutionalization of NHRIs as a reference point draws on both the richness of its literature and its conceptual parallels with democratic innovations. Both are norm-driven governance reforms requiring legitimacy, autonomy, and multi-level actor engagement. While not originally actor-centered, the NHRI literature offers strong analytical foundations, particularly on norm diffusion, legal codification, and international-domestic interplay. This allows us to develop an actor-oriented framework that maps the differentiated yet interdependent roles in the adoption and anchoring of democratic innovations, addressing gaps left by broader policy diffusion approaches.

The contribution of this article does not lie in reiterating the normative argument for the institutionalization of democratic innovations, but rather in advancing a conceptual model for analyzing how different categories of actors contribute to this process. Drawing on the literature on the institutionalization of NHRIs, the proposed framework identifies and differentiates the roles of state, societal, and intermediary actors, and explores the dynamics that shape their interactions over time. While firmly rooted in existing theoretical approaches, the framework is offered primarily as a heuristic device, one that can guide the systematic analysis of institutionalization processes across diverse contexts. Its analytical utility lies in enabling a more nuanced understanding of how the interplay among these actors influences the trajectories of democratic innovations, an understanding that can be further refined and validated through detailed case study research.

Our rationale for using the institutionalization process of NHRIs as an analogy for the institutionalization of democratic innovations lies in the fact that both forms of institutional innovation are designed to enhance horizontal and vertical accountability, while also operating at the intersection of institutional politics and

citizen claims-making. Besides, both are normatively anchored in efforts to counter democratic malaise, whether by protecting fundamental rights or by engaging citizens directly in policymaking. At their core, each aims to expand access to rights and participation, improve accountability, and renew public trust in institutions (Dryzek, 2009; Geissel & Newton, 2012; Pegram, 2010; Pogrebinski, 2017; Reif, 2000). It is interesting that the emergence of NHRIs as a global norm, consolidated through the Paris Principles, coincided with another major development in democratic innovation: the institutionalization of participatory budgeting in Porto Alegre, Brazil, in 1989. These parallel developments—one within the human rights infrastructure, the other within participatory democratic governance—reflect a broader post-Cold War moment of democratic optimism, marked by a belief in expanding both rights and participation as the dual pillars of democratic strengthening (Fung & Wright, 2003; Huntington, 1991; Reid-Henry, 2019). This convergence also aligns with broader shifts in international democracy promotion, which emphasize both institutional restraint and empowerment of citizens in new democracies (Schedler et al., 1999). The NHRI experience thus offers a valuable lens for exploring how democratic innovations might evolve from localized experimentation into enduring elements of democratic governance, particularly in today's context, where participatory norms are increasingly promoted by international organizations such as the OECD, the Council of Europe, and the European Union (Council of Europe, 2017; European Parliament, 2021; OECD, 2020).

Although human rights institutions and participatory democratic innovations differ in their structures, functions, modes of adoption, and the actors involved in their institutionalization—issues we address critically in this article—we argue that the analogy between them offers a useful perspective for examining how diverse socio-political actors contribute to the institutionalization of democratic innovations.

In the following section, we provide a concise overview of the institutionalization process of NHRIs with a specific focus on the literature that elaborates on the mechanisms of the process and the roles of actors involved. In this part, we also critically engage with the limitations of using NHRIs' institutionalization as a reference point for understanding the institutionalization of democratic innovations. In the third section, we build on the framework used for understanding the institutionalization of NHRIs and adapt it to examine the roles of socio-political actors and mechanisms of institutionalization of democratic innovations. In the final section, we discuss the implications of our inquiry for an understanding of the process of institutionalization of democratic innovations.

## **2. Exploring the Institutionalization of NHRIs and the Rationale for the Analogy With Democratic Innovations**

NHRIs, as a specific form of institutional innovation, evolved over decades through United Nations-led norm development and sustained advocacy by a diverse range of actors (Goodman & Pegram, 2012; Pegram, 2010). While initial encouragement came from the United Nations Economic and Social Council in 1946, only with the 1991 Paris Workshop and the adoption of the Paris Principles did a formal international standard emerge. These principles set benchmarks for mandate, independence, and accreditation, becoming the foundation for NHRI legitimacy. Their institutionalization reflects a layered, multi-scalar process shaped by international norms, domestic coalitions, and shifting political contexts. As Strang (1991, p. 324) observes, norm diffusion operates through mechanisms in which “prior adoption of a trait or practice in a population alters the probability of adoption for remaining non-adopters.”

While scholarship on norm diffusion has largely focused on macro-level structures, such as the global human rights regime and the Paris Principles, it has paid less attention to the micro-level processes through which norms are interpreted, negotiated, and embedded in domestic settings (Checkel, 1998; Johnston, 2001). Foundational work on norm diffusion by Goodman and Jinks (2004), further developed by Pegram (2010, 2012), offers a triadic framework—*coercion*, *acculturation*, and *persuasion*—to explain the varied mechanisms through which actors influence the translation of international norms into domestic institutions. This framework captures the multiple models and trajectories of NHRI establishment and substantial design variation.

Pegram's empirical research, particularly in Latin America, illustrates that these mechanisms do not operate in isolation. Rather, they are activated through the strategic engagement of different groups of actors working within shifting political opportunity structures (Kim, 2013; Linos & Pegram, 2015; Pegram, 2007). He shows that NHRI resilience depends less on formal norm adoption than on how interactions between actors succeed in translating global norms into viable institutional designs and embed them in domestic governance. This actor-oriented perspective underscores the relational and negotiated nature of institutionalization, offering a valuable example for understanding the establishment of institutional innovations.

Within this framework, coercion refers to norm adoption driven by external pressures, such as aid conditionalities, diplomatic leverage, or post-conflict reconstruction agendas. Acculturation captures the role of peer learning, reputational incentives, and regional identity in prompting institutional uptake. Persuasion refers to the process by which domestic actors come to internalize and accept international norms as valid and appropriate, leading them to establish institutions based on a sincere commitment to democratic principles and accountability.

While this triadic framework offers valuable analytical insight, it should be understood as a heuristic device rather than a rigid classification. In practice, the mechanisms of coercion, acculturation, and persuasion frequently overlap, and few cases follow a single linear path. Institutionalization unfolds as a hybrid and negotiated process, shaped by the sequencing of these mechanisms and the specific interplay of domestic and international actors. In the case of NHRIs, the success of norm adoption and institutional anchoring depended heavily on how global standards were translated into local practice, a process mediated by structural conditions and power dynamics among key stakeholders. At this point, it is important to clarify that in our article, we use the term institutionalization to refer to the process of norm adoption. Institutionalization is a gradual process involving the adoption, anchoring, and potential ritualization of democratic innovations. Adoption marks the initial uptake, while anchoring refers to the embedding of practices into legal, administrative, and organizational structures (Geissel, 2009; Goodman & Pegram, 2012). In the NHRI literature we reviewed earlier, scholars also distinguish between adoption, the process leading to the formal acceptance of a norm, and the subsequent phases of anchoring or embedding, which are crucial for assessing a norm's effectiveness. While we adopt a broader understanding of institutionalization, we acknowledge that the mechanisms involved often overlap and should not be treated as strictly distinct or sequential categories.

### ***2.1. Triadic Mechanism and the Interplay of Actors in the NHRI Institutionalization (Adoption)***

Coercion, broadly understood as indirect or soft pressure, has been central to the diffusion of NHRIs in post-conflict and developmental settings. The primary actors in these processes are international organizations—the UN agencies (OHCHR and UNDP), international financial institutions (World Bank), and bilateral donors (e.g., United States Agency for International Development, German Agency for International Cooperation, and French Development Agency)—which link NHRI establishment to technical assistance, development goals, and post-conflict reconstruction frameworks (Cardenas, 2014; Goodman & Jinks, 2004; Pegram, 2010). These actors shape legal mandates, provide capacity-building support, and embed NHRIs into broader state-building agendas. While these measures are not coercive in a formal legal sense, they exert substantial leverage through conditional aid, peace agreements, and access to international legitimacy, especially in the process of democratization (Schedler et al., 1999). Good examples for such processes are post-conflict cases of Iraq, Afghanistan, Guatemala, El Salvador, and Bosnia and Herzegovina, where international actors used their administrative authority and aid leverage to ensure human rights oversight mechanisms were included as part of state-building and democratization processes (Cardenas, 2014; Pegram, 2010). Iraq is presented as a case with “the strongest instance of coercive state-building” in NHRI diffusion, illustrating how institutional creation was tightly coupled to international obligations and resources (Cardenas, 2014, p. 233). The High Commission for Human Rights was created under the 2007 International Compact with Iraq, a framework that outlined international expectations for post-conflict governance. In Guatemala and El Salvador, transitional justice and democracy assistance programs following civil conflicts explicitly supported the creation of ombudsman institutions (UN OHCHR, 2010).

Complementing institutional pressure, transnational advocacy organizations, such as Human Rights Watch and Amnesty International, have applied reputational pressure on governments to conform to international human rights norms, often prompting the creation or strengthening of NHRIs (Kim, 2013). For example, Human Rights Watch engaged directly with Foreign Minister Prince Saud al-Faisal and publicly urged the kingdom to align with the Paris Principles (Cardenas, 2014, p. 234). Domestic political elites and public officials, though sometimes resistant, are the focus of coercive actions as they ultimately authorize NHRI mandates to maintain access to international resources and credibility.

Acculturation has facilitated the diffusion of NHRIs through horizontal peer learning, regional normative convergence, and reputational incentives. Key actors in this process include regional NHRI networks—such as Global Alliance of National Human Rights Institutions, European Network of National Human Rights Institutions, and the Network of African National Human Rights Institutions—as well as regional organizations like the Council of Europe, the European Union, the Asia Pacific Forum, and the Organization of African Unity. These bodies promoted NHRI models as regionally legitimate tools of governance and accountability (Cardenas, 2014, p. 135; Pegram, 2010). In Africa, the Organization of African Unity laid the foundation for regional human rights institutions through the 1981 African Charter on Human and Peoples’ Rights, which influenced the creation of both the African Commission on Human and Peoples’ Rights (1987) and the Network of African National Human Rights Institutions, operational since 2007. The Asia Pacific Forum helped shape legislation, accreditation, and institutional frameworks in countries like Mongolia, Pakistan, and Cambodia, often with UNDP (Cardenas, 2014; Renshaw & Fitzpatrick, 2012). In Central and Eastern Europe, both the civil society and state representatives saw human rights issues in the light of the “Europeanization” of their societies, leading to EU membership (Carver, 2012). Their promotion of NHRI

adoption was managed through training programs, legal model dissemination, peer benchmarking, and soft monitoring mechanisms (GANHRI, 2020; Linos & Pegram, 2015; Pegram, 2010).

While these transnational actors create normative frameworks and reputational pressures, the successful institutionalization of NHRIs depends on active engagement from domestic actors. South Korea stands as a good example here: After joining the UN in 1991 and serving on the UN Human Rights Commission (1993–1998), South Korea sought to position itself as a rights-respecting democracy. Early NHRI discussions were led by the Ministry of Foreign Affairs, and Korean officials participated in Asia Pacific Forum of National Human Rights Institutions workshops, reflecting a diplomatic rather than civil society-driven push (Cardenas, 2014, pp. 217–220).

Legislators, ministers, and civil servants are crucial in shaping legal mandates and securing operational autonomy (Goodman & Pegram, 2012; Iroanya et al., 2018), while civil society organizations and legal experts play important roles in norm translation, domestic advocacy, and post-adoption legitimacy building (Goodman & Jinks, 2004; Pegram, 2007). Furthermore, once adopted, NHRI leaders act as institutional entrepreneurs, adapting global standards to national conditions and strengthening the NHRI's credibility through responsiveness and innovation (Pegram, 2012).

Persuasion, arguably the most critical mechanism for the long-term sustainability of NHRIs, is driven by normative internalization among domestic actors. Legal professionals (Benin), civil society organizations (South Korea), human rights advocates (South Africa), and reform-minded elites (Saudi Arabia) are central to this mechanism (Cardenas, 2014; Klaaren, 2005; Pegram, 2010). These actors promote NHRIs not as externally imposed structures but as intrinsic solutions to domestic democratic and accountability deficits. Unlike coercion or acculturation, persuasion involves bottom-up mobilization, sustained public legitimacy, and the adaptation of global standards to local needs (Goodman & Pegram, 2012; Pegram, 2010). The persuasive mechanism involves a flexible repertoire of actions, including legal advocacy, petitioning, public hearings, media campaigns, coalition building, and symbolic acts like hunger strikes. Domestic actors also engage with legislators, draft model laws, and localize global norms. Crucially, this process depends on the mobilization of local knowledge and trust. Civil society groups help embed rights discourse within national narratives, while legal professionals and state representatives ensure legal adoption and constitutional alignment. These actors demonstrate that internal motivation, rather than external pressure, can lead to durable and legitimate institutional outcomes.

The involvement of various actors at different levels shows that the institutionalization of NHRIs was not automatic; it involved different mechanisms, different actors, and was the result of complex negotiations and efforts to build legitimacy. The NHRI experience illustrates how institutionalization occurs through mechanisms such as coercion, acculturation, and persuasion, offering a valuable lens to understand how other institutions, such as democratic innovations, can evolve from local experiments into durable elements of democratic governance. Observing that the current promotion of participatory norms by international actors (Fiket, 2023) partly resembles the international consensus that once enabled the formalization of the Paris Principles, we were led to draw an analogy with the institutionalization of NHRIs. However, we recognize that the strength of our analogy depends on the degree to which objects, their relations, and higher-order relationships align across the two domains so therefore, we are aware of the limitations of our analogy, and in the next section, we will discuss it further.

### 3. Understanding Institutionalization of Democratic Innovations: Mechanisms, Actor Roles, and Dynamics

Building on Pegram's (2010) triadic framework, originally developed to analyze the institutionalization of NHRIs, we use this section to discuss the roles of actors involved in the institutionalization of democratic innovations. While we retain the overall structure of Pegram's framework, we adapt it to better reflect the specific conditions surrounding democratic innovations. First and foremost, we observe the process of institutionalization in a context where no formal international norm exists, and where the process unfolds in a more diffuse manner. However, since Pegram's framework refers to the mechanisms of institutionalization of NHRIs in national and local contexts, we find it to be a valuable analogy. Still, the lack of a formal international norm is highly relevant in the case of the role of international actors, who do not apply direct coercion but instead rely on softer instruments, such as conditional funding, political support, or reputational incentives. Therefore, to more precisely capture the differences in institutionalization mechanisms between the two areas, we replace the term coercion with incentivization to reflect how adoption is encouraged in practice. Also, we acknowledge that incentivization, acculturation, and persuasion in practice often overlap and reinforce one another. What may initially appear as a purely financial or procedural incentive (incentivization) can simultaneously convey normative signals that reshape actor preferences (persuasion).

At this point, we find it necessary to underline further that in the case of democratic innovations, we are still largely in a phase of sporadic and flexible institutionalization. In some contexts, full institutionalization, similar to that seen in NHRIs, has taken place. In other contexts, democratic innovations exist without real political power to make binding decisions, though they may still produce important democratic effects, particularly in terms of enhancing citizens' democratic capacities. Therefore, we draw both on the existing literature on democratic innovations and on the mechanisms of institutionalization outlined in the previous paragraph to better understand the roles that socio-political actors play in institutionalizing democratic innovations.

Incentivization (coercion) in the area of democratic innovations operates through linking democratic innovations to external rewards such as funding, political support, and reputational benefits. In this phase, like in the case of NHRIs, international actors are the key actors. Organizations such as the European Union, the OECD, and the Council of Europe actively promote participatory and deliberative reforms through policy frameworks, recommendations, and funding instruments. They exert their influence through policy frameworks such as the EU's emphasis on good governance, subsidiarity, and participatory democracy, funding instruments such as Horizon Europe, the Europe for Citizens programme (Fiket, 2023), and regional development funds that support citizen engagement and normative influence via soft power, peer review mechanisms, or accession conditionality in enlargement countries. In parallel, international donors have supported democratic innovation projects, particularly in transitional and developing democracies, often linking them to governance, development, and conflict resolution agendas. These actors contribute not only financial resources but also normative frameworks and examples of best practices, which influence national and local reform agendas. Their role highlights the transnational dimension of democratic innovation, where global standards and comparative experiences shape domestic political choice. They, therefore, can play a role in both the diffusion and consolidation of democratic innovations, but most often act as agents of incentivization by linking funding and technical support to the uptake of participatory reforms. Although sometimes underrecognized, academics and researchers also have a relevant role in incentivizing democratic innovations by producing normative and empirical justifications (Talpin, 2019) that can attract external



support and funding as well as legitimize innovations (Elstub & Escobar, 2019; Geissel & Joas, 2013). While their involvement does not necessarily drive the initial emergence of such innovations, some, like deliberative polls and citizen juries, are directly invented and promoted globally by academics (Fernandez Martinez et al., 2023). The global uptake of participatory budgeting, for example, cannot be disentangled from the scholarly work that identified, evaluated, and promoted it as a replicable model of democratic innovations (Baioocchi & Ganuza, 2016). Knowledge production, in fact, acts as a soft form of incentivization by framing innovations as effective tools for improving governance and social cohesion.

The example of participatory budgeting also illustrates that traditional political actors can play a significant role during the incentivization phase. When it was first introduced in Porto Alegre, Brazil, in 1989, the initiative was spearheaded by the Partido dos Trabalhadores following their electoral victory (Spada, 2010). It shows us that reforms to electoral democracy, such as the institutionalization of democratic innovations, are unlikely to materialize without the active engagement of political parties (Farrell, 2025; Gherghina & Jacquet, 2023). Beyond the influence of political parties, individual elected representatives have likewise been instrumental in advancing formal institutionalization processes. One significant case is the Tuscan Law of Participation (Law no. 69/2007), introduced by the president of the Italian Region of Tuscany after a two-year community engagement process. This law represents the formal institutionalization of democratic innovations at the regional level (Carson & Lewanski, 2008; Thompson, 2019). These developments highlight the critical role of political will and, therefore, policymakers in sustaining democratic innovations beyond isolated experiments (Ravazzi, 2016).

Under the mechanism of acculturation—understood as the process through which democratic innovations become normalized and embedded within existing institutional and cultural contexts—a distinct category of actors emerges: participation professionals. These include experts, facilitators, and consultants who translate democratic innovations into standardized procedures that align with prevailing governance norms. Together with international actors and traditional political elites, they help ensure that these adapted practices conform to international standards and broader global governance frameworks. Participation professionals work both inside governments, as “deliberative public servants” (Bottin & Mazeaud, 2023), and outside, as consultants and independent facilitators. By defining procedural standards, training practices, and institutional routines, they ensure the routinization and stabilization of innovative practices within organizational structures, thus contributing to the durability and quality of democratic innovations over time. In doing so, they shape not only how democratic innovations are designed and function, but also how legitimate, effective, and sustainable they become within institutional and cultural contexts. Experts collaborate with citizens and officials in the co-production of knowledge and more inclusive decision-making (Lightbody & Roberts, 2019). Far from being neutral actors, facilitators, experts, and consultants make political choices about who is included, how issues are framed, and how power is distributed. Due to their professional and organizational interests, their influence may also become antidemocratic or limit innovation, particularly as the field matures and becomes more institutionalized (Bherer & Lee, 2019). In the study that examines how urban planning consultants interact with citizens during participatory policymaking processes (Stapper et al., 2019), the authors showed how some consultants can serve the preferences of their contracting authority, typically local governments, making the democracy-enhancing potential of participation largely symbolic. Furthermore, their involvement may reinforce dependency on external expertise while obscuring structural inequalities and weakening the transformative capacity of democratic innovations (Stapper et al., 2019).



Often, however, their work contributes to institutional culture change, especially in contexts where traditional administrative practices are challenged by participatory demands (Escobar, 2019). Together with traditional political actors, they engage in interpretive and framing practices within bureaucracies and political arenas that mediate and enable the integration of innovations into public discourse and administrative routines (Ravazzi, 2023). Regardless of their motivations, political actors are crucial in this mechanism: their actions determine whether innovations remain merely symbolic or become embedded through integration into bureaucratic routines, legal norms, and administrative practices, thereby shaping their scope, durability, and transformative potential. In this phase, they have the power to shape the institutional fate of innovations through interpretive practices within bureaucracies and political arenas (Courant, 2022; Opitz, 2024). Academics and researchers also contribute to the acculturation by framing democratic innovations as legitimate policy tools and by enabling their broader recognition and transnational diffusion (Mazeaud & Nonjon, 2016). They construct normative and empirical justifications but also contribute to the design, facilitation, and evaluation of processes, acting as guarantors of procedural quality and democratic standards (Talpin, 2019). A particularly significant role is played by bottom-up actors or grassroots actors, such as civil society organizations, social movements, and community-based initiatives. Often referred to as “advocates” (Hendriks, 2019), these actors contribute knowledge, experience, and networks to participatory processes and are instrumental in mobilizing, informing, and organizing citizens. They generate new democratic ideas and practices by developing counter-expertise and alternative forms of democratic knowledge (Della Porta & Felicetti, 2022), therefore promoting horizontal learning and peer pressure in the acculturation process. They also act as motivators, advocating for and educating about specific areas of democratic reform. They may translate best practices from other contexts and in responding to international calls to integrate democratic innovations (Farrell, 2025).

Unlike incentivization or acculturation, the persuasion mechanism reflects deeper normative commitments and domestic ownership. It involves the normative internalization of democratic innovations as legitimate, desirable, and necessary components of democratic governance. International organizations also play a role in this mechanism, promoting democratic innovations not only through funding but also through norm-setting. The OECD (2020) and the Council of Europe (2017) advocate for deliberative democracy as a core principle of good governance, framing it as a normative benchmark. Their reports, tools, and recommendations increasingly shape what is considered legitimate democratic practice globally. Academics and legal experts contribute by framing innovations within democratic theory and ensuring procedural quality, thereby underpinning their normative legitimacy and helping establish them as durable policy tools (Mazeaud & Gourgues, 2023; Talpin, 2019). Still, the mechanism of persuasion crucially depends on ongoing local engagement and trust-building that transform externally encouraged reforms into intrinsic democratic practices (Goodman & Jinks, 2004). Grassroots actors, including civil society organizations, community groups, social movements, and reform-minded political elites, act as agents of persuasion by mobilizing public demand, piloting participatory practices, and fostering societal acceptance and legitimacy. Grassroots actors, often referred to as “advocates” or “agitators” (Hendriks, 2019), frame participatory innovations not only as policy instruments but as democratic imperatives. Their influence can be seen in initiatives such as referendums promoted from below and experiments in crowdsourced constitutionalism, all of which represent attempts to innovate democratic systems toward more participatory and deliberative models and challenge elite-driven policies, thereby shifting public discourse on democratic participation (Della Porta & Felicetti, 2022). Their work builds demand for democratic innovation from below and provides normative

scaffolding for long-term institutionalization. They often play a dual role, mobilizing participation and ensuring institutional accountability (Ravazzi, 2016).

A compelling example of bottom-up dynamics driving the institutionalization of democratic innovations can be found in the Region of Tuscany's Law No. 69 on participation. The law, adopted in 2007, was designed to provide an institutionalized channel for addressing grassroots committees, resident action groups, and local conflicts by fostering structured interaction between citizens and public institutions. What distinguishes this case is not only the innovative content of the law but also its unique formulation process. Beginning in January 2006, the regional government initiated an open drafting phase in which a wide array of actors, local authorities, civil society organizations, grassroots groups, professional associations, academics, and ordinary citizens were invited to shape the law's goals, provisions, and procedural mechanisms. This process, later conceptualized as a form of "meta-participation" (Lewanski, 2013), directly embedded citizens' experiences into the legal framework. Approximately 1,000 individuals contributed at various stages, ensuring that the final text reflected the diverse participatory practices that had emerged in Tuscany and beyond. This case demonstrates a concrete mechanism through which grassroots mobilization and sustained citizen engagement can move beyond issue-specific campaigns to shape the very institutional architecture of participation.

Political representatives may act as central actors in shaping both the public discourse and the perceived legitimacy of democratic innovations (Caluwaerts & Reuchamps, 2016). They can, for instance, influence how direct legislation is framed and debated in the public sphere (Junius et al., 2020). Political parties, in particular, shape the broader landscape for democratic innovations through their ideological orientation and institutional position. Evidence shows that especially green and left-leaning parties tend to be more supportive of democratic innovations than their conservative or right-leaning counterparts, except for the far-right parties (Núñez et al., 2017). However, it should be noted that while many parties voice support for democratic innovations in principle, it remains an open question whether they sustain this commitment once in power (Farrell, 2025). Overall, political actors, while often driven by strategic calculations, may also act through persuasion, especially when facing legitimacy crises or shifting public expectations. Some elected officials champion participatory reforms as responses to democratic malaise. For instance, the introduction of the Ostbelgien model in Belgium was partly motivated by a genuine desire to restore trust and citizen engagement after democratic fatigue (Niessen & Reuchamps, 2019). Similar motivations were behind reforms in the Tuscan Participation Law, reflecting both political and normative commitments to inclusive governance (Lewanski, 2013). At the same time, public administrators, traditionally seen as neutral implementers of policy guided by rules and technical expertise, are increasingly expected to support citizen participation, facilitate engagement, and act as intermediaries between institutions and the public (Steinbach & Süß, 2018). This shift has redefined their roles as democratic professionals, facilitators, or meta-governors who work to uphold democratic values in participatory processes (Blijleven et al., 2019). Similarly, elected representatives also influence democratic innovations in multiple ways. However, in their case, tensions between representative authority and participatory demands are more pronounced. Some are very skeptical towards democratic innovations, while others actively initiate, participate in, or institutionalize such processes (Thompson, 2019).

#### 4. Concluding Remarks

Proponents of institutionalization argue that institutionalizing democratic innovations within political systems can effectively bring back citizens in political life, enhance legitimacy of political processes, provide solutions to key limitations of the electoral model of democracy, including the overrepresentation of advantaged groups, the absence of long-term perspective in decision making as well as institutional stability (Landemore, 2020; Macq & Jacquet, 2023). By granting formal recognition to innovative participatory mechanisms, such as deliberative mini-publics or participatory budgeting, governments also signal a commitment to inclusive governance, fostering public trust and reducing perceptions of elite capture (Smith, 2009). Institutionalization also ensures continuity, shielding innovations from the volatility of political cycles (Sintomer et al., 2016). Moreover, evidence suggests that deliberative mini-publics demonstrate greater capacity to influence policy outcomes when formally institutionalized, whereas their non-anchored counterparts frequently fail to transcend symbolic or consultative roles (Bua, 2019; Caluwaerts & Reuchamps, 2016; Liu & Lin, 2023).

Critics, however, caution that institutionalization carries risks. Embedding innovations within existing structures may co-opt their transformative potential, reducing them to tools for legitimizing pre-existing power dynamics. For instance, bureaucratized participatory processes often prioritize procedural compliance over genuine deliberation, stifling creativity and marginalizing dissenting voices (Bua, 2019; Smith, 2009). Similarly, institutionalization can impose rigid norms that clash with the experimental nature of innovations. In Belgium's G1000 citizen assembly, tensions arose between the fluidity of deliberative practices and the formal expectations of political institutions, undermining adaptability (Caluwaerts & Reuchamps, 2018). Such challenges highlight the dilemma of institutionalization of democratic innovations: democratic innovations may struggle to retain their radical edge when forced to conform to established hierarchies. Moreover, democratic innovations are increasingly shaped by technological developments—such as digital deliberation platforms, AI-supported moderation, and tools for participatory traceability—highlighting their evolving nature and adaptive potential, but also cooptive nature.

These debates underscore that institutionalization is neither inherently beneficial nor detrimental. Its success hinges on balancing stability with flexibility, understood as the capacity of democratic innovations to adapt to evolving social, political, and economic contexts while maintaining core participatory democratic principles. It involves openness to institutional adaptation, responsiveness to citizen demands, and the ability to incorporate new forms of engagement and deliberation without undermining democratic legitimacy or stability. Ultimately, the transformative potential of democratic innovations lies in their ability to evolve within and reshape existing institutions, fostering systemic inclusion while resisting co-optation (Mansbridge et al., 2012).

We have sought to provide a model for interpreting the roles of different actors in democratic innovations and the dynamics between them, while fully acknowledging the limitations of our contribution to this debate. More focused research on specific cases is needed to examine, through empirical examples, how these mechanisms operate in practice and what contributions different actors can make, depending on the context and the type of institutionalization. In other words, detailed case study analyses are necessary to apply and test the framework we have adopted, and to assess its explanatory potential in diverse empirical settings.

Our discussion showed that the institutionalization of democratic innovations is neither a linear process nor an inevitable outcome of well-intentioned design. A diverse set of actors, civil society groups, participation professionals, political institutions, researchers, and international organizations operate through mechanisms of incentivization, acculturation, and persuasion. These mechanisms interact in contingent and often unpredictable ways, shaped by the political, cultural, and institutional environment in which they unfold. These actors do not simply contribute in complementary ways; they may also compete, resist, or selectively advance particular forms of democratic innovation. For example, while international institutions and academic consultancy networks have recently promoted citizens' assemblies, such initiatives are sometimes met with scepticism by organized civil society in corporatist contexts, where they may be perceived as bypassing established structures. Similarly, participation professionals can act as enablers of procedural translation but may also impose standardized models that constrain local experimentation or privilege institutional convenience over grassroots priorities. At the same time, political actors provide authority and resources, yet may require external pressure or evidence to sustain reforms. Researchers can legitimate and refine innovations, but only if their work resonates beyond academic circles. International actors may catalyze change through funding and models, but without local ownership, their impact risks remaining superficial.

From this perspective, the durability and transformative capacity of democratic innovations depend less on the presence of individual actors than on the quality and balance of their interactions over time. Following the analogy with the institutionalization of NHRIs, we suggest that no single actor can sustain institutionalization in isolation. Enduring and adaptive democratic innovations emerge when collaboration is sustained despite tensions, when conflicts are negotiated rather than suppressed, and when institutional embedding allows for iterative adaptation to shifting social and political conditions. In this light, our triadic framework of mechanisms should be seen not only as a diagnostic tool for understanding how democratic innovations become embedded, but also as a lens for identifying potential fault lines, where actor interests diverge, where mechanisms are instrumentalized for purposes other than democratization, and where institutionalization risks becoming symbolic rather than substantive. Recognizing these dynamics is essential for both scholars and practitioners aiming to assess, design, and sustain democratic innovations in diverse political contexts.

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# Deliberative Policy (Sub)System: Institutionalising Deliberative Mini-Publics Within the Policy Process

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## Abstract

Over the last few decades, growing public dissatisfaction with institutions of representative democracy has become unignorable. Similar problems affecting representative democracy occur within the policy process, as traditional top-down policymaking within the institutions of representative democracy has proven inadequate to include citizens. As a potential solution, some have turned to deliberative mini-publics (DMPs), which are slowly overcoming their experimental phase, and more attention is being placed on their institutionalisation within the political system and policy process. In this article, we are looking to articulate the necessary conditions for the institutionalisation of DMPs within a policy process. In doing so, we articulate six necessary conditions that aim at making DMPs an inclusive and effective member of the policy subsystem.

## Keywords

coupling; deliberative democracy; deliberative mini-publics; embeddedness; institutionalisation; policy process

## 1. Introduction

The persistent erosion of public confidence in, and satisfaction with, the institutions of representative democracy has emerged as one of the defining challenges over recent decades, shaping the debates about the legitimacy and future of democracy. An expanding body of literature seeks to explain the constant decline in global voter turnout, evident even in well-developed democracies, where fewer citizens willing to

take an active part in the hallmark mechanisms of representative democracy (Ipsos, 2023; Solijonov, 2016). Research suggests that declining citizens' confidence in institutions is closely tied to both disillusionment and growing dissatisfaction with governmental and institutional accountability, competence, responsiveness—processes that fuel disengagement and challenge the legitimacy of conventional democratic institutions (Castanho Silva, 2025; van der Meer, 2017). Many citizens feel they have limited access to institutions and little influence on the formulation of public policies, believing that despite casting a vote, they are neither represented nor able to exert substantive impact on the political system (Noel, 2017).

In pursuit of an effective response to the ongoing crisis of democracy, scholars are turning to deliberative mechanisms as a means of bridging the widening gap between citizens and democratic institutions (Dryzek, 2009; Fung, 2009; Parkinson & Mansbridge, 2012). A growing body of literature explores the potential of deliberation to address the democratic deficit of the policy process by deepening citizen engagement and creating spaces where their voices can be stated and heard through joint decision-making that involves deliberation of vertically and horizontally located actors (see Ansell et al., 2017; Ansell & Gash, 2008). Advocates of deliberative democracy emphasise its capacity to enhance democratisation, by underlining a talk-centric dimension of democracy (Chambers, 2003; Dryzek, 2009). As John Dryzek argues, “political systems are deliberatively undemocratic to the extent that they minimize opportunities for individuals to reflect freely on their political preferences,” adding that “democratic legitimacy resides in the right, ability, and opportunity of those subject to a collective decision to participate in deliberation about the content of that decision” (Dryzek, 2009, p. 1381). Before moving on, it should be noted that we focus on political deliberation with a goal to shape and influence policy processes. Additionally, we will use the terms deliberative democracy and (political) deliberation interchangeably and they should be considered identical.

While many authors turn towards deliberative arenas as a remedy for democratic challenges (Fishkin et al., 2025; Niemeyer, 2011; Rountree et al., 2022), others propose more cautionary accounts of their potential and impact (Beauvais & Warren, 2018; Jacobs & Kaufmann, 2019). The institutional integration of deliberative mini-publics (DMPs) into the broader political system remains relatively under-researched (Hendriks, 2016; Parkinson & Mansbridge, 2012). Moreover, a key challenge lies in creating normative-institutional frameworks that, on the one hand, prevent “blind deference” to institutions (Lafont, 2015), while, on the other, preserve the autonomy and effectiveness of DMPs and their benefits (Schmidt, 2024).

This article contributes to addressing this gap by articulating a normative framework for the effective institutionalisation of DMPs, encompassing both the legal and organisational aspects of institutionalisation within a policy process. The framework aims to ensure effective inclusion and institutionalisation of DMPs while keeping the policy process open for other stakeholders, thereby preventing the “blind deference” to any single arena, institution, or actor. We seek to contribute to conceptualising the conditions that enable DMPs to democratise a policy subsystem, focusing particularly on two core variables of democratic quality: inclusiveness and contestation (Coppedge et al., 2008). For this purpose, the spotlight is placed on policymaking. The context for our conceptualisation is a policy subsystem which represents a zone of autonomy, where various dominant and interested sides craft policies related to a particular issue (Baumgartner & Jones, 2009). A policy subsystem is understood here as a part of the policy process, an arena constituted from a group of actors interested in shaping and contesting a specific policy issue, such as environment, healthcare, or any other domain. Such a subsystem gathers various actors, including governmental agencies, interest groups, advocacy coalitions, and, in our case, a DMP.

The justification for developing a set of conditions for the effective and inclusive institutionalisation of DMPs lies both in lessons from practice and notions derived from normative deliberative theory. The article's original contribution is twofold: firstly, the articulation of a normative framework of conditions, and secondly, the exploration of their possible implementation. As related notions of embeddedness and coupling are often conflated with institutionalisation, we first briefly clarify these distinctions.

The *institutionalisation* of deliberative mechanisms within a policy subsystem implies the formal adoption of rules and procedures for deliberation within a system (Bussu et al., 2022), while *embeddedness* is manifested through normative and relational status between DMP and a political system—specifically, how adequately they are integrated into the broader political and administrative environment (Bussu et al., 2022). *Coupling*, meanwhile, involves “processes of convergence, mutual influence and mutual adjustment” such that “each part would consider reasons and proposals generated in other parts” (Mansbridge et al., 2012, p. 23). Our focus is primarily on the normative aspects of institutionalisation, embeddedness, and coupling, while also addressing their legal and organisational aspects.

The article proceeds as follows. We firstly delineate characteristics of a good deliberative process. Next, drawing on a literature review of illustrative cases, we review the outcomes and mechanisms through which DMPs operate within the policy process. Finally, we articulate the conditions necessary for their effective institutionalisation. Here, institutionalisation is understood in a broad sense—it encompasses not only the formal and legal incorporation of DMPs into the policy system but also their embeddedness and coupling with existing institutions and processes.

## 2. What Makes a Good Deliberative Process?

In *The Oxford Handbook of Deliberative Democracy*, authors characterise deliberative democracy as follows:

[Deliberative democracy is] grounded in an ideal in which people come together, on the basis of equal status and mutual respect, to discuss the political issues they face and, on the basis of those discussions, decide on the policies that will then affect their lives. (Bächtiger et al., 2018, p. 2).

Moreover, it “means mutual communication that involves weighing and reflecting on preferences, values, and interests regarding matters of common concern” (Bächtiger et al., 2018, p. 20). This definition emphasises the horizontalisation of decision-making power and the inclusion of those most affected and marginalised (Devaney et al., 2020; Smith, 2003). Walters provides more insights into what political deliberation should look like, defining it as follows:

[Deliberation means] collective decision-making through a process of dialogue or discourse in which people who make decisions exchange reasonable arguments in the spirit of equality, critical reflection and purification of their respective position with the intention of following and deepening the notion of public good. (Walters, 2018, p. 169)

Both definitions focus on the outcomes of deliberation that reflect the common good and common interest, positioning DMPs as potential candidates for democratising decision-making by enhancing inclusiveness. The underlying notion is that all those who are affected by a policy should be able to participate and

deliberate on the given issue (Habermas, 1996). Accordingly, the main principles of deliberation include equality of participation, mutual respect, and “the unforced force of the better argument” (Habermas, 1996, p. 305). This aligns with the notion of horizontalisation, which requires equal participation. The ideal output of this process is the articulation of a form of *meta-consensus*—a “shared recognition of the legitimacy of a set of values, while not requiring agreement on the ranking of these values” (Niemeyer & Dryzek, 2007, p. 504).

While deliberative processes can take different forms and unfold across various arenas, this article focuses on one specific form: DMPs. These are defined as “participatory institutions that bring together an inclusive group of ordinary citizens who discuss a public issue together in order to exert public influence” (Vrydagh, 2023, p. 3). DMPs are recognised as valuable tools for enhancing inclusiveness, as they ensure that every participant has an equal opportunity to contribute and express their views. Inclusiveness is reflected in the representation of diverse opinions and demographics, the encouragement of alternative forms of communication, and the provision of robust support for participants’ learning processes. By empowering marginalised groups and insisting that contributions be justified with respect to broader societal needs, DMPs sustain a continuous focus on the common good as the ultimate outcome of deliberation.

The proliferation of DMPs at various governance levels during the “deliberative turn” offers valuable insights into their impacts and benefits (Ilić et al., 2024; Markov et al., 2024). Research highlights the multifaceted benefits of deliberative mechanisms, ranging from individual-level impact on citizens to systemic policy impact, including enhanced participation and citizens’ knowledge (Đorđević & Vasiljević, 2022; Fiket et al., 2022); improved inclusiveness and contributions from diverse groups; empowerment of citizens and reduction in polarisation and social tension (EuComMeet, 2022); more authentic decisions (Barabas, 2004); greater satisfaction with policymaking and stronger support for representative institutions (Parés et al., 2015); more just and inclusive policy outcomes (Muradova & Arceneaux, 2022; Young, 1996); and enhanced responsiveness, democratic representation, and legitimacy in governance (Beauvais & Warren, 2018; Germann et al., 2022). These deliberative mechanisms are easily scalable and applicable to different contexts (Huening et al., 2022), with effects extending beyond direct participants to the broader community, by strengthening perceptions of democracy and political processes (Boulianne, 2018). However, the challenge remains: ensuring that these outputs are effectively integrated into wider political discourse and decision-making (Felicetti et al., 2015; Goodin & Dryzek, 2006).

### 3. Deliberative (Sub)Systems: Looking Beyond One-Off Events

Much of the deliberative scholarship focuses on *how* deliberative process should look, typically examining “either a single episode of deliberation, as in one-time group discussions, or on a continuing series with the same group or in the same type of institution” (Thompson, 2008, p. 513). Authors like Dryzek, however, stress the consequential character of deliberative process, arguing that DMPs “must have an impact on collective decisions or social outcomes” (Dryzek, 2009, p. 1382). Building on wider, systemic consequences of deliberative process, Parkinson and Mansbridge (2012) suggest “that it is necessary to go beyond the study of individual institutions and processes to examine their interaction in the system as a whole” (p. 2). This requires acknowledging the complexity of a decision-making system—comprising NGOs, interest groups, media, government agencies, and bureaucracy—and exploring how the deliberative processes fit in and interact with these stakeholders. By conceptualising and examining the relations between different



deliberative and non-deliberative actors within a system, scholars assess the quality and character of their interactions (Mansbridge et al., 2012). Although not all parts of a system must be deliberative, they should complement one another and serve as corrective factors to deliberative arenas. Thus, “a systemic approach” entails judging the democratic quality of the system as a whole, in addition to its individual components: “We need to ask not only what good deliberation would be both in general and in particular settings, but also what a good deliberative system would entail” (Mansbridge et al., 2012, pp. 4–5).

This is where the coupling of DMPs with other institutional arenas of the policy subsystem becomes central. The key question is how such coupling should occur: loose coupling (with a DMP outside of the system) guarantees autonomy but risks limited efficacy and impact; whereas tight coupling often risks co-optation by other institutional actors (Hendriks, 2016). While some authors suggest loose coupling as the ideal model, others argue for a more nuanced approach that calibrates coupling to political circumstances (Hendriks, 2016).

### 3.1. Overview of Coupling and Institutionalisation in Theory and Practice

Numerous theoretical proposals and implemented models address the coupling and institutionalisation of DMPs within political systems. For instance, Elstub argues in favour of associational democracy where secondary associations—sites of deliberation—would have a more prominent role, enhancing social pluralism, decentralisation, and inclusion (Elstub, 2007). Gastil and Wright (2018) propose a sortition body within a bicameral legislative system with two equally powerful chambers: one composed of elected representatives and the other a “sortition assembly” of randomly selected citizens. Members of the sortition assembly would serve multi-year terms, receive extensive training, have professional support, and be well remunerated (Gastil & Wright, 2018). Other authors emphasise context-specific institutional arrangements. Lewanski (2013) outlines the Tuscan laboratory (not a typical DMP, but more of a participatory model with deliberation as its important element), as an ad hoc independent authority established by regional government authority of Tuscany through Law no. 69 (full name of the law is Rules on the Promotion of Participation in the Formulation of Regional and Local Policies) which helped develop citizen trust and promote participation in shaping regional and local policies through co-creation. Hartz-Karp and Briand (2009) draw on several examples of sustained deliberative practice, including Danish consensus conferences, municipal government in Hampton (Virginia), participatory budgeting in Porto Alegre (Brazil), and Grama Sabhas in Kerala (India).

The OECD provides an excellent overview several models for institutionalising DMPs, outlining various coupling models and their respective benefits and weaknesses.

The first model focuses on *parliamentary integration*, combining a permanent citizens’ assembly with one-off citizens’ panels. One of the most notable examples of institutionalisation within a legislative system comes from Belgium, where the regional parliament of the German-speaking community in Ostbelgien unanimously approved a law in 2019 establishing three new democratic institutions under a citizen dialogue process (OECD, 2021): the Permanent Citizens’ Council, the Citizens’ Panels, and the Secretariat. The Permanent Citizens’ Council is comprised of 24 citizens chosen by lottery for a 1.5-year mandate, with one-third of its members rotating every six months. This body oversees agenda-setting by initiating up to three Citizens’ Panels per term, determines their size and duration, and oversees the implementation of their recommendations in parliament. The Citizens’ Panels, each with 25 to 50 randomly selected citizens,



deliberate at least three times over a three-month period. They foster citizen engagement through two main channels: by providing space for their direct engagement through the panels on the one hand; and by enabling groups of at least 100 citizens, parliamentary groups, or the government to submit proposals to the Permanent Citizens' Council on the other (OECD, 2021). A Secretariat comprised of full-time officials provides institutional support by managing lotteries, assisting the Council, and organising the Panels (OECD, 2021). This case has demonstrated a strong policy impact, though its success depends on strong all-party political support, a clear separation of roles, and regular rotation of and robust support structures.

Another model, implemented in regional French-speaking parliaments in Belgium, introduces *deliberative committees* where 45 randomly selected residents deliberate alongside 15 MPs at the request of a petition initiated by at least 1,000 citizens (for more on the design, see OECD, 2021). These committees foster mutual trust between citizens and MPs but require a clear division of roles and political neutrality, which again underlines the importance of context when opting for a model.

Next model *combines the deliberative process with direct democracy*, usually in the form of a *referendum*. In the United States, the Citizens' Initiative Review convenes a representative group of citizens to evaluate ballot initiatives and produce a deliberative 1–2-page report along with a summary on ballot options (OECD, 2021). While highly useful in countering misinformation and providing citizens with a refined outlook on available options, its impact is limited by a lack of proactiveness in agenda-setting and the binary structure of referendums. Expanding its agenda-setting powers—e.g., via “preferendums”—could thus strengthen its deliberative role (OECD, 2021).

*Standing advisory panels*, such as the Toronto Planning Review Panel, are another possible model where citizens meet regularly to inform urban planning decisions. This model promotes expertise-building and organisational continuity, though it also requires institutional buy-in and consistent engagement (OECD, 2021).

Similarly, *sequenced deliberation* models, such as Bogotá's Itinerant Citizens' Assembly (Colombia), embedded DMPs into successive stages of the policy cycle, from agenda-setting to proposal development and policy evaluation (OECD, 2021). Integrating DMPs in this way brings numerous benefits, from enhancing adaptability to complex solutions, to broadening participation and inclusiveness, while also being intensive (OECD, 2021).

In the *citizen-initiated processes* model, such as the one in Vorarlberg (Austria), citizens can directly trigger a deliberative process, granting broad citizen control of agenda-setting. However, this does come with a risk of underuse due to limited awareness or clear criteria for initiation (OECD, 2021).

By contrast, there is a model in which *deliberation is mandated before certain policy decisions*, as in the case of the permanent Citizens' Assembly in Paris—a practice that can strengthen policy uptake but also risks becoming an overly formalised and stifled process (OECD, 2021).

Finally, the deliberative process can be embedded in *local strategic planning*, as in Victoria (Australia), which can help align local policy with citizen preferences. However, this requires long-term commitment from authorities and a broad community engagement strategy (OECD, 2021).

Long-term commitment implies continuous engagement beyond the deliberative process, as successful institutionalisation relies not only on design but also on follow-up. *Monitoring* ensures that deliberative

outputs reflect citizens' needs and influence policies. In higher education reforms under the Bologna Process, wide collaboration of relevant actors enabled robust post-implementation tracking and assessment of impact (Hoareau, 2012). Similarly, the Irish Citizens' Assemblies provided proper monitoring infrastructure in the form of post-deliberation parliamentary committees and regular public reports, creating accountability loops (Farrell & Suiter, 2019). Civic monitoring by academics and CSOs, as in Belgium's G1000 case, can also play this role (Caluwaerts & Reuchamps, 2013). By contrast, the Brexit Citizens' Assembly in the UK lacked formal tracking mechanisms, which led to ambiguity towards its demonstrable impact on the negotiation process (Renwick et al., 2018). This is why it is important to establish clear monitoring practices in order to assess the impact of citizens and institutional responsiveness.

It should be noted that *deliberation need not be limited to randomly selected citizens*. Community engagement processes in Western Australia provide a prime example of including both citizens and other stakeholders, where stakeholders get to learn from the experience of engaging with citizens, with many recommendations taken up (Gregory et al., 2008). Similar participatory forums in Portugal demonstrated the benefits of multi-actor deliberation, but also presented the risks of elite capture (Falanga & Ferrão, 2021).

These cases illustrate the variety of institutionalisation models, which can be differentiated by type, sphere, and scope of their competence, as well as the level and specific institutional setting in which they are situated. They *can be categorised along two dimensions*: the "autonomous-embedded dimension," which focuses on the level of their embeddedness within the existing structure of the system; and the "provisional-final dimension," which reflects the authority of the deliberative outcome, i.e., the type of mandate their decisions entail (Johnson & Gastil, 2015). The *autonomous-embedded dimension* determines "the extent to which the deliberative event(s) are either insulated from or embedded in existing structures of social and political organization" (Johnson & Gastil, 2015, p. 9). Embedded models of institutionalisation can enhance durability and uptake but require significant time and resources (Johnson & Gastil, 2015), while also risking co-optation by political actors. On the other hand, autonomous models preserve citizen empowerment (through tools such as sortition) and high deliberative quality (Johnson & Gastil, 2015) but risk struggling with legitimacy among institutional actors—especially from the public administration sector. The *provisional-final dimension* explores the "extent of authority held by the deliberating group" (Johnson & Gastil, 2015, p. 13): Provisional models require ratification of DMPs' outcomes either by a referendum or by the parliament, whereas the other "final" model of DMPs comes with higher authority as their decisions are final and mandatory, thus directly translated into policy.

One further important categorisation of embeddedness that must be addressed: temporal, spatial, and practical aspects of embeddedness. Temporally, embeddedness implies the continuous implementation of deliberative processes that go beyond one-off events. This means that a DMP is embedded when it becomes a permanent member of a policy cycle, i.e., when it is regularly repeated (Bussu et al., 2022; OECD, 2020). Spatially, embeddedness extends deliberation across all policy arenas rather than isolating it in a single niche (Bussu et al., 2022; Edelenbos et al., 2008). Finally, practically, it involves informal actors and norms as well as formalised DMPs (Bussu et al., 2022; Elstub & Escobar, 2019).

### 3.2. The Shortcomings of DMPs

DMPs are not without their shortcomings and challenges, nor is the process of their institutionalisation. Their claim to be broadly representative has been brought into question by scholars, pointing to various biases and challenges such as small sample sizes, self-selection, and biases in sortition (Spada & Peixoto, 2025). It is not just the representative character of DMPs that is put into question; doubts have also been raised about their efficacy. Cases such as the constitutional deliberation in Iceland (Landemore, 2015) and the Citizens' Assembly in Flanders (Van Crombrugge, 2020) demonstrate how deliberative projects and initiatives can easily be disregarded by the political elites and representatives, and by the general population. Finally, even when perceived as influential, DMPs may be vulnerable to co-optation by the political elites or special interests, particularly when embedded and tightly coupled (Hendriks, 2016).

In response to such risks, authors like Lafont and Urbinati suggest assigning DMPs a more limited role—corresponding to mechanisms such as the Citizens' Initiative Review or the Deliberative Poll (Lafont & Urbinati, 2024). Having these shortcomings in mind, the next section aims to articulate the necessary conditions for institutionalising DMPs as effective and inclusive arenas within a policy subsystem.

## 4. Conceptualising the Conditions for an Inclusive Policy Subsystem

The ongoing trend of increased experimentation with deliberative tools and mechanisms across governance levels raises a critical inquiry: What are the (pre)conditions for the successful institutionalisation of DMPs? Drawing on the variety of practical cases mentioned above, as well as on normative deliberative theory, this section outlines six essential conditions for the institutionalisation of DMPs that would enable them to function as an effective and inclusive arena within policy subsystems.

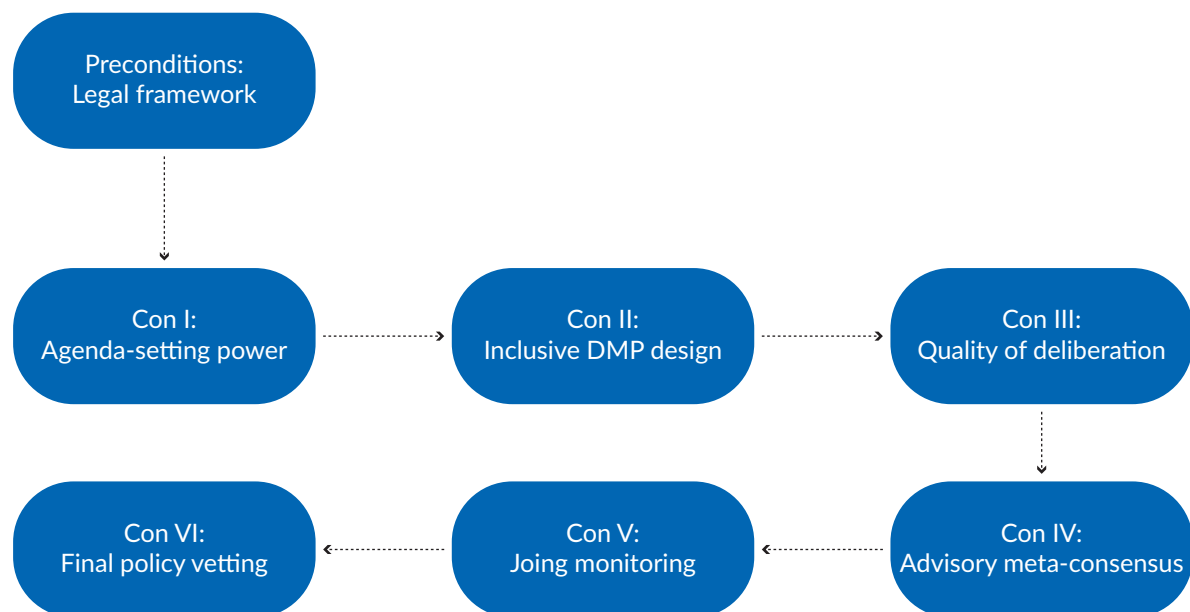
Our conceptualisation of conditions builds on the premise of enhancing the consequential nature of DMPs. Thus, we situate these conditions in the complex, interdependent framework of various elements that underpin both democratisation and the effective impact of deliberative practices (Parkinson & Mansbridge, 2012). The underlying principles guiding the articulated conditions are two constant variables of democracy that we intend to enhance—*inclusiveness* and *contestation* (Coppedge et al., 2008)—and which ought to be advanced by DMPs in the process of policy subsystem democratisation. However, no set of conditions for integrating DMPs can fully satisfy all essential principles—legitimacy, inclusiveness, deliberative quality, and effective policy impact, due to their inherent tensions (Johnson & Gastil, 2015). As already mentioned, the justification for articulating this set of conditions lies in lessons from practice and notions derived from normative deliberative theory. The original contribution of this article is in the normative framework of a set of conditions, but also in the form of the potential implementation of these conditions. The conditions proposed in our conceptualisation are applicable across all levels of governance and inspired by successful institutionalisation cases, such as the National Public Policy Conferences in Brazil. In this federal-level case, the policy articulation process was organised bottom-up, with all levels interacting and shaping the policy formulation within DMPs (Pogrebinschi & Samuels, 2014).

This conceptualisation is based on the underlying principle that decisions made within a DMP must be consequential. To achieve meaningful policy influence, DMPs must first be recognised as regular members of their respective policy subsystems, capable of shaping both policy definition and outcomes within these

contexts. Accordingly, based on the discussion of normative deliberative notions and a set of illustrative cases, we propose *six essential conditions* (see also Figure 1):

1. Initiating a deliberative process through citizen initiative to increase the democratic legitimacy of the DMP (*agenda-setting power*);
2. Creating an *inclusive DMP design* that corresponds to the specific social and political context;
3. Ensuring internal inclusiveness through the *quality of deliberation*;
4. Articulating a set of policy recommendations and a policy and problem definition as a form of *advisory meta-consensus*, serving as a possible framework for inclusion of other stakeholders;
5. *Joint monitoring* of all relevant stakeholders of the policy process;
6. A multi-stakeholder consultation with the aim of articulating viable policy options and solutions (final *policy vetting*).

This model proposes embedding the DMPs at two stages within the policy subsystem: firstly, at the very beginning of the policy-making process, where the representative DMP serves as a provisional mechanism that defines the policy problem and provides the initial set of policy recommendations, and secondly, at the final stage of the policy-making process, where it gathers all relevant stakeholders in a form of multi-stakeholder consultation providing them with the power to influence the final formulation of a public policy.



**Figure 1.** Normative framework of conditions for institutionalisation of DMPs.

Before turning to the conditions, it is important to highlight and briefly discuss one key *precondition*: the legal status of DMPs as a regulator of deliberative practice, but also of co-design processes. Institutionalisation of deliberation requires a guarantee that could take the form of either a constitutional right to deliberation and participation, as in South Africa's 1996 Constitution (Section 59) obliging the National Assembly to create mechanisms for public consultation and engagement (Nyati, 2010); or in the form of enabling legislation, i.e., introducing laws that regulate deliberation and its conditions and delegate who is responsible for implementing it, such as the Tuscan Laboratory case regulated by Law no. 69 (Lewanski, 2013) or the Citizens' Assembly in Flanders regulated by the Citizens' Assembly Bill

(Van Crombrugge, 2020). Whatever the case, introducing a clear legal framework delineates the various arenas and their remit, as well as their administrative procedures of engagement (Setälä, 2017). Moreover, *co-design* expands beyond minor procedural adjustments—there is a need for a legal framework that will empower a co-design process beyond mere deliberation, as it will be evident in Condition VI, enabling citizens to engage with all the relevant stakeholders on an equal footing, actively shape rules, processes, and structures of deliberation, and fundamentally affect the policy and structural frameworks as active democratic agents (Vike et al., 2025). This reflects Hendriks' (2016) argument that structures of coupling, along with the policies, should be tailored to specific contexts, and engaging citizens can be a way to do it.

#### **4.1. Condition I: Agenda-Setting Power**

To ensure inclusiveness, a mechanism that allows citizens to initiate deliberation on any policy, alongside other stakeholders, is necessary. The Citizens' Assembly in Flanders provides a useful example where citizen initiatives have been introduced as an instrument for enhancing the inclusiveness and legitimacy of a policy process, even though final proposals were rejected by representatives (Van Crombrugge, 2020). Providing citizens with agenda-setting powers through such mechanisms strengthens legitimacy and mitigates critiques of "lottocracy" as insufficiently representative (Lafont & Urbinati, 2024). In order to be perceived as inclusive and enhance legitimacy, a deliberative process needs to ensure that agenda-setting ability is provided to the citizens, not just other stakeholders like government agencies or interest groups. Evidence suggests that citizen-initiated policy processes can enhance democratic legitimacy, even when there is no deliberative component (Esaïasson et al., 2012; Riduan, 2024). Building upon the abovementioned principle of co-design, this condition represents the first step emphasising citizens' transformative role in shaping the policy process and policy subsystem.

#### **4.2. Condition II: Inclusive DMP Design**

Limitations in representativeness are often central in the critiques of sortition when it comes to DMPs. As briefly addressed, sortition has been heavily criticised by some authors who claim that it does not provide representativeness to the DMP, nor does it guarantee public support for final DMP outcomes (Lafont & Urbinati, 2024; Spada & Peixoto, 2025). In their critique, Spada and Peixoto outline an important suggestion for adjusting the DMP in terms of representativeness by arguing for the use of stratified random sampling tailored to the policy and social context, with an aim to target specific problems of inclusion or assert a weaker non-domination claim (Spada & Peixoto, 2025). This approach ensures enhanced inclusiveness of the policy process by mitigating and tackling policy-specific exclusion, especially in terms of marginalised social groups and actors. Along these lines, from a design standpoint, effective DMPs must incorporate key elements such as stratified random sortition to ensure participation of groups specifically affected by a given policy, while empowering the marginalised social groups via representative and stratified sampling (Gastil & Wright, 2018; Smith, 2009; Young, 1996). Thus, inclusive design must be context- and policy-specific, while using stratified random sampling techniques to secure both diversity and equity.

#### **4.3. Condition III: Quality of Deliberation**

Inclusiveness must be matched by high deliberative quality. Ideally, deliberation should strive towards achieving the aforementioned qualities of a good deliberative process that can be assessed and measured

using various tools—such as participants' surveys, interviews, independent expert assessments, as well as standardised instruments for tracking deliberation quality such as the Discourse Quality Index (Bächtiger et al., 2022). Achieving democratic legitimacy through representability and inclusiveness is essential, as it signals to other stakeholders within the policy subsystem that DMPs offer an opportunity, or a tool, to align their preferences with those of their constituency (Niessen & Reuchamps, 2020). The importance of both external and internal inclusiveness has often been described as crucial for DMPs to become a more inclusive arena, but also to bring the benefits usually associated with deliberative processes (Caluwaerts & Reuchamps, 2014; Felicetti et al., 2015). As discussed earlier in the overview of various models and cases of DMP implementation, as well as in regard to challenges and failures of deliberative processes, it is clear that failure in ensuring inclusiveness can seriously damage the legitimacy and purpose of DMPs. Additionally, DMPs should deliver sound policy recommendations, thereby capitalising on their epistemic advantage (Estlund, 2008). Failures in quality—such as vague or infeasible recommendations—can undermine credibility, generate substantial animosity, and provoke policymakers' resistance towards DMPs, as seen in the G1000 forums in the Netherlands (Michels & Binnema, 2018). Whether a DMP at this stage will be autonomous or embedded will depend mainly on the political context. While embeddedness can enhance influence, autonomous DMP models may be preferable in environments with a reasonable risk of co-optation of the deliberative process by dominant stakeholders, such as political elites or public administration. Moreover, autonomous models are preferable in the first phase, as they offer greater space for authentic expression of political will and higher deliberative quality.

#### 4.4. Condition IV: Advisory Meta-Consensus

DMPs should articulate policy recommendations that set a broad policy framework for the rest of the policy subsystem in the form of a wide set of policy recommendations, without opting out for any of those recommendations (values). In deliberative terms, this corresponds to the notion of *meta-consensus*, defined as “shared recognition of the legitimacy of a set of values, while not requiring agreement on the ranking these values” (Niemeyer & Dryzek, 2007, p. 504). In other words, a broad policy framework should be set, and other stakeholders should be aware of it. By establishing the framework, the remaining actors of the policy subsystem(s) are *advised* to operate within defined limits, while still having the opportunity to introduce new aspects or policies if they can adequately justify them. The framing and policy problem definition are crucial here for all stakeholders, as the problem definition often sets the tone for the policy process and shapes a salient political issue (Stone, 2002). Consequently, DMPs must be integrated into the existing institutions and governance system; otherwise, there is a risk of implementing DMPs as a parallel institution, which could result in outcomes of the deliberative process that are disconnected from actual implemented policies (Parry & Curato, 2024). For this stage, we suggest a provisional model of the DMP, serving primarily to open a debate rather than close it, while ensuring that other relevant stakeholders are permitted to articulate their interests, problem definitions, and policy proposals, thereby enhancing the overall inclusiveness of the policy process and fostering a shared sense of ownership. At the same time, all relevant policy actors (from bureaucracy to experts and lobbyist) must consider the outcomes of the deliberative process and the will of the ordinary citizens. To facilitate this, the public should be informed on the process through follow-up reports and materials explaining the outcomes, as well as through proper media coverage.



#### 4.5. Condition V: Joint Monitoring

Effective institutionalisation requires oversight and monitoring mechanisms to track policy development and guard against co-optation, which is becoming a focal point in democracy studies. Keane's concept of "monitory democracy" emphasises the importance of democratic oversight (Keane, 2011). Since the risks of co-optation of both the deliberative and the policy process are significant, monitoring mechanisms could include both the traditional watchdogs and an independent commission representing the DMP that will make sure to track the activities of relevant stakeholders, their proposals, as well as changes to policy formulation within an official government body. To some degree, this coincides with the role of DMPs assigned by Lafont and Urbinati (2024)—namely, the role of filtering out manipulative information while also informing citizens and helping them keep track of policy proposals. Moreover, some authors have already suggested bodies such as a committee for monitoring and evaluation, which "checks whether practices and procedures are appropriate to reach the democratic tenets of the community or whether they have to be adapted, e.g., due to unintended effects, changing circumstances or reconsidered preferences" (Geissel, 2023, p. 192). While monitoring and oversight cannot capture all subsystem activities, as the process is complex and involves numerous consultations and negotiations behind closed doors, various actors and arenas can support this role—from selected DMP participants or special committees within public administration, to media and civil society that remain essential for disseminating deliberative outputs and fostering accountability. Even though there is a healthy amount of scepticism towards media's effect on deliberation (Gutmann & Thompson, 2004), both mainstream media and new internet forms remain the main tool for disseminating the results, not only of deliberation, but also of the whole policy process (Setälä, 2017).

#### 4.6. Condition VI: Final Policy Vetting

Before the policy is officially adopted and implemented, it is essential to establish a vetting process where citizens should also have a say on the final policy formulation. In other words, citizens should have a chance to contest the formulated policies, if deemed necessary. This co-designing stage allows deliberation between citizens and other relevant stakeholders, which can contribute to ensuring that policies are adjusted to the context. Numerous studies have proven that a co-design mechanism can lead to policies that reflect the risks, true needs, and are culturally more tuned to the local communities (Jallad et al., 2021; Okop et al., 2023). Moreover, earlier in the article, we mentioned the potential benefits, but also the challenges of engaging ordinary citizens and other stakeholders. We believe that this stage could be appropriate to facilitate such form of deliberation, while specific approaches may vary depending on the context, saliency of the issue, level of governance at which the policy is to be implemented, etc. One possible model of such co-design mechanism could involve a multi-stakeholder consultation, defined as "a new form of partnership governance structure that brings different actors such as civil society, governments, international bodies, media, and academic or research institutions for sharing experience, information, technologies, and financial resources working toward a common solution" (Momen, 2019, p. 1). In our case, it also involves citizens. This kind of arena could be tasked with negotiating and finalising policy formulation. Similar to the permanent standing Citizens' Council in Ostbelgien, the multi-stakeholder consultation could consist of representatives of the previous DMPs, with the only difference being the selection of the DMP participants (the deliberative benefits of the multi-stakeholder consultations have already been explored, see Pek et al., 2023). In this model, the participants of the multi-stakeholder consultation would be selected from the first DMP taking

place at the beginning of the policy process. Regardless of the format, it is crucial to incorporate a (meta)consensus phase for citizens or participants of DMPs. Here, we advise an embedded deliberative model in the form of multi-stakeholder consultation during which the final draft of the policy is amended and confirmed prior to official adoption. Since the goal of deliberation is not necessarily consensus-oriented, we should at least strive towards meta-consensus in the form of a final set of recommendations (Niemeyer & Dryzek, 2007) that could be placed in front of the decision-makers later, or on a referendum ballot, thus combining direct and deliberative democracy to strengthen legitimacy.

When it comes to the three aspects of embeddedness that we mentioned earlier—temporal, spatial, and practical—we will briefly outline how our model fares with them. Our model addresses a temporal embeddedness, as we argue for a model where DMPs are a permanent member of a policy cycle, i.e., a deliberative process is recurring within a policy subsystem. From the spatial aspect, deliberation should happen where decisions are being made, and it should be connected to final decision-making, whether via multi-stakeholder consultation (consensus conference) or referendum. Finally, on the practical aspect, we underline the importance of engaging valuable informal actors who can contribute, empowering various sites and arenas of deliberation, including institutionalised DMPs, as well as encouraging a democratic culture and values where deliberation thrives outside and inside the limits of any policy subsystem. Ultimately, while this framework articulates a general normative model, the length limitations of this article prevent us from addressing all the possible variations that specific contexts may require, so one should keep in mind the design possibilities and adaptations that could complement our general normative design to suit specific issues or political contexts. As Hendriks (2016) elaborates on the way the coupling should be done, coupling strategies must adapt to political realities, and the final decision on designing an institutionalisation framework, which depends greatly on various contextual factors, should therefore be adapted to the specificities of any given case.

## 5. Concluding Remarks

In this article we addressed the challenge of articulating a normative-institutional framework that avoids institutional “blind deference” but also ensures all the benefits of the deliberative process to the political system. In other words, inspired by the normative theory of deliberative democracy and a set of illustrative cases, we articulated a set of conditions that aim to ensure that DMPs are institutionalised within a policy process in such a way that they are an equal, legitimate, and effective member of a policy-subsystem. Our conceptualisation envisions a DMP that can impact every phase of the policy process—from agenda-setting to policy implementation. In such a conceptualisation, the conditional framework allows designing a policy process that enables inclusiveness through citizens’ agenda-setting power; inclusive design and deliberation; and advisory meta-consensus, but also contestation through monitoring and various forms of multi-stakeholder consultations. However, we recognise that no framework can fully resolve the tensions between contestation and inclusiveness; moreover, no general normative framework can be applied in the same way in every case, so we urge for context-specific adjustments of our framework. Finally, we contend that, having in mind these cautionary reminders, our normative framework of deliberative institutionalisation offers a more democratised and inclusive policy process where DMPs represent empowered sites of deliberation.

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ARTICLE

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# Citizenwashing EU Tech Policy: EU Deliberative Mini-Publics on Virtual Worlds and Artificial Intelligence

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## Abstract

Over the last decade, the use of deliberative mini-publics as a democratic innovation to complement policymaking has flourished. The EU is no exception to this trend, holding large-scale transnational exercises such as the Conference on the Future of Europe (CoFoE) and the European Citizens’ Panels. Digital technology has emerged as a topic in this type of participatory exercise, conducted alongside prolific public policy activity by the EU institutions in this domain. In this article, we ask: How did post-CoFoE citizen panels on EU tech policy play out? We examine the 2023 European Citizens’ Panel on Virtual Worlds, organised by the European Commission, and the 2024 Citizen Panel on Artificial Intelligence organised by the Belgian Presidency of the Council of the EU. Through participant observation and an interpretivist framework, we argue that while the panels were presented as giving voice to “everyday citizens” and improving democratic legitimacy in policymaking, in practice, they served to build support for current policy that replicates the interests of big tech. Consequently, the outcomes of the panels were largely in line with recent EU public policy on further investment into emerging digital technology and public-private partnerships. We suggest that deliberative mini-publics that seek to influence EU policymaking currently (a) constitute a form of citizenwashing by aligning participant input by design with dominant private, economic, and political interests and (b) demonstrate a strategic effort to institutionalise this form of exercise as a public engagement and legitimacy-building activity in EU-level policymaking.

## Keywords

artificial intelligence; big tech; citizenwashing; deliberative democracy; EU policy; European citizens’ panel; European Union; mini-publics; technology; virtual worlds

## 1. Introduction: The “Deliberative Wave” and EU Tech Policy

Over the last decade, democratic innovations in the form of deliberative mini-publics that aim to complement policymaking have flourished across the world, in what the OECD has conceptualised as the “deliberative wave” (OECD, 2020; see also Fiket et al., in press). The EU is no exception to this trend and has innovated in its political practices by organising a series of citizen-centred processes that aim to reshape its conception of democracy and participation in a phenomenon that has been conceived as the EU’s “citizen turn” (Oleart, 2023a). A significant moment came in 2021 with the Conference on the Future of Europe (CoFoE), an exercise in which hundreds of randomly selected citizens from across the EU member states were brought together to discuss the future of Europe in four European Citizens’ Panels (ECPs), transposing deliberation from the national to the transnational stage. The momentum of this large-scale exercise continued with the European Commission organising six “new generation” panels over 2022–2025 (with further panels expected), which recruited citizens from across the EU to collectively deliberate on a number of policy areas. This has been followed by increased interest in this type of participatory exercise from member states, not just in relation to local governance and national processes, but also in connecting to EU-level policy.

These innovations are commonly discussed as a partial response to criticisms of a democratic legitimacy crisis in the EU, with participatory exercises seen as having the potential (or at least the aspiration) to complement formal institutional processes by providing “added value in terms of the legitimacy...to the political decision-making process” (Barisione, 2012, p. 2), as well as encouraging a more inclusive, engaged, and informed society. Deliberative mini-publics are seen as a “new paradigm of democracy” (Landemore, 2020) that can better connect the general public to political elites and consequently further democratise policymaking processes. However, the emergence of this so-called deliberative wave has also been the result of lobbying efforts by deliberative democracy service providers (private agencies and consultancies that advise institutions on how to conduct mini-publics), the number of which has grown heavily over recent years. While historically, climate tends to be one of the main topics on which participatory exercises have been organised globally (see Smith, 2001; Willis et al., 2022) and in the EU (Galende-Sánchez, 2025), digital technology is increasingly receiving attention within mini-publics, both as a topic of deliberation and as a tool to improve deliberative processes (Landemore, 2023).

In this article, we ask: *How did post-CoFoE citizen panels on EU tech policy play out?* To explore this question, we examine the 2023 ECP on Virtual Worlds, organised by the European Commission, and the 2024 Citizen Panel on Artificial Intelligence (AI) organised by the Belgian Council Presidency (from now on, we use the Belgian Council Presidency’s abbreviation, namely “beEU”). We argue that while the panels were presented as a way to give voice to “everyday citizens” and improve democratic legitimacy in policymaking, in practice, they served to build support for current EU policy that replicates the interests of major technology corporations, including Google, Meta, Microsoft, Apple, and Amazon (we refer to them in this paper as “big tech”). Although the outcome of citizen deliberations aligning with public policy is not a problem in itself, if policy has been heavily lobbied and influenced by the very profit-oriented organisations that are directly affected by the policy (Bank et al., 2021; Bouza et al., 2025; Gorwa et al., 2024; Kergueno et al., 2021; Popiel, 2018), then we are justified in questioning the integrity of the connection between the deliberative process and its outcome. In the area of EU digital policy, where big tech has been observed to be heavily involved in the legislative drafting process, such as in the AI Act (Schyns, 2023) and the Digital Services Act (Corporate Europe Observatory, 2020, 2022; Khanal et al., 2025), these panels appear to have generated an

artificial sense of democratic legitimacy for pre-existing policy positions that were significantly shaped by the input and interests of big tech. Specifically, the outcomes of the observed panels were largely in line with recent EU public policy on further investment into the emerging technology sector and on promoting its integration into private-sector business models and processes. In effect, these panels foreclosed the possibility of substantially contesting or reimagining digital governance in the EU through meaningful democratic input from public interest collective actors. Therefore, we suggest that EU-level deliberative mini-publics currently (a) constitute a form of citizenwashing by aligning participant input by design with dominant private, economic, and political interests and (b) demonstrate a strategic effort to institutionalise this form of exercise as a public engagement and legitimacy-building activity in EU-level policymaking processes. Overall, this indicates an ongoing consolidation of deliberative mini-publics as instruments within a legitimacy-building strategy centred on public involvement, one that shapes and channels the public's input to secure support for pre-established EU policy agendas in key areas.

## 2. Deliberative Mini-Publics: Democracy, Technology, and Everyday Citizens

The deliberative wave has triggered lively academic debate about the relationship between mini-publics and democracy. Whereas a stream of the literature champions deliberative mini-publics as a way to involve and empower everyday citizens in policymaking (Fishkin, 2018; Landemore, 2020; Smith, 2003), others question their democratising impact, especially when they have little resonance in the wider public sphere and are disconnected from traditional forms of parliamentary representation (Lafont, 2020; Lafont & Urbinati, 2024). While there are different imaginaries upon which sortition-based deliberative democracy exercises may be constructed and organised (Abbas & Sintomer, 2021), a common feature of mini-publics is their disconnection from mass politics. While deliberative democrats focused on mini-publics, such as Fishkin (2009), have attempted to connect deliberative polling more concretely to decision-making, the close relation between mini-publics and deliberative democracy tends to sideline the public sphere and large-scale political contestation. As a result, democratic legitimacy is increasingly framed as something that can be achieved independently from engagement with mass publics. Therefore, although much of the literature tends to emphasise the positive democratic potential of mini-publics, important ongoing debates about their actual impact and their connection to broader political processes are sometimes overlooked.

Consequently, in much of the deliberative mini-public literature, the public sphere is treated as replaceable by small spaces in which randomly selected everyday citizens are encouraged to deliberate and reach consensus: "The idea behind mini-publics is using sortition to create a microcosm of the citizenry: A group that has the same features and the same diversity as the citizenry, but on a smaller scale" (Sintomer, 2023, p. 205). These participatory exercises thus appear to offer a space in which democratically healthier dynamics can be cultivated through consensus-oriented deliberation. However, the emphasis on consensus often limits any articulation of dissent or structural critique, thereby reinforcing the boundaries of what is considered acceptable discourse within such settings. Despite some calls for revising the preeminent ideas of sortition and deliberation to, for instance, better link such processes with the communities most affected (Curato et al., 2025), deliberative mini-publics have generally popularised a version of democracy that focuses on the abstract, or even mythic, figure of the "everyday citizen" selected via sortition. This often entails sidelining collective actors such as political parties, trade unions, and civil society. Hence, this focus on mini-publics is in tension with the "systemic turn" of the deliberative democracy literature (Curato &

Böker, 2016), which emphasises “deliberative systems” (Parkinson & Mansbridge, 2012) rather than the procedural methods that may improve deliberation within mini-publics.

Given the difficulties of articulating a vibrant European public sphere oriented towards fostering deliberation in mass politics, the EU appears to be focused on a minimalistic conception of deliberative democracy and mini-publics. In the EU, deliberative mini-publics have historically been organised at the national and regional levels, with well-known experiences in France (Convention Citoyenne pour Le Climat), Ireland (the Constitutional Convention on marriage equality and Citizens’ Assemblies on abortion and gender equality), and Belgium (the Ostbelgien Model and the Brussels Citizens’ Assembly). While deliberative experiments have previously been organised at the EU level (for example, on deliberative polling within the EuroPolis Project, see Isernia & Fishkin, 2014), the CoFoE ECPs, held in 2021–2022 alongside six national panels, marked the first transnational sortition-based mini-publics convened globally. The CoFoE ECPs isolated the randomly selected everyday citizens from the political sphere and collective actors, shielding participants from the political tension of the issues being discussed (Oleart, 2023b). As a result, the ECPs were designed as “neutral” mechanisms that allowed little room for contestation of the status quo. They are “political” in that they are organised by EU institutions, but they become depoliticised insofar as conflict is deliberately minimised. Due to this, it is not evident that sortition-based mini-publics, such as these, truly have the potential to “democratise democracy” (see Talpin, 2019) when they are put into practice. It is precisely contestation in the public sphere that gives deliberative democracy its meaning, which is why establishing a close relationship between mini-publics (the micro) and both the broader public sphere and mass politics (the macro) is essential (Olsen & Trenz, 2015).

The missing micro-macro link of much of the literature has led Lafont (2020) to conceive mini-publics as a “shortcut” that requires blind deference from the citizenry at large to the randomly selected participants. In Lafont’s (2020, p. 111) words, the expectation that “underlies the micro-deliberative shortcut is incompatible with the democratic ideal of self-government. Empowering the few is hardly ever a way of empowering the many.” While some designs (such as the British Columbia Citizens’ Assembly on Electoral Reform) do attempt to connect to binding decision-making processes, such cases remain relatively rare. The lack of a direct and explicit relationship between these experimental processes and the broader public sphere limits their democratising impact, while the sidelining of intermediary actors raises normative concerns about the exclusion of established channels of democratic representation and contestation. For participatory mechanisms to have real democratic significance, they must be embedded within a broader political field of action and must meaningfully interact with intermediary actors that play an influential role in the public sphere. This view is coherent with conceiving deliberative democracy as a “normative political theory that strives to make an impact on the real world” (see Hammond, 2019, p. 803), rather than narrowing deliberation to mini-publics as isolated exercises, detached from real-world political dynamics.

There is thus an inherent tension between the expectations of deliberative mini-publics as a democratic innovation and their actual broader democratic impact. This has been identified as a potential avenue for the co-optation of mini-publics, as they may be used to legitimise public policies without opening the possibility of truly contesting their substance (on “authoritarian deliberation,” see He & Warren, 2011). This has been conceived as “citizenwashing”—with the suffix “washing” representing a critique of the strategy by which support for agendas is misrepresented by actors with disingenuous and deceptive motives, often for political or marketing purposes to gain public approval. Citizenwashing refers to the process by which “a public or

private actor [creates the illusion] of acting on behalf, or for the benefit of” a so-called representative sample of people, ostensibly involving the public in the process of decision-making while disregarding any possibility of taking their input into serious consideration (Martins et al., 2024, p. 4; on “participatory washing” in the ECPs, see Palomo Hernández, 2024). In this way, this concept describes the manipulation of participatory processes by public authorities as a misappropriation of the collective authority that citizens supposedly hold in a democracy.

We apply this citizenwashing approach to analyse EU deliberative mini-publics related to digital technology. Through regulatory instruments such as the Digital Services Act, the Digital Market Act, and the AI Act, the EU considers itself a global leader in the development of frameworks to regulate new technologies across the world (Bradford, 2020). However, its approach to digital governance (Bonnamy & Perarnaud, 2023) has faced criticism for aligning with the interests of major private technology companies, especially big tech actors (Griffin, 2023; Oleart & Rone, 2025), raising concerns about the extent to which industry influences and shapes policy (Bank et al., 2021; Kausche & Weiss, 2024). Big tech is often not only seen as part of the problem but as part of the solution, leading to regulatory responses that reflect a logic of “technosolutionism” (Morozov, 2013)—the belief that complex social issues can be addressed primarily through technological fixes.

In this context, the intersection of deliberative mini-publics and technology presents risks, particularly regarding the potential co-optation of public participation (Goñi, 2025). To date, the role of technology within mini-publics has largely been discussed in instrumental terms, focusing on civic engagement and participation technologies (such as digital crowdsourcing and open consultation platforms). Emphasis is often placed on how digital tools can facilitate and fine-tune deliberative exercises (Landemore, 2024; McKinney, 2024), rather than critically examining how participatory processes engage with technology as a subject of governance. As such, emphasising improvements such as online participation, real-time translation, or AI-assisted deliberation, often overlooks concretely situating and addressing the ways in which technology itself is shaped by political and economic structures that can impact the deliberative outcomes. This tension underscores a broader concern about how technology’s role in democracy is conceived within participatory processes, where the illusion of greater inclusivity may conceal deeper structural inequalities and ultimately reinforce the perception of mini-publics as neutral mechanisms that leave little space for contesting the status quo.

Taking this theoretical framework, we analyse the recent post-CoFoE panels on EU tech policy by assessing two case studies along three aspects: (a) how EU tech policy was framed within the panels, (b) how these framings were replicated in the panel processes, and (c) how they were subsequently reflected in the panel outcomes. We follow this assessment with what this means within the context of the EU’s current designs to institutionalise the panels within EU policymaking processes.

### 3. Methods and Cases: Deliberative Mini-Publics on EU Tech Policy

The article is based on participant observation and an interpretivist outlook (Ercan et al., 2017; Musante & DeWalt, 2010), with a constant dialogue and feedback loop between engagement with the literature and fieldwork. Both authors closely observed the two panels explored in this article (see Table 1), as well as other relevant panels conducted within the same institutional context. The strength of this approach is that theoretically and normatively informed empirical research supports the “refinement of



deliberative democratic theory, making it more sensitive to real-world constraints and opportunities” (Dryzek, 2007, p. 240).

**Table 1.** Panel session dates.

Panel	Session 1	Session 2	Session 3
<b>European Citizens' Panel on Virtual Worlds (ECP on VW)</b>	24–26 February 2023 (in person, Brussels)	10–12 March 2023 (online)	21–23 April 2023 (in person, Brussels)
<b>Citizen Panel on Artificial Intelligence (beEU Panel)</b>	24–25 February 2024 (in person, Brussels)	23–24 March 2024 (in person, Brussels)	20–21 April 2024 (in person, Brussels)

We selected two citizen panels as examples of national and transnational deliberative exercises oriented towards impacting EU-level public policy on technology: the European Commission’s ECP on Virtual Worlds (VW) and the beEU Panel, conducted by the Belgian Presidency of the Council of the EU. The Commission’s ECP on VW was the second in a larger set of panels that each relate to a different policy area, involving different Directorates-General (DGs) and their own (non-)legislative files (Oleart, in press). This so-called “new generation” of ECPs was established after, and out of, the CoFoE, reflecting the institution’s desire to embed participatory democracy within its policymaking process. The beEU Panel, on the other hand, was established as a one-off exercise conducted within the context of the Belgian Presidency’s multi-level citizen participation programme.

The panels make for relevant comparison due to their distinct similarities, particularly in terms of their EU-oriented agenda, connection to the public policy process, and thematic coherence. Both panels focused on digital technologies anticipated to have a profound impact on society, with the ramifications of their development and the full extent of their potential application uncertain. The two panels attempted to sensitise citizens to the topic through practical demonstrations of the technology, both using tradeshow-like presentations of the technology and trialling the technology in the panel itself (for example, in the ECP on VW, the second session was held in a virtual world specifically developed for the panel and in the beEU Panel, AI audio transcription was (unsuccessfully) tested in certain working groups). It is also worth noting the consistency in terms of the subcontractors organising, conducting, and facilitating these panels. More concretely, Missions Publiques, a citizen participation consultancy, organised both panels on behalf of the contracting institution, in cooperation with partner organisations that are regularly involved in conducting these types of exercises across Europe. These actors have long experience in organising deliberative exercises at the national and transnational level; for instance, Missions Publiques organised the French Convention Citoyenne pour le Climat and had a leading role in both the CoFoE panels and the Commission’s “new generation” of ECPs.

The following empirical sections detail both panels by (a) outlining the policy context in which the panels took place, (b) providing an overview of the sessions, and (c) offering an analysis of how the panels were conducted. The analysis provides insight into how the panels replicated institutional and big tech-friendly policies through influence over the panel process in terms of three critical (interconnected) dimensions: framing, process, and outcome.

*Framing* refers to how organisers present and contextualise information on a subject ahead of and during deliberation, thereby establishing the boundaries of discussion that influence “opinion-formation on an issue

or policy” (Calvert & Warren, 2014, p. 206). *Process* focuses on procedural aspects—the institutional design and deliberative experience, which can either enable or constrain participants’ engagement and critical reflection on the subject. *Outcome* concerns the work produced by the participants and its connection to the wider public and political spheres. Across these three dimensions, the organisers of the two panels were able to exert significant control over the proceedings by selecting what were considered “legitimate viewpoints... [that could be] admitted into the procedure, defining the alternatives at stake, [and/or] emphasizing some elements at the expense of others” (Barisione, 2012, p. 1). The observations below seek to provide general insight into the panels, using concrete examples to illustrate the case-specific claims we make.

The authors attended all three sessions of both panels, following each plenary session and strategically observing as many working groups as possible to capture the dynamics operating across groups and interactional nuances not reflected in formal records. Extensive field notes were taken throughout, documenting both participant and organiser interactions, alongside interpretive reflections on the unfolding process and the significance of the discussion points in broader social and political terms. This information was triangulated by comparing observations and exchanging insights with other panel observers to enhance the reliability of the data. All data was transcribed, organised chronologically, and stored securely, with participants identified only by limited demographic criteria (e.g., age bracket, nationality, etc.). Interviews with organisers and (in)formal discussions (Davis & Brown, 2024) with moderators, facilitators, and panel participants were conducted, which were systematically documented in detailed written notes to ensure accuracy and preserve contextual detail. In addition, a thematic analysis of the panel recommendations was conducted using an inductive approach to analyse the participants’ output. Key terms and objectives were identified and grouped to develop overarching themes, which were summarised in concise thematic clusters. The coding was undertaken by one author and systematically reviewed by the other to ensure analytical rigour and intercoder reliability. To understand the sources and representation of information in the panels and assess potential influences on the deliberative process, the authors also conducted a documentary analysis of panel materials to identify the experts and stakeholders involved in the panels. Each actor was catalogued in a structured database according to their organisational affiliation, panel role (if available), and corresponding sector, and then grouped by organisational type to identify patterns of sectoral representation and potential concentrations of influence within the panels.

Researcher bias was mitigated through regular peer debriefing (Hail et al., 2011) between the two authors at multiple stages of the data collection and analysis, during which the authors critically questioned each other’s observations and interpretations of the panels to uncover potential biases and support analytical accuracy. This process was complemented by systematic comparison of independently produced notes and analyses, enabling the authors to challenge one another’s assumptions and improve the consistency of the empirical accounts. In the beEU Panel, language constraints had an impact on the authors’ ability to observe multiple working groups, as only French-speaking groups could be observed. This impact was limited, however, as many of the sessions took place in plenary with multilingual translation, and similar arguments and proposals emerged across both the French- and Dutch-speaking groups. As with any interpretative approach, there is a degree of subjectivity in our description of the panels. However, the triangulation of data with multiple other sources, the application of systematic analytical procedures, and the presence of both authors at all panel sessions contribute to the reliability and credibility of the findings.

## 4. European Commission's European Citizens' Panel on Virtual Worlds

### 4.1. Context and Description of the Panel

Following the experience of the CoFoE, the European Commission established a series of ECPs in late 2022, with the aim of informing the institution's policymaking process. Rather than conducting an interinstitutional exercise like the CoFoE alongside the European Parliament and the Council, the Commission ran these exercises solo, as an inter-DG (the Commission's internal departments responsible for specific policy domains) project. To date, six ECPs have taken place, on the following topics: "food waste" (December 2022 to February 2023), "virtual worlds" (February to April 2023), "learning mobility" (March to April 2023), "energy efficiency" (February to April 2024), "tackling hatred in society" (April to May 2024), and "a new EU budget fit for our ambitions" (March to May 2025). There are also prospects of further similar exercises, such as the Young Citizens Assembly on Pollinators, that will start in late 2025. In running these exercises on a semi-regular basis, the Commission sees itself as the institution continuing the legacy of the CoFoE. The ECPs have been jointly organised by a consortium of service providers (including Missions Publiques, ifok, Deliberativa, the Danish Board of Technology, VO Europe, and Kantar Public) and the DG for Communication (DG COMM), in cooperation with the respective policy DGs related to the panel topic. Over the six panels, the choice of topics was determined by ongoing policy files and the openness of policy DGs to collaborate with DG COMM on this type of exercise. In the case of the ECP on VW, it is important to note that prior to the topic selection, Missions Publiques had been lobbying for a technology-related panel with DG COMM.

At the time, the metaverse (and, by extension, virtual worlds) was an area of interest for the Commission, with then-Commissioner for Internal Market Thierry Breton claiming that the metaverse was "one of the pressing challenges ahead of us" (European Commission, 2022). Ahead of the panel, the activities in this area mainly consisted of the Commission establishing a Virtual and Augmented Reality Industrial Coalition, which conducted workshops with key stakeholders (primarily private corporate actors and academics) and policymakers between 2021–2023. Following the ECP on VW, the DG for Communications Networks, Content and Technology (CNECT) published a communication titled *An EU Initiative on Web 4.0 and Virtual Worlds: A Head Start in the Next Technological Transition* (July 2023). While the document acknowledged the work of the ECP, it largely kept the panel's input separate, incorporating it only when referencing specific points or using the recommendations to support and reinforce its arguments. The communication also explicitly aligned the institution's vision for virtual worlds with the EU's Digital Decade policy program, which prioritises skills, business, infrastructure, and governance. The year following the panel, the European Parliament published the *Resolution of 17 January 2024 on Virtual Worlds—Opportunities, Risks and Policy Implications for the Single Market*, which mostly focused on the internal market and consumer protection.

Over February–April 2023, 150 EU citizens were brought together to discuss virtual worlds across three weekends, with the aim of answering the question: "What vision, principles, and actions *should* guide the development of desirable and fair virtual worlds?" (emphasis added). In this question, the Commission immediately framed the deliberation by excluding certain broader considerations, such as questioning the very development of the metaverse, which consequently narrowed the scope of deliberation. Rather than questioning the value of developing "desirable and fair virtual worlds," ECP participants were tasked with developing a "set of guiding principles and actions for the development of virtual worlds in the EU"

(European Commission, 2023a), in the form of recommendations that would be delivered to DG CNECT and then-Commission Vice-President for Democracy and Demography Dubravka Šuica. Two in-person meetings (Sessions 1 and 3) were held at the Commission's premises in Brussels, with one online meeting (Session 2). In February 2024, an online feedback event was also held for the participants. Each session was broken down into plenary, split plenary, and small working groups. Live interpretation throughout ensured that participants were able to interact in their preferred European language.

In Session 1, participants were tasked with using their personal reflections and experiences to develop a shared vision of “desirable and fair virtual worlds” (European Commission, 2023b, p. 6). Expert-led introductory input sessions in plenary sensitised participants to the topic, while inductive visioning exercises were used in working groups to identify utopian and dystopian futures. Throughout the session, creative engagement tools were used, from collaging to an improvisational theatre performance on the last day of the session. Additionally, participants were able to experience and test certain uses of virtual worlds through an exhibition of nine stands that included primarily creative agencies, IT consultancies, and technology providers, in a tradeshow-like physical presentation of different possible uses of the technology. Session 2 was held on the Hyperfair virtual reality platform, a virtual world developed specifically for the panel. The purpose of using this digital medium was to give participants an opportunity to experience the technology, with participants each controlling a personal avatar and navigating around a simulated environment, illustrating a technosolutionist approach not only to the topic of discussion but also to the process of deliberation. In the working groups, participants built on initial “shared visions” from the previous session by identifying, discussing, and ranking core values and consolidating key actions, with a thematic deepening towards building orientations. In Session 3, deliberations concluded with a last input from experts, to help participants transition from orientations to a final list of values and principles, supported by concrete recommendations. Participants voted on these recommendations to indicate degrees of support for each. Overall, the participants came up with 23 final recommendations, broken up into topic areas and made up of “who,” “what,” “why,” and a “justification.” The panel ended with the participants handing over the recommendations to a representative from the Commission.

#### ***4.2. From Improv Theatre to a Neoliberal Agenda on Virtual Worlds***

In the ECP on Virtual Worlds, investment by the EU institutions into the development of virtual worlds was presented as an inevitability. The role of participants was confined to developing recommendations that offered suggestions on how to support the establishment and development of the technology in existing economic, cultural, social, and industrial European infrastructures. Initial briefings and expert input centred on current and future uses for virtual worlds, with the metaverse and virtual reality described as a growing industry that affects all sectors and a transformative set of interconnected technologies that feature in “our everyday lives” (European Commission, 2023b). Experts presented their different uses, focusing on positive aspects and issue areas to be mindful of, avoiding more technical descriptions about how it is built, governed, or monetised, as well as its underlying infrastructures, commercial practices, and material conditions of development and deployment. As the panel results were geared towards advising governance institutions rather than technical or private-sector entities, the expert input and discussions remained focused on the broader implementation of the technology for the (economic and social) benefit of the European public, almost exclusively taking on a consumer-oriented neoliberal perspective throughout. For example, in the Information Kit (a briefing document), the first example of a benefit that virtual worlds

could provide described how virtual fittings would facilitate online shopping, followed only after, by medical, education, cultural, and fitness uses (European Commission, 2023b).

While some narrowing of topics is inevitable in deliberative settings to ensure manageability and focus, in this panel, the framing of the topic systematically limited engagement with structural dimensions that are central for understanding the full implications of the technology. This limited scope restricted the potential for deliberation on more fundamental questions about impact—for example, questions about global supply chains for parts or the energy consumption and resource extraction required to develop and maintain the technology. In addition, the role of key actors behind the development of virtual worlds (namely, private companies that develop and own the technology) was largely obscured, despite allusions by both the organisers and participants to non-EU private players, such as Meta, in the context of claims about the need for the EU to remain globally relevant, competitive, and strategically independent when it comes to emerging technologies. This geopolitical logic of making sense of virtual worlds technology as a strategic imperative was prominent throughout the panel, reframing questions of labour, resources, and ownership as issues of international competitiveness and security rather than topics for public or democratic contestation.

Focusing on the relationship between individuals and technology was encouraged by the deliberative structure of the panel, which hindered the development of a more holistic understanding of virtual worlds and the relevant (financial, social, or systemic) trade-offs that come with taking investment-focused policy positions. As an illustrative example, the group work began with the organisers tasking participants to “imagine European Virtual Worlds in 2050” (Session 1, Day 2). To visualise this, participants used magazines to co-create collages that represented dystopian and utopian visions of this future based on their personal experiences with, and understanding of, the technology. By positioning the subject as having a positive-versus-negative nature, the participants were steered to conceive the topic along these binary lines. This led to fictive speculation about the development of the technology, and, as this was early in the panel process, the participants had not been provided with enough information to adequately link the discussion to reality. The “visions” developed in this session, however, ended up comprising the foundations on which the final recommendations were built.

When participants attempted to move beyond individual experiences with the technology later in the sessions, they faced two issues: (a) they lacked timely access to necessary information and (b) when information was provided, it was not adequately contextualised, preventing participants from critically situating it within the overall discussion.

First, based on the information available to them, it was difficult for participants to get to the level of comprehension that they required on the topic. For example, early in the process (Session 1, Day 3), participants were asked to put forward questions to a Knowledge Committee (a group of experts who followed the panel and provided answers to participant questions on the topic, as well as setting up the framing of the panel) to clarify any points that were unclear to them. These questions were only addressed during a short discussion round at the end of the last day of the session (after initial deliberations had taken place and preliminary work on the recommendations had been recorded) and the answers from the Committee were provided in tandem with so-called “comedic” responses to the same questions by an improvisational theatre troupe. Despite adding an element of novelty, in practice, it reinforced the understanding of these deliberative processes as oriented towards entertaining the participants while sidelining the possibility of more critical, nuanced, or even simply informative discussion. The information

presented in this format thus failed to link up with broader political, normative, and practical questions about virtual worlds. This problematic issue continued and impacted the participants throughout the panel, as could be seen during the finalisation of the recommendations in the last working group session, when a participant asked for a definition of the metaverse (Session 3, Day 2)—despite the fact that the participants had first-hand experience of using a virtual world in the online session of the panel.

Second, expert input leaned heavily in favour of (technocratic) Commission staff, seconded by academics/researchers, and closely followed by corporate representatives and IT consultants. Limited explanation of the experts' positionality (and potential conflicts of interest) made it challenging for participants to situate the input within broader socio-economic and corporate interests, impeding their ability to critically evaluate and engage with the information. For instance, Groupe Renault's Director of Industrial Metaverse & Quality was invited to speak as an expert during Session 2, and the panel organisers played a three-minute (promotional) video entitled *Discover Renault Group's Industrial Metaverse*, produced by the company and celebrating its prowess in using virtual worlds to streamline industrial processes. Notably, this video was presented without any framing of its inherent subjectivity, and no alternative or critical perspectives were offered.

The influence this had on the final recommendations is clear. More than a quarter of the final recommendations related to research, innovation, development, and the EU labour market. The recommendations themselves were directed towards the EU institutions, with member states expected to cooperate and the private sector to comply with the suggestions. In fact, only one recommendation mentioned penalties (Recommendation 13) for non-compliance by companies, although it was mentioned as secondary to a rewards incentive scheme. Similarly, only one recommendation mentioned binding legislation (Recommendation 12). Most of the other recommendations called for (unspecified) compliance with the panel's suggestions, often framed in terms of collaborative engagement. Several recommendations, for instance, emphasised the need for close cooperation between companies, researchers, and the EU institutions "to develop and regulate virtual worlds in accordance with the values of the EU" (Recommendation 5; see European Commission, 2023a, p. 41), while also expressing concern about the possibility of legislative or regulative efforts negatively affecting the competitiveness of firms (Recommendation 7). Overall, this orientation reflects an alignment with the EU's pro-business agenda, privileging innovation and competitiveness over stronger regulatory safeguards and protections.

## 5. beEU Citizen Panel on Artificial Intelligence

### 5.1. Context and Description of the Panel

Between February and April 2024, the Belgian Federal Public Service of Foreign Affairs, Foreign Trade and Development Cooperation (FPS Foreign Affairs), in cooperation with Missions Publiques, Glassroots (a participatory exercise and facilitation consulting firm), and VO Citizen (a communications agency), held a citizen panel on AI within the framework of the 2024 Belgian Presidency of the Council of the EU. With a history of regional panels and deliberative exercises in the country (e.g., Ostbelgien Model, G1000, Brussels Citizens' Assembly), FPS Foreign Affairs had previously organised a national panel at the federal level as part of the CoFoE on the topic of European democracy (also in cooperation with Glassroots). The beEU Panel was conducted with the aim of being a source of inspiration (Belgian Presidency of the Council of the European Union, 2024) for the European strategic agenda 2024–2029 (adopted two months later, on 27 June 2024),



to influence the Belgian contribution to the upcoming discussion in the Council. This process ran shortly after the trilogue in which the three EU institutions reached an agreement on the AI Act (9 December 2023).

A total of 60 Belgian citizens attended three in-person sessions in Brussels. Similar in format to the ECPs, the sessions were broken down into plenary sessions and small working groups. The panel was described as a space to “exchange opinions, complaints and concerns regarding the development of AI within the EU, and to formulate proposals on the direction the EU needs to take in this area in the coming years” (Belgian Presidency of the Council of the European Union, 2024, p. 4). As in the Commission’s ECP on VW, such framing already implicitly assumed the inevitability of the development of AI, which meant that questioning or contesting either the development itself or the growing centralisation and embeddedness of the technology fell outside the scope of the panel. In this way, the organisers sought to centre the discussions around *how* AI might be encouraged to develop, emphasising a strong geopolitical component by stressing that Europe is “lagging behind” other global actors such as the United States and China (on the securitisation of EU tech and AI policy, see Mügge, 2023, 2024; Youngs, 2025). Three questions were specifically set for this panel: (a) What is the citizen panel’s view on the further evolution and development of artificial intelligence in Europe?; (b) What risks and opportunities are associated with these technologies in our society?; and (c) What should European players (both political and private) focus on over the next five years to meet the challenges of today and tomorrow? Rather than more prescriptive recommendations, the panel was mandated to develop broad “visions,” which aimed to avoid determined courses of action for the EU or other actors.

In Session 1, participants were introduced to the topic of AI, starting with the context and purpose of the panel, by resource persons (experts who presented specific subtopics or issue areas and answered participant questions). These experts contributed primarily by providing positive perspectives on AI’s potential across different fields, with some exceptions, notably concerning deepfakes. A demo was organised to present 15 different types of AI applications in sectors such as medical, mobility, weapons/defence, employment, and media, followed by small working group discussions in which participants shared personal experiences about their understanding of AI. In Session 2, participants received input from resource persons about opportunities and concerns in current AI development. In working groups (that were shuffled between sessions), participants examined the impact of AI on a societal level. In Session 3, participants finalised their deliberations, ending up with a total of nine key messages made up of a loose set of “observations,” “key messages,” “visions,” and “avenues to explore”—each with different formats, lengths, and levels of detail. Resource persons gave feedback on the work, after which participants were given time to individually reflect on any questions or comments they had on the work of the other groups. Each vision was then voted on and validated in plenary, with citizens able to share their reasons for/against their vote. The event was closed by a representative of the FPS Foreign Affairs, who guaranteed the citizens’ work would be passed to the political level.

## **5.2. From *Black Mirror* to the AI Act**

As awareness of AI has steadily risen in the public agenda over recent years, the beEU Panel organisers anticipated that participants would have a pre-existing understanding of the broad lines of the debates on the topic. However, rather than correct any basic misconceptions or ensure there was a common comprehension of what AI referred to among all participants, the organisers chose not to provide any initial

briefings or informational material. Throughout the first session, strict definitions of AI were avoided, with the organisers centring discussions on “what citizens thought or felt when AI was brought up, rather than a strict presentation of what AI is and what the current challenges are” (Belgian Presidency of the Council of the European Union, 2024, p. 42). As a result, the early deliberations lacked a common understanding of the topic, with the participants’ initial grasp of AI more likely shaped by the hands-on demo on the first day of the panel, where practical demonstrations took precedence over structured explanations from experts.

Another factor shaping the participants’ understanding of AI was curated cultural representations introduced early in the process. A list of books, films, and TV series was shared with participants, including books authored by the president of Microsoft (*Tools and Weapons: The Promise and the Peril of the Digital Age*) and the co-founder of (Google) DeepMind and CEO of Microsoft AI (*The Coming Wave: AI, Power and Our Future*), sci-fi films like Stanley Kubrick’s *2001 Space Odyssey* and Denis Villeneuve’s *Blade Runner 2049*, and speculative fiction television series like *Black Mirror*. This blend of corporate hagiography and dystopian narratives presented participants with a rather artistic and staged rendering of AI, which may have shaped their perceptions of the technology in a way that was more abstract and less grounded in practical, technical realities.

Furthermore, when the conversation moved towards more concrete examples drawn from current events, discursive filtering became evident at the organisational level, with facilitators acting as gatekeepers between experts and participants. This type of filtering became particularly visible in how sensitive or politically divisive examples were handled during discussions. For example, in a Q&A following a presentation on AI and defence, a participant raised a critical point in plenary, observing that while the Ukraine–Russia War was frequently referenced in defence-related discussions, Israel’s ongoing genocide of Palestinians (Amnesty International, 2024) was noticeably absent—despite well-documented use by Israel of AI-enhanced warfare (Fatafta & Leufer, 2024). Before the participant finished speaking, a moderator interrupted the comment and moved directly to another participant, effectively curtailing the intervention. Although the expert later briefly acknowledged Israel’s use of AI in perpetrating violence against Palestinians, this incident highlighted how facilitation practices in this panel actively shaped the boundaries of deliberation through real-time management of voices, which delimited which geopolitical examples were permitted space within the discussion.

Although AI is now a ubiquitous topic, fully grasping its complexities requires dedicated time and research. By relying on external experts, consultants, and fictional narratives to shape participants’ initial exposure to AI, the organisers effectively ceded some control over how the topic was framed from the outset. Given that the more than 40 experts involved in the panel largely came from research and academia, consulting, and market-driven fields, their influence may have subtly framed the discussion towards specific applications and perspectives on AI. Notably absent were critical experts from civil society focused on data rights, labour, digital justice, trade unions, and public interest advocacy groups, who argued contemporaneously that the EU’s AI Act “fails to set [a] gold standard for human rights” (EDRi, 2024, p. 1). The panel also failed to discuss the “hidden labour powering AI” (Muldoon et al., 2024), mostly located in the Global South under conditions of exploitation. These absences excluded perspectives that might have foregrounded questions of power, accountability, and rights. This detached approach evolved over the course of the panel, with the organisers revising this stance and exerting more control over how AI was presented and discussed as the sessions progressed. The clearest example of this was in the shifting composition of resource persons. Organisers cited concerns over initial high

levels of criticism about AI among participants in the early sessions, prompting changes to the resource person selection in the last session to “re-balance” this negative perception—even if no frontal critiques were actually put forward by experts. These late-stage changes imply a pre-existing expectation of what participants were expected to discuss and draw conclusions on.

The panel followed the standard participatory structure of the ECPs, replicating elements of the process such as starting deliberations with binary opening discussions (in this case, discussing what would be desirable and undesirable for the future of the technology). After introducing the participants to the topic, a number of themes were developed during Session 1, which were rotated between working groups in Session 2. These topics included: climate, health, the EU’s position in the world, EU autonomy, democracy, media, work, education, defence, and security. Organising discussions around separate thematic categories encouraged participants to approach these topics in silos, rather than consider the crucial intersection of, and transversal ramifications between, these issue areas. Furthermore, multiple themes were clearly within the same broader field of “security and defence,” in terms of looking at the EU in opposition and competition to external actors, clearly prioritising a geopolitical outlook to make sense of AI.

Concerning the outcome of the panel, the structure of the participants’ contributions followed a clear progression: initial observations led to key messages and culminated in overarching visions. While the wording of the observations conveyed a certain degree of apprehension—with frequent references to concerns about the risks associated with AI (14 mentions across all nine vision texts)—the visions themselves appeared to prioritise positioning the EU as a leader in what is seen as a global AI race. They emphasised maintaining competitiveness in research, development, and an EU-driven normative regulatory role within the rapidly expanding international AI industry. Overall, the visions offered abstract proposals regarding integrating AI into existing EU industries and infrastructures, with little meaningful engagement with the potential broader consequences of the widespread adoption of AI or the development of the technology itself. For instance, economic considerations were dominated by calls for incentivising private investment, minimising taxation, and fostering public-private partnerships, with little attention given to broader ethical, social, and environmental implications or examining how to mitigate potential negative societal or global impacts.

According to the organisers, the panel was intended as a “message to society, not just political players” (Belgian Presidency of the Council of the European Union, 2024, p. 42), strongly suggesting that the output was never designed to serve a concrete policy objective. This approach mirrors what was observed in the Belgian national citizen panel during the CoFoE, where organisers explicitly aimed to “avoid politicizing the process” (FPS Foreign Affairs, 2022, p. 8). Ultimately, the panel showed more of a will from the organisers to put AI and citizen participation on the Belgian Presidency’s agenda rather than sincerity in gathering public opinion on AI and collecting impactful and original ideas from participants.

## **6. Conclusion: Citizenwashing EU Tech Policy through the Institutionalisation of Deliberative Mini-Publics**

While deliberative mini-publics are often seen as having the potential to complement formal policymaking structures by empowering people to take ownership over part of the political process (Beauvais & Warren, 2019), in practice, the participants of these panels were subject to the influence of unequal and undisclosed

political and stakeholder dynamics. As a result, participants were relegated to a performative role that reproduced these same dynamics at the micro level, with the panels promoting public engagement in support of existing EU tech policies. Although, as noted earlier, alignment between deliberative outcomes and public policy is not inherently problematic, when those policies have been shaped by powerful industry actors with a vested interest in particular outcomes, deliberative panels risk functioning less as sites of genuine public input and democratic engagement and more as mechanisms for legitimising pre-formed institutional agendas. The two ECPs on EU-level tech policy examined in this article can therefore be understood as exercises in which participants' voices were instrumentalised to reinforce and legitimise preexisting EU institutional policy positions. By channelling deliberation into narrowly defined and politically sanitised frameworks, this approach effectively depoliticises democratic participation and reflects the institutional tendencies in the EU to prioritise procedural formalism and consensus-building over substantive deliberative contestation.

The political agency that participants ostensibly held during the panels was, in reality, a carefully curated narrative by the organisers, who portrayed the panels as significant political statements. For example, during the ECP on VW, the first day coincided with the one-year anniversary of Russia's 2022 invasion of Ukraine. This occasion was marked by testimonies from Ukrainian women, framed within a broader narrative about the panel's role in protecting and strengthening European democracy. Similarly, in the beEU Panel, the then-coordinator of the Belgian Presidency repeatedly emphasised the broad social and strategic significance of AI and the participants' input within the rotating Presidency framework. In both cases, a political framing of the panels was strategically leveraged to amplify the perceived significance of the participants' role, without affording space for any meaningful contestation of the established status quo in EU tech policy. This reflects a broader trend in EU-level deliberative exercises, where the emphasis is placed on participation as the object of the exercise rather than a tangible impact on public sphere debates or policy development, while often accompanied by unsubstantiated claims of cultivating a more inclusive, engaged, and informed democratic society.

The instrumentalisation of participants is further illustrated by the institutional effort to connect different deliberative exercises. The organisers enlisted ambassadors from previous panels to endorse the format to new participants, with the aim of enhancing the credibility of the format. For example, during the first session of the beEU Panel, a get-together and Q&A session was held with participants from previous national and European citizen panels. This session coincided with the ECP on Energy Efficiency, and participants from both panels were invited to attend a joint evening event. Similarly, participants in the ECP on VW were informed that the choice of topic had emerged from the work of CoFoE participants. These efforts attempted to make participants feel as though they were part of something larger than the panel itself—a new type of “citizen-focused” democracy in the EU, that connects to a broader “wave” of participatory exercises. Although participants may have felt engaged in a meaningful democratic process, this affective dimension does not preclude the possibility of overall instrumentalisation. Framing the panels as part of a broader democratic endeavour can itself become a technique of artificial legitimisation, particularly when it hides the limited and narrow nature of deliberation and the role of corporate interests.

There are important normative implications of our empirical work. The increasing institutionalisation of deliberative mini-publics as a permanent feature of EU policymaking risks undermining rather than enhancing European democracy. The introduction of this type of depoliticised deliberative exercise has so

far reinforced the technocratic dynamics of EU policymaking and the preexisting narrow conception of EU democracy (Oleart & Theuns, 2023), excluding mediating democratic voices (such as trade unions, civil society, and political parties) and minimising potential contestation of the status quo. This trend of co-opting citizen participation is unlikely to reverse, as the European Commission is actively promoting the institutionalisation of deliberative democracy across Europe. On top of the ECPs, at least nine projects launched between 2023 and 2025 under the Horizon Europe Research and Innovation funding stream (one of a number of different EU funding streams) explicitly focus on developing deliberative democracy instruments and mechanisms, with over €25.83 million allocated to these initiatives over just a couple of years (including the projects AI4Deliberation, EU-CIEMBLY, IDEAL, iDEM, INSPIRE, MultiPoD, ORBIS, PERYCLES, and ScaleDem). This figure does not even count the additional projects funded through other EU streams, past initiatives, or forthcoming funding calls, nor does it include ongoing projects which use deliberative democracy methodology centrally within their activities, such as local climate assemblies or mini-publics more generally (of which there are many). This significant financial and institutional investment reflects the Commission's conception of the value of this type of exercise within its own processes and national contexts. Under the guise of democratising EU policymaking, the EU is mobilising deliberative mini-publics, while avoiding questioning its pro-business policies on multiple policy areas, including technology (Bouza García & Oleart, 2024; Obendiek & Seidl, 2023). As a result, the "new generation" of ECPs continues to reinforce existing EU policy frameworks rather than opening the possibility of contesting them.

That said, our critique of citizen panels on EU tech policies should not be mistaken for a wholesale rejection of deliberative democracy. Rather, it targets the minimalistic version of deliberative democracy that is illustrated by these panels. The depoliticised and consensus-oriented conception of citizen participation is gaining ground, despite critiques such as Machin's (2023, p. 17), who warns that "if there is to be a genuine sustainability politics, then democrats should refrain from demanding consensus, quantifying agreement, and reducing political participation to deliberation." Although directed towards sustainability issues, this resonates with digital policy deliberations in the EU. As the topic of technology becomes increasingly entangled with other policy domains, there is a growing risk that this tendency to focus on a limited conception of participation and democracy will continue, particularly on public policies related to digital regulation, where the hegemony of big tech and a technosolutionist outlook go unquestioned, and where panels risk serving as "citizenwashing" exercises that strengthen these dynamics. This emphasises the importance of remaining vigilant that deliberative mini-publics are not co-opted by executive institutions to push agendas under the guise of "listening to everyday citizens."

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# From Efficiency to Deliberation: Rethinking AI's Role in Institutionalizing Democratic Innovations

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## Abstract

As AI becomes increasingly embedded in democratic innovation (DI), critical questions arise about how these technologies shape deliberative quality, civic agency, and institutional design. While AI promises to expand and scale deliberative mini-publics, it also risks undermining the democratic goods that make such processes meaningful, particularly inclusiveness, popular control, considered judgment, and transparency. This article introduces the democracy-in-the-loop (DITL) framework as both a normative and practical approach to integrating AI into democratic settings. Building upon and expanding models like human-in-the-loop and society-in-the-loop, DITL embeds contestation, reflexivity, and participant agency into the operation and governance of AI systems. A key feature of the DITL approach is the intentional use of “meaningful frictions” (disruptions designed to slow down interaction, surface assumptions, and invite critical engagement). We explore the DITL model through the Digital Democracy Lab, a series of four experimental workshops held in 2024 in Brussels, Madrid, Kraków, and Dublin as part of the EU-funded Knowledge Technologies for Democracy project. Each workshop combined a purpose-built AI Demonstrator platform with facilitated deliberation to explore how AI can support, rather than supplant, democratic reasoning. Findings suggest that AI-enabled DIs should focus on flexibility, contestability, and democratic oversight, not merely technical efficiency. Institutionalizing DIs in the age of AI requires more than simply scaling tools; it calls for embedding democratic values into the design, deployment, and evolution of socio-technical systems.

## Keywords

algorithmic accountability; AI; deliberative democracy; deliberative mini-publics; democracy-in-the-loop; democratic innovations; digital deliberation; human–AI interaction

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## 1. Introduction

Democratic innovation (DI) has emerged as a response to the growing disconnect between citizens and institutions of representative democracy (Courant, 2022; Newton, 2012; Pogrebinschi, 2018). Drawing from traditions of participatory, deliberative, and direct democracy, DIs present new processes and institutions aimed at extending citizen involvement beyond electoral cycles into various stages of political decision-making (Pogrebinschi, 2018; Theuwis et al., 2025). Their novelty is strictly contextual: A process may be considered innovative in one policy or governance setting even if it has long existed elsewhere. What sets DIs apart from more conventional forms of political participation is that they are purposefully designed to deepen and reimagine the role of citizens, seeing them not as passive consumers, but as co-creators of public policy (Elstub & Escobar, 2019; Smith, 2009). Because of this focus, DIs are often associated with effects that enhance democratic legitimacy, including increased political knowledge, reasoning skills, internal efficacy, and institutional trust (e.g., Lacelle-Webster & Warren, 2021; Theuwis et al., 2025).

While DIs have shown promise in enhancing democratic legitimacy and citizen engagement, their institutional impact remains limited. Many still exist as one-off experiments, constrained by high costs, unclear mandates, and limited scalability (Bussu et al., 2022). In response, scholars have explored strategies for institutionalization that maintain the experimental spirit of DIs while improving stability, reach, and long-term impact (e.g., Courant, 2022; Escobar, 2022; Pogrebinschi, 2018; Randma-Liiv, 2023). Information and communication technologies, and more recently, AI systems, are proposed as part of this solution, displaying potential to reduce organizational burdens, support large-scale participation, and synthesize citizens' inputs (McKinney, 2024; Randma-Liiv, 2023; Revel & Penigaud, 2025; Smith, 2009). The main challenge, however, is to ensure that the efficiency gains promoted by AI do not come at the expense of democratic quality, particularly regarding inclusiveness, deliberative depth, and popular control.

Against this backdrop, we introduce the democracy-in-the-loop (DITL) approach as a response to these tensions. Building on existing models such as human-in-the-loop (HITL) and society-in-the-loop (SITL; Rahwan, 2018), DITL calls for real-time, iterative, and participatory oversight of AI systems, emphasizing reflexivity, contestation, and civic agency. This is primarily achieved by introducing meaningful frictions (intentional design elements that slow down interaction, encourage reflection, and break the seamlessness typically associated with AI systems).

We examined the possibilities and limitations of this approach through four experimental workshops held in Brussels, Madrid, Kraków, and Dublin in 2024. These workshops formed the Digital Democracy Lab (DDL), part of the Knowledge Technologies for Democracy (KT4D) project. With the DDL, the DITL approach was operationalized by embedding a custom-built AI Demonstrator platform into facilitated deliberative processes. Rather than optimizing for speed or consensus, the workshops deliberately introduced

disruptions and transparency mechanisms to determine whether AI could support deeper deliberation, strengthen democratic literacy, and increase civic agency.

We argue that institutionalizing DIs in the age of AI requires more than just technical tools; it calls for a shift in how we design and govern participatory systems. The DITL framework offers a way to rethink institutionalization not merely as standardizing procedures, but as the dynamic embedding of democratic reflexivity, contestation, and transparency within socio-technical systems.

While the DI ecosystem varies widely in participatory logics, actor constellations, institutionalization levels, policy-cycle stages, and democratic aims (Elstub & Escobar, 2019), our focus is on deliberative mini-publics (DMPs), or “carefully designed forums where a representative subset of the wider population come[s] together to engage in open, inclusive, informed, and consequential discussions” (Curato et al., 2021, p. 3). The principles we propose, however, extend to the broader DI landscape.

The article is structured as follows. First, we reflect on the current debate surrounding DI institutionalization. Drawing on Smith’s (2009) framework for assessing DIs, we then discuss how AI can contribute to or impede both institutional and democratic goods, with a special focus on DMPs. In Section 4, we introduce the DITL model and distinguish it from other similar approaches, such as HITL and SITL. Section 5 then presents the DDL and its four workshops conducted in 2024 as examples of the DITL framework and how meaningful frictions are applied within an AI system. In the concluding section, we highlight the implications of our findings for institutional and democratic goods, emphasizing the importance of incorporating reflexivity, friction, and responsiveness into future institutionalization efforts.

## 2. AI and the Institutionalization of DI

For decades, DIs like participatory budgeting and DMPs have been used worldwide to address democratic deficits and complex social challenges. This “experimentation phase” involved trial and adaptation by governments, civil society, and academia within varied institutional and cultural contexts, contributing to the global “deliberative wave” marked by the rise of DMPs (Bussu et al., 2022; OECD, 2020).

As these mechanisms spread, scholars increasingly ask how to move beyond ad hoc experiments toward institutionalization (Bussu et al., 2022; Courant, 2022; Escobar, 2022; Pogrebinschi, 2018; Randma-Liiv, 2023). The experimentation phase is typically characterized by one-off initiatives with varied designs and uncertain mandates. Institutionalization seeks to reduce arbitrariness in initiation and design, and so potentially enhance legitimacy, predictability, and long-term impact (Pogrebinschi, 2018).

Pogrebinschi (2018) identifies five dimensions shaping institutionalization: formalization, representativeness, scope, scale, and decisiveness. She argues that only institutionalized DIs have the potential to reform governance systems meaningfully and contribute to democratic quality, provided they meet these criteria.

Some scholars distinguish between institutionalization and embeddedness. Bussu et al. (2022) suggest that embeddedness involves a deeper normative and practical integration of participatory innovations into governance systems. While institutionalization may simply refer to formalizing a mechanism, embeddedness reflects how deeply these innovations are rooted in institutional routines, supported by political will, and



aligned with democratic values. Institutionalization alone does not guarantee meaningful participation. Courant (2022) contrasts tamed consultation, where DMPs provide symbolic legitimacy for predetermined decisions, with radical democracy or representative klerocracy models that grant citizens genuine decision-making power through sortition.

Despite their promise, DIs often remain isolated, experimental, and episodic, with limited impact on mainstream policy (Escobar, 2022; Pogrebinski, 2018; Smith, 2009). However, efforts to institutionalize DIs are often hampered by constraints that are structural (e.g., centralized decision-making, bureaucratic resistance, etc.), normative (e.g., fear of hindering experimentation), and operational (e.g., cost and scalability; Bussu et al., 2022; Courant, 2022; Randma-Liiv, 2023). Scaling deliberative practices to broader publics remains particularly challenging.

As Goodin (2000, p. 82) famously put it: “The challenge facing deliberative democrats is thus to find some way of adapting their deliberative ideals to any remotely large-scale society, where it is simply infeasible to arrange face-to-face discussions across the entire community.” As deliberative processes scale, they become more difficult to maintain through conventional, labor-intensive methods, due to the demands of facilitation and synthesizing complex, long-form participant input and outputs. Information and communication technologies have long been seen as potential remedies to some of these constraints (e.g., Smith, 2009), and recently, scholars have explored AI’s potential to address practical and institutional scaling challenges, especially for DMPs (Landemore, 2024). This article primarily examines the institutionalization push associated with government-led DMPs, while recognizing that many of the AI-related arguments are equally relevant to bottom-up, citizen-led, or movement-led DMPs.

### 3. Evaluating AI’s Impact on Democratic Processes

The introduction of AI into DMPs has elicited both enthusiasm and caution. Proponents highlight AI’s potential to scale participation, reduce costs, and facilitate institutionalization. Skeptics, however, raise concerns that efficiency gains may come at the expense of deliberative depth and democratic trust. In light of these tensions, evaluating AI’s role requires more than just assessing technical feasibility or efficiency; it must account for AI’s impact on core democratic values. To guide this evaluation, we draw on Smith’s (2009) framework of democratic and institutional goods.

The democratic goods include inclusiveness, popular control, considered judgment, and transparency; the institutional goods are efficiency and transferability.

Regarding democratic goods, inclusiveness involves both presence and voice, whether democratic processes include participants from diverse backgrounds and whether all participants have meaningful and equal opportunities to speak, be heard, and influence outcomes. Popular control refers to the genuine influence citizens can exert over decision-making, from shaping agendas to impacting final outcomes. Considered judgment emphasizes the need for thoughtful, informed, and reflective deliberation, where decisions come from reasoned exchange and mutual learning rather than raw preferences. Transparency involves clarity about how decisions are made and communicated. This applies both to participants, who must understand the purpose, structure, and consequences of their involvement, and to the broader public, which needs accessible information about how the process works and why it matters.

Turning to institutional goods, efficiency assesses the demands a process places on citizens and organizers alike. It asks whether a process can be run effectively without overburdening those involved. Transferability, finally, refers to how easily a model can be adapted across different political, cultural, or institutional contexts—how well it travels beyond its place of origin.

It cannot be expected that the introduction of AI into a deliberative process will enhance all democratic goods equally. DIs vary in focus and design, often strengthening some goods while leaving others unchanged (Elstub & Escobar, 2019; Smith, 2009). The key issue, however, is whether AI risks weakening any core democratic goods, as this could undermine the legitimacy and effectiveness of DI.

There is growing interest in how AI can address challenges related to the scale and efficiency in DMPs. This section explores how current and proposed AI deployments affect democratic goods (building on Smith's, 2009, framework). It examines efficiency gains first, then considers contributions to other democratic goods, and finally highlights potential risks and trade-offs.

### **3.1. AI and Institutional Goods**

Emerging research highlights an increasing variety of AI applications in DMPs (Flanigan et al., 2021; Landemore, 2024; McKinney, 2024). Many aim to address the resource-intensive nature of deliberation and promote participation at scale. Consequently, most AI implementations emphasize Smith's (2009) "efficiency good," aiming to scale deliberative processes significantly.

Large language models (LLMs) assist with translation, summarizing materials, clustering perspectives, and generating questions, counterarguments, and consensus statements. In multi-lingual settings, AI-powered translation reduces translation costs, especially in transnational DMPs.

Platforms like Pol.is and Remesh, while not using AI, demonstrate how algorithmic filtering and clustering synthesize large volumes of citizen input into coherent summaries (Revel & Penigaud, 2025; see also Bussu et al., 2022). AI-facilitated synthesis can similarly produce collective narratives that promote reflexivity and acknowledge plural viewpoints (Revel & Penigaud, 2025).

While AI cannot achieve the ideal of universal deliberation, it can expand engagement. Landemore (2024) identifies two scalable models: mass online deliberation (gathering large virtual publics) and multiple rotating mini-publics (engaging many citizens' assemblies simultaneously and with rotating participants). In both models, AI aids scalability through facilitation, translation, fact-checking, clustering, and synthesis. Emerging systems like the Habermas Machine (Tessler et al., 2024, as cited in Revel & Penigaud, 2025, p. 12) or the Stanford Online Deliberation Platform (Gelauff et al., 2023) illustrate how AI tools can lower participation thresholds, enhance perceived fairness, and work with existing representative structures.

### **3.2. Potential Democratic Benefits**

While the focus has been on efficiency, AI implementation can also promote democratic goods. For example, algorithmic tools have been used for participant selection in DMPs, not only to increase efficiency but also to enhance fairness and representation. This directly relates to the aspect of inclusiveness, which concerns

who gets a seat at the table. Flanigan et al. (2021) developed a selection algorithm that balances demographic quotas with the principle that everyone should have an equal chance of being chosen. Aiming for “maximal fairness,” they sought to make selection probabilities as equal as possible while meeting representativeness goals (Flanigan et al., 2021, p. 549).

A primary area where AI has been introduced is facilitation, with the aim of reducing costs while also yielding democratic benefits. Landemore (2024) argues that AI could serve as an impartial facilitator, mitigating biases often associated with human moderators. Moreover, AI-facilitated discussions may augment the voice dimension of inclusion, improving gender equity in discussions compared to traditional, in-person formats (Gelauff et al., 2023). Taken together, these developments could help make DMPs more inclusive.

AI is also being explored as a tool for increased popular control. LLMs can process and cluster large amounts of citizen input, synthesizing views and identifying shared concerns. This can help ensure that diverse voices are reflected in agenda-setting and that influence is spread more evenly across the population, including the so-called “maxi-public” (McKinney, 2024).

AI may also contribute to considered judgment. By acting as accessible sources of contextual information or real-time Q&A systems, tools like LLMs can support participants in navigating complex topics, especially when expert input is limited or unavailable (Landemore, 2024; McKinney, 2024). Beyond potentially lowering costs, this could help reduce informational inequalities among participants and strengthen the epistemic foundations of deliberation.

### **3.3. Democratic Trade-Offs and Risks**

While AI may enhance inclusion, popular control, and considered judgment in DMPs, its integration also introduces significant democratic risks. As Landemore (2024) and McKinney (2024) warn, AI systems can reproduce input biases and fabricate misleading content, while overreliance on them could diminish popular control and human agency. The opacity of algorithmic reasoning (the “black box” problem) makes it difficult to trace or contest how decisions are made, which are qualities essential to both institutional and democratic legitimacy (McKinney, 2024; Smith, 2009).

One specific concern with AI-driven facilitation is its lack of human sensitivity. As McKinney (2024) notes, AI cannot easily navigate nuanced communication, build trust, or address group inequalities—essential skills that, if absent, risk undermining both inclusion and the quality of deliberation. Similarly, Alnemr (2020) warns that AI systems, by enforcing language norms like grammar correction, exclude certain forms of expression, such as storytelling or non-standard language. LLMs also inherit bias from training data, often overrepresenting dominant (e.g., English-speaking, Western, and male) perspectives (Binns, 2018), which may silence or distort minoritized voices and fail to reflect local contexts. Moreover, technical and cultural barriers, such as digital literacy, cognitive accessibility, and dominant assumptions about user experience, may further exclude participants (Costanza-Chock, 2020; Eubanks, 2018). Together, these issues limit inclusiveness and diversity, while AI’s difficulty in handling real-world complexity may also limit quality deliberation by reducing the depth of deliberation.

Similarly, the use of AI in the selection process, despite claims of “maximal fairness,” can obscure political decisions. As Alnemr (2021) argues, fairness is very contextual. In the case of the Global Assembly, an algorithm decided on the exclusion of participants from Pacific Island states—amongst the most affected by climate change—on the grounds of fairness. This illustrates how algorithmic selection can sideline vulnerable groups. As Ohren (2024) notes, selection is often framed as a neutral, technical step but is in fact shaped by implicit political decisions—about which categories matter, which criteria are prioritized, and how representation is defined.

Most fundamentally, the growing reliance on AI in deliberative processes may risk undermining popular control. With AI curating information, citizens may lose the ability to scrutinize or challenge the content provided. Alnemr (2020) notes that, without human facilitators, citizens’ agency is reduced, undermining their emancipation and the freedom to critically engage with the process. This directly diminishes popular control, and the deliberative process becomes increasingly more mediated by technology rather than by its participants. Without participants’ power to determine what should be discussed, the system tends to favor certain framings or knowledge systems over others. This shift creates the illusion of influence (Sloane et al., 2022): although participants interact with AI tools, the underlying decision-making remains opaque and technocratic, often leaving citizens unable to see how their inputs affect outcomes.

These challenges are further compounded by the lack of public oversight in how AI tools are developed, updated, and deployed (McKinney, 2024). Even if AI is meant only to be a supportive tool, institutional reliance on it without democratic safeguards risks eroding accountability. At the same time, AI models often oversimplify complex political questions, reducing rich and contested deliberations into neat outputs that fail to capture the nuance, ambiguity, and dissent essential to democratic reasoning (DiSalvo, 2022).

These risks coalesce into a broader structural concern: that the very design of AI-mediated deliberation may exclude citizens from shaping their own democratic environment. As Alnemr (2021, p. 71) writes: “expert-imposed design can undermine mini-publics’ democratic and emancipatory potential since citizens are excluded from creating the conditions for deliberation.”

### ***3.4. The Need for Human Oversight in AI-Mediated Democracy***

In summary, introducing AI into deliberative processes not only presents technical challenges but also democratic ones—such as who determines the terms of public reasoning, whose voices are heard, and how legitimate authority is built. Concerns about representational bias, value alignment, and the potential for technocratic capture are particularly salient when AI tools are embedded into formal governance systems without safeguards for transparency, accountability, and public oversight (Randma-Liiv, 2023). As McKinney (2024) emphasizes, the goal is not to automate decision-making, but to use AI as a compass for collective self-understanding (supporting institutional design while maintaining democratic ownership of the process). Across the literature, there is a growing consensus that human oversight is essential to preserving democratic values in AI-supported deliberation (e.g., McKinney, 2024; Randma-Liiv, 2023; Revel & Penigaud, 2025).

## 4. Beyond Current AI Governance Models

In evaluating how AI can or should be introduced as a potential scaling mechanism for DIs, it is crucial to consider the different models by which AI technologies are designed and governed. Consequently, this section offers a consideration of two existing AI governance models, which lack the dynamic and iterative capacity to ensure AI usage aligns with effective democratic function (HITL and SITL), and proposes a third model that can achieve this: DITL.

### 4.1. HITL: Individual Oversight and Its Limitations

In an HITL system, a human operator plays a vital role within an automated control process. The human handle specific tasks such as supervision, exception control, optimization, and maintenance (Rahwan, 2018). This paradigm emerged from the field of supervisory control, where human operators intermittently program and continuously receive information from autonomous systems (Rahwan, 2018). However, while HITL offers necessary safeguards, it has notable limitations in democratic contexts. First, it places a single human as the sole representative of broader societal interests. Second, the human operator often lacks the structural power to challenge the system's fundamental assumptions or values. Third, HITL systems typically constrain the human's role to ensuring efficiency or preventing catastrophic errors, rather than promoting democratic deliberation.

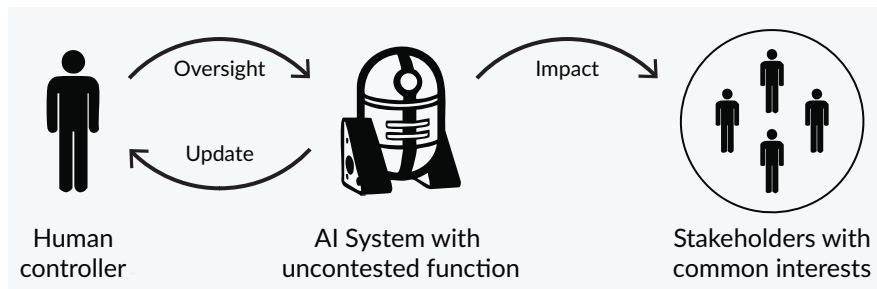
### 4.2. SITL: Collective Values and Their Limitations

SITL emerged as an extension of HITL, recognizing that AI systems with broad societal impact require oversight beyond individual operators to include society as a whole (Rahwan, 2018). While HITL focuses on embedding individual human judgment in optimization of narrow-impact AI systems, SITL attempts to embed collective societal values in algorithmic governance systems with broad implications (see Figure 1). However, despite its advancements over HITL, SITL still faces notable limitations. It often assumes a single, coherent "society" with shared values, overlooking deep social divisions. It may simply reflect existing power structures rather than fostering meaningful debate. Additionally, standard SITL implementations tend to emphasize gathering input rather than enabling ongoing deliberation.

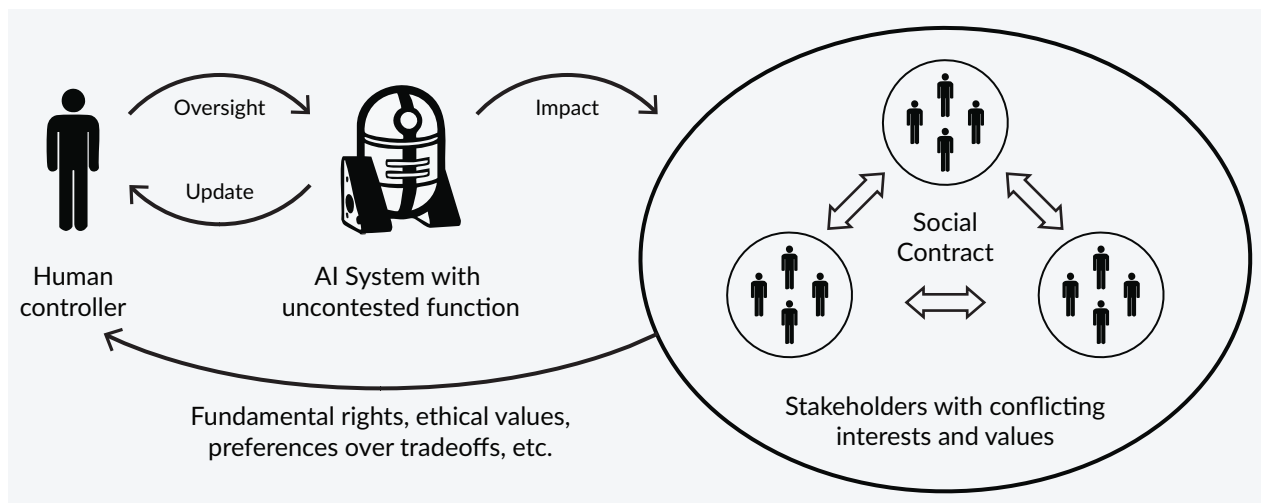
### 4.3. DITL: A New Framework for Democratic AI

DITL addresses the limitations of both HITL and SITL by embedding democratic feedback loops—such as contestation, deliberation, and participatory decision-making—directly into the technology and functional use of AI systems. While HITL emphasizes static human oversight and SITL expands oversight to include societal values, neither fully captures the dynamic and iterative nature of democratic deliberation. DITL creates spaces for expressing dissent, makes visible the values embedded in systems, and empowers participants to continuously calibrate the technology, accommodating a plurality of viewpoints rather than assuming consensus (see Figure 2). Moreover, DITL goes beyond simply collecting societal input; it creates mechanisms within AI use for democratic exchanges that support ongoing contestation, deliberation, and reconfiguration of such AI systems.

## HITL

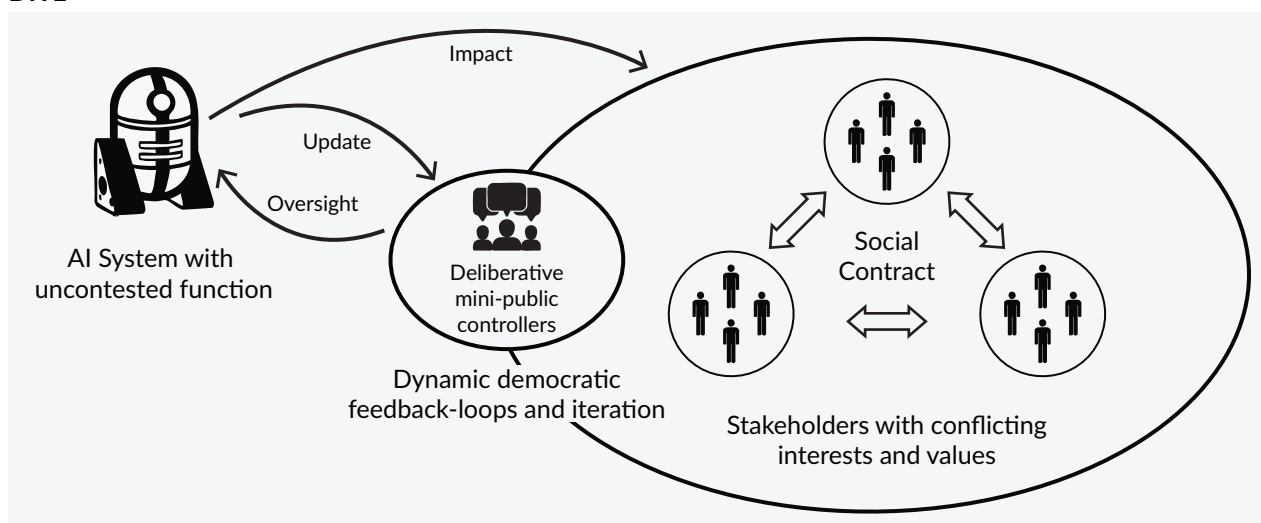


## SITL



**Figure 1.** Diagram of the SITL model and illustration of the differentiation between the HITL and SITL models from Rahwan's (2018) introduction.

## DITL



**Figure 2.** Diagrammatic representation of the DITL model.



#### 4.3.1. Meaningful Frictions: Designing for Deliberation and Contestation

Among the mentioned mechanisms is the intentional design of what Gordon and Walter (2019) call “meaningful inefficiencies,” also termed mindful or meaningful frictions (Cox et al., 2016; Pierri et al., in press; Ratto, 2007). Meaningful frictions are intentionally designed points of resistance that disrupt automatic interactions, prompting more deliberate engagement. They create “microboundaries” (Cox et al., 2016) that shift people from automatic to reflective thinking, enabling citizens to consider their actions. They foster collective deliberation, reveal system values, enable contestation of decisions, and help adapt systems to community needs (Elkin-Koren & Perel, 2023).

By creating space for deliberation and contestation, the meaningful frictions within the DITL model help ensure that AI systems promote rather than undermine democratic values. As automated decision-making becomes increasingly relevant to institutionalizing DIs, designing AI to support and not supplant democratic processes is essential. The aim is not to make democratic systems more efficient, but more democratic.

A central part of the DITL approach is revealing the underlying power structures within technology. This involves not only potential biases in datasets or corporate intentions behind the technology, but also transparency about decision-making in its design—clarifying when humans made key choices and when and how machines operate autonomously. While the overall design of the technology, including the placement of friction points, cannot be fully open for participant modification, opening the black box begins with making these design choices visible and understandable.

### 5. The DDL: Testing DITL in Practice

The DDL, developed under the EU-funded KT4D project, offers an empirically grounded inquiry into how AI can be integrated into DIs. As AI increasingly shapes how knowledge is produced and used, it is vital to assess whether these technologies support rather than compromise participatory governance.

The DDL was a one-day deliberative workshop that explored how AI systems can be integrated into DIs like DMPs. While it was not tested within a DMP as defined in the literature, it was implemented in a deliberative setting. It was facilitated by KT4D partners and involved three different participant groups (see Section 5.1, for details), offering valuable insights into how AI might function in such contexts. Specifically, it aimed to test whether AI could be used to support deliberation, increase democratic and digital literacy, and generate deeper participant engagement, without sacrificing transparency, inclusion, or public trust. Rather than an external decision tool, AI was embedded in the deliberative process to observe its impact on collective reasoning.

Crucially, this experiment marked the first operational iteration of the DITL framework. As described in Section 4, DITL extends previous models such as HITL and SITL by embedding AI systems into live democratic settings in ways that are iteratively contestable, responsive to deliberative input, and sensitive to democratic values. The goal was not just to evaluate AI’s functionality but to explore whether and how AI systems can be shaped by—and made accountable to—the democratic practices in which they are embedded.

Over four workshops, the DDL combined a purpose-built digital Demonstrator platform (employing GPT-4, a LLM by OpenAI that generates human-like text, and Retrieval-Augmented Generation that improves accuracy

by combining model responses with relevant information retrieved from external databases or documents) with structured in-person facilitation. This hybrid format allowed participants to engage with the “metabolism” of the AI system—its profiling logic, curated data sources, and content generation processes—while reflecting on how it shaped deliberative exchange.

The DDL was not meant to replicate a traditional DMP but served as a research and design tool to assess whether deliberative processes can accommodate AI to strengthen democratic goods like transparency, popular control, and considered judgment. It provides a helpful starting point for theorizing DI amid digital transformation.

### **5.1. Methodological Approach and Research Setting**

The DDL workshops were developed collaboratively within the KT4D project by a democratic design team (The Democratic Society) and a technical development team (Hybridcore). Through an iterative co-design process, the teams created the Demonstrator platform—a transparent, participatory, and deliberately frictional AI tool intended to support, not substitute, democratic reasoning. Its design was guided by three principles: (a) adding value to democratic exchange, (b) overcoming opacity through inspectable and augmentable system design, and (c) operationalizing DITL through embedded frictions and intervention points. All workshops focused on the same topic: how the EU might support a just labor market transition in the approaching AI era.

In each setting, the Demonstrator included a purpose-built chatbot acting as an “expert,” drawing on curated policy, media, and academic sources via Retrieval-Augmented Generation. AI was integrated into the deliberative process as both an information source and a participant in joint reasoning. Deliberation was face-to-face in all four workshops. Participants interacted with the Demonstrator both individually (via computers, tablets, or personal devices) and through a single shared interface projected for the group. Individual tools, such as the profiling quiz and “metabolism” exploration, were used alone; AI prompts, however, were always collectively agreed upon. A facilitator entered the agreed-upon prompt into the system, outputs were displayed to everyone, and the group discussed, critiqued, and refined them as needed. This design avoided parallel private chats and kept the AI embedded in shared discussions.

The workshops took place in four socio-political contexts:

- Brussels (15 October 2024, 10:00–12:30): ~30 participants, mainly from policymaking bodies (50%), civil society organizations (40%), and other sectors (10%).
- Madrid (29 October 2024, 10:00–15:00): 12 participants (ages 18–70), recruited via a partnering NGO, with backgrounds in community education and lifelong learning.
- Kraków (25 October 2024, 10:00–15:00): 16 economics students from Kraków University of Economics.
- Dublin (13 November 2024, 18:00–20:30): 12 participants from the technology and design sectors as part of a digital innovation festival.

Local partners recruited participants: policymakers via organizational invitations (Brussels), citizens via partner networks (Madrid), students via university channels (Kraków), and industry actors via an open festival call (Dublin). The participants knew the general topic beforehand, but the deliberative activities and AI interactions occurred in real time. All sessions followed a shared structure and facilitation guide, with local adaptations

for language and context. Data collection combined ethnographic field notes and 60-minute post-workshop facilitator debriefs (later transcribed), forming the empirical basis for our analysis of AI-enabled deliberative tools in practice.

### ***5.2. The Demonstrator Platform and Lab: Hybridizing AI and Human Deliberation***

The DDL recognized that AI often aims to optimize speed, scale, and cost, but such goals can undermine deliberative values like reflection, contestation, and inclusion. Instead of pursuing seamlessness, the DDL embedded intentional frictions—deliberate slowdowns and disruptions—to expose the limitations and politics of AI and prompt reflection. Drawing on critical design and science and technology studies traditions (Ananny, 2022; Ratto, 2007; Rettberg, 2022), these frictions operated on multiple levels:

- **Technological friction:** The Demonstrator used GPT-4 with Retrieval-Augmented Generation but constrained its behavior. Participants could only submit collective prompts, forcing negotiation and shared sense-making beforehand. The system's profiling mechanism was made visible and debatable, with participants invited to reflect on how their own digital personas were constructed. Data sources (10 academic papers, 10 policy documents, and 10 journalistic articles) were explicitly disclosed and selectable by participants, creating space for discussion on bias, credibility, and epistemic inclusion. Even the AI-generated explainer videos, designed to introduce the system's architecture, became a site of friction due to their flat, uncritical tone, prompting users to interrogate the nature of AI explanation itself.
- **Facilitation friction:** Facilitators guided participants through a structured deliberative arc, introducing a complex policy challenge (the EU's role in a just labor market transition), then slowing down to allow critique, adjustment, and iterative interaction with the Demonstrator. Instead of fixed roles or outcomes, facilitators fostered an open inquiry space where misunderstandings, disagreements, and discomfort could be productive.
- **Socio-technical friction:** The DDL positioned AI as a constructed, fallible actor, not an objective oracle. AI outputs served as provocations, sparking questions, revealing misalignments, and exposing limits. In this way, the DDL enacted the early principles of DITL—a framework for embedding real-time democratic oversight and reflection within AI-enabled participation.

Indeed, not all friction was planned. As a beta version—the first version of the Demonstrator to go live—it also experienced unexpected glitches and awkward interactions, which Ananny (2022) describes as “algorithmic errors.” Some of these breakdowns, such as confusing user interfaces or limited responsiveness, were more frustrating than fruitful. But others generated “technical intuitions (that) function as an interface between technical and human cognizers” (Kronman, 2020, as cited in Rettberg, 2022, p. 4). These emergent flaws underscored a key insight: democratic deliberation benefits not from perfect systems, but from contestable ones.

### ***5.3. Friction as Method: Embedding Contestability into the Digital Democracy Lab***

The commitment to friction informed how the Demonstrator platform was developed and how participants engaged with it. By adding procedural hurdles and interpretive ambiguities, they were designed to challenge assumptions about what AI is and how it should operate in democratic settings.

### 5.3.1. Friction to Expose Assumptions: Profiling and Knowledge Bias

One key friction was the participant profiling mechanism. Early in the workshop, participants completed a 30-question quiz assessing their views on technology, society, and economics. This generated one of eight personas (market proponent, responsible innovator, technology skeptic, balanced regulator, technology enthusiast, social impact advocate, system critic, or worker advocate), which influenced how AI framed its responses.

In typical online systems, profiling is hidden. Here, it was made explicit to encourage reflection on how categorization affects digital interactions. Many participants criticized the fixed personas as polarizing and oversimplified, arguing that they reinforced divisions rather than building common ground. This design decision sparked debate about democratic exchange and the role of categorization in deliberation. Some expressed concerns that the personas could amplify echo chambers instead of promoting dialogue. Others suggested that future tools should focus on shared values rather than ideological divides.

Participants also examined the curated data sources (10 each from academic, policy, and media outlets on the topic of AI and labor markets). By limiting and disclosing these sources, the system made its boundaries visible. This raised questions about which knowledge is valid and how to ensure pluralism in AI training. It also unveiled the importance of local contexts and cultural specificities. While participants in Kraków were dismissive of integrating any data sources stemming from governmental agencies, in Madrid, they felt hesitant towards the integration of news media outlets. These reactions reinforced the importance of epistemic inclusivity and cultural context in AI-supported deliberation.

### 5.3.2. Friction to Slow Interaction: Collective Prompting

Another intentional friction was the input process. Instead of using individual prompts, participants had to agree on a single collective question. This constraint required negotiation and collaborative framing before using the AI.

During multiple sessions, the constraints to collectively negotiating the prompt for the Demonstrator's chatbot led participants to deliberate over their underlying questions on the topic, rather than solely concentrating on solutions or policy recommendations, which are often the focus in non-tech-augmented DMPs. This also prompted reflection on differences in phrasing, the assumptions behind preferred wordings, and the challenge of representing multiple perspectives. It slowed down the process intentionally, acting as a democratic bottleneck that emphasized deliberation over immediacy. The exercise underscored the value of disagreement and the challenge of reaching a consensus, reinforcing the idea that deliberation benefits from critical, collective engagement rather than seamless input.

### 5.3.3. Friction to Trigger Deliberation: System Outputs as Objects of Critique

The form of the AI-generated output was itself a deliberate design choice that aimed to create meaningful friction. The textual responses to the group's prompt, presented as pre-formatted policy one-pagers, were often flashpoints for critical engagement. The tone was intentionally flat, technocratic, and policy-like, mirroring the institutional voice often associated with expert systems. Rather than aiming for persuasive or engaging content, the system emphasized synthesis and neutrality. This sharply contrasted with the vivid,

nuanced conversations taking place in the room. This apparent neutrality, however, quickly became a subject of critique. Participants questioned the omissions in the responses, debated the weight given to different source materials, and highlighted contradictions or oversimplifications. In doing so, they treated the outputs not as authoritative conclusions, but as starting points for further inquiry—precisely the kind of deliberative stance that DITL seeks to cultivate. Once again, local contexts became evident constraints for the Demonstrator system. In both Madrid and Kraków, participants sought answers to hyperlocal issues they observed in their cities, something the LLM in the Demonstrator could not provide. This was partly due to limited data sources, but LLMs often lack training on culturally and locally coded information, giving way to geo-biased outputs. This shortfall reflects a broader pattern in LLMs, which tend to overrepresent regions with high data availability and dominant cultural perspectives, while lacking adequate training on locally grounded, culturally specific knowledge (Blodgett et al., 2020). Even the AI-generated explainer videos—intended to clarify the system—were criticized for their simplistic delivery, sparking reflection on how AI “speaks” and how its design choices shape perception.

#### 5.3.4. Concluding Insights: Cross-Case Patterns

Beyond the deliberately embedded frictions, the DDL also encountered unplanned disruptions, such as bugs, awkward transitions, and interface limitations. While some of these were simply frustrating, others functioned as what Rettberg (2022) calls productive failures or technical intuitions—moments when a system’s breakdown reveals its underlying logic.

Across the four DDL workshops, participants responded to frictions—both designed and emergent—not with frustration or disengagement, but with heightened curiosity, critique, and reflection. This critical stance should not be interpreted as general public skepticism over AI; research from the KT4D project indicated that citizens often exhibit excessive trust in AI outputs, especially when presented in authoritative “expert” language (Morisseau & Lima, 2024). The frictional design of the DDL—including its deliberately technocratic, policy-like outputs—was meant to counter this tendency, encouraging critical interrogation over passive acceptance. Despite differences in context and background, common themes emerged: a shared skepticism of AI-generated authority, a preference for transparent and inspectable systems, and a desire for democratic agency in shaping how digital tools are used. While the Demonstrator was not embedded in formal decision-making structures, participants approached it more as a civic learning tool: one that encouraged them to interrogate technology, deliberate collectively, and envision alternative uses of AI.

## 6. Reflections on Uses of AI and Implications for Institutionalization

In this section, we reflect on the implications of our experiment for AI use in DMPs, focusing on how the case relates to the democratic and institutional goods framework. We also offer broader reflections on AI’s promise and limitations in DMPs, particularly regarding the institutionalization debate.

### 6.1. Inclusiveness

Although we did not control participant selection in the DDL project, inclusiveness—especially epistemic inclusiveness—was central to both deliberation and technology design. This involved making sure that diverse knowledge forms, including marginalized local and experiential perspectives, were represented.

Participants discussed whose voices were excluded from the data sources and how biases might be embedded in LLMs. In Kraków, for example, they debated the need for new democratic institutions to guide training data decisions and amplify overlooked voices. This highlights a broader issue: inclusion is dependent not only on AI access but also on how AI is trained and designed.

To foster algorithmic accountability, we made design decisions, such as profiling quizzes and data selection, transparent through the demonstrator's "metabolism." Although full inclusiveness was not achieved, the DDL considered it a core concern. By revealing how algorithmic systems shape knowledge and participation, the lab encouraged imagining more inclusive data and design approaches.

## **6.2. Popular Control**

A central aim of the DDL was to reconfigure the relationship between participants and technology by fostering popular control. Instead of letting technology steer deliberation, we sought to cultivate active agents who critically engaged with the tools provided. Drawing on Ratto's (2007) concept of "intra-action," we embedded frictions that encouraged participants to actively negotiate their relationship with the system, treating it as a contestable rather than seamless or neutral.

However, these frictions are never neutral. Who defines them—and why—holds power, and poorly designed frictions can become tools of manipulation. The DITL approach mitigates this by making design choices visible and, when possible, open to participant scrutiny and adjustment. This shifts control from the technology's hidden architecture to a shared space where participants can interrogate, influence, and reshape the interaction.

These frictions disrupted the default smooth, invisible tech integration, providing moments for participants to reassert control. This fostered agency within the participant–technology dynamic rather than imposing it externally.

## **6.3. Considered Judgement**

Friction was central to encouraging thoughtful judgment. Instead of prioritizing speed or quick solutions, the DDL built in pauses and interruptions to prompt reflection, inquiry, and contestation. This aligns with Dewey's (2011) notion of civic efficiency, which values slow, collaborative, and messy collective action as the foundation for democratic learning.

Techniques like single-prompt exercises and iterative critiques of AI outputs shifted the focus from immediate solutions to deeper understanding. These moments allowed participants to question assumptions, deliberate across differences, and engage in the reflective judgment Dewey (2011) saw as vital to democratic life.

## **6.4. Transparency**

In the DDL, transparency focused on enabling participants to understand how the technology was developed and used, not just on providing technical explanations. We made the Demonstrator's "metabolism" visible, showing decision points, roles, and how the system evolved. This allowed participants to see not only the



AI's outputs but also the human decisions behind them. The approach frames transparency in a democratic context, allowing participants to scrutinize and challenge the social and political aspects of how the technology was designed.

### **6.5. Efficiency**

Efficiency was not the DDL's primary goal, but it remains relevant. While AI promises to streamline deliberation, traditional efficiency often conflicts with deliberative quality. By intentionally slowing down the process through friction, we prioritized effectiveness over speed, creating opportunities for more thoughtful democratic engagement.

The case also highlights the continued importance of human facilitators. Although automation is proposed for scaling DMPs cost-effectively, the DDL—especially the DITL model—shows that human facilitation remains essential. Guiding discussions, managing discomfort, and supporting iterative critique are tasks that AI cannot (yet) perform.

AI can provide information, suggest directions, or moderate basic exchanges, but it does not have the sensitivity to recognize when confusion is productive, disagreements need unpacking, or emotional and social reflection are necessary. These core democratic facilitation tasks require human sensitivity and improvisation, which AI cannot perform without risking a flattening of deliberative depth.

### **6.6. Transferability**

When introducing AI into deliberative processes, a key question is how well it adapts to different contexts. In the DDL, the Demonstrator was translated into the three majority languages of participating countries. However, linguistic translation alone cannot guarantee transferability. As the case study shows, cultural and contextual differences shaped how participants engaged with the technology and data—participants in Kraków were wary of government-produced data, while some in Madrid were uncomfortable with specific news sources.

These differences underscore the risk of cultural blindness in technology development and deployment and the need for a strong cultural lens (Ahern et al., 2024) in both AI regulation and its integration into democratic processes across all geographic scales.

Although AI struggles with local contexts and languages, it does not limit its use to national-scale DMPs. Instead, it highlights the need for culturally sensitive adaptation to ensure relevance and acceptance at local, regional, and national levels.

### **6.7. Broader Reflections on Institutionalization**

The introduction of AI into DMPs lies at the heart of the institutionalization debate. Scholars have long noted the tension between institutionalizing DIs and preserving flexibility and creativity. While institutionalization ensures sustainability and adoption by embedding processes within existing governance structures, it can also reduce experimentation and critical contestation, which are essential for healthy deliberation. AI heightens this

tension, potentially turning participatory spaces into a technocratic mechanism that prioritizes efficiency over reflection and deliberation.

The DDL experiment illustrates this tension. It serves as a prototype for testing AI in deliberative processes while trying to preserve democratic goods. While AI promises efficiency and scalability, we argue that these benefits often diminish democratic engagement. In the DDL, AI was employed not for standardization or rapid decisions, but to support deliberation through deliberate friction—pauses, critiques, and iteration—ensuring space for critical engagement, reflection, and contestation. Accomplishing this, however, relied heavily on facilitation. The frictions embedded in the process occasionally made discussions slower or more complex, requiring facilitators to navigate participants through technical explanations, surface hidden assumptions, and maintain the productivity of the debates concerning the technology itself. This points to a broader design implication: a democratically effective application of AI in DMPs not only necessitates rethinking the deliberation format to integrate structured, critical reflection on the technology, but also requires facilitators with strong critical digital literacy. Such facilitators must be capable of questioning the technology as rigorously as the policy matter under discussion, ensuring that AI remains a tool for democratic reasoning rather than an invisible driver.

A central feature of the DDL was its flexible design, which adapted to cultural nuances and participants' specific interactions with the AI system. Rather than following a rigid script, the process evolved in a pre-considered direction, but dynamically through pauses, critiques, and iterative exercises. This flexibility afforded space for participant agency and intra-activity, fostering creativity and unanticipated outcomes essential to democratic goods in AI-supported deliberation.

Flexibility was protected by resisting early formalization. As DMPs scale, there is pressure to standardize them. The DDL pushed back against this, using AI to support rather than constrain deliberation. Continuous iteration kept the process adaptable, participatory, and resistant to being locked into a fixed model.

Finally, the DDL embedded mechanisms for reflection, contestation, and co-creation. Friction points enabled participants to assess AI outputs and challenge underlying assumptions, giving them agency to shape both the process and the technology. This ensured deliberation remained a participatory rather than technocratic process. Maintaining space for contestability kept the process responsive and creative, even with AI at the core.

### ***6.8. Implications of the Digital Democracy Lab Case Study***

Our case study suggests that while AI can help expand and institutionalize DMPs, it should be handled with caution. Implementing AI too quickly, without room for contestation, flexibility, and reflection, can harm deliberative quality. The DDL shows experimentation is essential to preserve democratic goods. Consequently, AI should not only speed up or optimize processes but also support deeper engagement that respects the complexity of deliberation and allows for ongoing adaptation. Balancing efficiency with democratic effectiveness is key to ensuring AI enhances rather than undermines fundamental democratic goods.

## 7. Conclusion

The introduction of AI into DIs presents both opportunities and challenges for institutionalization. Our DDL case shows AI can enhance the scale, efficiency, and accessibility of DMPs, but these benefits must be balanced against risks to the democratic goods that give such innovations their value. The DITL model—with its contestational design, meaningful frictions, and intra-activity—offers a promising way to advance technology without sacrificing democratic quality.

Our research indicates institutionalizing AI-embedded DIs requires more than just technical implementation; it demands thoughtful integration that maintains participant agency, critical reflection, contestation, and collective deliberation. Participants valued transparency and contestability over seamless efficiency and appreciated opportunities to scrutinize and shape AI systems. This highlights the need for designing democratic processes open to adaptation, critique, and ongoing negotiation of values.

Beyond DMPs, this research suggests a broader reconceptualization of institutionalization—not as standardization or formalization, but as embedding democratic reflexivity within socio-technical governance. This entails creating institutional arrangements that remain flexible, adaptable, and responsive to citizen input, not despite but because of their integration with AI. Meaningful frictions become essential features of effective, democratically legitimate institutions rather than obstacles to efficiency.

As DIs evolve alongside emerging technologies, further research should explore DITL principles across contexts and scales. Future work should examine how AI might be designed for more formal deliberative settings, how meaningful frictions can be made accessible to diverse participants, and how AI governance in democratic contexts can itself become more participatory and intra-active. These efforts are crucial for institutionalizing DIs that leverage technology while upholding democratic values.

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## Conflict of Interests

The authors declare no conflict of interests.

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# “More” or “Better” Institutionalization? Lessons From Latin American Institutions of Citizen Participation

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## Abstract

The longstanding debate around the trade-offs of formalizing institutions of citizen participation (ICPs) within legal frameworks is currently facing a revival with the spread of citizens’ assemblies. Among arguments in favor of “more” institutionalization, the expectation that it will protect ICPs from eventual political changes stands out. Among arguments against institutionalization, the fear of crystallizing certain “recipes” translates concerns that overly routinized institutions can be more easily manipulated. But what exactly does institutionalization entail? We offer three contributions to this conversation. First, we define institutionalization, identifying four constitutive dimensions: formalization, political embedding, professionalization, and social engagement. It is rare for any ICP to achieve high degrees of all four dimensions. Second, we propose four connected arguments: (a) the debate is not whether to institutionalize or not but about contextual configurations, (b) formalization alone does not guarantee the persistence or success of ICPs, (c) the extent and form of institutionalization will and should vary across ICPs and over time, and (d) if any single dimension of institutionalization stands out as crucial, it is political embedding. Third, we explore these ideas by analyzing three Latin American ICPs: popular initiatives (direct decision-making), participatory budgeting (deliberative decision-making), and sortition-based citizens’ assemblies (consultative deliberation).

## Keywords

citizen participation; deliberation; democratic innovations; direct democracy; Latin America; participatory budgeting; popular initiative citizens’ assemblies

## 1. Introduction

The spread of institutions aimed to promote, channel, or increase public participation beyond regular elections generates expectations for the revitalization of democracy, but it also raises concerns regarding their outcomes and potential misuses. While in Europe, the limited political outcomes of participation exercises are frequently emphasized (Spada & Ryan, 2017), in Latin America, a chief concern has been their instrumentalization (Balderacchi, 2017; Dagnino, 2007). In both regions, institutionalization is touted as a remedy—yet without consensus on what it entails or on whether and how it effectively tackles these challenges.

The longstanding debate around the trade-offs of formalizing institutionalization of citizen participation (ICP; i.e., democratic innovations) in more rigid legal frameworks is currently facing a revival in Western democracies, along with the growing popularity of citizens' assemblies (CAs) based on sortition. The expectation is that “more” institutionalization should grant stability to citizen participation, improve its quality and chances of policy impact (Lewanski, 2013, p. 2), and protect it from arbitrary decisions deriving from changing governments and ideologies (Avritzer, 2017). Sceptics, in turn, warn against the potential misuses of citizen participation. Participation may be merely symbolic (Lewanski, 2013) or disempowering (Welp, 2022); it can reinforce powerful leaders wishing to concentrate power, eroding checks and balances (Ruth et al., 2017); it can illegitimately displace political power from the many to the few (Lafont, 2019) or even challenge the legitimacy of electoral-representative institutions (López Maya, 2024).

But what does an ICP entail? Without a clear conceptualization of institutionalization, it is impossible to assess if it consistently results in meaningful and enduring citizen participation. We begin by exploring this question. The following section draws on the wealth of research and evidence from ICPs in Latin America, a critical context for this analysis given the region's longstanding tradition of highly diverse ICPs (c.f. Avritzer, 2017; McNulty, 2019; Pogrebinschi, 2023).

We bring three contributions to this debate. First, we propose a multidimensional framework to capture institutionalization that goes beyond legal prescription and regulation, defined in four dimensions: formalization, political embedding, professionalization, and social engagement. Second, we contend that the debate over whether to institutionalize participation or not is sterile. Some degree of institutionalization is clearly necessary, yet formalization alone does not guarantee the endurance or impact of ICPs, given elite resistance to sharing power. We argue that the extent and shape of institutionalization will and should vary across ICPs and over time, and that, if any single dimension of institutionalization stands out as crucial for engendering meaningful participation, it is political embedding. Third, we explore these ideas by examining three distinct ICPs: popular initiatives (direct decision-making), participatory budgeting (PB; deliberative decision-making), and sortition-based CAs (consultative deliberation). The third section of the article is devoted to analyzing these three types of ICPs. They were selected to capture variation in citizen authority, from binding outcomes to cooperation to advisory roles, and to examine what institutionalization entails in each type, from laws and dedicated funding and staffing to political party promotion and mass engagement to civil society “entrepreneurship.”

The fourth section presents our findings and discussion. Without neglecting the value and relevance of formalization, we argue that the addition of other dimensions of institutionalization is required for ICPs to

achieve both sustainability and impact without becoming instrumentalized. At a time when the foundations of representative democracy—free and fair elections—are under attack in many parts of the world, the notion that embedding new participatory institutions within democracy might be a quick and simple fix is misguided. After all, it took decades, if not centuries, for elites to accept the uncertainty of elections. Participatory institutions necessarily add new uncertainty insofar as they reduce elite control. Achieving consensus around such ICPs will be a difficult, arduous task. No “magic bullet” exists for sustainable, generative participation, and political context always matters. Latin America, a region ripe with political-institutional reform and socio-political volatility, critically demonstrates the relevance of context. The multidimensional framework we present can support future research in assessing how institutionalization may enable effective, enduring, and meaningful participation in different contexts, but also when and why it may fail to do so.

## 2. State of the Art

We define ICPs as state-sanctioned processes—regulated by law or implemented by national or subnational authorities—that enable citizens to engage in policymaking or governance beyond elections (see Smith, 2009). These institutions may be permanent or temporary, but exclude participation driven solely by civil society or private actors. Their forms vary based on who participates (e.g., individuals or civil society organizations) and how they engage—e.g., agenda-setting, deliberation, consultation, proposal development, decision-making, implementation, or oversight (Welp, 2022).

The diverse strategies used to expand participation include the creation of mixed partisan and citizen conventions chosen by lottery to develop proposals for constitutional reforms, as in Ireland (Farrell et al., 2016); participation in broad multi-channel deliberative processes, as in the G1000 in Belgium (Caluwaerts & Reuchamps, 2015); deployment of communal councils with the capacity to directly manage budgets, as in Venezuela (García-Guadilla, 2008); implementation of national public policy conferences and councils, as in Brazil (Romão et al., 2017); adoption of PB, as in numerous countries worldwide (Dias et al., 2021); use of social oversight committees as in Mexico (Isunza Vera & Gurza Lavalle, 2025); development of new technologies for digital citizen participation (Gilman & Peixoto, 2019); and traditional mechanisms of direct democracy (MDDs; Ruth-Lovell & Welp, 2024). The main strands can be grouped around their distinct form of participation: direct decision-making, deliberative co-creation and decision-making, and consultative deliberation. Table 1 below summarizes those three strands, the goal that citizen participation pursues, and typical examples.

**Table 1.** Forms of participation and types of ICPs.

Form of participation	Goal of participation	Examples
Direct decision-making	Ratify, reject, or propose laws or political decisions	Referendums, plebiscites, popular initiatives
Deliberative co-creation and decision-making	Propose, discuss, and vote to make decisions	PB, multi-level planning councils, national public policy conferences
Consultative deliberation	Discuss and propose non-binding recommendations	Constitutional deliberative assemblies, neighborhood committees, prior consultation, sortition-based CAs

Under each category, ICPs vary in design, scope, impact, and sustainability. While these formats exist globally, Latin America, where ICPs have multiplied since the transitions to democracy and are often enshrined in law, offers unique insights into how institutionalization unfolds—and fractures—in practice. This section reviews the state of the art on ICPs, outlining different conceptual approaches.

### ***2.1. The Evolution of Institutionalized Citizen Participation in Latin America***

The promotion of ICPs in Latin America has followed a contested and nonlinear path, shaped by shifting political agendas and democratization struggles. From their origins as top-down tools for legitimation in the early 20th century, when the most common forms of citizen participation were government-initiated plebiscites, to their embrace by social movements and constitutional reformers in the 1980s and 1990s, citizen participation has oscillated between empowerment and co-optation. We review three critical phases: the spread of direct democracy, the expansion of local experimentation in the post-transition decades, and the reforms that both enshrined and diluted participation in the 21st century, opening space for the emerging wave of CAs.

Mechanisms of direct democracy were largely absent from Latin America's early 19th-century constitutions. Their occasional activations were driven by leaders seeking to consolidate power. A shift took place in the early 20th century, as four countries held popular consultations: in Bolivia (1931), an authoritarian government sought legitimacy; in Peru (1919), Chile (1925), and Uruguay (1917), consultations were held to ratify constitutions. Until 1980, such direct democracy exercises remained sporadic—often serving to endorse constitutions or legitimize authoritarian regimes (e.g., Guatemala in 1935 and 1954; Venezuela and Colombia in 1957; see Ruth-Lovell & Welp, 2024). Uruguay is the sole exception, with direct democracy playing a prominent role since its introduction in 1917 and recently serving as a veto point utilized by social groups to oppose what they view as harmful public policy decisions (Lissidini, 2015).

In the 1980s, the democratization wave opened political systems to new forms of citizen engagement. Left-wing parties and social movements seeking to renew democracy “from within” promoted local-level participation, often aided by decentralization reforms that established direct municipal elections (Avritzer, 2017; Goldfrank, 2011). New electoral arenas opened space for local governments and civil society to experiment with new institutions, leading to the creation of PB and local councils. They were characterized by low institutionalization and depended on the political will of incumbents, flexible rules that evolved through deliberative processes, and a focus on consensus-building among different actors (Goldfrank & Welp, 2024). While PB and councils were widely adopted, their institutionalization varied significantly. Some cities, such as Porto Alegre in Brazil, integrated PB into municipal governance structures, whereas others adopted PB in limited ways as an expendable add-on prone to political shifts (Goldfrank, 2021).

From the 1990s onward, constitutional reforms advanced ICPs. Colombia (1991), Peru (1993), Venezuela (1999), and Ecuador (1998, 2008) incorporated participatory mechanisms into new constitutions, regulating direct democracy mechanisms (e.g., referendums, plebiscites) and deliberative-consultative instances promoting transparency and accountability (Breuer, 2011). In parallel, many countries advanced legislative frameworks introducing and even mandating citizen participation, such as Peru, Bolivia, and Guatemala (McNulty, 2019).

Despite such high formalization, the implementation of these mechanisms has remained limited or controlled by incumbents. Many ICPs initially hailed as democratizing tools struggled to achieve long-term sustainability. Challenges include: co-optation and manipulation, when governments use ICPs to reinforce control rather than expand citizen power (Balderacchi, 2017; Ruth-Lovell & Welp, 2024); lack of implementation, when even constitutionally enshrined mechanisms depend on executive commitment for implementation (Ruth et al., 2017); bureaucratic constraints, when institutionalized participation faces administrative inertia, limiting citizen influence on decision-making (McNulty, 2019); and participation-washing, when citizens are engaged for merely symbolic ends to legitimize existing policies, or when “lay citizens” are involved who effectively respond to a political party or sector (Ortiz, 2015).

Finally, in the past decade, democratic backsliding and autocratization have afflicted countries with robust participatory traditions, such as Venezuela (Mallén & García-Guadilla, 2017) and Brazil under Jair Bolsonaro (Bezerra et al., 2024), raising questions about the role of ICPs in spreading democratic values and protecting other democratic institutions. In this context, citizen participation promotion has increasingly relied on civil society and political activism. Newly introduced experiments include sortition-based CAs and collective mandates (Ross, 2024), less institutionalized and more bottom-up, potentially to circumvent established ICPs under political control or subject to dismantling (Cervellini et al., 2024).

## 2.2. The Debate on Institutionalization: Competing Perspectives

No scholarly consensus exists on the meaning of institutionalization, but it is often implicitly equated with formalization through state sponsorship. Most scholars conceive institutionalization as formalization through constitutional or legal entrenchment (Isunza Vera & Gurza Lavalle, 2025; Pogrebinschi & Ross, 2019). Pogrebinschi (2021, p. 30) maintains that institutionalizing democratic innovations requires legal codification, binding decisions, and stable resources to endure government changes. Yet formalization does not prevent misuse, as seen in Venezuela’s manipulated community councils (Balderacchi, 2017). Moreover, reducing institutionalization to formal regulation alone risks sidelining power struggles (Goldfrank, 2011; Welp, 2022).

Others adopt a broader perspective. Elstub and Escobar (2019, p. 7) frame institutionalization as embedding democratic innovations into a polity’s institutional landscape, including non-state actors. Warren (2007) emphasizes rule-based interactions that structure social action, while Avritzer (2017) critiques state-centric views, stressing citizen agency instead. Mayka and Abbott (2023) add that participatory institutions can either mobilize or demobilize citizens, reflecting varied political goals. Yet these conceptions lack specificity in terms of trajectories, defining elements, and expected outcomes of institutionalization.

These divergent views indicate the extent to which institutionalization remains a contested and context-dependent concept in participatory and deliberative democracy. We identify at least three shortcomings in existing approaches: (a) they rarely provide an explicit definition of institutionalization and what it entails, (b) they often conflate institutionalization with mere formalization, and (c) they typically do not acknowledge the diversity of ICPs and variation in their processes and outcomes.

To address these shortcomings, we define ICP as the process by which participatory practices become durable and legitimate through some level of *formalization* in laws and regulations, their *embedding* within political institutions and public agencies, their *professionalization* by trained staff applying standard practice, and their

rooting in *social engagement* driven by cultural practices, advocacy, and citizen demand. In the following segment, we advance a proposal to better capture the complex institutionalization trajectories of ICPs.

### 2.3. Institutionalization Beyond Formalization: A Multidimensional Approach

We propose a multidimensional approach to understand institutionalization, composed of four key dimensions defined in Table 2. We further provide a non-exhaustive list of some practices and actions that can constitute those dimensions (“potential elements”), which vary across ICPs. This framework allows us to move beyond definitions of institutionalization of ICPs as either “achieved” or “lacking.” We depart from the acknowledgment that ICPs can exhibit different degrees of institutionalization across these dimensions. A participatory process may be formalized in legislation but lack political embedding and social engagement or even professionalization, leading to ineffective or nonexistent implementation. Conversely, grassroots participation may achieve a degree of routinization and impact without formalization, relying mainly on social engagement; but with limited political embedding, it will remain vulnerable to partisan shifts.

**Table 2.** Dimensions of institutionalization.

Dimension	Definition	Potential Elements
Formalization	Citizen participation is enshrined in legislation or regulations, with the necessary infrastructure for implementation	Legislation, regulation, staffing, budget
Political embedding	Citizen participation is embedded in political institutions and public agencies and accepted by powerholders	Political party promotion, interagency collaboration, programmatic commitment
Professionalization	Citizen participation is designed, implemented, and assessed by practitioners and/or public officials with expertise and training	Training, practice standards, participation entrepreneurship
Social engagement	Citizen participation emerges from or responds to societal demand and is rooted in cultural practices, ensuring broad participation	Participation advocacy, popular demand, mass engagement

These dimensions may manifest through different combinations of elements in distinct ICPs. The following section takes three cases of ICPs in Latin America to illustrate how different combinations of elements across the four dimensions effectively occur and how they vary.

## 3. Examining Institutionalization in Practice

What does the ICP look like in practice? What are its main drivers and outcomes? We examine these questions applying the multidimensional framework to three types of ICP: popular initiatives as a form of MDDs, PB as a form of deliberative decision-making, and sortition-based CAs as a form of consultative deliberation. These cases are selected to reflect variation considering three factors.

First, the three types broadly correspond with the different moments in the evolution of participation in the region, reflecting the different moments of ICP promotion. As noted above in Section 2.1, MDDs were introduced in legislation and new constitutions both during the formation of republics and throughout the democratization process. PB emerged in the third wave of democratization, accompanying decentralization



processes and the reemergence of left-leaning parties in political competition. Finally, CAs are recent, with the earliest cases starting in 2017 and most taking place after 2020, reflecting developments in the Global North (Ross, 2024, p. 48).

Second, a variety of stakeholders have promoted and supported these three ICPs. MDDs were introduced via institutional reform with the support of political elites; PB was promoted first at the local level by left-leaning political parties with close links to social movements but later taken up by governments of all political orientations and supported by international organizations; CAs in the region generally have been introduced by civil society and practitioner organizations, with international professional support and philanthropic funding.

Third, each type of ICP pursues a distinct set of goals (see Table 1). MDDs allow citizens to set the political agenda via popular initiative or defer political decisions directly to citizens through referenda and plebiscites; PB historically aimed to redistribute public resources attending to territorial needs and priorities; while CAs seek to create protected environments for fair and equal participation, collective learning and reasoning, and the production of recommendations, although in a merely informative capacity.

### 3.1. Popular Initiatives

Mechanisms of direct democracy reshape power balances among political actors, making their adoption and implementation highly contentious. Executives may use referendums to bypass legislatures, while mandatory referendums or popular initiatives can challenge government agendas (Breuer, 2011). Today, Bolivia, Colombia, Costa Rica, Ecuador, Honduras, Mexico, Peru, Uruguay, and Venezuela permit citizen-initiated legislation (Ruth-Lovell & Welp, 2024). Despite—or perhaps because of—their potential to amplify citizen influence in policymaking, in practice, popular initiatives remain less common than top-down referendums triggered by public authorities.

In terms of *formalization*, while legislation of popular initiatives is a necessary condition for their activation, it is insufficient. The term “regulation” is key here: merely naming popular initiatives in the constitution does not automatically guarantee they can be used. Without specific procedural rules, citizen-initiated mechanisms cannot be activated, and legal requirements play a decisive role in shaping the effectiveness of direct democracy mechanisms. As Linares and Welp (2019) highlight, critical factors include:

- *Trigger mechanism*: Direct triggers (automatically put to a vote) versus indirect triggers (subject to legislative approval). When parliamentary approval is required, legislators often resist citizen initiatives they oppose, undermining the mechanism’s potential to channel counter-power.
- *Signature thresholds*: High requirements hinder activation, although other aspects could play a more relevant role (see Lissidini, 2015).
- *Time limits*: Strict deadlines complicate efforts to gather sufficient support. When signature requirements are high and timeframes short, successful completion becomes unlikely.
- *Quorum rules*: Some systems impose participation thresholds for validation. This creates incentives for demobilization strategies rather than campaigning, as seen in Colombia.
- *Thematic restrictions*: Many countries exclude fiscal or constitutional matters from citizen initiatives. Cases like Costa Rica (Raventós, 2020) and Mexico (Sandoval Alvarado, 2020) demonstrate how such exclusions limit the potential of popular initiatives.

- *Judicial review*: Pre- or post-signature constitutional scrutiny and ambiguities in procedural rules can obstruct popular initiatives, as illustrated by Ecuador's experience (Pozo Bahamonde, 2020).

Table 3 summarizes legal frameworks and implementation barriers in the region's 10 countries that allow popular initiatives.

**Table 3.** Popular initiatives in Latin America.

Country and year of introduction	Signatures required	Timeframe for collection	Thematic exclusions	Referendums held?
Bolivia (2009)	20% (recall referendum) 10% (legislative referendum)	90 days	Human rights, international treaties	Yes (2006)
Colombia (1991)	5% (agenda) 10% (referendum)	12 months (proactive) No deadline (reactive)	Fiscal, electoral, international relations, public order, human rights	Yes (2018, invalid due to low turnout)
Costa Rica (2002–2006)	5% of electoral roll	9 months	Budget, public spending, electoral matters, human rights	Yes, but finally promoted by the president (2007)
Ecuador (2008)	8% (constitutional) 5% (legislative)	No deadline (constitutional)	Structural state reforms, human rights, public spending	Yes (2023)
Honduras (1982, reforms debated)	No formal citizen initiative mechanism	N/A	Constitutional core matters	No
Mexico (2012)	2% of electoral roll	12 months	Budget, taxes, human rights, security, military, and electoral matters	Recall referendum in 2022 (and 4 blocked by the court in 2014)
Nicaragua (1987, reformed 1995 & 2000)	No binding citizen-initiated referendums	N/A	Electoral matters, public order, state organization	No
Peru (1993)	10% (constitutional) 0.3% → 10% (indirect)	No deadline	Human rights, taxes, budget, international treaties	Yes (2010)
Uruguay (1967)	10% (constitutional) 25% (repeal)	No deadline (constitutional) 5 months (repeal)	Bills exclusive to the executive	Yes, multiple times
Venezuela (1999)	15% (recall referendum) 10% (initiative for referendum)	180 days	Constitutionally ambiguous; broad powers given to the electoral council	Yes, recall (2004) and two attempts blocked (2016, 2022)

Source: Own elaboration based on Linares and Welp (2019).

Most countries display none or very few initiatives effectively advanced, with Uruguay representing the exception. Colombia and Mexico impose severe restrictions on referendum topics, and in Costa Rica and Ecuador, vague procedures have prevented many initiatives from reaching a vote.

This is due to the lack of *political embedding* of popular initiatives within institutions and public agencies, as most powerholders reject them. In Peru, legislative intervention distorts or halts initiatives. These are not just design flaws but reflect power struggles. High thresholds affect the viability of a procedure. Congressional veto power, as happens in Peru, can dilute or nullify proposals. Arbitrary limitations, as in Costa Rica, restrict initiatives to just one to three per period, which explains why so many initiatives never come to a vote. Overall, unclear legal frameworks allow powerholders to delay or prevent referendums.

Procedural hurdles translate into stark empirical disparities, as evidenced by activation rates across the region. A review of scholarship over the past two decades confirms that executive-triggered referendums dominate, while those initiated by citizens rarely reach a vote (Lissidini, 2015). Between 2000 and 2023, only 22 citizen-initiated processes completed signature collection across seven countries. Uruguay accounts for nine of these, all successfully voted upon. Of the remaining 13, only four went to a vote—Colombia 2018, Ecuador 2023, Peru 2010, and Venezuela 2004 (Welp & Whitehead, 2023).

In the best scenario of a high degree of *professionalization*, public officials can administratively support the activation of a popular initiative following unbiased standards; in the worst, co-opted institutions serve the political interests of the government. In some cases, electoral authorities and courts obstruct popular initiatives. Venezuela exemplifies this: recall referendums against Nicolás Maduro (2016, 2022) were blocked despite sufficient signatures. Similarly, Ecuador's constitutional court has delayed rulings, creating uncertainty about when referendums can proceed.

To activate a popular initiative, *social engagement* is key. People need to know of its existence, be able to follow the procedure, and trust in the results. Engagement means investing time in a process that often requires mobilization for months or even years. The Latin American experience with popular initiatives highlights that institutional design—both formal and informal—explains whether they function as genuine participatory tools or symbolic gestures. Countries with strong rule of law and political responsiveness (Uruguay) see more frequent citizen engagement in activations, whereas those with restrictive frameworks (Colombia, Mexico, Peru) inhibit it. Strengthening these mechanisms requires not just legal frameworks but also political will, institutional guarantees, and an active civil society capable of sustaining their use.

Ultimately, despite formalization, popular initiatives remain fragile tools whose effectiveness depends on clear rules, political guarantees, and sustained civic mobilization.

### 3.2. Participatory Budgeting

In the pioneering participatory experiments in Caracas, Montevideo, and Porto Alegre of the late 1980s and early 1990s, which all involved citizen engagement with local budgets, institutionalization emerged as a key question (Goldfrank, 2004, 2011). The new municipal administrations convened large public assemblies across neighborhoods to discuss local problems and prioritize needs with residents, but quickly realized they needed rules for organizing ongoing participation. The arguments in favor and against *formalizing* participation were

similar in each case. For those in favor, enshrining the new ICPs in law meant they would gain acceptance from a broader range of political parties and continue into future administrations regardless of electoral outcomes. For those opposed, *political embedding* and *social engagement* were more relevant, with some advocating that existing social movements should design their own ICPs without partisan interference, while others pushed for a collaborative option that would avoid opposition parties muting participant power.

In Caracas and Montevideo, incumbent parties spent years negotiating the rules with opposition politicians in the city legislature before finally passing laws that watered down the power of participants and guaranteed partisan positions in the resulting ICPs; in Caracas, after the next election, the new administration revoked the law. In Porto Alegre, incumbents instead focused on designing the process with the participants, granting them greater decision-making power and including the ability to revisit the internal rulebook each year, which allowed PB to expand over time. By the end of the 1990s, PB in Porto Alegre had achieved significant degrees of political embedding and social engagement, and eventually *professionalization*, without formalization in local or national legislation. One initial lesson was that formalizing PB in legislation guaranteed neither persistence nor impact.

In the 25 years since then, two trends have modified that lesson. The spread and institutionalization of a thin version of PB across the globe has demonstrated that formalization via national legislation is often associated with the persistence of ICPs over time, though not their impact. Gradual retreat and deinstitutionalization of PB in Porto Alegre and Brazil suggest that even for well-regarded ICPs, political embedding and social engagement can fade, perhaps especially in the absence of formalization.

Thousands of local governments have now adopted PB, particularly but not only in Latin America, and often as the result of formalization through national legal mandates. Table 4 illustrates that those countries with

**Table 4.** PB laws and current cases in Latin America.

Country	National law mandating or supporting PB (Year)	Number of municipalities with active PB (2018–2021)	Percentage of municipalities with active PB (2018–2021)
Argentina	—	61	3%
Brazil	—	32*	6%*
Chile	—	20	6%
Colombia	2015	120–130	11%
Costa Rica	—	8	10%
Dominican Rep.	2007	90	56%
Ecuador	2010	221	100%
Guatemala	—	3	1%
Mexico	—	16	1%
Panama	2015	1	1%
Paraguay	—	1	< 1%
Peru	2003	1,876	100%
Uruguay	—	7	8%

Notes: \*Number of cities with over 50,000 residents utilizing PB; in Brazil, there are roughly 580 such cities. Source: Own elaboration based on Dias et al. (2019, 2021) and Nickson (2011, p. 17).

national PB mandates have a greater number and higher percentage of cities implementing PB, except for Panama. In general, national PB laws prioritize formalization and professionalization, especially regulation and bureaucratic assessment of adherence to technical standards, but typically fail to engender broad social engagement and often political embedding at the local level, where professionalization also tends to lag.

Unlike the original Porto Alegre model of PB (which predominated in Brazil), elsewhere, powerholders frequently adopted regulations that limited the uncertainty of PB outcomes. Participation was often restricted to civil society organizations or specific neighborhoods rather than being open to all. Government or partisan officials received automatic seats, citizen input focused only on infrastructure projects, dedicated funds represented a minuscule part of the budget, and redistributive allocation formulas to benefit underserved communities were left out. While initial uptake of PB was neither uniform nor speedy, national laws mandating and regulating local-level PB in Latin America have proven more successful in making the process widespread and durable over time than local laws and then efforts to sustain PB without legislation. Nonetheless, perhaps unsurprisingly, the narrow form of PB that results generally has not led to the broad expansion of citizenship or democratic deepening expected by promoters (Goldfrank, 2021, pp. 129–134).

A partial exception to this pattern of low local political embedding and social engagement is Peru. Peru's national PB rules have evolved since they were first legislated in 2003, and the process has started to show surprisingly encouraging results in terms of pro-poor spending and citizen well-being in municipalities that implement it more robustly—i.e., that dedicate a larger share of the budget to PB for longer periods of time (Abbott et al., 2024). Allocating more funds through PB reflects local political decisions to go beyond the minimum requirements set by the (national) finance ministry. While mass engagement is not uniformly high across municipalities, roughly 150,000 members of local civic associations participate annually country-wide (Banco Mundial, 2010, p. 6). In countries where PB is not a national legal mandate, political embedding and social engagement vary even more across cities, with most processes not enduring once the initiating mayor or party is voted out and popular demand often fading over time.

This holds true even in PB's birthplace, Brazil. There, the number of municipalities implementing it has sharply declined. In the handful of cities where it still exists, PB has been hollowed out, including Porto Alegre. Without national legislation, PB expanded from 12 cities in the 1989–1992 term to a peak of 138 cities in the 2001–2004 term, yet then declined to a maximum of 43 cities holding PB at least once in the 2017–2020 term (Wampler & Goldfrank, 2022, p. 90). Even municipalities with long-standing PB processes, like Porto Alegre, Belo Horizonte, and Recife, saw declines in projects completed, budget share dedicated to PB, and mass engagement. The gradual weakening of PB in Belo Horizonte has been described as “deinstitutionalization” (Montambeault, 2019) and in Porto Alegre as “dedemocratization” (Müller & Fedozzi, 2024). The causes of decline in the number of cases and the quality of PB in Brazil are many (Wampler & Goldfrank, 2022). Three related to political embedding stand out. First, as new national fiscal rules reduced local flexibility and as mayors saw that the electoral benefits for implementing robust PB processes were minimal while administrative and budgetary costs were high, party promotion of and programmatic commitment to PB declined. Second, once the Partido dos Trabalhadores reached the presidency in 2003, it prioritized other participatory institutions (public policy conferences and councils) rather than PB despite having been the central architect and promoter of PB for the prior 15 years. And third, corruption scandals tarnished the Partido dos Trabalhadores brand, which had been linked to PB, creating a disincentive for mayors of all political stripes to adopt PB.

Once viewed as a “best practice,” PB is now on the decline in much, but not all, of Latin America. Formalization through national law has slowed or stopped, as has local-level diffusion. Both mandated and locally created PB processes are a far cry from the original more robust versions in Brazil. Mandated PB endures because of formalization and professionalization, but in a weak version that delivers too little power to participants to engender social engagement. Where “autochthonous” PB endures, it is because of lingering social engagement in the form of popular demand, built up in prior years when PB offered a meaningful channel of participation.

### 3.3. Citizens’ Assemblies

CAs based on sortition are new to the region. CAs are the most common form of deliberative mini-publics, meaning small deliberative forums carefully devised to achieve the “ideal conditions” for inclusive participation, equal voice, and the reasoned exchange of arguments (e.g., Smith, 2009, p. 2ff). Unlike other widespread forms of citizen deliberation, like self-convened popular assemblies, sortition-based CAs are intentionally organized and designed. Unlike popular or citizen-led deliberation, CAs usually entail: (a) the use of sortition, or “civic lottery,” to select participants; (b) information on the issue at hand accessible to all participants; (c) facilitated deliberation that ensures equal voice; and (d) some form of output that condenses citizens’ preferences and recommendations after their collective deliberations (Curato et al., 2021). In the Global North, scholars initially experimented with CAs as an attempt to operationalize the theoretical premises of deliberative democracy, as in the 2004 British Columbia Assembly (Warren, 2007) and deliberative polls (Fishkin, 2011).

In Latin America, however, CAs were first introduced as tried-and-tested methods following their popularity and expansion in the Global North—the so-called “deliberative wave” (OECD, 2021). The main driver behind their introduction has been *professionalization*, following the initiative of practitioners and policy entrepreneurs. The region’s first documented CA took place in Brazil in 2017, introduced by a practitioner organization in partnership with a municipal government. To date, 27 sortition-based assemblies have been documented in the region: one in Argentina, two in Mexico, five in Colombia, and 19 in Brazil. About two-thirds were implemented by practitioner organizations in partnership with a local government agency or public official and relying almost exclusively on international funding.

Latin American CAs are generally not *formalized*. In Brazil, where most CAs have occurred, the lack of formalization became a favorable factor for their uptake and expansion. Their promoters present CAs as an inclusive response to the offensive against ICPs under Jair Bolsonaro’s presidency (2019–2022). During that time, the national executive pursued an active policy of dismantling highly formalized ICPs like public policy councils (Bezerra et al., 2024). CAs were proposed as “a supplementary form of social involvement in the context of the participation crisis, especially given the deinstitutionalization of Brazilian participation spaces” (Cervellini et al., 2024, p. 740). As local, non-formalized, one-off initiatives, CAs were expected to circumvent the federal government’s hostility toward more established participation channels. As merely consultative instances that engage small numbers of individuals, CAs could pose a “lesser” threat to a hostile government than longstanding ICPs that demanded responsiveness from incumbents and which had historically engaged highly organized and mobilized sectors. In Mexico and Argentina, too, assemblies have been introduced outside of any regulatory framework, relying exclusively on practitioner entrepreneurship, international funding, and some receptivity from public officials.



In Colombia, formalization was achieved but ensued from both professionalization and *political embedding*. The first local case, Bogotá's Itinerant Citizens' Assembly, resulted from direct collaboration between practitioner organizations and the municipal government, and was developed in tandem between practitioner organizations, international and national funders, elected officials, and public servants. The CA's recruitment, selection, and operation processes are regulated in Executive Resolution 555/2020. While most CAs are one-off initiatives, Bogotá's Itinerant Assembly was envisioned from the start as a four-year cycle endeavor with potential for permanence. The first assembly took place in 2020–2021 (exceptionally online due to the Covid-19 pandemic), and each yearly iteration brought together a new group of randomly selected citizens to build on the previous year's results by (a) working with the prior cohort's recommendations and (b) incorporating a group of participants from the prior cohort in the new composition (OECD, 2021, p. 25). The Bogotá assembly met three times (2020–2021, 2022, 2023). In 2024, a new CA cycle was introduced—starting with a “meta-assembly,” which developed a regulation to be adopted by the Bogotá district government to establish a new four-year cycle CA.

**Table 5.** CAs in Latin America until 2024.

Country	Cases completed (+Planned)	Government support (+Planned)	International funding	Number of participants, range	Reported policy uptake
Brazil	19 (+ 2)	11 (+ 2)	13	9–50	4
Colombia	5 (+ 3)	5 (+ 3)	4	50–60	4
Mexico	2	1	1	40–50	—
Argentina	1	—	1	50	—

Note: Recurrent assemblies in Colombia are counted once per yearly cycle.

Brazilian CAs also evidence the relevance of political embedding. Over half of the implemented CAs have engaged municipal government representatives, public servants, or members of the city council who expressed interest in experimenting with the format, although the deliberative processes were designed and delivered by practitioners. In particular, public servants and elected representatives report interest in CAs given the lack of appropriate channels to advance climate policies—the policy area most CAs have tackled (see KNOCA, 2025)—under Bolsonaro's hostility towards environmental protection at the federal level and his party's growing electoral success nationwide at the municipal level. One elected official shared that “because of their environmentalist stance, it was virtually impossible to make progress on any legislation that deals with protecting the environment” in a Bolsonaro-controlled city, leading this councilor to seek support “from external actors” (Cervellini et al., 2024, p. 748).

Political embedding, however, does not mean policy change. Formalized or not, CAs generally struggle with producing and tracking policy impact (cf. Curato et al., 2021, pp. 105–115). In Brazil, CAs have been successfully conducted in partnership with public officials, building local capacity to host citizen deliberation, but the extent to which recommendations are acted upon remains difficult to document (Cervellini et al., 2024, pp. 744, 750). In Colombia, the assembly's recommendations are directly submitted to the City Council for consideration, but have no binding effects. The Mexican and Argentinean CAs do not report any policy impact on public officials or government institutions.

Promoters of CAs maintain that their added value lies in their inclusivity due to the use of sortition, or stratified random selection, which can help avoid “that only the same people have a voice in collective

discussions” and allows “for a more comprehensive view of existing positions in society” (Cervellini et al., 2024, p. 742). An additional argument is that CAs strengthen legitimacy due to their capacity to “help decision-makers...on difficult issues, that is, issues that involve polarized perceptions in society, or that involve ethical and/or moral sensitivities” (Cervellini et al., 2024, p. 742). Despite their inclusionary ethos, CAs remain uncommon in the Latin American ICP landscape. In the Global North, some social movements have demanded CAs as a mechanism to break political deadlocks, such as Extinction Rebellion, which promotes climate assemblies as the way to overcome political inaction and corporate interests preventing climate policy change. Such *social engagement* is not present in Latin America. The introduction of this ICP has relied exclusively on the initiative of professionals, international networks, and external funding. Indeed, the disconnect between CAs as “technical fixes” to participation, and mass movements and the public sphere, represents one of the longest-standing critiques of small-scale deliberative forums (Lafont, 2019; Welp, 2024).

In Latin America, where CAs have taken place, they have done so due to the professionalization of the participation sector, through the active promotion by practitioners, scholars, and civil society organizations, and the availability of dedicated international funding, which allowed local governments to advance the “experiment” without cost to public budgets. Despite some degree of political embedding via the receptiveness of individual public servants or elected representatives, most cases are not formalized, operate entirely outside of electoral-representative institutions, and lack direct policy impact. There is evidence of policy uptake of citizens’ recommendations only in seven cases, suggesting that professionalization and political embedding without formalization may not ensure the incorporation of citizen recommendations into policy or institutional action.

#### 4. Discussion and Conclusion: Revisiting the Debate on Institutionalization

Does institutionalization mean creating rules, structure, and regularity beyond fixing ICPs in legislation? Should ICPs always be enshrined in legislation, or should they remain open-ended so that they can be re-imagined and expanded over time?

Our evidence suggests that some degree of *formalization* in terms of creating rules and regularity is important for participation to become meaningful, but it needs to be coupled with consequential *political embedding*. Institutionalization does not necessarily have to entail legislating these rules locally or nationally. PB in Porto Alegre and many other places was never fully legislated but entailed a clear set of rules that enabled generative participation and, for a time, outstanding results. Popular initiatives, by contrast, cannot be activated unless legislation enables them, and yet even then they can be blocked when political actors refuse to “play by the rules.” At the same time, formalization alone does not lead to meaningful political change or policy action: the spread of CAs does not hinge on formalization but relies heavily on *professionalization* and political embedding.

Returning to the scholarly debate that, implicitly or explicitly, equates institutionalization of ICPs with formalization, we see arguments both in favor and against granting this dimension such centrality. The main argument in favor of formalizing ICPs in law assumes that this will ensure the transparency, clarity, and durability of participation over time, protecting citizen participation and making it more difficult for governments or politicians to manipulate participation to their advantage or eliminate it. Our study demonstrates several shortcomings in such an argument. First, legislation can lead to reducing participants’

power to design their own institutions, potentially enabling politicians, technocrats, or professional practitioners to dominate. Second, in Latin America, as everywhere else, laws often go unheeded; ICPs enshrined in law may rarely or never be put into practice or may lack substantial impact. Third, excessive formalization may result in subsequent governments performing a simulacrum of participation—following the rules without meaningful engagement—because the ICP may reflect a different government’s ideological commitment. In all these scenarios, ICPs are unlikely to produce their expected results and may instead lead to citizens becoming more disenchanted with democracy.

Rules and routinization are both fundamental and insufficient for an ICP’s successful institutionalization. We find instead that political embedding plays the biggest role in the introduction, sustainability, or demise of ICPs. Power struggles take place in a given context, which shapes the alternatives to resolve social and political conflict. Disputes can be ended by force, can be violent, or can be channeled through institutional frameworks. For this reason, although the rules of the game must be modified and adapted over time, respect for the existing rules and/or broad agreements to change them are fundamental to avoid authoritarian drifts.

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### Conflict of Interests

The authors declare no conflict of interests.

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ARTICLE

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# The Legal Institutionalisation of Public Deliberation and the Embeddedness in the Democratic System: The Italian Case

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## Abstract

Over the last few decades, the setting up of deliberative processes has gained prominence in many democratic countries. These processes, which can be considered as small parentheses in longer and complex policy-making processes, are designed and managed so that citizens can discuss and confront a plurality of viewpoints and arguments together with politicians, public officials, experts, and stakeholders, and can then convey reasoned recommendations to improve the design and implementation of public policies. Research on deliberative democracy has dealt with several issues pertaining to the quality, legitimacy, effectiveness, and sustainability of these democratic innovations. One of the issues that has attracted the attention of scholars concerns the legal institutionalisation of these practices, a recent and controversial phenomenon, which could strengthen or weaken the embeddedness of public deliberation in democratic systems. This article is aimed at addressing the issue of whether legal institutionalisation helps to embed public deliberation in democratic systems. It presents the findings of an empirical analysis of Italian deliberative processes, where a legislative framework made so-called “public debates” compulsory throughout the national territory between 2021 and 2023. Thereafter, in 2023, a new reform was introduced that substantially dismantled the policy. The short parabola of Italian public debates on major public works offers an opportunity to analyse the short-term effects of legal institutionalisation. The empirical findings of this case study suggest that the legal institutionalisation of public deliberation involves several trade-offs in the short term, so that embeddedness may be strengthened and weakened at the same time.

## Keywords

deliberation; institutionalisation; mini-publics; participation; public debates

## 1. Introduction

The scholarly debate on public deliberation has evolved over the years towards the concept of a deliberative system (Landwehr & Schäfer, 2025; Mansbridge et al., 2012; Parkinson & Mansbridge, 2012). Within this framework, one of the most debated issues today is the *legal institutionalisation* of public deliberation (Bherer et al., 2021; Courant, 2022). Interest in this phenomenon is also growing because several experts, professionals, and representatives of civil society organizations have begun to advocate for it as a response to the crisis of representative democracy (Abels et al., 2022; Chvalisz, 2021). This recent movement towards the legal institutionalisation of deliberative practices stems from the belief that the *embeddedness* of public deliberation in contemporary democracies, i.e., the capacity to “sit in a productive relation to the other institutions of the deliberative system” (Bussu et al., 2022, p. 137), also requires the codification of formal rules aimed at encouraging or imposing the implementation of deliberative processes to support public decisions. However, institutionalisation can fail in this endeavour and can even work against it (Bussu et al., 2022; Courant, 2021; Dean et al., 2020; Johnson, 2015).

This article aims to contribute to this debate by discussing the findings of an empirical research on the legal institutionalisation of Italian public debates on major public works. The Italian government institutionalised public debates through a new legal framework that was implemented between 2021 and 2024. The research has been conducted to address the following main research question: Did this legal institutionalisation help to embed public deliberation in the national and local infrastructure and transport policy-making systems? It is possible to state that no case of legal institutionalisation is currently truly comparable with any other one, given the variety of combinations of regulatory, constitutive, and incentive components of the existing regulatory frameworks. The Italian case is unique when compared to such contexts as Denmark, Belgium, Ireland, and Australia. However, the legal institutionalisation of public deliberation has often resulted from policy transfer processes from one context to another. Participatory budgeting was first trialled in Porto Alegre and then inspired hundreds of other cities and regions in South America and around the world; the French law on *débats publics* was inspired by the Canadian law on *audiences publiques*; some Spanish regional laws were inspired by the Italian regional legislation of Tuscany; and the Italian law itself was clearly influenced by the French law and the previous institutionalisation experience in Tuscany (Bherer et al., 2021; Dias, 2014; Font et al., 2014;). Consequently, analysing the Italian case can be useful to give insights for future attempts to institutionalize public deliberation. Moreover, Italy is currently the only example of short-duration legal institutionalisation and can therefore be useful to reflect on the short-term effects that would be difficult to detect in other contexts characterised by a more consolidated legal framework.

The analysis has been conducted by combining a three-year-long ethnographic research (Curato & Doerr, 2022; Escobar, 2017) during the implementation of the law with semi-structured interviews with public debate coordinators and the chief planners of construction companies immediately after the dismantling of the legal framework.

This article begins with a theoretical background on the concept of institutionalisation and goes on to explore the current debate regarding the implications of the legal institutionalisation and its relationship with the concept of embeddedness. The second section presents the research design and methodology, while Section 3 describes the legal institutionalisation that was in force in Italy from 2021 to 2024. The subsequent two sections present the main research findings, which are summarised in the concluding section.

## 2. Institutionalising Public Deliberation: An Open Debate

Institutionalisation is generally understood as a social process in which certain principles of conduct are internalised and socialised. This process gives meaning to actions and helps define objectives and methods (Bell, 1973; Eisenstadt, 1964; Parsons, 1990). It involves the cultural assimilation of values and social norms, which occurs through learning and requires time to develop fully. However, Weber (1922) used the term to refer to the authoritative establishment of principles or types of behaviour through the introduction of norms or the creation of public organisations aimed at promoting and protecting these principles and behaviour. Since then, the term has also been used in this sense. The expression “institutionalisation of public deliberation” has recently been used by most deliberation scholars to refer to its legal meaning, i.e., the adoption of laws that introduce specific rights for public participation and deliberation and/or that incentivise/obligate the realisation of participatory-deliberative processes to integrate policy making. Deliberative processes are usually “one-off and *ad hoc*” (Bussu et al., 2022, p. 137; Ravazzi, 2023), but their legal institutionalisation has become central in the scientific debate, and the few real legal frameworks on deliberative democracy (Abizadeh, 2020; Bächtiger & Goldberg, 2020; Chvalisz, 2021) have become a controversial piece.

In this context, Denmark was the first country to institutionalise public deliberation in policy making (in 1986 with the Danish Board of Technology), followed by France (in 1995 with the Barnier law on *Débats Publics*) (Fourniau, 2011; Revel et al., 2007) and finally by Australia, Belgium, and Austria (Chvalisz, 2021; Niessen & Reuchamps, 2019). Italy introduced a normative framework for public debates on major public works in 2016 in the wake of the French experience, but the real implementation of public debates started in 2021 (Citroni, 2024).

According to some scholars, legal institutionalisation promotes cultural institutionalisation through the so-called embedding process (Abizadeh, 2020; Allegretti et al., 2021; Bächtiger & Goldberg, 2020; Bherer et al., 2021; Buchstein, 2010; Courant, 2022; Escobar, 2017; Fagotto & Fung, 2014; Gastil & Wright, 2019). *Embeddedness* develops when deliberative processes are regularly repeated over time (*temporal embeddedness*), encompass—i.e., span several policy issues and connect them to broader civil society (*spatial embeddedness*)—envisage different possible forms (*practice embeddedness*), and manage to affect policies (*policy effectiveness*). Regularity or frequency should improve the alignment between the logic of policy makers and the needs of civil society; the application of public deliberation to different issues should favour the anchoring of deliberation in the community; and the heterogeneity of the designs should help to adapt public deliberation to different contexts and issues (Bussu et al., 2022). From a critical perspective, other scholars have warned about the risks of legal institutionalisation: “sterilisation,” i.e., a tendency to plan and realise such practices in order to merely fulfil normative dictates (Lewanski, 2013, p. 14), and routinisation (Smith, 2018). Sterilisation can have two main consequences: first, it can lead to a loss of sight of the purpose that deliberative processes are supposed to serve; and, second, it can weaken the tailored approach that should allow deliberative processes to be designed and implemented specifically according to the characteristics of the context and the issue under discussion (Davidson & Stark, 2011). Routinising deliberative processes in policy making can generate standardisation of the processes and weaken that “rational disorganisation” effect that they usually exert on political and administrative systems, which usually helps to boost creativity and innovation (Dzur, 2012, 306). These risks can weaken both temporal and practice embeddedness by somehow depriving public deliberation of its innovative and generative nature.

The following sections will show that, at least in the short term, the legal institutionalization of public deliberation can both reinforce and undermine its embeddedness in a democratic system.

### 3. Research Design and Methodology

The Italian case of legal institutionalisation was characterised by certain distinctive features. First, it was a regulatory policy that introduced the *obligation* of carrying out deliberative processes during the planning of major works and the obligation of construction companies to present a new project at the end of the public debate, in which they gave a detailed justification of the final design choices and reasoned responses to citizens' criticisms and suggestions (Citroni, 2024). Therefore, in terms of empowerment, the Italian case differed, for example, from the Belgian one, which provides for a permanent citizen council that is responsible for organising three citizen panels each year on relevant issues, but which does not oblige any public institution to take on board the recommendations made by the panels (Chvalisz, 2021). Second, the National Commission created by Italian law had no direct power to initiate or set up deliberative processes at the local level, and it only had the power to monitor and report to parliament. From the autonomy perspective, the Italian case differed from the French one in that the independent Italian authority has less control and capacity to intervene (Revel et al., 2007).

Overall, looking at the cases of legal institutionalisation mapped out in Chvalisz (2021), they could be placed along a continuum that goes from the softest forms (when the law establishes the right to participate in policy making or allows the initiation of a deliberative process to be requested through a sign-in) to the most binding forms (when the law introduces one or more obligations, such as the obligation to realise deliberative processes for specific policy issues or to create public organisations that are responsible for the realisation of deliberative processes or even to comply with specific methodological criteria). Since each case is characterised by particular features, none seems comparable to the others and can be somewhat considered unique. However, most of them are partly connected as the various laws were formulated by taking a leaf out of the other existing experiences' books (Chvalisz, 2021; Citroni, 2024; Ravazzi, 2017; Smith, 2018). From this perspective, the Italian case seems useful both to reflect on its specificity (the short-term legal institutionalisation) and on more general aspects that could become a source of inspiration for other future attempts at institutionalisation.

The research involved gathering information through ethnographic fieldwork and semi-structured interviews with key informants. The ethnographic research was carried out from January 2021 to December 2023 in the National Commission of Public Debates (NCPD), where I was nominated by the Minister of Transport and Infrastructures as a member together with other eight members. Observing social and political phenomena from behind the scenes carries the risk of identifying with the protagonists of the story and of narrowing one's perspective, but also allows certain aspects and dynamics to be observed that would not be visible from the outside (Hammersley, 2006). Indeed, being a member of the NCPD allowed me to participate in nine joint sessions of the NCPD and a dozen section meetings, to have 13 informal conversations with NCPD members and experts involved as consultants, to conduct over 100 hours of participant observation in public debates, to analyse 48 internal documents, and to consult four draft decrees of the minister and drafts of the reforms of the law. Moreover, observing the processes within the NCPD allowed me to listen to the discussions triggered by the legislation within the parliamentary context and among the bureaucrats and experts who interacted with the ministry of infrastructure and the council of state from backstage.

Details about the material produced as a member of the NCPD (the minutes of the plenary meetings and of the section I coordinated, and the contents of the monitoring reports) are not used for the analysis, for obvious reasons of professional ethics and confidentiality regarding the work carried out within the NCPD, but this material helped me identify some key issues on which to focus during the second phase of the inquiry. I complemented the ethnographic research with semi-structured interviews with the public debate coordinators and the chief planners who were involved in all of the 16 public debates: 11 public participation professionals and 7 chief planners. The research would also have benefited from interviews with civil society actors who had participated in public debates, but, during my tenure as an NCPD commissioner, I was not allowed to conduct academic research during public debates, and, at the end of my term, it was not possible to trace the identities of the participants. The interviewees were asked to address issues such as their relationships with clients, their methods and techniques, and the social and political dynamics within the deliberative processes, by comparing their experiences before, during, and after the implementation of the national law. Similarly, the chief planners were asked to compare the engineers' approaches to planning and their modes of interaction with local communities before, during, and after the implementation of the law.

As a final validation of the collected empirical evidence and of my analytical interpretation, I presented a synthesis of my findings to all the interviewees and asked them whether they agreed with my interpretations concerning their contributions and comments. All the points of my analytical interpretation were fully approved by all the interviewees, except for one point, which I then slightly reframed, thanks to some further information from two public participation professionals. This point (concerning the impact of institutionalisation on the legitimisation of the expertise of public participation professionals) was then approved by all the interviewees.

#### 4. The Institutionalisation of Public Debates on Major Public Works in Italy

The process that led to the legal institutionalisation of public debates on major public works in Italy was undoubtedly inspired to a great extent by the French experience. Italy first held two public debates in 2007 and 2009 (Bobbio, 2010; Floridia, 2008; Pomatto, 2020) and some Italian regions introduced specific laws to promote public participation at the local level (Tuscany in 2007, Emilia-Romagna in 2010, and Apulia and Sicily a few years later), but it was only in 2016 that the Italian Parliament intervened with Law No.50, which introduced the compulsory nature of public debates. It also made it obligatory for the public administrations and private companies responsible for the design and construction of infrastructures to pay for the realisation of the public debates and to allow public participation professionals to design and manage the processes. The law also established the creation of the NCPD, which was tasked with supervising and monitoring the effective implementation of the law. The Italian commission was created with different functions from the French commission, which, for decades, has played a direct role in activating, organising, and supervising *débats publics* through the Commissions Particulières du Débat Public. In 2018, the president of the council of ministers issued the executive decree No.76, which established the modalities for the application of Law 50/2016, the status and functions of the NCPD, the thresholds above which the public debate should be applied (specific cost thresholds were established for different kinds of infrastructure, ranging from €50 million for sea and coastal defense works to €500 million for motorways and railway sections), the activation procedure, and the connection with other public consultation procedures, such as the Strategic Environmental Assessment. However, the effective appointment of the

NCPD did not come about until the end of 2020, with Ministerial Decree No. 627, and thus the first public debates regulated by the national law only started in 2021.

This normative framework prefigured a policy that was characterised by certain regulatory elements—the compulsoriness of public debates and their financing by construction companies—and some constitutive ones—the creation of the NCPD and the definition of public debates as administrative procedures (Lowi, 1972). It was mainly focused on the principles of transparency and participation, but did not define them in terms of informed judgment and inclusion rights. However, public debate exhibited clear deliberative traits. First, a public presentation phase of the project and design alternatives were required to convey information in a way that was understandable to non-experts. In addition, the entire discussion process was required to guarantee full publicity and access to information about the project, the public debate process, the actors involved, and the results of the design phase. Professional management of public debates was required by law, and this led to processes that were ultimately designed and managed by public participation professionals. The law also required people to discuss each infrastructure, its alternatives, and its impacts, and to provide policy-makers with justified criticisms and recommendations. The law did not mention random selection as a necessary or privileged method to select participants. This could be seen by some scholars as an aspect that made Italian public debates less deliberative than others (Escobar & Henderson, 2024; Grönlund et al., 2015). However, this presumed and inseparable link between deliberation and randomness has no clear ground, since many empirical studies have demonstrated that the deliberative ideals (equal expression of viewpoints, information sharing, exchange of arguments, and search for highly shared solutions) may be reached through a variety of methods, settings, and techniques (Schwarz, 2016; Steiner et al., 2017), and that random selection could even be less effective than other recruitment methods (Parkinson, 2006; Ravazzi & Pomatto, 2014). The law also required construction companies to submit a new project dossier after the public debate, in which they had to provide detailed explanations as to why any criticisms and suggestions made by the local communities had not been taken on board.

After only three years of implementation and 16 public debates effectively realised (see Table 1), the national government intervened with a new reform of the Public Contract Code in 2023. This reform declassified public debates into mere procedures to access project documents and substantially cancelled the deliberative traits that had been envisaged in the previous legislation. The sudden termination of the legal institutionalisation left many members of civil society, academics, and public participation professionals astonished, but the technicians and managers of construction companies also declared their disappointment with the reform. Several public participation professionals and academics, together with some politicians, protested publicly, but the new governing majority did not listen to their arguments or motivations. As emerged during informal discussions held during the ethnographic research, the Council of State appears to have played a leading role in this reform, without being aware of the public deliberation theory or the effective implementation of public debates. However, the real background to the dynamics of this reform process remains unknown.



**Table 1.** The Italian public debates set up under Law 50/2016.

Infrastructure	Subject of discussion	Implementation
1. Trento Railway ring	feasibility project	2021
2. “Garganica” road	feasibility document of project alternatives	2021
3. New tram line in Padua	feasibility project	2021
4. “Mediterranean” high-speed road	feasibility document of project alternatives	2022
5. Florence Airport expansion	feasibility project	2022
6. Rome Railway ring	feasibility project	2022
7. Salerno–Reggio Calabria high-speed railway 1	feasibility project	2022
8. “Adriatica” road	feasibility project	2022
9. Gela–Agrigento road	feasibility document of project alternatives	2022
10. Orte–Falconara railway	feasibility project	2022
11. Doubling of the Rome–Pescara railway	feasibility project	2022
12. Quadrupling of the Tortona–Voghera railway	feasibility project	2023
13. Caserta–Benevento connecting road	feasibility project	2023
14. Salerno–Reggio Calabria high-speed railway 2	feasibility project	2023
15. New Milan–Inter stadium	feasibility project	2023
16. Battipaglia–Romagnano railway	feasibility project	2023

## 5. Strengthening Embeddedness

The public debate regulation led the institutional actors (project managers, political representatives, and technicians) to consider the interaction with local communities as something that had to be *managed*, thereby fostering a certain predisposition towards the approach of cultivating conflicts, instead of dulling them (Dubiel, 1998). In short, the introduction of an official and compulsory procedure encouraged institutional actors to take collaborative governance and its management seriously. Some public debate coordinators described this change in attitude by recalling concrete and tangible differences between the deliberative processes held before the implementation of the Law and during the public debate season:

I have been running deliberative processes for decades. I have dealt with managers and technicians of large companies and been called upon to confront stakeholders and citizens several times. The staff of these large companies were always relatively cooperative, but you could clearly perceive that most of them didn't take the interaction with ordinary citizens seriously, that is, they didn't believe in it or consider it important. I'm not saying that, with the introduction of the 50/2016 Law, managers and technicians started to believe in the usefulness of these practices, but I perceived a clear change in attitude. The management of relations with local stakeholders and ordinary citizens suddenly became an official and structured process and therefore, in their eyes, worthy of respect and seriousness, worthy of attention and commitment. (I.2)

The legislation did not change our way of working very much, but it gave us a capital of authority, freeing us from building it up step by step over time and through long interactions and negotiations with clients. (I.6)

I would say that one clear effect was the recognition, by the construction company designers, that managing discussions with citizens was something serious and professional. I remember that the planners refused to confront citizens directly in two previous deliberative processes on public works, and in another case, when we managed to get them around the table with residents and stakeholders, their commitment was far less professional than that of the planners I worked with in the 2022 public debate. (I. 19)

This change in perspective of some of the institutional policy makers also led them to have a more conscious recognition of the role of public participation professionals, not only as generic guarantors of informed and dialogic public participation, but also as “professionals of quality deliberation” (I.1), who were capable of implementing methods, techniques and strategies that were apt for the context, the objective and the issues at stake, just like any other professional. Most of them exercised all the leeways that the executive decree gave to pick holes in the works of the planners, raising criticisms on several initial project dossiers because of the complexity of the language or the unbalance of the contents, and asking the professionals of the companies to change sentences and even entire parts. The chief planners agreed to change the project dossiers in 14 out of 16 cases. However, even in the cases in which some resistance arose, it was dealt with by the public participation professionals. One of them recognised that before the law, “pressure or resistance by the clients was dealt with through long and difficult negotiations. With the new legal framework, we were able to protect the processes simply by mentioning the law and its principles” (I.10).

The stronger commitment of institutional policy makers probably also emerged as an indirect effect of the legal institutionalisation process, because the introduction of the new legal framework led to numerous dissemination, information, and awareness-raising activities. During the three years in which the legislation was implemented, many occasions of dissemination about deliberative processes arose: debates in parliamentary commissions; parliamentary and ministerial hearings with experts; seminars and conferences promoted by civil society actors, universities, and parties; articles in the mass and social media; and training/updating courses for public officials. Environmental associations, the Italian committee of the World Road Association, and the Italian section of the International Association for Public Participation also organised several meetings, together with other professional associations, to discuss and reflect on the characteristics of the Italian regulatory framework and on concluded or still ongoing public debates. In three years, a device that had previously only been known to a few specialists became known among politicians, bureaucrats, and members of associations.

Although some public participation professionals pointed out that the new national law helped them in their relationships with citizens and stakeholders, compared to the pre-law period, others did not highlight any difference between the institutionalisation period and the pre- and post-law periods, and this issue therefore still remains open. Public participation professionals are often viewed with suspicion by the most critical fringes of civil society: being hired directly by public administrations and working in close contact with policy makers, they are frequently accused of bias and collusion with those in power. Moreover, Law 50/2016 certainly did not help to dispel these fears, as it provided that public participation

professionals were to be hired and paid by construction companies and that the NCPD would only have substitute powers in exceptional circumstances.

The legitimisation of conflict management and public deliberation by the chief planners helped to at least increase the practice dimension of the embeddedness process, since the design of almost all public debates was formulated in a highly autonomous manner from the construction companies, and this led to the setting up of diversified methods (world cafés, open space technologies, focus groups, question-and-answer sessions, technical working tables, etc.) and techniques (post-it, visual facilitation, planning for real, participatory inspections of the sites, etc.).

Moreover, the legal institutionalisation of public debates helped to increase their influence on final projects, compared to the pre-law period. This influence was recognised by chief planners and local politicians. One project manager recalled that:

Finally, we were able to tell those mayors who were trying to backtrack on certain aspects of the project that they couldn't do it, because the law had provided a specific and official window of discussion, that is, public debate meetings. (I.14)

One coordinator recalled that a mayor mentioned that:

Now we feel more protected from the large construction companies, which usually invade our territory with the power of their skilled staff and the money they offer for project development.... In the end, they have to listen to us because everything is written down in black and white and is lodged on the table of the Conference of Services.....You can't hide from what is published and written in official documents. (I.5)

An analysis of the coordinators' conclusive reports reveals that no project was radically contested; however, citizens and local stakeholders frequently voiced specific criticisms and requests for changes. No projects were radically changed, but most of the technically feasible proposals for adaptation, partial modification, and/or additional measures that emerged during the local meetings were accepted by most of the construction companies: various changes to motorway and road stretches (public debates nos. 2, 4, 8, 9 and 13), environmental compensation measures (public debates nos. 14 and 16), cancellation of railway stations and slight diversions of railway layouts (public debates nos. 1, 6, 10, 11 and 12), changes of urban integration works (public debates nos. 5 and 13), and even one cancellation of an entire section of work planned as a derogation from the regulations on protected areas (public debate n. 2). According to the public participation professionals, the projects that have undergone the fewest changes are those related to railways, partly due to the inflexibility of railway company engineers and partly due to the objective limitations of railway design, which is subject to such a large number of structural and legal constraints that the engineers' freedom of design itself is limited.

Several modifications were incorporated by the engineers and designers during the public meetings, even before the final dossiers had been written, thanks above all to repeated interactions with the local communities, which partly changed the engineers' perspectives. The design of a major project normally follows the national guidelines drawn up for the evaluation of investments in public works. Indeed,

construction companies, which have to follow some basic inputs from the political system, are usually charged with formulating infrastructural project ideas (a new highway stretch, a new energy plant, the doubling of a railway line, etc.). The ministry of infrastructure signs three-year agreements with these companies on the basis of their project ideas and then establishes indicative budgets. The project ideas are then developed into project hypotheses on the basis of the characteristics of the infrastructure, the orographic characteristics of the territory, and the physical and structural constraints of the environment. Subsequently, these hypotheses are refined considering more specific constraints, such as hydraulic and landscape constraints, and different layout or location options are formulated, thereby generating what is called a feasibility document of project alternatives. The construction costs are estimated for each alternative, and cost-benefit and multi-criteria analyses are carried out to compare them. The best option is identified on the basis of these estimates and is screened, through further analyses, to find the most precise definition of the structural characteristics, and of the impact on the territory and the costs, thereby transforming the feasibility document of project alternatives into a feasibility project. At this point, the feasibility project is presented to the local institutional organisations that are responsible for granting authorisations and which can ask for ancillary works to integrate the infrastructure into the territory. Once they have given their approval, the project is submitted to the ministry of the environment (for an environmental impact assessment) and the ministry of culture (for a review of any architectural and archaeological encumbrances). All these planning stages are carried out using information and data that are mainly obtained from specialist literature and public administration archives. According to this model, planners and project managers are required to be professional, technically competent, and efficient, but are not required to put themselves in the shoes of the inhabitants of the areas where the infrastructure and construction sites are to be located.

The new regulation forced designers to come to terms with their “insensitivity” towards the needs and perspectives of local stakeholders and residents, meeting after meeting and public debate after public debate. This generated some gradual changes in their ways of approaching local communities and in their ways of planning infrastructural projects.

First, having to explain the characteristics of public works, the underlying motivations and results of their assessments and forecasts to stakeholders and citizens gradually led some designers to develop what Bartels (2015, p. 6) called a “communicative capacity,” namely “the ability to recognise and break habitual patterns of communication by adapting the nature, tone and conditions of conversations to the law of the situation.” According to the interviewees, it was mainly those who took part in several meetings, and in particular in more than one public debate, who developed a greater awareness of the need to translate technical language into a more conversational style, albeit without losing insight and richness. As two coordinators recalled:

When planners confronted with citizens, they came out of the first meetings terrified, because they had received very challenging questions and comments. You can stay in your office in Rome or Milan and everything is fine, but when you make contact with local people, sooner or later you'll meet “Mrs Mary” next door, who seems innocent and harmless, but who can give you a hard time. Less sensitive and more rigid planners returned to the next meetings much better prepared to avoid making a fool of themselves; more sensitive and thoughtful planners returned not only better prepared about the project features and their implications, but also better able to explain them in understandable terms, and more curious and willing to listen to what the fantastic Mrs Mary had to say. (I.10)

In several cases, it was the citizens themselves who made the planners realise the uselessness of their ultra-technical and hermetic language, forcing them to translate for non-experts. During a meeting on expropriations, a citizen mocked the project manager for his complicated jargon: “To find out how many houses you’re going to expropriate, shall I have to ask you how many nests of the bipedal mammal you’re going to destroy?” (I.4)

An analogous interpretation of a certain evolution of the communicative capacity of planners and engineers, but even of local politicians, also arose from the chief planners of the construction companies. The following quotations are representative of a shared viewpoint:

In my opinion, forcing interaction with local people was very useful for even the most rigid and obtuse designers, because it forced us to confront our inability to communicate and made us think. However, we would have needed a few more years of systematic application of this law to see the concrete effects on our communicative capacity. (I.12)

In the beginning, we presented the project outlines, but they weren’t understandable to ordinary people. By forcing us to meet citizens, the law somehow forced us to change our ability to communicate the infrastructure we were designing. So, little by little, instead of saying ‘livelletta’ (a technical word meaning a road stretch with a different slope), we used the extensive definition of the term, and in addition to maps, we brought photo simulations and 3D renderings. On the other hand, the local politicians also improved their communication skills, compared to the way they usually express themselves in the Conferences of Services. In the Conferences of Services meetings, mayors are usually hermetic and you don’t really understand what you need to read between the lines. In the public debate meetings, which were more direct and less formal than the Conferences of Services meetings, political representatives expressed themselves more clearly. This helped us to understand their needs and requests more explicitly and more rapidly. (I.15)

Second, direct and repeated interaction with stakeholders and citizens allowed designers to experience first-hand elements of an infrastructure that they would normally see at a distance or from a purely technical perspective. The designers were induced to look at the infrastructure through the eyes of the local inhabitants and, in a sense, put themselves in the shoes of citizens directly affected by the public works and the construction sites. This new perspective helped planners to recognise small design errors, which did not necessarily depend on the planners’ capacity, but more often on the systematic gap between the cartography and the real context, and on issues that are impossible to intercept through cost-benefit analyses or multi-criteria analyses. As a result, the legislation, by inducing planners and designers to interact with citizens in deliberative arenas one day after another, indirectly influenced the quality and feasibility of the projects and helped planners to anticipate and prevent future implementation problems.

Two examples are worthy of mention. The first pertains to a road infrastructure. The engineers and specialists who designed the project were quite confident that the infrastructure would have been welcomed by the local community, since it suited their long-requested need for a road connection, and it included cutting-edge features from the technological and environmental points of view. Moreover, although the new road would have involved the expropriation of some land used for agriculture and grazing, a great deal of money had been allocated for very generous compensations, so that the owners could have bought other agricultural

land in an area not far from the expropriated land. Therefore, according to the designers, there was no reason to engage directly with local communities, and when they were forced to take part in the public debates because it was required by law, they were “quite annoyed” (I.12). However, during the first meetings, the engineers realised that the land that had to be expropriated was given over to very specific pastures that were suitable for the production of Mozzarella di Bufala Campana, a product with Protected Designation of Origin, which can only be certified if the raw material, in addition to being processed according to very strict rules, comes from specific geographical areas with specific geographical and environmental characteristics. After talking to the farmers, the planners realised that it would have been very difficult for the farmers to find other land nearby with similar characteristics to that area. Such information was not available in the national archives or in the geomorphological maps of the municipalities, and it could only be reconstructed in detail through direct dialogue with the local farmers. The designers realised that “they would never have been able to build that route without seriously damaging the buffalo mozzarella producers in that area” (I.12). Thus, they modified the feasibility project during the public debate process, even before the final report was published by the public debate coordinator. The new line of the road was less linear and slightly more expensive, but it allowed the connection time to be significantly reduced and most of the buffalo pastures to be preserved.

In the second example, some citizens helped planners to identify archaeological artefacts that they had not noticed during the planning phase, because the maps of the ministry of culture had not been updated after the discovery of some Roman foundations in a green area where the new infrastructure was to be built. In this case, the modification of the project implied “saving time and money, which would have increased considerably if these issues had emerged after work had started” (I.13).

Naturally, it is the implementation phase that ultimately determines whether the changes that have been incorporated in the final dossiers will be effectively acknowledged and what any deviations from the plans will depend on.

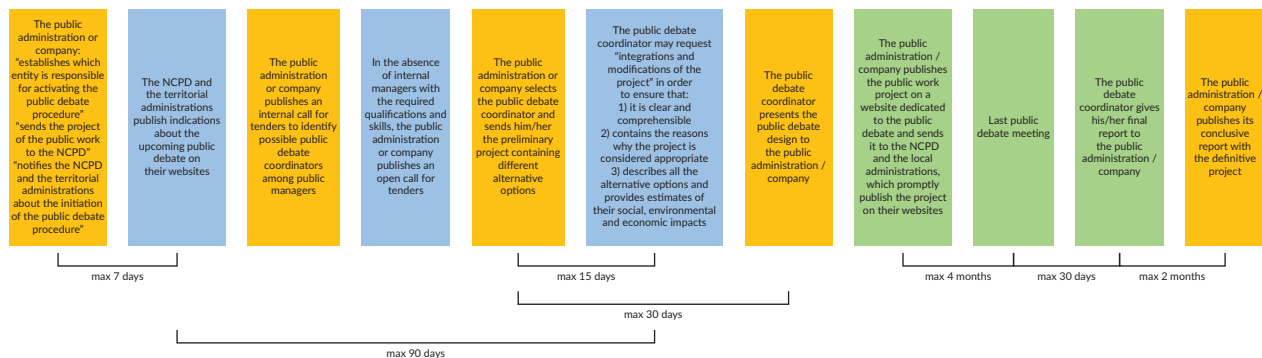
The launching of several public debates throughout the country in a relatively short period also encouraged new professionals to enter the public participation market, thereby increasing the pluralism of coordinators and promoting “the experiential development of new skills in less experienced professionals, without significantly lowering the quality of the deliberative processes” (I.2). New decision-making spaces and responsibility roles also emerged in construction companies. Local political representatives, representatives of civil society organisations, and ordinary citizens gained new visibility, protagonism, and antagonism spaces. Overall, thousands of professionals, civil servants, politicians, experts, and ordinary citizens had the opportunity to “exploit” public debate arenas and processes in various ways. This contributed to increasing practice embeddedness. Although the new regulatory framework effectively foreshadowed a common format, which provided first for an information phase and then for a dialogue phase, it nevertheless allowed different processes, each resulting from a particular mix of characteristics of the local contexts, the expertise of public participation professionals, the skills of the designers, and the dynamics of local civil society, to be implemented.

## 6. Weakening Embeddedness

The legislation introduced an official procedural dimension into deliberative processes (see Figure 1). Proceduralisation is a necessary step in any legal institutionalisation, because each and every legislation



involves formalising roles and deeds and assigning responsibilities. Proceduralisation can help to unfold the beneficial effects of temporal embeddedness, since bureaucratic procedures tend to involve repeated interactions and contribute to making a novelty a normal practice. However, the proceduralisation of public deliberation can also reduce practice embeddedness.



**Figure 1.** Public debate procedure established by the Law No.50/2016 and by the Executive Decree No.76/2018.

The public debates of the 2021–2023 period became genuine administrative procedures and, as such, were subject to the rights and obligations established by the administrative law in force. This contributed to changing the system of constraints and opportunities, compared to the *ante legem* context, because public debates became subject to possible recourse to the administrative tribunal if there were any procedural irregularities. As all the interviewed coordinators pointed out, this element contributed to partially stifling the processes, i.e., making them less flexible. Two quotes clearly illustrate this effect:

If the rule stipulated a certain number of days for a certain action or phase, exceeding this time limit exposed you to the risk of an appeal being made to the Regional Administrative Court, and you knew that anyone who wanted to boycott the process would have exploited this opportunity. I had to hold a meeting in mid-August (much of Italy closes down in mid-August for “Ferragosto,” a public holiday celebrating the Assumption of Mary) because, otherwise, we would have missed the deadline due to the starting date of the procedure, but this made no sense for the quality and feasibility of the public debate! (I.4)

One of the clearest differences between the public debates I coordinated before and after the introduction of the law was the need to pay great attention to the procedure. I’m used to changing and modifying single aspects of the processes as I go along and following the pace that seems appropriate to me as the situation evolves. But, after the introduction of the law, I paid much more attention to the timeline and all the other procedural rules, because I knew that anyone who wanted to boycott the infrastructural project would have had an easy time of it if there had been a procedural error and could have blocked the public debate. (I.16)

This juxtaposition between the deliberative process and the administrative procedure, by limiting flexibility, contributed to weakening the capacity of public deliberation to become embedded in the planning processes of major works. Any deviation from the structure and methodology agreed upon with the contracting authority

and filed with the NCPD was essentially avoided at the outset, as an appeal could have been made to the Regional Administrative Court, and this could have led to the entire process being blocked for months.

Proceduralisation also contributed to initiating the classical attitude of bureaucratic compliance. The NCPD, which was largely composed of senior civil servants appointed by various ministries and representatives of the regions and local authorities, was entrusted with monitoring and analysing the public debates. When the NCPD began to design a model and a form to monitor and analyse the processes, all the bureaucrats focused on procedural aspects, through a purely administrative compliance approach: transparency was interpreted as timely communication of the initiation of the procedure or timely publication of the project dossier, not as comprehensibility, completeness or effective accessibility of information about the infrastructure and the public debate function and steps; participation of local communities was interpreted just as a number of public debate meetings instead of the true publicity of all the issues that emerged during the process or the effective development of deliberative dynamics (Table 2). It was only thanks to the pressure of the NCPD members who came from outside public administration (two social scientists and a public participation professional) that the monitoring form was modified to also include substantial issues. The tendency towards bureaucratic compliance depended on the fact that the NCPD was largely composed of senior civil servants. However, this composition was itself a direct consequence of legal institutionalisation, since such independent bodies are always an expression of the state and, as a result, the appointment of commissioners is typically the prerogative of ministries and senior public agencies. Legislative frameworks that do not provide for the introduction of

**Table 2.** The initial monitoring scheme of the NCPD.

Requested deeds	Expected deadline	Effective date
<b>Initiation procedure</b>		
A building contractor requests the initiation of a procedure to the NCPD		
The NCPD publishes the news on its website and the procedure officially starts		
The NCPD president nominates two members who are responsible for coordinating the monitoring activity		
The building contractor sends the project documents to the NCPD		
<b>Public debate—Phase 1</b>		
The building contractor hires the public debate coordinator		
The public debate coordinator presents the process design		
The building contractor emails the definitive project dossier to the NCPD and publishes it on the public debate website		
<b>Public debate—Phase 2</b>		
A press conference is launched		
Meeting 1		
Meeting 2		
Meeting ...		
<b>Public debate—Phase 3</b>		
The public debate coordinator emails the final report to the building contractor and to the NCPD		
The building contractor emails the final project dossier to the NCPD		

such bodies may be immune to these dynamics, but at present, almost all regulations provide for some kind of independent body in public participation (Bherer et al., 2021; Chvalisz, 2021).

A final critical element that immediately became apparent during my ethnographic fieldwork is what can be called “attention capture.” The legal institutionalisation of public debates largely catalysed the attention of policy makers on the legislative framework and lowered interest in and curiosity about the concrete dynamics of the ongoing public debates. This mechanism spread among NCPD members, politicians, law experts, councilors of the Council of State, and even exponents of associations and civil society organisations. A number of reform proposals were submitted to the minister and parliament even before the first public debates could be fully conducted, and all the reform proposals were submitted to them before the NCPD could publicly report to parliament. Only the most widely supported reform proposals are mentioned here: a proposal was made for a new decree that would allow a register of public participation professionals to be created, a reform proposal was made to reduce the size and cost thresholds for public works subject to public debate (this draft law actually became an executive decree of the minister and was approved in 2022), a reform proposal was suggested to reduce the timeline of the procedure (this also became an executive decree in 2022), while another was made to change the status of the NCPD, extend its powers and provide it with a dedicated budget, while other reform proposals were made to change the types of public works subject to public debates. This eagerness to legislate may in part be due to the prevailing legal-formal culture that has always characterised the Italian political system, but a new law always triggers political and scientific debate about its interpretation, its practical implications, its ability to be integrated into the body of established rules, etc. It is therefore reasonable to deduce that this premature legislative euphoria and the lack of attention to the substance of the processes underway were at least in part due to legal institutionalisation.

All this contributed to undermining the foundations of the concrete embedding process of public deliberation in the democratic system. Indeed, the 2023 new Public Contract Code included a reform of Law N. 50/2016 that was the result of a debate that had been confined to the chambers of the council of state, and which did not take into consideration the real implementation of public debates: no hearings or informal meetings with members of the NCPD were requested by the council of state councillors, and the draft reform was handed over to the new minister before the NCPD could report on it to parliament.

## 7. Conclusions

More than 20 years ago, Blaug (2002, p. 102) stated that “whether designed to counter democratic deficits, falling voter turnouts, the paucity of feedback on public policy or to consolidate democratisation abroad, making more democracy takes the form of finding new places for participation and new forms of participation within them.” One of these forms has been the proliferation of attempts to legally institutionalise participatory and deliberative practices (Chvalisz, 2021). The legal institutionalisation issue has recently become even more central, with numerous proposals of social scientists and civil society organisations to institutionalise “citizen assemblies” in national political systems, in European Union treaties, and at the global level (Abels et al., 2022).

The legal institutionalisation of deliberative processes has generated both expectations and fears, but empirical analyses of the real effects of this phenomenon have still been widely neglected. The findings of this research provide some empirical evidence about the potential and pitfalls of the legal institutionalisation

of deliberative processes and about the relationships between the legal institutionalisation of public deliberation and its embeddedness in our democratic systems.

According to what has emerged from the empirical analysis of the Italian case, it is possible to state that the legal institutionalisation of public debates fostered a legitimisation process in institutional policy makers: the involvement of citizens in policy making began to be seen by politicians and construction company managers as legitimate and relevant, even though not necessarily useful or meaningful, and the idea that conflicts can be managed constructively and not simply dulled began to be perceived and sometimes even internalised. This legitimisation process favoured public deliberation embeddedness in the infrastructure and transport policy-making system, at both the local and the national level, because it somehow “normalised” conflict management and participatory-deliberative governance.

Moreover, the repeated face-to-face meetings with local communities, fostered by the compulsory provision, modified the ordinary work of Italian planners: they learned to listen more carefully to the citizens’ issues and behave more actively, and they developed a better communicative capacity and a greater sensitivity to social aspects, not just structural and environmental ones. This contributed to increasing the impact of public deliberation on policy decisions (although no public work was in fact either strongly opposed by local communities or definitely abandoned by the construction companies as a result of the challenging criticisms of inhabitants and/or civil society associations) and to making interactions between technicians, stakeholders, and citizens more constructive.

However, the warning regarding the risk of sterilisation proved to be rather sound. Legal institutionalisation induced public debate coordinators to pay more attention to procedural aspects, thereby reducing public debate flexibility. Moreover, the introduction of an administrative procedure triggered the classic attitude of compliance in several bureaucrats involved in the implementation of the law. Finally, the presence of a new legal framework on a matter that had not been codified until that moment catalysed the attention of many political and civil society actors on the content and form of the law instead of the substance of public deliberation. All these dynamics contributed to weakening public deliberation embeddedness in the democratic system, to worsening the practice embeddedness, and to disjointing the alignment between the normative dimension and the practice dimension.

Nonetheless, since the compulsoriness of public debates probably forced some construction companies to pay for something that they would have neither financed nor promoted in the absence of the legal obligation, and since this legal institutionalisation only lasted three years, it is plausible to suppose that non-regulatory policies would probably have had a more limited effect (both in the positive and the negative sense) on all these aspects, and that research conducted on longer-lasting legal institutionalisation cases could lead to different conclusions. I hope that research on other case studies will be conducted in the future to gradually build an evidence-based theory on the institutionalisation of public deliberation that can offer concrete and reasonable food for thought for policy makers who have the intention of regulating the field.

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## A Chapter on Institutionalization: The Use and Misuse of Institutions of Citizen Participation in Hungary

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### Abstract

The institutionalization of democratic innovations has been the focus of considerable debate in academic literature, particularly regarding whether it is necessary and, if so, what form it should optimally take. However, the present research—which uses the concept of institutions of citizen participation (ICPs) instead of democratic innovation due to its enhanced applicability in the present research context—goes one step further. Beyond the scrutiny of institutionalization, it also examines the democratic quality of ICPs. It argues that institutionalization alone does not guarantee the effective functioning of the related institutions. Hence, the article examines the institutionalization of ICPs in Hungary, evaluating its degree, impact, and potential in an illiberal and centralized environment by posing the following research question: How does the degree of institutionalization affect the quality of ICPs in a hybrid regime? The methodology is built on document analysis and applies a three-step assessment framework consisting of an institutionalization assessment of Hungarian ICPs, the use of an evaluation framework developed for a quality analysis, and, lastly, an analysis of the correlation between the degree of fulfillment of the institutionalization criteria and the impact on policy-making. Being embedded in the context of Hungary, the article defines the contours of how ICPs operate and have effects in a backsliding democracy. The article assesses five Hungarian ICPs, including open primaries, referenda, national consultations, public hearings, and citizens’ assemblies. The findings demonstrate that institutionalization in itself is not sufficient to ensure the quality of these institutions, and provide insight into the functioning of Hungary’s hybrid regime, which is based on the logic of “ruling by cheating.”

## Keywords

citizen participation; democratic backsliding; democratic innovations; institutionalization

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## 1. Introduction

In recent years, there has been a growing wave of concern about Western-style democracies. On the one hand, citizens have developed heightened expectations about their democracies, desiring increased participation, improved political accountability and transparency, better consultation, less corruption, and the more equal treatment of minorities (Newton, 2012, p. 4). On the other hand, the alarming global trend of autocratization has led to a wave of appeals for deliberative and participatory democracy as a remedy to this crisis (Suteu, 2019, as cited in Fiket & Đorđević, 2022, p. 4). Democratic innovations (DIs) enhance democratic governance by addressing perceived deficits in traditional representative systems.

Although DIs are typically defined by their commitment to deliberation, inclusivity, and enhancing democracy, the concept of institutions of citizen participation (ICPs) is more suitable for academic analysis, particularly in terms of the insights obtainable from various cases when DIs have been formalized. Redefining DIs as institutions, processes, and mechanisms intended to enhance democracy by means of citizen participation is useful for increasing the understanding of institutionalization. ICPs include consultative and direct forms of participation, which may serve a variety of political, administrative, or strategic purposes (Pogrebinschi, 2023). This reconceptualization is particularly valuable when applied to non-Western or hybrid regimes, where representative democracy is often distorted or hollowed out, and where participatory mechanisms may be co-opted or used symbolically by central authorities. As Pogrebinschi notes, many Latin American participatory institutions are embedded within state structures rather than operating autonomously, and often function under the control of executive-dominant, hyper-presidential systems—conditions similar to those found in Hungary since 2010. Pertaining to the political environment, a crucial consideration that demands attention is that ICPs are created through different regulatory frameworks that may be significantly influenced by political elites (Bedock, 2017), and there is evidence that these innovations can be manipulated by the latter (Junius, 2025; Oross & Tap, 2021).

Since 2010, Hungary has shifted in an illiberal or even authoritarian direction. Today, therefore, the Hungarian “hybrid regime” combines features of both authoritarian and democratic rule (Bozóki, 2019; Bozóki & Hegedűs, 2018; Buzogány, 2017), which makes Hungary a relevant case for studying the use and misuse of ICPs. Embedded in the context of Hungary, this article illustrates the contours of how ICPs operate and affect in a backsliding democracy. The article assesses five Hungarian ICPs, covering representative (open primary), direct (referendum, national consultation), and deliberative (public hearing, citizens’ assembly) processes. By selecting a diverse set of ICPs, the goal is to increase insight into the various factors that contribute to the institutionalization of the processes.

Building on the aforementioned arguments, the present article addresses the question of how the institutionalization of ICPs influences their quality. In other words, how does a lower or higher degree of institutionalization affect the quality of the ICPs in a hybrid regime? It aims at filling—at least partly—the aforementioned research gap: First, it presents a newly developed analytical framework for measuring

institutionalization, and second, it provides insight into the assumed (non-) relevance of institutionalization in a hybrid regime.

The methodology is built on a three-step assessment framework. First, an assessment of Hungarian ICPs is conducted, hence each ICP is awarded a “status” (value) pertaining to the degree of its institutionalization. Second, an evaluation framework developed for quality analysis is employed. Lastly, the correlation between the degree of fulfillment of the institutionalization criteria and their impact on policy-making is analyzed.

The study is structured as follows: The theoretical chapter (Section 2) provides a review of the main conceptual framework of the study—in particular, the content and forms of DIs, as well as institutionalization and related theoretical issues. The presentation of the research design (Section 3) begins with an introduction to the Hungarian context from a political and legal perspective, followed by a description of the methodology. In this section, the evaluation framework developed for institutionalization and qualitative assessment, which has been adapted to the Hungarian context, is explained. In the final sections, we present the analysis and results (Section 4) of our research and lastly offer an interpretation of the findings (Section 5).

## 2. Theoretical Background

### 2.1. Clarifying the Conceptual Framework: Participatory Democracy, DIs, ICPs

DIs are broadly understood as new mechanisms—either institutional or processual—that are introduced to enhance democratic governance by addressing perceived deficits in traditional representative systems. The interest in them stems from what scholars describe as a “democratic malaise”—the long-term decline in electoral participation, party membership, and trust in political institutions across Western democracies since the 1970s (Dalton & Wattenberg, 2002; Inglehart & Welzel, 2005; Newton, 2012; Putnam, 2001).

Despite their popularity, the added value of DIs remains subject to debate among the broader public and scholars of democracy (Jacquet et al., 2023). On the one hand, a multitude of critiques have been advanced against DIs, such as citizens’ lack of requisite capacities to deal with the complexity of politics (Brennan, 2016, as cited in Jacquet et al., 2023, p. 2; Schumpeter, 1942), the lack of widespread public support, and the argument that greater participation is not what citizens want (Achen & Bartels, 2016, as cited in Jacquet et al., 2023, p. 2). Critics highlight the top-down nature of DIs, driven by academics and academic pundits (Hibbing & Theiss-Morse, 2002). In contrast, advocates underline DIs’ potential for making political systems more inclusive, effective, and legitimate (Fung & Wright, 2001, as cited in Jacquet et al., 2023, p. 2; Landemore, 2020) and call for their further institutionalization (Niemeyer, 2014, as cited in Jacquet et al., 2023, p. 2; Setälä, 2017, as cited in Jacquet et al., 2023, p. 2; Fishkin, 2018, as cited in Jacquet et al., 2023, p. 2). Definitions of DIs vary, from highlighting the institutional approach to the importance of context (Smith, 2009, p. 1), but all identify a normative approach to the participation of citizens in decision-making (Geissel, 2012, p. 164). Elstub and Escobar (2019, p. 14) classify DIs by considering both process and context, incorporating factors such as policy area, government level, and policy-making impact.

DIs take diverse forms within different political systems, sometimes institutionalized and embedded in a legal framework, and at other times organized on an ad hoc basis as processes related to the policy cycle. Operating within the framework of DIs but proposing a different kind of approach, Pogrebinschi (2023) differentiates

three kinds of DIs: institutions of citizen participation (ICPs), processes of citizen participation (PCPs), and mechanisms of citizen participation (MCPs). Developed for Latin-American contexts, the author argues that in an illiberal environment, citizen participation is not a sufficient normative goal on its own—it must be tied to other output-related elements. She further defines DIs as the institutions, processes, and mechanisms whose goal is to enhance democracy by means of citizen participation in at least one stage of the policy cycle. Participatory tools—such as deliberation, citizen representation, e-participation, and direct voting—are linked to normative ends including political inclusion, social equality, accountability, responsiveness, and the rule of law.

This perspective is especially relevant beyond the Western liberal context. In Latin America, ICPs are typically embedded in state structures and shaped by power asymmetries and executive dominance, a situation that closely parallels Hungary's political environment under Viktor Orbán, and in many cases results in a surge of ICPs organized by civil society organizations (Pogrebinschi, 2023, pp. 21, 77). Unlike Western-centric typologies like Elstub and Escobar's, Pogrebinschi's model offers a flexible framework suited to analyzing participation in settings where democracy is fragile or manipulated. Goldfrank (2021) also emphasizes how participatory institutions may reinforce existing power structures in hybrid or illiberal regimes, especially when participation is decoupled from real decision-making power.

## ***2.2. The Role of Institutionalization and the Debate Surrounding It***

Despite the paucity of discourse on the conceptualization of institutionalization in the literature, its content can be delineated through an examination of the role attributed to it and how it is envisaged. It has been suggested that a certain degree of institutionalization is necessary for any institution to be truly meaningful (Goldfrank et al., 2024) or if one wishes to measure democratic quality (Pogrebinschi, 2013, p. 10). However, a number of questions arise: To what extent and of what quality is institutionalization necessary, and should it be anchored in a legal framework or left open in the sense that participants can shape its rules? In this context—focusing on Europe—it is anticipated that institutionalization can address the limited outcomes of ICPs (Goldfrank et al., 2024). Advocates of institutionalization regard it, amongst other things, as a form of protection against possible political change. Goldfrank et al. (2024) posit that institutionalization should be conceptualized as an external dimension, outside of the political power struggle, which serves to further complicate the ability of political actors to manipulate or eliminate ICPs. The authors emphasize critiques that have highlighted the excessive routine utilization of these institutions by political actors, in addition to their bureaucratization. At the same time, fears of the field becoming constrained (i.e., that legal regulations may change citizen empowerment or disrupt established relations between associations and political actors) may be considered a counterargument (see Ravazzi, 2017, pp. 89–90). Goldfrank et al. (2024) examine the effects of institutionalization, highlighting the ongoing debate about embedding ICPs within rigid legal frameworks. As they argue, the debate over the trade-offs of institutionalization is experiencing a revival, particularly in Europe, where citizens' assemblies using sortition have gained prominence. Proponents of institutionalization argue that this shields ICPs from political shifts and other attempts at manipulation, while critics warn of bureaucratization, which could lead to ICPs becoming overly routinized and controlled by the government or other political actors. In this debate, we take the position that institutionalization is one indicator of the degree to which ICPs become substantial or meaningful. For the purposes of this research, we apply the following working definition, building on the approaches of Hartz-Karp and Briand (2009, p. 128) and the OECD (2020): Institutionalization means the incorporation of the institutions in a

legally constituted way into public decision-making structures. The operationalization of the concept was facilitated by the incorporation of elements selected from Pogrebinschi's criteria (Pogrebinschi, 2013), which were employed for the purpose of measurement. Thus, beyond the already substantial emphasis on formalization within the definition, inclusiveness and decisiveness were added to the assessment framework regarding institutionalization.

### 3. Research Design

#### 3.1. The Hungarian Context

The article focuses on Hungary, a country that provides an appropriate setting for testing the institutionalization of ICPs for at least two reasons. First, although it was the frontrunner of democratization in Eastern Europe, it was also the first country in the region to start on a long-term process of de-democratization in 2010, which led to the construction of an illiberal setting (Bogaards, 2018; Pállinger, 2019). Second, the emergence of new political parties after 2010 coincided with the dominance of one political party in government (Fidesz), the longest incumbent party in Eastern Europe since the regime change. The opposition and newly emergent parties have sought alternatives that promote citizens' engagement outside of the representative system that has produced the same winner over the last one and a half decades. These features make Hungary a highly suitable country for a discussion of the arguments concerning the positive and negative impacts of institutionalizing ICPs.

In Hungary, the usual symptoms of a weakening of representative democracy can be observed, including low political interest (Gerő & Szabó, 2019), increasing political polarization (Patkós, 2019), fluctuating political participation (Róbert & Szabó, 2017), and low institutional trust (Medgyesi & Boda, 2018). While representative democracy remains dominant in Hungary, discussions about the challenges and issues facing this system of governance are present among both members of the political elite and academic circles (Gross, 2024). Most challenges stem from what is termed "populist polarization" (Enyedi, 2016, p. 217), which arises from fierce competition among political factions, the widespread dismissal of power-sharing principles, and the significant influence of relatively stable and dominant parties. The ruling party and its leader, Viktor Orbán, portray the democratic process as a stark binary: a choice between good (Fidesz) and evil (the nation's adversaries and traitors). Currently, polarization remains very strong (Patkós, 2023), with populist polarization influencing not only the interactions between political parties but also the party system's connection to its broader context.

Hungary has some familiarity with direct democracy. Referenda, one of the main instruments of the latter, are closely linked to the representative system in several ways. This has been the case since the regime change, although in a different way before 2010 than after. Fidesz, the incumbent party, has utilized referenda as a means of furthering its "us-vs-them" political strategy, deepening societal divisions by prompting individuals to adopt positions regarding "us" (Gherghina et al., 2024; Pállinger, 2019; van Eeden, 2018). The intertwining of the representative system with the process and actors of direct decision-making is not only noticeable in Hungary (Pállinger, 2019) but in representative democracies in general (Altman, 2019).

The adoption of ICPs to enhance the existing representative democratic institutions is somewhat limited. Although the attitudes of Hungarian MPs, party members, and voters are supportive of deliberative events



at the community level (Oross, 2024), and an increasing number of citizens' assemblies are being held in various municipalities throughout the country (and a professional network is facilitating the sharing of knowledge regarding the management of these meetings), there is no legal framework that explicitly addresses deliberative democracy in Hungary.

The cases selected for our research represent a non-taxonomic range of participatory methodologies used in Hungary applicable to a non-exhaustive overview of ICPs. In our research, we sought to include cases from both the local and national levels; we did not include mechanisms and processes, but only institutions of citizen participation (ICPs). Nor did we include participatory budgeting because the related methodology, scope, available funds, and level of formalization vary from case to case.

### 3.2. Legal Landscape

The changes described in the previous paragraphs have had significant consequences for the legal field as well. Following the victory of the right in 2010, there was a shift in the constitutional order and reality. The right, in possession of a supermajority, was able to implement the constitutional amendments required for the establishment of the new regime (Gárdos-Orosz & Bán-Forgács, 2025). Contemporary literature characterizes the Hungarian constitutional system as a form of authoritarian constitutionalism, a concept encapsulated by several terms (see Gárdos-Orosz & Bán-Forgács, 2025, p. 3). The Hungarian constitutional system is characterized by an erosion of opportunities for democratic participation and the elimination of checks and balances through the misuse of law (Tóth, 2019, as cited in Fleck et al., 2022, p. 3; for a general assessment regarding the legal scholarship perspective, see Pap, 2017). It is crucial to address the status of legislation in order to adequately assess institutionalization, particularly formalization. As a general feature, parliamentary legislation has completely lost its value, reduced to a mere "tool" in the hands of the government (Kazai, 2021). As Szente (2022, p. 193) presented: "Since 2010, the legislative process has become increasingly loose, and compliance with legislative requirements increasingly flexible, even though, in principle, the legislative plenary power of the constitutional majority would have justified stricter compliance with these requirements." To summarize, the cornerstones of representative democracy are being eroded.

In recent years, state of emergency legislation and abuses of emergency powers can be regarded as a culmination of all the aforementioned:

Even today, the integrity of the legal system is challenged by unjustified regulations associated with the state of emergency declared in March 2020, first in reaction to the Covid-19 pandemic and subsequently prolonged due to Russia's full-scale war against Ukraine. (Gárdos-Orosz & Bán-Forgács, 2025, pp. 2–3)

Since 2020, rule by decree has also become the "norm" (Szentés & Vörös, 2024; concerning the resilience of the Hungarian legal system, see Gárdos-Orosz, 2025). As regards the general character of rule by decree, "The rules on special legal orders provide the Government with the power to issue decrees in the context of...crisis or emergency situations, replacing parliamentary legislation and allowing for the restriction of basic rights" (Szentés & Vörös, 2024, p. 19).

As most cases of ICPs in Hungary are initiated and implemented by local governments, it is relevant to discuss their political and legal status. In general terms, the power of local governments has been overridden by that of the government, as defined in the Fundamental Law:

[The Fundamental Law] no longer considers local government as a fundamental right of the local community, the municipality is primarily not a forum for citizen participation and representation, but the implementer of public tasks as part of the executive branch of the unitary state. (Pálné Kovács, 2024, p. 50)

Concurrently, the advent of a novel electoral system has rendered local governments susceptible to the influence of centralized party politics. The regulatory framework governing local referenda has effectively stymied the operationalization of direct democracy, while the processes that facilitate the harmonization of the interests of local governments and the central government have stagnated. Moreover, a pronounced nationalization of the bulk of public services formerly administered by local governments has occurred, resulting in a situation where local governments are deprived of autonomy in the execution of their own mandates. This shift, which also impacts the fiscal management of local governments, leaves limited room for funding voluntary activities, restricting budgets primarily to supporting mandatory tasks. The erosion of subsidiarity, combined with strict financial constraints, has reduced the role of local governments within the vertical division of power (Dobos & Papp, 2017). Furthermore, these entities are also subject to the influence of centralized development policies and funding systems, as well as transformed property relations and emergency governance measures (e.g., Covid-19; Pálné Kovács, 2024). This decline has been characterized by a steady contraction of functions and powers, accompanied by a steady withdrawal of funding.

These limitations hinder citizen participation, as reforming the status quo often encounters legal, jurisdictional, or financial obstacles. Without governmental support—which is frequently lacking in opposition-led municipalities that attempt to introduce ICPs—making citizen proposals in areas such as transportation and urban planning remains unfeasible. An essential aspect of preparing participatory processes is thus either communicating existing constraints to participants or recognizing that an unrestricted approach may produce proposals that are ultimately unfeasible.

### 3.3. Methodology

Our research used document analysis to better understand the context of the institutionalization of ICPs in Hungary. The documents (see the Supplementary File) consist of the available legislative and policy documents and reports related to the ICPs involved in the present research. In order to answer our research question (how a lower or higher degree of institutionalization affects the quality of ICPs and the substantive functioning of each process or institution), we followed a three-step methodology. First, aligned with the broader sense of institutionalization, an assessment of Hungarian ICPs is conducted, with each ICP assigned a “status” (value) reflecting the degree of its institutionalization. The examination is based on Pogrebinschi’s criteria for assessing the degree of institutionalization (Pogrebinschi, 2013). Second, the evaluation framework developed by the authors for quality analysis is employed. This is a crucial point of the research, as we argue that institutionalization in itself does not guarantee meaningful ICPs: It may lead to different outcomes. Based on this argument, the final step involves locating institutionalization on a scale, which entails analyzing the link between the degree of institutionalization and the quality of ICPs.

Our preliminary assumption was that institutionalization is a broader concept than (legal) formalization since its evaluation in hybrid regimes requires further substantial measurement criteria. Accordingly, we applied an evaluation framework that included these aspects. The criteria cover not only legal formalization but also include further aspects relevant to determining institutionalization. Regarding the Hungarian context described above, we found it useful to add one more aspect: the concrete legal source of the ICP. The level of legal hierarchy seems to be a relevant aspect regarding institutionalization, as one assumes that the higher the legal source in which the ICP is enshrined, the more continuity is ensured.

These criteria are not addressed in a binary fashion, but on a graduated scale. Pogrebinschi proposes treating institutionalization in this way, with the extent of institutionalization indicated by the degree to which the related concept is realized. In this context, Pogrebinschi (2013, p. 11) also asserts that “the more an innovation is institutionalized, the higher are its chances of impact.” Following Pogrebinschi’s recommendation of assessing institutionalization and quality this way rather than through binary distinctions, we assigned each criterion a value of low, medium, or high based on the fulfillment of the normative expectations.

The criteria we used in our research, in line with Pogrebinschi (2013, pp. 10–11), were the following: (a) formalization (ICP is backed up by the constitution, legislation, or governmental policy and legal source), (b) inclusiveness (ICP is open for participation to some extent, precluding social selection), and (c) decisiveness (ICP yields decisions; however, those are not necessarily binding).

For the assessment of institutionalization, we adapted Pogrebinschi’s (2013) criteria but excluded scope, scale, and representativeness due to their limited relevance in the Hungarian context. Scope and scale were omitted because many ICPs formally reference policy stages or levels (e.g., agenda setting, national vs. local), but in practice, these distinctions are often blurred or symbolic. Representativeness, understood as the linkage to elected institutions, was not applicable since most Hungarian ICPs function independently of representative bodies or serve executive agendas.

Instead, we prioritized legal formalization (including legal hierarchy) and “bindingness,” supplemented by direction of initiation. These dimensions better reflect Hungary’s hybrid regime, where participatory tools may be formalized yet are vulnerable to elite capture or selective use. This targeted adaptation aligns with Pogrebinschi’s call for the context-sensitive application of her framework and with Goldfrank et al.’s (2024) argument that institutional design must be assessed in relation to broader regime dynamics. The results indicate a low, medium, or high level of institutionalization. After assessing the level of institutionalization, we developed a framework for the qualitative assessment of ICPs in the Hungarian context. This represents a further refinement of Pogrebinschi’s (2013) proposal that involves claiming that DIs, once institutionalized, must meet three key criteria—feasibility, inclusiveness, and effectiveness—to serve as meaningful responses to representative democracy’s shortcomings and the resulting political disillusionment. We find that Pogrebinschi’s (2013, p. 7) understanding is especially relevant to our Hungarian case study, as the Latin American context of the institutionalization of ICPs is similar, being mainly incorporated within representative institutions (p. 21). This framework helps to break down the quality of participatory institutions into several key aspects: how easy they are to access and organize and their formality (*feasibility*); who gets to take part and how, and the bindingness of the process (*inclusiveness*); and whether they impact policy-making while maintaining the values of representativity and equality (*effectiveness*). Each of these

factors is assessed through more detailed indicators, such as legal backing, participant diversity, quality of deliberation, and policy impact (Pogrebinschi, 2013, pp. 14–16).

The framework enables the analysis of institutionalization and formalization, situating the legal foundation (when present) within the hierarchy of legal sources and the formality of the processes. We also found it important to look at the direction of initiation: top-down or bottom-up. To incorporate the criteria of Hess et al. (2015) and assess democratic quality, we examined ease of participation and democratic quality, focusing on key aspects such as inclusivity, deliberative qualities, and the threshold of participation. The next attribute was the impact and output of the examined ICPs, as their binding or non-binding nature impacts the processes themselves. Finally, we found it crucial to reiterate the original, normative goals of these ICPs, founded in the context of democratic backsliding. This last criterion enabled us to describe the challenges these institutions and processes face, such as being used selectively, being one-off events rather than an integral part of democratic culture, or their vulnerability to elite influence, especially in cases involving top-down processes.

As shown in Table 1, the analytical framework used in this study summarizes the key criteria for assessing the degree of institutionalization of ICPs in Hungary. The framework highlights the dimensions of formalization, initiation, inclusiveness, impact, and contextual challenges.

**Table 1.** Criteria for assessing the degree of institutionalization of ICPs in Hungary.

Dimension	Description
Degree of institutionalization and formalization	Hierarchy of legal sources; level of formalization
Direction of initiation	Top-down vs bottom-up
Ease of participation/Democratic quality	Inclusivity and other DI criteria (e.g., threshold for participation) can be evaluated on micro, meso, and macro levels
Impact/Output	Binding vs non-binding
Challenges in the context of democratic backsliding	For example: selective use (e.g., national consultation), one-off symbolic events (e.g., citizens' assemblies), vulnerability to elite capture or instrumentalization

Sources: Adapted from Hess et al. (2015) and Pogrebinschi (2013, pp. 10–16).

Our goal in developing this framework was to demonstrate that institutionalization alone, without considering other indicators, is insufficient to determine whether an ICP is designed to address the challenges of a hybrid regime. Institutionalized participatory methods can still lack the properties essential for enhancing democracy, turning them into mere campaign stunts or tools for legitimizing elite influence, rather than genuine mechanisms for democratic improvement.

By applying this framework to ICPs in Hungary, we can assess the feasibility of various participatory mechanisms, their capacity to foster genuine engagement, and their overall effectiveness within the country's political context.

## 4. Analysis

### 4.1. Degree of Institutionalization Regarding Formalization, Inclusiveness, and Decisiveness

In order to assess the institutionalization of the selected ICPs in Hungary, first, we apply Pogrebinschi's criteria (2013, p. 10)—adapted to the present research—to describe the degree of institutionalization regarding the three criteria: formalization, inclusiveness, and decisiveness.

Table 2 presents the application of Pogrebinschi's criteria to the case of referenda, demonstrating their high level of institutionalization and strong legal backing, but also the limited inclusiveness stemming from their use as government-controlled instruments.

**Table 2.** Referenda.

<b>Formalization</b>	Backed by an institution (the National Election Office) <i>and</i> with a legal background (the Fundamental Law—the Constitution—and Act CCXXXVIII of 2013 on initiating a referendum).
<b>Inclusiveness</b>	Operated together with the elected bodies; opposition parties typically and openly discouraged their supporters from participating. Served as an extension of government rather than providing people with direct access to decision-making (Gherghina et al., 2024). Inclusiveness mainly limited to supporters of the government.
<b>Decisiveness</b>	Led to decisions (four national referenda have been held that were both valid and had a policy effect).

As shown in Table 3, open primaries in Hungary display a medium level of institutionalization, characterized by informal but cooperative arrangements among opposition actors and binding results within the participating coalition.

**Table 3.** Open primaries (those with candidates from several parties are a special sub-case of primary elections; Sandri et al., 2015).

<b>Formalization</b>	Not regulated directly in any legal source, and based on mutual agreement between the participating actors and organizers. But: Other legal provisions were applicable to primaries (e.g., Act CXXXVI of 2013 on election procedure) as the obligation to act in a bona fide manner also applied to organizers (Őrsi, 2022).
<b>Inclusiveness</b>	Organized before the 2022 parliamentary elections, the open primaries forged unity among the fractured opposition parties; thus, they represented all parties of the parliamentary opposition except the extreme-right party Our Homeland.
<b>Decisiveness</b>	Opposition parties formed a coalition and utilized open primaries to select their candidates for the 2022 parliamentary elections (Mikola & Santos, 2025). Despite some disagreement among candidates, there were no defections that negatively impacted the reputation of the open primaries, and the result of the process was binding on all participating parties and candidates.

Table 4 outlines the characteristics of public hearings, a formally regulated but largely consultative institution, illustrating how their legal basis ensures continuity while limiting their inclusiveness and decisiveness.

**Table 4.** Public hearings.

<b>Formalization</b>	According to Act CLXXXIX of 2011 on Hungarian local governments, local public affairs may be the subject of public hearings that include issues directly affecting the population of the county and the tasks of regional authorities (Héder, 2017).
<b>Inclusiveness</b>	Operated together with elected officials (mayor, deputy mayors, local councilors) at the local level who were present during public hearings. Inclusiveness was largely limited to active citizens of a municipality, and social selection was often a significant issue.
<b>Decisiveness</b>	Decisions not taken during public hearings as they are consultative forums. Despite the fact that public hearings are a consultative legal institution that does not directly produce legal effects, the direct participation of voters in the decision-making process generates legitimacy for the decisions and drafts of local government that are discussed and supported in this context (Héder, 2017).

As indicated in Table 5, national consultations represent a highly centralized, top-down participatory mechanism. Introduced by Fidesz in 2005, the national consultation is a questionnaire that is sent to Hungarian citizens; this became one of the prime minister's communication tools from 2010 onwards. Although broadly accessible, it primarily serves as a tool of political communication and elite agenda-setting rather than genuine public deliberation.

**Table 5.** National consultations.

<b>Formalization</b>	As a strategic instrument for mobilizing supporters of the government, it has no other legal background than the decrees of the government and the rules for the organization and operation of the Cabinet Office of the Prime Minister.
<b>Inclusiveness</b>	Elected government officials popularized this ICP. National consultation ballots are delivered by post to each Hungarian citizen over the age of 18, so in some ways, this has the potential to be a very inclusive process. Engaging minority groups to participate in this consultation process has never been a priority of the organizers, and the overwhelming majority of respondents are Fidesz supporters (Pócza & Oross, 2022).
<b>Decisiveness</b>	Citizens are given the chance to express their views on predefined questions without binding the hands of decision-makers. Conveying to citizens the idea that their involvement in politics is necessary for more streamlined decision-making, the government employs such "push polls" to manipulate voters' views/beliefs (Oross & Tap, 2021; Pócza & Oross, 2022).



Table 6 details the assessment of citizens' assemblies, which are locally organized and inclusive in participant selection but lack firm legal foundations and binding power within Hungary's hybrid regime.

**Table 6.** Citizens' assemblies.

<b>Formalization</b>	Citizens' assemblies lack a firm legislative background in Hungary—as they have only been implemented at the local level, their formalization is limited to the decrees of the respective local municipalities that convene them (see, for example, Decree 32/2023, XII. 21. on the 2024 Consolidated Budget of the Municipality of the Capital of Budapest).
<b>Inclusiveness</b>	Random selection of participants has ensured fair, transparent, inclusive, and efficient community gatherings and the representativeness of events. In the case of the Budapest Citizens' Assembly convened in 2021, 10,000 invitation letters were sent out, and 314 invitations were registered in Budapest during the two-week registration period, a registration rate of 3.1%. From the registered citizens, a list of 40 participants was compiled to represent the population over 18 years of age in the capital by gender, age, education, and place of residence. Despite all efforts of organizers, inclusiveness is limited mostly to active citizens.
<b>Decisiveness</b>	Citizens' assemblies operate according to a consultative implementation model, meaning that their advisory recommendations lack any binding power.

Table 7 summarizes our results about the degree of institutionalization of ICPs in Hungary. The comparative results reveal clear variation among the five examined ICPs: referenda exhibit the highest level of institutionalization, while national consultations and citizens' assemblies remain weakly institutionalized.

**Table 7.** Summary of the assessment of the degree of institutionalization of ICPs in Hungary.

Criteria	Referenda	Open primaries	Public hearings	National consultations	Citizens' assemblies
<b>Formalization/ Hierarchy of legal sources</b>	High (Constitution— Fundamental Law)	Low (no legal material, just mutual agreement between the participating actors and organizers)	Medium (Act CLXXXIX of 2011)	Low (government decree)	Low (local government decree)
<b>Inclusiveness</b>	Medium	High	Low	Low	Medium
<b>Decisiveness/ Bindingness</b>	Yes	Yes	No	No	No
<b>Value (High/ Medium/Low)</b>	High	Medium	Medium	Low	Low

Source: Authors' assessment based on the framework of Pogrebinschi (2013), edited to include legal source.

According to our analysis, the level of institutionalization of national consultations and citizens' assemblies is low. Open primaries and public hearings have a medium level of institutionalization in the Hungarian context, while referenda are highly institutionalized.

## 4.2. Evaluation of Quality

The next step is to measure the quality of the selected ICPs, applying the following criteria: direction of initiation, scale, scope, ease of participation/democratic quality, impact/output, and challenges in the context of democratic backsliding.

Table 8 extends the analysis by evaluating the quality of each ICP across multiple dimensions, including initiation, scale, and democratic quality, thereby linking institutionalization to practical functioning within Hungary's illiberal political context.

**Table 8.** Evaluation of the quality of ICPs in Hungary.

Criteria	Referenda	Public hearings	Open primaries	National consultations	Citizens' assemblies
Degree of institutionalization/ formalization	High	Medium	Medium	Low	Low
Direction of initiation	Top-down	Top-down	Bottom-up	Top-down	Bottom-up
Scope	Agenda setting	Evaluation	Agenda setting	Agenda setting	Agenda setting
Scale	National and Local	Local	National	National	Local
Ease of participation/ Democratic quality	National level	Local level	National level	National level	Local level
Impact/Output	Binding	Non-binding	Binding	Non-binding	Non-binding
Challenges in the context of democratic backsliding	Vulnerability of elite influence	Vulnerability of elite influence	One-off event	Used selectively	One-off event

Sources: Authors' evaluation framework based on Hess et al. (2015), Pogrebinschi's institutionalization and quality criteria (2013, pp. 10–16), and an analysis of Hungarian legal and policy documents.

As presented earlier, the highly institutionalized referendum instrument has a firm legislative background in Hungary, and outcomes are legally binding. Since 1990, nine referenda have been held at the national level; their scope is not limited exclusively to the local level but involves participation in the stages of the policy cycle mainly related to the agenda-setting phase. Recognizing the significant impact of referenda on the policy-making process, Orbán's Fidesz has successfully utilized referenda for party political purposes (van Eeden, 2018). Initiated in a top-down manner, today, referenda serve as significant instruments that enable the government to enhance its authority. Representing a substitute to traditional representation, referenda are viewed by citizens as an extension of other governmental functions (Gherghina et al., 2024). Since politicians play a crucial role in the entire process, the vulnerability caused by elite influence is evidently a key challenge within the Hungarian context.

Supported by legal provisions but without binding power, public hearings are among the most commonly utilized participatory mechanisms in Hungary. Their introduction has occurred in a top-down manner, with Hungary's entry into the EU being a driving factor, as EU-funded programs require public consultation at

multiple phases of project execution at the local level. Thus, the public hearing is an institution that is a result of the EU pre-accession process, which has helped build democratic institutions and define rules for their operation (Kampka & Oross, 2023). Concerning its scope, it is a tool for evaluation, whereby citizens of the municipality can explain whether policies accepted by the local municipality have been effective in addressing their problems. Although decisions are not legally binding, councils of representatives raise matters of major importance for municipal policy at public hearings. The need for transparency in decision-making frequently conflicts with the immediate communication goals that politicians aim to achieve, and the primary challenge is that public consultations often remain one-time events.

Holding open primaries—an electoral strategy of opposition parties against democratic backsliding and the new electoral law that provides Fidesz with greater chances of success against a fragmented opposition and blocks their opponents' electoral chances—has enabled opposition parties to engage new voter segments, optimize their resources, and address internal conflicts (Mikola & Santos, 2025). While the binding nature of this institution was acknowledged by all parties involved ahead of the 2022 Hungarian parliamentary election, candidates were not governed by any legal framework. Consequently, our analysis categorized open primaries as having a medium level of institutionalization. The grassroots nature of this process, coupled with mutual distrust among the parties, resulted in the unexpected emergence of a non-partisan candidate in 2021 who ran on an anti-establishment platform—an unintended outcome of the initiative. As the process enabled candidates with very diverse ideological backgrounds to present their electoral programs and attracted the attention of the national media, the scope was mainly related to agenda setting, and its scale was at national level. While the organization of national open primaries for single-member district candidates and the prime ministerial candidate represented a significant achievement in terms of fostering cooperation among opposition parties, and the mobilization of over 600,000 Hungarian citizens was commendable, the subsequent electoral defeat and technical implementation issues undermined trust among the parties. Although the process has been recognized as a participatory tool that can enhance inclusivity in candidate selection, in the context of a hybrid regime, a clear challenge is that national open primaries might remain a one-off event in Hungary's political landscape.

Despite being associated with a low level of institutionalization, national consultations, initially intended as a means for an opposition party to reach out to citizens, have evolved into a strategic, top-down tool for rallying government supporters and facilitating political campaigns. As for the scope, the high level of elite control over the whole process allows the government to cherry-pick ideas and develop and communicate a very flexible interpretation of the responses received from citizens, thus the instrument is mainly an agenda-setting opportunity for the government (Oross & Tap, 2021). Regarding the scale of the process, national consultations involve national topics that are on the agenda of the government. The self-selection of participants significantly skews the reliability of the national consultations' results due to the absence of transparency and public oversight of the process. The consultation questions do not aim to provoke discussion or deliberation; rather, they merely serve to strengthen the government's ability to set the agenda. While the government emphasizes the number of participants, there is little binding power associated with the consultation process. They now primarily serve the strategic objectives of the party in government, such as promoting its legislative agenda, consolidating power, and enhancing its legitimacy in international negotiations; thus, they have proven to be very vulnerable to the influence of the party (Fidesz) elite.

In Hungary, citizens' assemblies are still in the early stages of development, and the idea of such assemblies is not reflected in the current legislation. Citizens' assemblies operate on a consultative basis, meaning that

their advisory recommendations lack any binding power. Local municipalities facilitate their organization, while the participation of NGOs promotes a grassroots approach. They have a governance-driven agenda defined by public administrations (Warren, 2009) as public officials exert significant control over these events by choosing both the topic and the experts. This relegates civil society to a subordinate position in the process, a concern that is reflected in interviews with public officials and NGO representatives, who note that politicians utilize citizens' assemblies to validate actions that have already been planned (Pospieszna et al., 2025). Local governments have faced significant financial constraints in recent years, hindering their ability to make autonomous decisions and implement initiatives. Therefore, citizens' assemblies are often a one-off event, posing a significant challenge to the process.

Building on the detailed evaluation in Table 8, Table 9 provides a concise summary of the relationship between the degree of institutionalization and the overall democratic quality of the five Hungarian ICPs. It highlights that higher institutionalization does not necessarily correspond to better democratic quality, as both highly and weakly institutionalized institutions can be vulnerable to elite influence.

**Table 9.** Summary table for institutionalization and democratic quality of ICPs in Hungary.

ICPs	Degree of institutionalization and formalization	Direction of initiation	Ease of participation/ Democratic quality	Impact/Output	Challenges in the context of democratic backsliding
Referenda	High	Top-down	National level	Binding	Vulnerability of elite influence
Open primaries	Medium	Bottom-up	National level	Binding	One-time event
Public hearings	Medium	Top-down	Local level	Non-binding	Vulnerability of elite influence
National consultations	Low	Top-down	National level	Non-binding	Used selectively
Citizens' assemblies	Low	Bottom-up	Local level	Non-binding	One-time event

Regarding the correlation between institutionalization and democratic quality, our analysis revealed that highly institutionalized ICPs, such as referenda, and ICPs with a low degree of institutionalization, like national consultations, can both be subject to elite manipulation due to their top-down nature and significant influence in the policy-making process. ICPs evaluated as having a medium degree of institutionalization (open primaries and public hearings) are partly the result of the ongoing democratic consolidation that stems from the integration of Hungary into the EU, which led to the emergence of democratic institutions, and are partly reactions to democratic backsliding (the reversed democratization process). Compared to other DIs, citizens' assemblies are bottom-up institutions with limited effect on policy-making. These findings demonstrate that institutionalization in itself is not sufficient to ensure the quality of these institutions: i.e., a high degree of institutionalization does not necessarily correlate with the enhanced quality of the ICP.

## 5. Discussion and Conclusions

Our article aimed to contribute to the literature by helping identify best practices and to the debate about institutionalizing public participation, which may yield considerable benefits but also involves certain costs (Hartz-Karp & Briand, 2009). To this end, a document analysis was conducted, encompassing academic literature and legislative and policy documents.

In line with earlier findings that the significant influence of ICPs in the policy-making process increases the risk of their capture (Brink & Teles, 2017), we found evidence that, due to the strong agenda-setting component, direct democratic institutions, referenda, and national consultations are subject to significant manipulation by the Hungarian governmental elite. With regard to the results of the analyses of the frameworks of institutionalization, while a positive correlation has been proposed between the degree of fulfilment of the institutionalization criteria and the impact on policy-making based on the literature (Pogrebinschi, 2013), the findings demonstrate that institutionalization in itself is not sufficient to ensure the quality of these institutions but provide insight into the functioning of the hybrid regime, which is based on the logic of “ruling by cheating” (Sajó, 2021). Consequently, an institution that is fundamentally intended to enhance direct democracy can readily be transformed into a tool that promotes illiberalism, masquerading as the former. Hence, the observation already made in relation to the primaries seems to be valid here as well: Despite all efforts, “the illiberal context [has] imposed a considerable limit on the societal and political impact of democratic innovations in Hungary” (Kovács Szitkay et al., 2024). Similar to Welp et al. (2022), who demonstrate how participatory tools under populist leadership often serve as legitimization strategies rather than forms of democratic empowerment, our analysis finds that this tendency is clearly mirrored in the selective and top-down use of direct democratic institutions, referenda, and national consultations in Hungary. Thus, our results contribute to a better understanding of elite manipulation in DIs and highlight the need for further research on empirical instruments to assess the variety and integrity of referenda (Kersting & Grömping, 2022). But not all ICPs are equally influenced by democratic backsliding. Highlighting the multifaceted role of DIs/ICPs in a hybrid regime, our analysis detected a medium degree of institutionalization of ICPs (public hearings being a result of democratic consolidation and open primaries reactions to democratic backsliding). The analysis yielded a somewhat unexpected result: In this hybrid regime, some institutions are more concerned with protecting democracy than with innovation. The concept of DI, as well as a significant proportion of the literature on the subject, is predicated on the perspective of Western democracies. However, we found evidence that new institutions, such as citizens’ assemblies, may meet the criteria for DIs, as they introduce innovation. Even though municipalities lack the authority to adopt higher-level, more comprehensive regulations, citizens’ assemblies may be limited in scope, particularly in areas where they would be necessary. Accordingly, based on our findings we propose a new DI/ICP typology for the democratic backsliding context (involving the categorization of the Hungarian cases): (a) new practices that are comparable with DIs as they include innovation, such as citizens’ assemblies; (b) new procedures developed for the protection of democracy, like open primaries; and (c) procedures that openly institutionalize illiberal practices such as national consultations.

The results have broader implications for institutionalization beyond the single case study covered in this article. Our study posits the need for a novel typology, thereby highlighting the multifaceted role of DIs/ICPs in a hybrid regime. On the one hand, this role encompasses innovation and the “improvement” of democracy, but on the other hand, as the results show, such processes can function to protect both democracy and contribute

to the overt institutionalization of illiberalism too. The article also proposes an analytical framework that can serve as a relevant point of departure for further research, not only involving debates about democracy in general, but also for interpreting the nature of so-called cleavage referenda, which are characterized by a profound division in values and beliefs, as well as the illiberal understanding of politics in Europe, particularly in Central and Eastern Europe.

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The authors declare no conflict of interests.

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### Supplementary Material

Supplementary material for this article is available online in the format provided by the authors (unedited).

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## Does Federalism Facilitate Permanent Minipublics?

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### Abstract

Deliberative minipublics have been flourishing across the globe, but most have been conducted as one-off experiments. Only in a few cases has their use been codified in formal decisions or positive law. Notable examples include the state of Oregon in the United States, the German-speaking community in Belgium, and the city of Aachen in Germany. Strikingly, many of these cases emerge from federal, multilevel, or otherwise highly decentralised systems. This raises the questions: is multilevel governance more likely to produce recurring legally embedded minipublics, and does institutionalisation differ across levels of governance? More specifically, we investigate whether federal arrangements make it more likely that minipublics will be repeated and formally embedded, and how the mode of institutionalisation differs across contexts. We begin by outlining a conceptual framework to clarify what counts as a permanent minipublic. We then advance a preliminary, exploratory theoretical expectation linking institutional permanence to federal and multilevel governance. Our findings suggest that while federal and multilevel systems are indeed more likely to host permanent minipublics, they do so in distinct ways—varying not only in where minipublics are embedded (local vs. regional), but also in how they are codified and the democratic functions they are designed to perform.

### Keywords

democratic innovations; federalism; minipublics; multi-level governance

## 1. Introduction

In recent years, deliberative minipublics—assemblies of randomly selected citizens brought together to deliberate on public issues—have proliferated across democratic systems. From climate assemblies in France to citizen juries in the United States, these forums have become emblematic of democratic renewal and innovation (OECD, 2020). Yet for all their visibility, most minipublics remain *ad hoc*. Convened for a single occasion, they typically lack legal standing and formal ties to enduring political institutions. This “leaves the door open to arbitrary and opportunistic use of these democratic innovations” (Courant, 2022, p. 163). The system integration of minipublics—embedding them in laws, charters, or recurring procedures—remains the exception rather than the norm. Yet, to address the current crisis of representative democracy, it is crucial to explore ways to institutionalise deliberation (Offe, 2011).

This article investigates the conditions under which minipublics make the leap from democratic experiments to enduring features of the institutional landscape. Literature offers a range of explanations for their emergence and entrenchment. Some scholars emphasise macro-political drivers, including declining trust in representative institutions and increasing demands for participatory forms of governance (Macq & Jacquet, 2023). Others focus on strategic motivations, highlighting how political elites deploy minipublics to navigate contentious reforms or enhance democratic legitimacy (C. M. Hendriks & Lees-Marshment, 2019). More recently, a review of the OECD (2020) report and dataset reveals a clear pattern: institutionalised minipublics most often emerge within multi-level governance systems—spanning local, regional, and national tiers. The most prominent examples—including the German-speaking community of Belgium, the city of Aachen in Germany, and the state of Oregon in the United States—are all situated within federal or multi-level systems. These contexts seem especially conducive to democratic experimentation and the formal incorporation of minipublics into public decision-making. However, examples of ongoing attempts to render the minipublic permanent can also be found in cities such as Paris, Milan, and Madrid, situated in less decentralised multi-level polities. In France, the High Council of the Military Function (HCMF), established in 1969, is a permanent body randomly selected among members of the military. According to Courant (2022, p. 167), the HCMF is “the oldest, most durable, and also the first permanent and systemic DMP [deliberative minipublic] in history.” However, the HCMF reflects the composition of the French armed forces and not that of the society. Therefore, it does not meet the criterion of inclusiveness typically emphasised by advocates of deliberative minipublics (Farrell et al., 2019, p. 5). In any case, setting aside the peculiar case of the HCMF, these examples demonstrate that such minipublics are rarely institutionalised at the national level. Instead, they tend to take root within subnational or regional units, suggesting that the governance level itself may be an additional critical factor shaping the prospects for institutionalisation.

This observation motivates an exploratory inquiry: How do multilevel governance arrangements—particularly federal versus unitary systems—relate to the recurrence and legal embedding of minipublics across governance tiers? Our objective is to chart the institutional distribution of minipublic designs, examining whether particular governance contexts cultivate conditions more favourable to their sustained adoption and legal entrenchment.

This question is normatively significant. If certain institutional arrangements increase the likelihood of minipublics becoming permanent, then these bodies need not remain isolated innovations. Instead, they can evolve into routine components of democratic governance, helping to bridge the gap between representative institutions and participatory demands.

To answer this question, this article proceeds as follows. First, we develop a conceptual framework that defines what a “permanent” minipublic is. We then develop an initial exploratory theoretical expectation linking institutional permanence to federal governance. Our empirical approach adopts a deliberately circumscribed scope: we rely primarily on the OECD (2020) database, which represents the most comprehensive systematic inventory currently available. This methodological choice necessarily excludes minipublics operating in non-OECD contexts—settings that encompass a significant proportion of the world’s federal systems—thereby constraining our analytical reach. Given these inherent limitations, we position our investigation as exploratory in nature, treating all empirical findings as provisional and contextually bounded rather than generalizable. Throughout this dataset, we use multiple correspondence analysis (MCA) followed by cluster analysis to empirically identify distinct typologies of permanent minipublics. Our findings show that while federal and multilevel systems are indeed more likely to host permanent minipublics, they do so in systematically different ways—varying not only in where minipublics are embedded (local vs. regional) but also in how they are codified and what roles they are designed to perform.

## 2. Recurrent vs. Institutionalised Minipublics

Deliberative minipublics are small representative groups of citizens mainly selected by sortition to deliberate on public policy issues. Common forms include citizens’ juries, consensus conferences, planning cells, and citizens’ assemblies. Their design typically incorporates balanced information, expert input, facilitated discussion, and the formulation of collective recommendations (e.g., Carson & Hartz-Karp, 2005; Farrell et al., 2019; Niemeyer et al., 2024).

Articulating a clear and comprehensive definition of a minipublic remains a conceptually intricate challenge. Literature in deliberative democracy has approached minipublics from multiple angles: their format (e.g., Elstub & Escobar, 2019; Smith, 2009; Veri, 2023), their internal deliberative processes (e.g., Geißel & Joas, 2013), and their intended functions within the broader polity (e.g., F. Hendriks & Wagenaar, 2023).

However, most studies adopt a normative lens, focusing on what minipublics should be, while empirical questions—such as how they evolve, recur, or become embedded in political systems—receive less attention. This gap matters because understanding minipublics as real-world practices, not just democratic ideals, reveals their systemic roles and long-term impact.

To illustrate, Ireland’s Citizens’ Assemblies (Farrell et al., 2013) offer a model of institutional integration. These topic-specific politically embedded bodies deliberate on issues like abortion or climate change, with recommendations debated in the Oireachtas (Irish Parliament) and subject to national referendums. This recurring pathway delivers deliberative depth without permanently transferring power, addressing critics’ concerns about a “lottocratic mentality”—the risk that random selection sidelines the broader public (Lafont & Urbinati, 2024). Whether this fully resolves such critiques is a normative question beyond this article’s scope. Instead, we trace how minipublics, whether one-off or serial, loosely convened or legally entrenched, evolve and embed (or not) in diverse political systems. This empirical focus opens a new line of inquiry into their real-world integration, informing how democratic innovations can be designed for lasting impact.



In this light, the twin processes of *recurrence* (the tendency to reconvene or replicate) and *integration* (the absorption into formal decision-making architectures) become central to understanding how and why some minipublics endure while others remain episodic experiments. Moreover, these processes map directly onto our framework's core dimensions of *permanence* and *institutionalisation*. Although these terms may appear synonymous at first glance, they in fact capture distinct attributes. As argued here, they represent two separate dimensions that, when cross-tabulated, form a matrix capable of revealing the varying roles minipublics can assume within democratic governance systems.

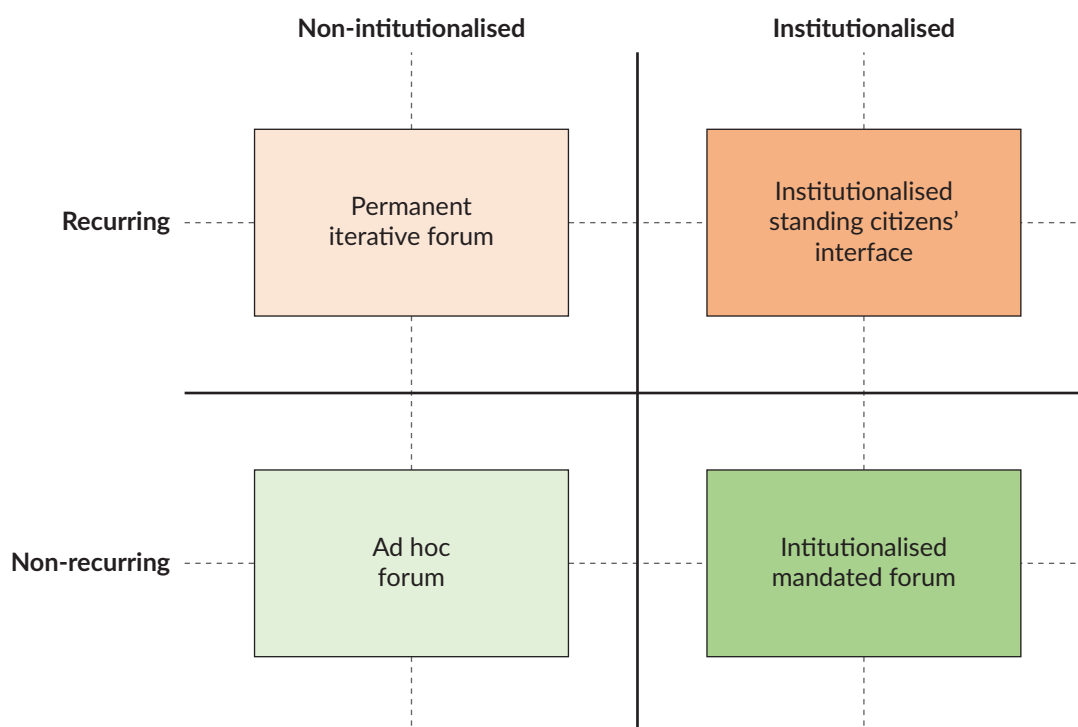
*Permanence* is often intended to mean recurrence or continuity of a deliberative process over time. It captures whether a minipublic is convened on a one-off basis or embedded in a cycle of regular activity. Importantly, recurrence can exist even in the absence of full institutional integration. For example, the citizens' panel in the Swiss Canton of Geneva—mandated to write a “Notice Citoyenne” to inform voters about the content of a referendum and to highlight the main arguments in favour and against it—is intended to become a recurring body. In fact, it was initiated by the cantonal executive, in collaboration with the University of Geneva (see [www.demoscan.ch](http://www.demoscan.ch)) as a pilot in 2021 and was repeated in 2024 (Canton of Geneva, 2024). Similarly, the *conselho de cidadãos* in Lisbon was launched by the city council as part of a participatory governance initiative (Lisboa Participa, n.d.). To this date, this minipublic has been organised four times, in 2022, 2023, 2024, and 2025. While both are legal in the sense of being formally authorised by public authorities, neither is grounded in a legal framework that explicitly defines their institutional role, authority, or integration within the broader governance architecture. For now, therefore, the attempts to render these minipublics permanent do not equate to institutionalisation.

*Institutionalisation*, by contrast, concerns the extent to which a minipublic is explicitly embedded within a political system's legal or constitutional framework—particularly in terms of its function, authority, and continuity. This dimension is best understood as a spectrum. At the robust end are cases where constitutions, laws, or decrees explicitly codify not just their existence, but their governance function. For instance, the Belgian federal law provides a formal basis for using sortition to select lay citizens from the National Register, who can then be invited to participate in citizens' panels or mixed commissions that comprise both parliament and citizens (Belgian Official Journal, 2023). Similarly, in the German-speaking community of Belgium (Ostbelgien), a regional decree integrates the permanent citizens' council directly into the legislative process (Macq & Jacquet, 2023; Ostbelgien, 2019). At the weak end of the spectrum, we find ambiguous forms of institutionalisation—arrangements established primarily to support executive power or only vaguely defined within legislation. A clear example is provided by the Australian state of Victoria: the Local Government Act 2020 (Vic), Section 55(2)(g), mandates the use of “deliberative engagement practices,” but does not specify what form these should take, nor does the Act define the governance role of any resulting minipublic (Victoria State Government, 2024). In such a case, the legal basis for deliberation is present, but its institutional specification remains vague. Another example is the creation of minipublics that are embedded within broader executive actions. For instance, the Milan Permanent Citizens' Assembly on Climate is incorporated into the city's regulatory framework and linked to the Air and Climate Plan (Comune di Milano, n.d.). As in the cases of Geneva and Lisbon mentioned above, the case of Milan functions primarily as an instrument of the executive, rather than as an independent institutional body.

These variations highlight that legal existence is not synonymous with institutionalisation, while having a recurring citizens' assembly is not necessarily an indication of institutionalisation. A minipublic may be legally

established without being institutionally defined in terms of function, permanence, or integration into political decision-making. Distinguishing between these dimensions is essential to create new taxonomical frameworks that are more indicative of the political function of this democratic innovation.

The intersection of recurrence and institutionalisation yields a conceptual framework that better captures the evolving functions of minipublics within democratic systems. As Figure 1 illustrates, these two dimensions are not merely descriptive attributes but can be considered as generative axes that shape distinct functional archetypes of citizen deliberation.



**Figure 1.** Taxonomical framework on occurrence and institutionalisation.

In the lower-left quadrant, we find ad hoc forums—minipublics convened episodically and lacking formal integration into the institutional framework, such as the Swiss Citizens' Assembly on Health Costs in 2025 (Swiss Citizens' Assembly, 2025). These probably remain the most common and least structured form, often used for pilot initiatives, academic experiments, or symbolic consultations. Moving vertically, when recurrence is introduced without full legal codification, we encounter *permanent iterative forums*—bodies that reassemble over time, often by executive decision, but without a clearly specified institutional role, such as citizens' assemblies in Milan whose mandates fell within specific executive needs. These forums reflect a procedural commitment to deliberation but operate outside a legally defined governance architecture.

By contrast, the horizontal movement towards institutionalisation signals a shift from deliberative experimentation to systemic incorporation. In the lower right quadrant, *mandated forums* are convened through legal instruments or policy directives, but may be non-recurring. An example is the 2011 Constitutional Council of Iceland, which was mandated by a resolution of parliament (Constitutional Council of Iceland, 2011). Their authority is derived from statute or regulation, even if their existence is temporally bounded. At the upper right, we encounter the most robust configuration: *institutionalised standing citizens'*

*interfaces*—recurring bodies with institutional recognition and specified governance functions, such as the Ostbelgien model. These are not just procedurally stable but also normatively grounded within the polity, acting as continuous deliberative interfaces between citizens and formal political decision-making.

This framework thus reveals how recurrence and institutionalisation jointly structure not only the durability of minipublics but also their democratic function, and institutional engagement.

### 3. Overview of Factors Determining the Emergence of Minipublics

#### 3.1. Contextual and Agent-Based Dynamics

The emergence of deliberative minipublics does not occur in a vacuum. Rather, they appear to be shaped by a configuration of contextual, political, infrastructural, institutional, and normative dynamics that converge under particular conditions:

- *Contextual element (crisis and legitimacy framing)*: A widely cited circumstantial reading lies in the contemporary crisis of liberal representative democracy. Amid rising political disaffection, declining trust in political elites, and the erosion of intermediary institutions, citizens increasingly demand more direct and responsive forms of engagement (Macq & Jacquet, 2023). Deliberative minipublics have emerged as potential (though partial) correctives to this legitimacy gap, offering structured and informed arenas for lay citizen participation. In contexts where populist or illiberal tendencies challenge democratic norms—as emblematic in Central and Eastern Europe—minipublics have also served as institutional counterweights to political centralisation and elite capture (Česnulaitytė, 2024).
- *Global norm diffusion*: Transnational promotion has played a potentially catalytic role. International organisations such as the OECD have actively promoted deliberative practices by codifying standards and disseminating best practices (OECD, 2020). Networks like Democracy R&D and DemocracyNext have facilitated peer learning across jurisdictions, providing models, toolkits, and support structures. As deliberative procedures become professionalised and legitimised through these global channels, their uptake becomes more plausible within institutional reform agendas.
- *Strategic utilisation*: Institutionalisation is also strategic. Political leaders may initially use minipublics for instrumental purposes—defusing conflict, delaying controversial reforms, or bolstering their legitimacy—only to institutionalise them later as part of broader governance reforms. While some critics argue this instrumentalisation may compromise deliberative ideals, it also demonstrates the adaptability of minipublics to existing political incentives (C. M. Hendriks & Lees-Marshment, 2019). Institutionalisation thus often reflects a symbiotic alignment between deliberative logic and elite strategy.
- *Enabling infrastructures*: Recent debate foregrounds the infrastructural conditions under which episodic exercises become institutionalised. The OECD (2020) highlights several elements viewed as essential or conducive to institutionalisation: strong cross-party political support, broad public and media backing, and the availability of skilled practical capacity. Central to this process, however, is the existence of a supportive legal and regulatory framework, coupled with a context-appropriate institutional design. Such a framework can help ensure that citizens' assemblies are not merely ad hoc experiments, but may become embedded within the formal rules, procedures, and governance structures of the political system. Adapting the design to the specific level and branch of government

further ensures that assemblies fit their administrative, legal, and cultural environment, thereby potentially enhancing their legitimacy and durability.

### **3.2. Federal and Multilevel Opportunity Structures**

Taken together, crisis framing, elite strategy, norm diffusion, and enabling infrastructure shape the immediate environments in which minipublics emerge and sometimes take root. Yet these elements are often dynamic, contingent on particular agents or conjunctural circumstances. They help explain when and why actors experiment, but they do not alone specify the structural elements that facilitate iterative innovation and consolidation.

In this respect, local-level governance arrangements are frequently invoked to explain why certain jurisdictions more readily pilot and entrench democratic experimentation because physical proximity between citizens and elected officials creates ideal conditions for participatory democracy (Goss, 2001; Michels & de Graaf, 2010). These local peculiarities are reinforced by research indicating that smaller municipalities tend to perform better with informal networking and ensure higher responsiveness compared to larger jurisdictions (Lowndes & Sullivan, 2008). Yet, Falanga (2024) challenges the idea that “closer is automatically more democratic.” As argued, local innovations work only within a web of multi-level institutions, networks, and global forces; treated in isolation, they can reinforce inequalities or be hijacked by local elites (Falanga, 2024).

This multi-scalar perspective aligns with traditional understandings of federal states, where subnational governments function as decentralised “laboratories of democracy.” These laboratories serve dual purposes: they reduce the political and reputational risks of policy experimentation while creating channels for successful institutional innovations to diffuse across jurisdictions (Karch, 2007; Oates, 1999; Strumpf, 2002). From this viewpoint, federalism provides multiple entry points for democratic experimentation, including deliberative innovations such as citizens’ assemblies.

However, contemporary scholarship challenges the assumption that all federal arrangements are inherently flexible or innovation-friendly (Grumbach, 2022). The United States exemplifies this complexity—while subnational divergence has indeed enabled democratic experimentation, it has simultaneously facilitated democratic erosion. Partisan nationalisation and strategic state-level actions have undermined participatory processes, revealing federalism’s fundamental ambivalence: the same institutional structures can either host deliberative minipublics that enhance citizen engagement or enable exclusionary reforms that restrict democratic participation (Grumbach, 2022).

Crucially, we must resist overgeneralising American patterns to all federal systems. Federal countries characterised by a cooperative political culture, multiparty systems, and consensus-oriented executives—such as Germany and Switzerland—operate under markedly different dynamics than the competitive, polarised environment that dominates contemporary US politics. Comparative analyses reveal that multilevel governance combines adaptive capacity with procedural complexity rather than delivering uniform flexibility (Benz, 2013). These systems operate as negotiation frameworks with distinct modes: confrontational dynamics that produce deadlock, bargaining processes that yield compromises and package deals, and argumentative exchanges that generate consensus—all shaped by institutional design and procedural differentiation.

Building on Benz's insights, we reconceptualize federalism not as a generic innovation enhancer but as a structured opportunity field. Its configurational properties—including variations in competence allocation, coordination forums, party linkages, symmetry/asymmetry arrangements, and procedural rigidity—fundamentally condition the type, scope, and trajectory of democratic experimentation (Watts, 2010). This governance complexity can indeed foster local democratic innovation, as political engagement unfolds within interconnected networks and power relations spanning local, national, and global scales (Falanga, 2024). Under favourable conditions, isolated experimental trials can evolve into systematically embedded democratic practices (Strumpf, 2002).

This pathway is clearly exemplified by the Ostbelgien case, where local political elites have leveraged their autonomy to institutionalise citizen deliberation through legal instruments and administrative mandates (Macq & Jacquet, 2023).

In summary, a federal system provides fertile ground for minipublics: by institutionalising socio-political interdependencies across tiers of government and creates the conditions in which democratic innovations can take root. Within these interdependencies, three key mechanisms can be identified that enable their multi-scalar embedding:

- *Multiple Access Points*—as multiple legislative, judicial, and intergovernmental venues—which allows for close links between authorities and citizens (e.g., Tuschhoff, 1999) and expands the autonomy of subnational units (e.g., cantons), which can experiment with minipublics independently of national consensus, allowing local innovations to emerge.
- *Policy Diffusion* mechanisms, through which the policies in one unit are influenced by the policies of other units. Within a federal context, a subnational unit can operate as a “democratic laboratory,” trialling novel democratic experiments without producing risk to the rest of the country. If successful, these experiments can produce emulation effects (Karch, 2007).
- Federalism exemplifies *Embedded Pluralism*, structurally aligning with deliberative democracy. Drawing on Tuschhoff (1999), federalism introduces compounded representation, wherein citizens are simultaneously represented individually and through subnational units. This dual-layered system, while highlighting asymmetries, fosters power-sharing, diversity accommodation, and conflict management arrangements and promotes deliberative norms by systematically incorporating diverse interests into democratic processes, thus making federalism particularly compatible with the principles of deliberative democracy (Watts, 2010).

#### 4. Case Selection and Analytical Framework

To investigate the patterns of minipublic institutionalisation and their association with structural factors like federalism, we utilize the OECD (2020) dataset of deliberative processes, and retain only entries the OECD itself classifies as *institutionalised*—that is, processes mandated by a public authority, embedded in law or regulation so that they recur automatically, and requiring a formal government response. Collapsing repeated sittings produces 27 distinct institutionalised types recorded up to December 2020. Because the OECD file ends there, we add 11 further types singled out by Smith and Abbas (2025); each of these meets the same institutionalisation criteria (formal legal basis, scheduled or trigger-based recurrence response

obligation) and was re-coded by us with the OECD variable set and cross-checked in Participedia. We also added the citizens' panels in the Canton of Geneva held in 2021 and 2024.

Finally, we manually reassessed all 39 cases against the institutionalisation level of each case accordingly to our institutionalisation framework described above (for more details see the Supplementary File). Specifically, we differentiate between robust and weak institutionalisation: robust refers to cases where minipublics are explicitly formalised in legal or regulatory frameworks (e.g., embedded in legislation or municipal statutes), while weak institutionalisation includes cases where the mandate is vague, informal, or relies on discretionary executive authority—such as the Australian local citizens' juries or the Milan Permanent Citizens' Assembly on Climate, which are initiated and maintained through executive action but lack legal permanence.

To systematically classify and compare the design features of minipublics, we use nominal coding for the following three core variables:

1. *Level of government*: coded as 1 = local, 2 = regional, 3 = national
2. *Institutionalisation*: coded as 0 = weak, 1 = robust
3. *Recurrence*: coded as 0 = one-off, 1 = recurring

We adopt nominal coding rather than ordinal or continuous scales because the categories involved represent qualitatively distinct types, not measurable degrees of intensity or quantity. For example, "local," "regional," and "national" refer to different governance tiers, not points along a continuous spectrum. Similarly, institutionalisation is treated as a binary status, as the gap between legal embedding and executive discretion is not meaningfully linear. This categorical approach allows for clearer typological differentiation and is methodologically suited to our goal of detecting discrete patterns in how minipublics are institutionalised across contexts.

These coded variables serve as the foundation for an MCA, followed by hierarchical clustering on principal component (HCPC) to identify common configurations in minipublic design by using the R package FactoMineR (Lê et al., 2008). Finally, we explore the relationship between these configurations and Federalism, testing statistical associations using Fisher's Exact Test.

## 5. Results

The analysis begins with the MCA to reduce the dimensionality of the categorical dataset while preserving the underlying structure. The MCA identifies two main components that together explain a substantial share of the variation across minipublic designs. Specifically, the first principal component accounts for 41.7% of the total variance, while the second explains an additional 28.3%, bringing the cumulative explained variance to 70.0%. A third component adds only marginal explanatory power (17.6%) and is therefore excluded from further interpretation. Given the high level of variance captured by the first two dimensions, we proceed to apply clustering using the reduced two-dimensional MCA space.

We then conduct an HCPC to identify meaningful groupings of cases based on their institutional features. The clustering reveals four distinct clusters, each characterised by a unique configuration of recurrence, level of government, and institutionalisation. Table 1 displays the results of the HCPC, showing that the level of



government is the strongest driver of cluster differentiation ( $\chi^2$ ,  $p < 0.001$ ), followed by recurrence ( $p < 0.001$ ) and institutionalisation ( $p < 0.001$ ). These associations confirm that territorial level, regularity, and legal embeddedness play significant roles in shaping the typologies of deliberative forums.

**Table 1.** HCPC results.

Cluster	Key over-represented categories (v.test)	% Federal states	N federal cases	N total cases	Key features
1	Recurrence = 0 (+4.03), Local = 1 (+2.73), Institutionalisation = 0 (+2.29)	77.8%	7	9	Non-recurring; local; non-institutionalised
2	Local = 3 (+4.95), Recurrence = 0 (+2.04)	20.0%	2	10	National; non-recurring
3	Recurrence = 1 (+3.35), Local = 1 (+3.18), Institutionalisation = 0 (+2.66)	18.2%	2	11	Recurring; local; non-institutionalised
4	Institutionalisation = 1 (+3.99), Local = 2 (+3.76), Recurrence = 1 (+2.89)	66.7%	6	9	Institutionalised; regional; recurring

Notes: Federal cases: 17 of 39 (43.6%); federal countries represented: 7 of 14 (50%) among countries with at least one minipublic in the sample; this proportion exceeds the share of federal countries within the broader OECD membership, indirectly suggesting a greater propensity of federal countries to host institutionalised minipublics;  $\chi^2$ : Institutionalisation, recurrence, level of governance  $p < 0.001$ .

The clustering analysis reveals four distinct models of deliberative forums, each reflecting a unique combination of institutionalisation, recurrence, and territorial scope. These models are not only statistically distinct but also carry meaningful implications for how democratic innovation is structured and sustained across different governance systems. The HCPC and chi-square tests reveal four meaningful configurations of deliberative innovation, each with a statistically distinct profile:

- *Cluster 1—Ad hoc local experiments*: This cluster gathers forums that are both local and non-institutionalised, but also ad hoc—assembled once, often without plans for repetition. These are likely small-scale experiments, pilot deliberations, or consultative exercises tied to specific issues or moments in time. Despite their modest scope and limited duration, these forums are disproportionately found in federal systems, with nearly 78% of the cases occurring in federations. This may reflect the autonomy granted to sub-national entities in federal countries, where municipalities or regions are freer to initiate participatory experiments without central oversight. It also underscores a certain fragmentation of innovation, where decentralised authority enables a diversity of formats, including short-lived ones.
- *Cluster 2—Ad hoc national assemblies*: This cluster includes deliberative bodies that operate at the national level but are convened only once and lack formal legal grounding. These are typically high-profile national assemblies—sometimes attached to major reform processes, public debates, or government consultations—but without clear continuation or embeddedness in policy processes. Though national in scope, their non-institutional and ad hoc nature makes them politically contingent and highly dependent on elite initiative. Their presence is not strongly linked to federalism: only

around 20% of cases are federal, suggesting that unitary states may be just as likely to deploy these symbolic or strategic participatory events at the national level.

- *Cluster 3—Permanent iterative local forums*: This cluster captures deliberative practices that are deeply embedded at the local level and recur over time but lack formal institutionalisation. Statistically, they are characterised by strong recurrence and a clear local focus. These might include town-level citizens' panels or regularly convened community assemblies, initiated by local authorities or civil society but not codified into law. Despite their absence of legal status, they exhibit a degree of continuity and procedural maturity. Interestingly, they are less common in federal systems, with only 18% of cases situated in such contexts. This suggests that unitary or centralised systems may provide fertile ground for recurring local-level experimentation, possibly due to more uniform governance structures or central encouragement of local initiatives.
- *Cluster 4—Institutionalise regional citizens' interfaces*: It stands apart as the only group where institutionalisation is prominent, and it effectively covers the universe of recurring regional-level assemblies in our corpus. These are recurring forums with a strong regional anchoring and a degree of legal or procedural formalisation. They may be embedded in regional charters, statutes, or supported by explicit mandates from subnational legislatures. Their recurrence suggests ongoing investment in participatory structures, while their institutionalisation implies political and administrative backing. Not surprisingly, they are prevalent in federal systems, where regional governance bodies often have the capacity—and sometimes the mandate—to develop deliberative infrastructures. Nearly 67% of cases in this cluster are federal, reinforcing the idea that institutionalisation at the regional level is facilitated by federal architectures.

The association of federalism with both Cluster 1 (ad hoc, local, non-recurring) and Cluster 4 (recurring, institutionalised, regional) illustrates divergent trajectories from our exploratory expectation enabled by the same structural autonomy. In this respect, we can cautiously speculate that the federal system supplies multiple access points that generate a wide variance, from low-cost experimentation (Cluster 1) to high-cost regional institutionalisation (Cluster 4).

## 6. Fisher Test Results

To examine how federalism relates to the emergence and configuration of deliberative minipublics, we conducted a Fisher's Exact Test to compare cluster membership across federal and non-federal countries (Table 2). This allows us to assess whether certain types of minipublics—distinguished by their recurrence, level of government, and institutionalisation—are more likely to occur in federal systems versus unitary ones.

The results suggest that federalism tends to coincide with two divergent trajectories of deliberative innovation: on the one hand, they are more conducive to ad hoc and experimental formats, such as those captured in Cluster 1, where forums are local, short-lived, and lack institutional anchoring. On the other hand, federalism also supports the development of more structured and recurring regional-level forums, as represented in Cluster 4. This duality underscores that structural autonomy can generate both high institutionalisation *and* high experimental churn. This is not a fixed outcome; it really depends on specific local or regional conditions like political will, a robust civic culture, and available resources. However, the flexibility given to states or cantons allows regional actors to champion deliberative processes even if the national government is not particularly engaged. A prime illustration is the Canton of Geneva's Notice

**Table 2.** Fisher's Exact Test on cluster differences across federal and non-federal countries.

Cluster pair	p-value	Interpretation
1 vs 2	0.023*	<i>Statistically significant difference</i> , suggesting that although these clusters are relatively similar, they may differ subtly in composition (e.g., level of government or recurrence).
1 vs 3	0.021*	<i>Statistically significant difference</i> , indicating that Cluster 3 (recurring local forums) is meaningfully distinct from Cluster 1 (ad hoc local forums), especially in recurrence.
1 vs 4	1.000	<i>No statistical difference</i> , indicating that Cluster 1 (ad hoc, local) and Cluster 4 (regional, institutionalised) are <i>not significantly distinct</i> , which may be due to small sample sizes or overlapping profiles in one variable.
2 vs 3	1.000	<i>No significant difference</i> , suggesting Cluster 2 (ad hoc, national) and Cluster 3 (recurring, local) may not be strongly differentiated across the included variables.
2 vs 4	0.07^	<i>Marginally significant</i> , suggesting a potential difference between Cluster 2 (ad hoc national) and Cluster 4 (regional, recurring, strongly institutionalised).
3 vs 4	0.065^	<i>Marginally significant</i> . This p-value suggests a potential difference between Cluster 3 (regional, recurring, weakly institutionalised) and Cluster 4 (regional, recurring, strongly institutionalised).

Notes: \*  $p < 0.05$ ; ^  $p < 0.1$ .

Citoyenne initiative. Building on an initial ad hoc pilot in 2021, this minipublic format—inspired by the Citizens' Initiative Review (CIR) Oregon model—is now a sustained effort, organised by the cantonal government in 2024 with the intent to repeat it in the following years, in order to improve the clarity of political information for citizens ahead of cantonal referendums.

In contrast, unitary systems dominate at the extremes of the deliberative spectrum. On one end, we find Cluster 3, composed of recurring but non-institutionalised local forums, such as community panels or municipal citizens' juries that operate regularly but without formal legal status. On the other end lies Cluster 2, defined by national-level, ad hoc forums—typically high-profile, one-off assemblies commissioned by governments in response to crises, reform agendas, or political pressures. These formats, while opposite in scope and continuity, are both prevalent in unitary contexts. This suggests a bifurcated model: unitary systems either allow municipalities to sustain participatory practices informally or they mobilise symbolic national exercises without necessarily institutionalising them. In either case, the pattern is one of discretionary rather than systemic embedding of minipublics.

The distinction between recurring and institutionalised practices, then, is not solely a function of governance structure. Rather, it reflects how different systems operationalise their institutional configurations—how autonomy, incentives, and administrative capacity are translated into participatory design. Federalism, in this regard, may enable innovation, but it does not determine its form.

Finally, while some pairwise comparisons do not reach conventional thresholds of statistical significance, several fall into the range of marginal difference ( $p$  values between 0.05 and 0.10). In the context of small- $n$ , categorical data, these results remain analytically meaningful. They point to underlying patterns that, though not conclusive, merit attention—particularly when considered alongside descriptive and theoretical insights.

## 7. Discussion

The OECD (2020) outlines three main routes through which deliberative minipublics can become institutionalised. The first involves the creation of permanent or ongoing structures for citizen deliberation, such as standing assemblies embedded in law or regulation (Route 1). The second route is the establishment of trigger mechanisms, where public authorities are required to initiate deliberation under specific conditions (Route 2). The third route is demand-driven, allowing citizens or civil society actors to activate deliberative processes on specific issues (Route 3). These routes offer a valuable framework for understanding how public deliberation becomes integrated into democratic systems, and our exploratory analysis provides empirical insights into how structural features of a political system—specifically federal versus unitary systems—shape their manifestation.

Our empirical analysis suggests that these institutionalisation routes take different forms depending on whether the political system is federal or unitary. Federal systems tend to support both Route 1 and Route 3, often through experimentation and decentralised innovation at the subnational level. Unitary systems, in contrast, lean more heavily on Route 2, where deliberative practices are initiated by national governments, or on informal adaptations of Route 1, particularly at the municipal level. Our Cluster 4, which includes recurring, legally institutionalised regional forums, is most clearly aligned with Route 1. These cases—found almost exclusively in federal systems—exemplify the advantages of multiple access points (Tuschhoff, 1999), reframed here as an opportunity structure rather than an automatic causal force. In federal contexts, subnational units possess legislative autonomy that can be mobilised to institutionalise deliberative practices independently of national approval. This decentralised authority creates opportunities for regional embedding of deliberation through legal mandates, recurring administrative procedures, or political commitments. These regional minipublics are not simply consultative; they are systemically embedded mechanisms of participatory governance. Their concentration in federal systems strongly supports our theoretical proposition that federalism, by distributing authority, enables subnational entities to act as “democratic laboratories” for deliberative reform (Karch, 2007).

By contrast, Cluster 1—ad hoc local-level forums—corresponds most closely to Route 3. Their existence illustrates a different facet of federalism: its capacity to facilitate low-risk democratic experimentation (Karch, 2007). This aligns with the multiple access points mechanism, highlighting how the existence of numerous autonomous decision-making centres allows for initial, often singular, deliberative endeavours. A single unit (e.g., a city or canton) can pilot a deliberative process, and if successful, it may be replicated or emulated by others. While these forums often lack permanence, their plurality and density reflect a dynamic of decentralised learning, in which innovation spreads not through national directive but via inter-jurisdictional observation and adaptation.

Taken together, the multiple-access-points feature yields twin dynamics: autonomous institutionalisation, where selected pilots crystallise into codified regional forums, and laboratory experimentation, where most processes remain provisional yet feed a repertoire of templates. Crucially, these pathways are neither universal across federal legislation nor absent from unitary contexts. With a small sample and some unitary representation, our findings remain exploratory rather than determinative. The unitary route, by contrast, tends to oscillate between top-down symbolic activation (Route 2) and bottom-up municipal practices (informal Route 1). Without the same degree of decentralised legislative power, deliberative innovation in

unitary systems often relies on discretionary initiative—either from national governments responding to political pressures or from local authorities operating within constrained institutional parameters. Cluster 2 captures recurring but non-institutionalised local forums, such as community panels or citizens' juries sustained through administrative routine or civil society partnership. These practices represent an informal, bottom-up variant of Route 1, emerging within more centralised governance systems. Municipal actors in unitary states often find ways to replicate deliberative processes, even without legislative support, suggesting that institutionalisation can also proceed through practice and norm-building rather than formal rules. Cluster 2, meanwhile, reflects the top-down logic of Route 2. These are national-level, ad hoc assemblies—such as the French *Grand débat national*—convened by national governments, often in response to crises, reform agendas, or political pressure. They are highly visible and often well-resourced, but rarely recurring. In unitary contexts, where decision-making is more centralised, these forums tend to be elite-activated rather than citizen-initiated, and their continuity depends heavily on political will. This pattern underscores the centralizing tendencies in unitary systems, where the “access points” for significant deliberative initiatives are often concentrated at the national executive level, making “trigger mechanisms” (Route 2) a more prominent pathway than grassroots, self-sustaining institutionalisation.

Federalism and unitarism do not determine whether deliberation happens, but they seem to influence how, where, and on what terms it becomes institutionalised. Federal systems tend to externalise institutionalisation to the regional level, fostering formal but uneven adoption through mechanisms of multiple access points and decentralised policy diffusion. Unitary systems concentrate activation power at the national level but may foster informal local practices through administrative discretion.

Understanding these differences is essential for designing context-appropriate strategies to embed deliberative minipublics. While each system offers viable routes forward, their success depends on a shared set of enabling conditions—legal clarity, financial stability, and sustained political commitment. Without these, even the most promising designs risk remaining peripheral. But when aligned with the institutional logics of the state, these routes can deliver durable, scalable innovations that make citizen deliberation a more permanent fixture of democratic life.

This said, while our study offers fresh insights into how governance structures shape the institutionalisation of deliberative minipublics, several considerations suggest fruitful directions for future research. First, our empirical universe relies on the OECD's 2020 minipublics database—a rich but now somewhat dated resource—that we have completed by relying on a more recent overview by Smith and Abbas (2025). Indeed, although the OECD database provides extensive coverage of experiments up to that point, it does not yet reflect the very latest initiatives or those emerging outside OECD membership.

Second, the modest number of cases available naturally limits the statistical power of our quantitative tests. Some of the associations we observe using Fisher's Exact Test approach conventional significance thresholds, indicating that our findings would be even more robust if confirmed in larger or refreshed samples. Future studies might therefore seek to incorporate additional years of data or supplementary case sources to reinforce these early patterns.

Our decision to focus primarily on structural governance features—specifically, whether a system is federal or unitary—was driven in part by the constraints of our current case count. With only a modest number of

observations, we avoided overloading the model with additional covariates. However, we recognize that political and societal dynamics—such as the intensity of party competition, the framing and amplification provided by media outlets, the degree of stakeholder mobilisation, and the organisational strength of civil society—are likely crucial to both the emergence and longevity of deliberative forums. Once a more extensive dataset can be assembled, integrating these contextual variables through mixed-methods case studies or multivariate statistical models would allow future research to generate a richer, more nuanced understanding of why some minipublics mature into enduring institutions while others remain isolated pilots.

Finally, our cross-sectional design provides a valuable snapshot of recurrence and institutionalisation at a single point in time, but cannot trace the longitudinal trajectories of individual assemblies. A panel or time-series approach could reveal whether ad hoc pilots grow into standing bodies, how legal mandates strengthen (or weaken) over successive cycles, and which factors drive these transformations. By updating the dataset, increasing sample size, incorporating richer political covariates, and adopting longitudinal methods, future research can build on our framework to deepen and refine our understanding of the institutional dynamics of deliberative minipublics.

## 8. Conclusion

Our analysis reveals that territorial architecture shapes the institutional form that deliberative minipublics can realistically assume. Federal systems occupy both ends of the spectrum: they host both highly formalised, recurring regional forums as well as numerous low-stakes, short-lived local experiments. Unitary states, by contrast, tend to channel participation either upward into one-off symbolic national assemblies or downward into iterative municipal panels. This duality suggests that a federal structure does not inherently foster deliberative innovation. Rather, it is the tier of government with the appropriate combination of authority, resources, and incentives that ultimately determines whether a citizens' assembly becomes a durable democratic interface or fades after a single outing.

These insights must be read with care. Our evidence relies on only 39 institutionalised cases, primarily drawn from OECD countries, which limits statistical power and omits many experiments in the Global South. Because the data captures a single temporal snapshot, we cannot yet trace how today's ad-hoc pilots might evolve over time, nor can we assess the influence of political dynamics such as party competition, civil-society mobilisation, or administrative capacity that were intentionally bracketed out of our parsimonious model.

These caveats point directly to the next steps of research. While a larger and more systematic dataset is necessary to produce generalisable results and causal inference, future research could still investigate the role of political parties, civil society advocacy, and administrative capacity in shaping minipublic trajectories, but also a possible impact of further institutional variables, such as the form of government (presidential vs. parliamentary), the presence of direct democratic tools such as referendums (see Kübler et al., 2025), and the electoral system (majoritarian vs. proportional representation). A comparative process-tracing of emblematic cases such as Belgium and Oregon could further illuminate causal pathways. A parallel line of investigation would be to examine the life cycles of minipublics, exploring the conditions under which an ad hoc experiment might, or might not, evolve into recurring and institutionalised experiments.



In short, minipublics are no longer democratic curiosities; in many contexts, they are edging towards routine governance. Yet their consolidation remains contingent, not inevitable. By uncovering the institutional logics that enable or constrain their permanence, this study offers reformers a clearer map of where deliberative democracy is most likely to take root—and reminds scholars how much we still have to learn about the conditions that sustain its growth.

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The authors declare no conflict of interests.

### Data Availability

The data that support the findings of this study are available from the corresponding author upon reasonable request.

### Supplementary Material

Supplementary material for this article is available online in the format provided by the authors (unedited).

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# Decolonising Deliberation: Citizens' Assemblies as a Claimed Space for Forging Bottom-Up Democracy in Lebanon and Tunisia

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## Abstract

Tunisia and Lebanon, two states with distinct political trajectories, face converging crises of democratic governance marked by systemic corruption, economic hardship, and public disillusionment. Tunisia's democratic gains following the Arab Spring are now threatened by authoritarian regression, while Lebanon's consociational power-sharing system has led to institutional paralysis. Despite these challenges, both countries retain vibrant civil societies, histories of mobilisation, and a desire for participatory governance, offering entry points for democratic innovation. This article explores the potential of citizens' assemblies (CAs) in these contexts and their possible contribution to fostering new political imaginaries and forms of democratic participation within limited institutionalisation. While CAs have gained traction in the Global North as institutionalised deliberative processes, their application in politically fragile contexts in the Global South raises critical questions around context, adaptability, and legitimacy. Drawing on a four-year multi-sited fieldwork study and three case studies of CAs on energy justice in Lebanon and Tunisia, this article examines how CAs can be designed and implemented amid politically volatile environments and failing institutions. Ultimately, the article contributes to democratic debates on democratic innovation by highlighting the trade-offs between institutionalisation and transformative potential. It positions CAs not as universal models, but as agile democratic tools that can empower citizens and foster alternative bottom-up governance imaginaries.

## Keywords

Arab countries; authoritarian regimes; citizens' assemblies; decolonisation; deliberative processes; democratic innovations; Global South; institutionalisation; Middle East; SWANA region; participatory processes

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## 1. Introduction

Interest in deliberative mini-publics (DMPs), particularly citizens' assemblies (CAs), has been growing globally over the past decade as part of a “deliberative wave,” an expression coined by the Organization for Economic Co-operation and Development (OECD) to depict the rapid expansion of deliberative processes, especially since 2010 (OECD, 2025). While this growth has been concentrated in the Global North, participatory budgeting initiatives in Africa and Latin America have sparked increasing attention in the Global South, yet they remain marginal, with only about 4% of these DMPs tracked outside of OECD members. In the Global North, CAs, defined as “participatory institutions which bring together an inclusive group of lay citizens who deliberate together on a public issue so as to exert a public influence” (Vrydagh, 2023, p. 10), have increasingly moved towards greater standardisation and institutionalisation. Their popularity stems from addressing shortcomings within other deliberative practices, particularly around inclusive representation of participants, curated learning processes, and facilitated deliberation, all of which lead to informed decisions and recommendations aimed at public influence (Vrydagh, 2023). However, their transfer to countries in the Global South of diverse contexts raises concerns about the reproduction of Eurocentric assumptions that perpetuate epistemic violence and political inequalities (Curato et al., 2024). Such reliance on a standardised template often neglects historical, Indigenous, and communal traditions of deliberation and consensus-building.

This article examines how CAs might retain their core democratic principles while being attentive and responsive to the specific historical, cultural, and political contexts of the societies in which they are implemented, focusing particularly on the Global South. We adopt Boaventura de Sousa Santos's conception of the Global South as a relational category rather than a fixed geographical space, shaped by its structural subordination within an unequal global system (Santos, 2014). Drawing on four years of multi-sited fieldwork and our experience in organising three CAs in the Southwest Asia and North Africa (SWANA) region, we explore the possibility and potential of CAs as democratic innovations to disrupt existing power structures, as opposed to supporting them. Our initial engagement with existing CA toolkits and guidelines revealed challenges that could not be addressed through minor adaptations alone. In response, we undertook a deeper engagement by critically examining the foundational assumptions behind these toolkits—questioning for whom they were designed, how they aligned with specific contexts, and where they diverged (Curato & Calamba, 2024). In doing so, we join emerging calls to decolonise deliberative democracy and argue for a situated approach to CAs that combines structural conditions with locally and culturally grounded practices of deliberation (Asenbaum et al., 2025).

More specifically, this article focuses on Arab countries in the SWANA region, also commonly referred to as the Middle East—a geopolitical formation shaped by both colonial-imperial discourses and contemporary usage in policy-making as well as academic research (Culcasi, 2023; Mamadouh, 2023). Despite its vast geographical scope and rich socio-political landscape, the region remains underrepresented in scholarly discussions on deliberative democratic innovations within the Global South. While political contexts vary

across the region, most Arab countries exhibit enduring authoritarian characteristics, in the form of military-backed regimes (e.g., Algeria, Egypt), authoritarian monarchies (e.g., Morocco, Jordan, the Gulf states), or post-conflict fragility (e.g., Lebanon, Syria). Historically, the region remained outside the “third wave” of democratisation of the 1960s and 1970s that reshaped Latin America and parts of Africa after decolonisation, leading scholars to characterise its regimes as marked by authoritarian “robustness” and “persistence” (Bellin, 2004; Hinnebusch, 2006). The 2011 Arab uprisings revealed widespread demands for political reform and participatory governance. However, 15 years later, most of those regimes continue to struggle with weak governance marked by elite capture, systemic corruption, together with limited civic participation and political freedoms (Mako & Moghadam, 2021). Our fieldwork is based in Tunisia and Lebanon, two nations with distinct political trajectories that face converging crises of democratic governance. Tunisia’s democratic gains following the Arab Spring are now threatened by authoritarian regression, while Lebanon’s confessional power-sharing system has led to political paralysis and deep socio-economic collapse. Despite these challenges, both countries share vibrant civil societies and histories of grassroots mobilisation, providing critical, if fragile, openings for democratic experimentation.

Our CAs have focused thematically on energy justice due to its centrality for citizens’ concerns in the region, the strong connection between energy and democratic/undemocratic politics (Mitchell, 2009), together with global concerns about climate change. This endeavour to explore CAs as a method to think with and about energy in the region is thus one that recognises the intertwined relation between fuel politics, colonial and neo-colonial hegemony, and authoritarianism on the one hand, alongside the decolonial and democratising potential that new energy politics holds on the other hand. The region’s energy sector reflects global, regional, and domestic inequalities—such as extractive relations with the Global North, the wealth of oil-rich Gulf states versus the scarcity in others, and unequal access within local populations, including refugees. While energy transition is at the centre of global action and discourse, being intertwined with aspirations for increased citizen participation and political democracy (Wahlund & Palm, 2022), local articulations of these transitions do not foreground “justice” in proposed visions for energy futures. Citizens’ democratic contributions to envisioning such futures are particularly absent, curtailed by state-centric fossil fuel narratives or neoliberal models for renewable energy solutions promoted by top-down international programmes, not only with expertise primarily from the Global North, but also with a limited regard for local dynamics and knowledge (Mason, 2019). CAs thus represent an attempt to centre justice and public participation, challenging technocratic boundaries and creating space for articulating an alternative regional vision for energy futures that is grounded in local realities and inclusive of citizens’ experiences (for a full account, see Shehabi et al., 2021).

Recognising these interconnections between energy democracy and democratisation more broadly, the concern of this article is specifically in relation to CAs as a methodology with the theme of energy in mind. The aim is to answer the question: What is the potential of CAs as democratic innovations in states where representative democratic institutions are fragile or failing? In authoritarian contexts where deliberative practices occur despite—rather than through—formal state institutions, we explore the potential for CAs in forging bottom-up democracy and the limits of their institutionalisation. To do so, we focus on the planning and design stages of three CAs in the politically fragile contexts of Lebanon and Tunisia, examining ways in which they could inspire new imaginaries of governance and foster stronger communities for democratic learning and practice. The article is presented in three key parts. Firstly, we outline our theoretical framework, situating CAs within broader discourses on democratic innovations and their adaptation through



decolonial perspectives (Sections 2 and 3). Secondly, we describe our methodology and positionality as organisers and researchers from Lebanon, the UK–Bahrain, and France–Algeria, engaged in promoting locally grounded deliberative citizen engagement in the Global South (Section 4). Thirdly and finally, we present our key findings, reflecting on conceptual insights as well as practical recommendations for adapting the CA model for Arab countries (Sections 5, 6, and 7). We conclude with lessons for democratic innovation in politically fragile environments more broadly.

## 2. Narratives on Deliberative Democracy

### 2.1. The “Deliberative Wave” and the Institutional Spread of Mini-Publics

The rise of deliberative democracy as a normative ideal and set of institutional practices is largely associated with political theory and “experiments” emerging from the Global North. Its canonical lineage often points to Athenian practices and Enlightenment thought (Bächtiger et al., 2018), although archaeological and anthropological scholarship reveals far older and more geographically diverse origins. Deliberative democracy’s perceived potential to address the crisis of representation has prompted the proliferation of “democratic innovations” directly engaging citizens in deliberations, of which mini-publics have found a particularly strong resonance, being engaged in a phase of institutionalisation (Escobar & Elstub, 2017), understood normatively as the establishment of ties with decision-making processes or public institutions.

DMPs include citizens’ juries, consensus conferences, deliberative polls, and CAs. While they all share common characteristics, according to Vrydagh (2023), CAs are grounded in three key principles that address shortcomings found with other deliberative practices (see Curato et al., 2024). Firstly, most deliberative spaces attract self-selected participants with prior knowledge or interest in the topic, often resulting in unrepresentative outcomes that may serve a partisan or ideological purpose or lead to elite co-option. In contrast, CAs prioritise inclusive participation, using selection methods that mirror the wider population and amplify marginalised voices. Secondly, public consultations on specialised issues can exclude lay citizens lacking technical expertise. CAs address this through structured learning processes and professionally facilitated deliberation, enabling participants to make decisions based on what Curato (2024, p. 6) calls “considered judgment.” Thirdly, CAs are designed to produce recommendations and channel them toward influencing public decision-making. While their direct policy impact remains under study, they are widely regarded as the deliberative method most committed to inclusive, citizen-centred political/policy change (Curato, 2024).

Some CAs have evolved from one-off forums to permanent advisory bodies within parliamentary systems or local decision-making, such as in Ireland, France, or Canada. One example is the Ostbelgien Model in the German-speaking Community of Belgium, the first permanent CA as of 2019 (Macq & Jacquet, 2023; Podgórska-Rykała, 2023). The formalisation and institutionalisation of CAs and other DMPs have opened up promising avenues through which to address democratic deficits; yet, they also risk entrenching standardised practices that may not translate well across different political, cultural, or socio-economic contexts. Understanding this tension is key to unpacking both the appeal and the limits of CAs as they “travel” and are foregrounded globally.

## **2.2. Mini-Publics and the Standardisation of Deliberative Practices**

Far from being shielded from critiques, DMPs and CAs have been challenged on three broad fronts: Their representativeness (Spada & Peixoto, 2025), their limited policy impact (van der Does & Jacquet, 2023), and the rigidity that flows from highly codified institutional designs (Bussu et al., 2022; Fung, 2005; Smith, 2009). Proponents of DMPs emphasise their legitimacy and procedural integrity and highlight the importance of their design features. Often, their processes are designed to generate recommendations on public policy by involving everyday citizens in a time-limited (from a few days to a number of weekends) but intensive process of informed deliberation. While there is no consensus in the literature about what ideal impact CAs may lead to, this is often assessed in relation to public institutions and decision-making.

A parallel body of work warns that the very process of institutionalising deliberative democracy has resulted in both the commodification and commercialisation of democratic practices (Hammond, 2021; Johnson, 2015; Lee, 2014). Asenbaum (2025), for instance, argues that deliberative institutions that treat participation as a technical exercise sanitise and depoliticise the inherently dynamic and context-specific nature of democratic participation. The latter, he maintains, exists through spontaneity, conflict, and situated meaning. Lee et al. (2015, p. 31) describe the “deliberation consulting industry” that markets these commodified processes to governments, non-profit organisations, and corporations by framing them as mechanisms for producing “social profits,” subtly shaping public discourse with market-oriented goals. Oleart’s (2023) critique of the EU’s flagship experiment—the 2022 Conference on the Future of Europe which brought together hundreds of randomly selected citizens—illustrates how the so named “citizen turn” sidelined civil society and muted genuine political contestation in favour of a depoliticised, consensus-driven model, ultimately reinforcing the EU’s persistent model of “democracy without politics” (Oleart, 2023, pp. 1–3).

Within this context, government-commissioned assemblies risk becoming controlled spaces in which political elites set the agenda, frame the questions, and curate the evidence, resulting in predetermined remits and largely symbolic citizen engagement (Elstub & Khoban, 2023). As Curato (2024, p. 8) cautions, such assemblies can function as “system-reinforcing tools... assimilated into the same political system that deliberative democrats seek to transform” (see Hammond, 2021). Little research examines how the global standardisation and promotion of such commodified DMP and CA models around the world affect local democratic cultures or constrain their transformative power. In response, organisers—especially in the Global South and initiatives such as the Global Citizens’ Assembly—call for reclaiming the system-disrupting potential of CAs by delinking them from state mandates and reorienting them toward activating citizens’ deliberative capacities and reimagining democracy from the bottom up (Curato, 2024; Hammond, 2021; Mellier et al., 2025).

## **2.3. Understanding Deliberative Practices in Non-Democratic Contexts**

Other strands of the scholarship on deliberative practices have explored their existence and application in non-democratic contexts, confirming that both are not exclusive to deliberative democracy and simultaneously exist in radically different spaces, serving different functions (Baogang, 2023; Curato & Calamba, 2024; Li, 2022; Woo & Kübler, 2020). Blueprints for democratic innovations have circulated across borders, including within regimes that have little or no interest in genuine citizen engagement and power-sharing. However, acknowledging this diffusion should not negate non-democratic regimes’ capacity

for simultaneously manufacturing or hybridising deliberative mechanisms of their own. According to such research, those innovations correspond to an initial typology of innovations identified in democratic contexts (Smith, 2005). Given the use of these practices, in parallel with the “deliberative wave,” scholars have scrutinised specific regimes, such as China, which gathered most research endeavours (Baogang, 2023; Li, 2022; Woo & Kübler, 2020). While examining China, Cuba, and Libya, three authoritarian regimes, Baogang (2023) argues that, unlike electoral democracy, which threatens ruling elites, deliberative forums are preferred by authoritarian regimes as mechanisms for enhancing governance because they provide citizens with opportunities for participation without relinquishing power. As such, mini-publics under such regimes often serve a dual purpose: On the one hand, they facilitate a controlled citizen engagement, and on the other, they reinforce state control, state legitimacy, and regime survival.

### 3. Decolonising Theoretical and Practical Applications of Deliberative Democracy

#### 3.1. Colonial Critiques of the Foundations of Deliberative Democracy

Two decades ago, Smith (2005) warned about democratic innovations that fail to embed themselves into broader political contexts. Yet these critiques rarely acknowledge how the standards of deliberation are shaped by colonial legacies and Western colonial thought emanating from liberal ideals (“the Western Enlightenment” and “Rationality”), sidelining other epistemologies (Ballestrin, 2013; Banerjee, 2022; De Mignolo, 2009; Ibhawoh, 2025). Existing literature exposes pronounced epistemic injustice, where studies overwhelmingly spotlight cases from the Global North, whereas cases from the Global South are often treated as peripheral exceptions, with knowledge interpreted from a Western perspective and extracted to advance a universalised Northern research agenda (Curato, 2025; Mendonça & Asenbaum, 2025; Shilliam, 2021). Such processes delegitimise diverse political traditions and ultimately reproduce the very inequalities and injustices that deliberative democracy claims to overcome (Banerjee, 2022). This article aims to address such disparity by shedding light on the organisation of CAs in Arab countries in a way that centres a different understanding and application of its principles, from the consultation phases to delivering the assembly itself. From this perspective, decolonising deliberative democracy in practice can serve as a vehicle for advancing epistemic and social justice, recognising “the democratic subject as an agent empowered by its inquisitive, reflective, and deconstructive capacities” (Mendonça & Asenbaum, 2025, p. 4).

#### 3.2. From Democratic Innovations to Democratic Spaces

Recent scholarship argues that limiting the analysis of democratic innovations to state-sponsored institutional design is too narrow, because it overlooks the wider arenas in which citizens actually deliberate and contest power, such as social movements or civic initiatives (Bua & Bussu, 2023; Bussu, 2019). Alternatively, it proposes the idea of “democratic space,” in other words, any arena, formal or informal, where collective decisions are forged. This conceptual turn recognises that (a) institutionalised forms of deliberation do indeed coexist with assemblies which operate in conditions of exclusion, marginality, and resistance; (b) those diverse histories of deliberation long pre-date contemporary forms and toolkits; and (c) power circulates through overlapping “invited” (legitimised by institutions and incorporating grassroots and allies) and “invented” or “claimed” (initiated by grassroots and allies directly confronting the status quo) arenas (Cornwall, 2002; Gaventa, 2006). As Curato et al. (2024, p.68) note, some consider these “claimed

spaces” as “forums for discussion that ‘prefigure’ deliberative democracy where shared visions for alternative futures and strategies for action are decided based on equal, rigorous and sustained discussions.”

Asenbaum (2025) argues that the dominance of DMPs in the democratic innovation literature has narrowed our learning from other strands of democratic theory. A few traditional examples of these in Arab countries are the principle of *shura*, an ancient consultation principle which originates from Islamic governance and is still institutionalised in modern political systems in various forms, such as in Lebanon and across the Gulf; or the *diwaniya* or *majlis*, deliberative spaces for men to discuss familial/communal and political affairs, held in private homes but open to the public and frequently attended by government officials, in Kuwait, Saudi Arabia, and Bahrain (Weiner, 2016). In this vein, democratic innovations—or in this regard spaces—are part of wider democratic spaces historically, shaped by different means of governance together with various political and cultural practices. Accordingly, we widen our conceptual lens when thinking of CAs as a democratic space by finding the temporal and spatial cracks and openings in non-democratic systems where deliberation takes place at different scales.

### 3.3. *Invented and Claimed Spaces: Social-Movement Assemblies*

With this in mind, it is possible to look beyond the “deliberative wave” and the institutionalisation of CAs, to consider alternative types of assemblies as “claimed spaces”—also named by Cornwall as “sites of radical possibility” emerging “at the margins” (Cornwall, 2002, p. 3). Bayat’s (2013) concept of “social nonmovements” provides a useful framework to interpret these dynamics of social organising. He argues that, particularly in Arab countries, meaningful political change has emerged not through formal state institutions, but through years of diffuse, everyday and dispersed acts of resistance (what he terms “quiet encroachment”) by informal workers, youth, and women in conservative societies, who gradually reconfigure urban life and the status quo of state authorities by claiming spaces and resources. What appeared as a spontaneous revolution with the 2011 Arab Spring was, in fact, the cumulative outcome of these “social nonmovements.” During and in the aftermath of the 2011 Arab Spring, “claimed spaces” have operated in a multitude of ways. Across the region, online spaces and social platforms were transformed from their “intended commercial and social functions” to spaces used for deliberation and social mobilisation (Pfister & Godana, 2012, p. 4). In 2011, in Syria and Bahrain, deliberations in more secure and semi-private spaces, in small informal groups, whether online or in-person, were identified as one of the drivers of mobilisation, at a time when “the mere act of getting together to discuss current events is [was] a political crime” (Baczko et al., 2013, p. 6; Shehabi & Jones, 2015). These assemblies, although not institutionally embedded, functioned as democratic spaces in their own right; they were formed through collective resistance and shaped by decolonial and anti-neoliberal values. Bayat’s analysis reminds us that these spaces are not always visible or formally recognised, but nonetheless represent potent forms of collective agency.

## 4. Research Methods

This article adopts an extended case study methodology (Burawoy, 1998), enabling a rich, situated analysis of complex social phenomena embedded in specific political and cultural contexts (George & Bennett, 2005; Gerring, 2007). This is essential when studying CAs in Arab countries, where deliberative processes cannot be separated from the broader dynamics of institutional fragility, political contestation, and socio-historical specificities. We view the case not as a lesser form of inquiry, but as a mode of producing context-dependent

knowledge with critical value for both theory and practice. This approach also aligns with our dual roles as organisers and researchers, supporting an ethnographic, reflexive, and iterative engagement with the field. Rather than aiming for generalisability through replication, the case study generates situated knowledge that reveals how deliberative practices emerge, adapt, and acquire meaning in diverse local contexts.

The findings presented in this article are based not only on our observations, experiential learning, and critical reflection arising from organising CAs in Arab countries, but also from drafting and adapting an Arabic-language CA toolkit that speaks to the regional socio-political realities. They are based on the following organisation of CAs between 2019 and 2025:

1. A CA on electricity and energy justice in the neighbourhood of Hamra in Beirut, Lebanon, in 2020;
2. A CA on energy cooperatives in the neighbourhood of Hamra in Beirut, Lebanon, in 2025;
3. A CA on green hydrogen in Gabes, Tunisia, in 2025.

While energy, the theme of the CAs, is central to our research interests, our attempts at organising a CA in the region also aimed at understanding if this method of deliberation is of value where representative democratic institutions are fragile or failing. This meant we approached all our activities in organising the CAs with a critical reflective lens. We mapped key players in countries where we were working and presented the CA methodology in consultation, collaborator and one-on-one meetings. We kept field notes and minutes and conducted reflection and feedback meetings, informed both by literature on the concepts surrounding CAs and emerging learning, to conceptualise the theme of each CA and to evaluate the methodology.

As both process organisers and reflexive participant-observers, our research draws on three interconnected processes. Firstly, we organised one pilot CA in Beirut, Lebanon, between 2019 and 2020. This involved conceptualising new and translating existing CA materials, a series of consultation meetings, and continual adaptation to Lebanon's political turbulence during this period—including the country's economic and financial collapse, the 2020 Beirut explosion, political instability, and the Covid-19 pandemic. Despite these difficulties, the CA was convened in October 2020 with 13 energy experts, 4 facilitators and 33 members of the general public (Shehabi & Al-Masri, 2022). We collected survey data from the participants on their experience and conducted an independent evaluation.

Secondly, we engaged in the preparatory phase for two forthcoming CAs in the region to be held in September 2025. This involved two broad consultation meetings, one on CA as a methodology (attended by 10, recorded), one with energy experts (attended by 10, recorded), and over 53 meetings and consultations with civil society activists, national and international non-governmental organisations (NGOs) representatives, researchers, and energy experts conducted either online or in person during two field visits to Lebanon—where one of the researchers also resides—and one field visit each to Tunisia and Jordan. Ultimately, Lebanon and Tunisia were selected as sites for the CAs; hence, planning is underway with local partners for the convening of one CA in Lebanon on collective energy solutions, and another CA on green hydrogen production in the south of Tunisia in the third quarter of 2025, each for 50 assembly members and over two weekends.

Thirdly, we developed a practitioner-oriented Arabic toolkit for organising CAs in Arab countries. This toolkit emerged through a process of translation, adaptation, and localisation, informed by critical reflection on deliberative democracy theory and the practicalities of fostering meaningful citizen participation in diverse

Arab contexts. It remains a living document that will be refined based on lessons learned from the upcoming assemblies.

This article's primary data consists of exhaustive meeting records and field notes documenting procedures and reflections from the three processes outlined above. These notes capture our adaptations to the shifting political landscapes of the region, our engagements with a wide range of collaborators, and our evolving understanding of the CA model's applicability in Arab countries, alongside engagement with theory on deliberative democracy. In particular, records reveal instances where local realities prompted critical revisions to the standardised CA format and catalysed innovative methodological developments. Adhering to a "dwelling in" theory or a "reflexive model of science," we embraced both our engagement and reflexive process by deploying "multiple dialogues to reach explanations of empirical phenomena" (Burawoy, 1998, p. 5), creating many occasions of engagement with theory and reflection on learning from the field, without a coded process of analysis. Consistent with Nagar's (2014) emphasis on integrating critical reflection throughout the research process rather than relegating it to post-fieldwork analysis, our methodology involved ongoing reflexive practices. Additionally, two dedicated reflection meetings, facilitated by a colleague independent of the process, provided structured opportunities for collective analysis. Following Curato and Calamba (2024, p. 6), we simultaneously approached this work as "embedded social science researchers" and process designers. However, rather than treating these positionalities as distinct, we emphasise continuities between our roles as researchers and activists (Ethnography and Knowledge Collective, 2021), underpinned by a long-term commitment to intersubjective and unfolding engagement (Fabian, 2014; Scholte, 1972).

## **5. The Possibility of a CA for the SWANA Region: Between Constraints and Opportunities**

The planning of CAs in countries across the SWANA region reinforces our understanding of how inherited political and social contexts profoundly shape the boundaries of deliberative processes. As organisers, we found ourselves planning both with and against a series of shifting constraints, some stemming from external factors such as geopolitical instability, others rooted in each country's complex, layered socio-economic realities. These dynamics not only shaped the feasibility of organising CAs but also defined their potential democratic value. Navigating such conditions necessitated the exercise of situated judgment, involving critical reflexivity regarding our positionalities and the technical commitments towards donor funding while maintaining a commitment to embedding the project within a decolonial framework aligned with its transformative aims. We present below the frequent attempts we engaged in to organise independent CAs in two Arab countries, the reasons behind the unsuccessful attempts, and what that implies regarding the constraints and possibilities which must be considered by CA organisers.

### **5.1. Two CAs in Lebanon in a Radically Changing Landscape**

This interplay between opportunity and constraint became evident during the planning of Lebanon's pilot CA on electricity during October 2020, in a country under a caretaker government amid financial collapse and the Covid-19 pandemic. The year-long organisation of such a process demonstrated the potential for deliberative processes even under conditions of acute state failure. However, attempts to launch a second CA exposed deeper complexities within Lebanon's political landscape, particularly as tensions from the war with Israel intensified. One proposed site, the Borj al-Barajneh Palestinian refugee camp in Beirut, initially



appeared promising, given one of the organisers' existing networks and prior engagement. The project was especially compelling for its potential to offer long-marginalised refugee populations—excluded from any form of democratic representation for over 75 years—a voice in shaping policies directly affecting their lives. Yet consultations with the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) revealed that control over electricity provision was deeply embedded within a militarised and factionalised political terrain, exacerbated by reduced international funding and heightened volatility following the war in Gaza. In such contexts, external interventions risked entanglement in local political dynamics, while widespread mistrust of foreign-funded initiatives posed further barriers. These dynamics highlighted that the inaccessibility of certain spaces to deliberate stems not from public apathy, but from the high political stakes surrounding even basic governance issues.

Other sites, such as Saida and Tyre, presented different but equally complex challenges. In Saida, entrenched patronage networks meant any initiative required implicit approval from political elites. The success of a CA there depended less on community interest than on elite calculations. As Gaventa (2006) argues, deliberative projects often require entry into “invited spaces” sanctioned by power holders, which risks their co-optation or failure if they are seen as challenging the status quo. In Tyre, a local NGO was launching a participatory project to rethink post-war reconstruction, an initiative that closely aligned with the CA's ethos. Yet ongoing Israeli military activity in southern Lebanon created acute security concerns. Residents' priorities were understandably centred on survival, shelter, and immediate recovery. The temporality of this crisis did not provide any opportunity for the CA's longer time horizon. Here, urgency displaced deliberation, and we were forced to confront the ethical and practical limits of what can be asked of communities in precarious conditions.

We ultimately returned to Hamra in Beirut, the neighbourhood where the pilot CA was implemented. In response to chronic power cuts, rising fuel prices, and the absence of state reforms, citizens increasingly turned to individual renewable energy solutions. In Hamra, a neighbourhood committee was formed to explore the potential for a community solar grid, connecting buildings with space for solar panels to those without. Through our existing relationships with members of the committee, we saw an opportunity to build on the recommendations of the first CA convened in 2020, particularly the need for collective renewable energy solutions, while also exploring a cooperative energy model tailored to Lebanon's legal and political context. As these CAs are organised independently from state institutions, we process organisers remained committed to exploring the different possibilities for holding a CA on energy in a way that responds to the local constraints and maintains the safety of participants, while proving a potential in complementing existing efforts on the issue and therefore creating added value.

## ***5.2. Towards a Regional Framework for CAs***

To develop an “Arab-oriented CA” toolkit, we sought to test the CA methodology in a second country in the region. Most Arab countries present immediate constraints to such experimentation. Gulf monarchies and countries such as Egypt and Syria operate under consolidated authoritarian regimes that do not tolerate autonomous public deliberation as it directly contradicts the logic of political control (Cammack et al., 2017). Jordan, with its relatively more open environment, was considered a second site. One proposition was for the CA to tackle Jordan's controversial gas deals with Israel from an energy justice perspective, but that was not a viable topic. The political red lines around normalisation with Israel are well known in Jordan, and discussing them publicly could provoke state repression. Here, the state's implicit veto over certain topics fundamentally

obstructed the CA's feasibility and highlighted that the freedom of assembly cannot be assumed. This is the case for many Arab countries where governments apply a zero-tolerance policy for assemblies over topics that threaten the power of the state (Fakir & Yerkes, 2018). This further underline CAs' value not only as spaces to deliberate but, crucially, as spaces to assemble—something that cannot be taken for granted in many authoritarian or semi-authoritarian states (Carothers, 2021).

Tunisia emerged as the most viable context for a deliberative process. Despite democratic backsliding under President Kais Saied, the country maintains a vibrant civil society and an ongoing interest in public deliberation, particularly as participatory governance practices were enshrined in the post-revolution constitution, though they have recently been undermined (Al Bawsala, 2024). Environmental activism had been gaining momentum, especially regarding green hydrogen agreements, criticised for reproducing green colonialism and green grabbing (Ben Ammar & Ammar, 2024; Hamouchene & Sandwell, 2023). Local organisations actively engaged in energy discussions, advocating for a more socially just and sustainable energy model that prioritises citizens' needs and well-being, provided an opportunity to anchor the relevance of a CA on energy. Although the context was relatively enabling, it was far from neutral or straightforward, presenting a fragile but feasible space for deliberative practice, albeit carefully tailored to local dynamics. We had to navigate complex tensions between institutional distrust, security repression, and grassroots enthusiasm, all within an uncertain and changing political landscape.

Our experiences from the many iterations of planning the CAs described above demonstrate that, in such contexts, every decision is a negotiation over space, topic, legitimacy, and risk. Unlike stable democratic settings, where deliberation can become routinised or even bureaucratised (Johnson, 2015), in Arab countries, deliberative processes must be contextually situated and continually earned. This is particularly true given the politically fragile governance in many of these countries, where the feasibility of hosting a CA depends not only on technical readiness or local interest but also on a volatile mix of political, security, and geopolitical factors. Deliberation, in this context, is less a tool of institutional reform and more an act of democratic resistance.

## 6. Rethinking the Form of CAs Through a Decolonial Practice

Recognising that all policy discussions in the SWANA region are inherently political, we were confronted with the need to rethink the form and function of CAs. Rather than transplanting models developed in the Global North, we engaged in an ongoing process of translation, reflection, deconstruction, and adaptation—turning what initially appeared to be a technical methodology into a deeply political and epistemological exercise of reimagining deliberative democracy for each context (Asenbaum et al., 2025).

### 6.1. Localising the CA for Legitimacy and Sustainability

In regions where developmental projects are often entangled with foreign interests, questions of legitimacy are paramount (Ferreira & Allegratti, 2019). In Tunisia, for instance, renewable energy projects are frequently criticised as neocolonial ventures driven by European interests, resulting in the disempowerment of local populations and the degradation of their lands and resources (Ben Ammar & Ammar, 2024; Hamouchene & Sandwell, 2023). Lebanon's political landscape has long been shaped by foreign interference and NGO proliferation, often viewed as weakening the state's capacity for self-governance (Fawaz & Harb, 2020).

Whereas the legitimacy of CAs in Global North contexts is assumed from state institutions that commission them, in the Global South, and particularly in Arab countries, CAs are initiated by efforts from civil society and academia (Curato et al., 2024). This responds to the democratic backsliding nature of countries in the region where state-led initiatives risk co-optation or symbolic ritualism (Baogang, 2023; Curato & Calamba, 2024). Participative efforts that promote citizen engagement in these contexts will often emerge from the bottom up and independently from authorities to promote civil society activism that can, in turn, push for a more democratic space (Mellier et al., 2025). Recognising these dynamics and our positionality as academics in international institutions, we acknowledged that the success of CAs was dependent on legitimacy stemming from local ownership. Through our consultation phase, we introduced the CA to local collaborators (charities, small trader associations, neighbourhood initiatives, religious sites, municipality representatives) not as a finished product, but as a tentative, evolving tool, explicitly open to critique, adaptation, and contextual reconfiguration to reflect and respond to local realities (Curato & Calamba, 2024).

These consultations served as spaces of co-learning, where local actors could engage critically with the CA model and where we could learn from their experience in advocating for greater democratic participation, with the CAs themselves thought of as an experimental cumulative process of learning. Feedback gathered during these dialogues directly informed subsequent iterations of the toolkit. Central to this phase was identifying a local anchor organisation capable of assuming ownership of the CA from design through implementation and follow-up. Our aim was to build long-term sustainability by equipping the local organisation with the skills and knowledge needed to lead future assemblies independently, thereby reducing dependency on external implementers as well as funding and minimising the need for extensive adaptation in subsequent CAs. Once the local anchor organisation was identified, our role shifted from direct implementers to advisors.

Anchor organisations were selected based on various criteria: the ability to convene collaborators across ideological divides, organisational capacity, responsiveness to political or logistical risks, and a thematic or methodological alignment between the CA and the organisation's work. In Lebanon, a local organisation focused on environmental justice was selected for its commitment to innovative participatory methods and its vision of building alternative economies through cooperatives. In Tunisia, the process of identifying the local anchor organisation required greater scrutiny due to the country's complex civil society landscape, with the chosen organisation having to gain broad stakeholder endorsement. Embedding the CA locally, both in the political context as well as in the organisational infrastructure, was conceived not merely as a procedural step but as a form of spatial and temporal embeddedness whereby, despite an absence of institutionalised support, introducing the CA as a methodology in its decolonial form contributes to strengthening local agency and initiates a path towards sustainable models of participatory governance (Bussu et al., 2022).

## ***6.2. Innovating Through Adaptability, Against Standardisation***

At the time of implementing the first pilot in 2020, CAs were still emerging in the Global North as a formal method, with only a few toolkits and frameworks available. We engaged in a months-long process of not only a linguistic but also a conceptual translation. In Lebanon, the term “citizens” in the title proved exclusionary for large (approximately 20%) refugee populations not legally recognised as citizens but deeply impacted by energy policies. In response, we adopted a more inclusive framing around “residents.” This early experience revealed the limitations of Western-based toolkits and showed that any toolkit intended for Arabic-speaking countries could not merely be an adaptation of the technical processes but required

epistemic engagement with local political realities. In the process of deconstructing the methodology to reconstruct a version that is relevant to the local landscape, we recognise two core innovations distinct to CAs that provide value over other participatory and deliberative practices: (a) representation and the inclusion of marginalised voices through demographic representation and epistemic diversity; and (b) curated learning processes that support professionally facilitated deliberations to reach informed recommendations (Escobar, 2019). All other elements of the CA methodology were treated as contextually contingent rather than universally applicable. In contrast to the tendency toward standardisation in Global North contexts, agility is to be prioritised to accommodate dynamic and often volatile political landscapes that require immediate responsiveness and continual iterative adaptation (Curato et al., 2024).

A number of key components thus required significant reflection and revision:

- **Commissioning body:** There is a key difference between CAs in the Global North and those in the Global South. Instead of being state-commissioned, the CAs for Arab countries will usually be initiated by activists, academics, or civil society actors. This can be seen as an opportunity to re-explore the democratic potential of CAs when they are designed bottom-up, centring people both in the design as well as recommendation phases, instead of top-down (Hammond, 2021; Mellier et al., 2025).
- **Consultation phase and issue selection:** Extensive fieldwork and community consultation are necessary to map collaborators, identify locally relevant issues, and assess political feasibility. In Tunisia, particularly given that we were not native to the country, the consultation phase extended over six months and required a field visit to establish trust and connections. For every opportunity, we asked: At this moment, in this context, is a CA possible and useful? Importantly, our aim was not to “test democracy” as a procedural experiment but rather to use deliberative methods to respond to real, grounded needs, such as just energy transitions. Given the authoritarian characteristics of many regimes in Arab countries, we align with Curato et al.’s (2024) recommendation to prioritise topics that focus on localised, infrastructural, or service-based concerns—areas more likely to be tolerated and seen as less politically threatening. Even so, our experience proved that in many Arab countries, energy is a politically charged topic and often serves as an arena for the negotiation of power.
- **Governance:** Governance is conceptualised relationally, emphasising relationship-building over compartmentalised roles. Successful CAs in the Global South, as Curato et al. (2024) argue, depend on trust-based networks rather than formalised bureaucratic channels. Escobar and Henderson (2024) highlight the importance of engaging a community of practice made of key collaborators to co-develop the CA’s purpose, as well as the principles against which the success of the CA will be assessed, thus foregrounding collaboration and collective critical reflection.
- **Sortition:** Traditional sortition methods based on census data proved unfeasible due to outdated or politicised demographic data (e.g., Lebanon’s last census was in 1932). Instead, trusted community leaders play a gatekeeping and mobilising role. In the absence of reliable data and given communities’ tendency to refer to already prominent voices—those with existing social capital—representative sortition becomes a significant challenge. However, this limitation can present an opportunity to identify deeper inequalities embedded within these communities and find innovative ways of addressing them through genuine representation and inclusion. Hence, a deeper understanding of local dynamics and power relations is essential for the recruitment process to be effective.
- **Knowledge and evidence:** The dominance of Western technical expertise in sectors such as energy is challenged through the intentional inclusion of alternative epistemologies from narrative, embodied,

and historical knowledge. In Lebanon's pilot, for instance, a historian's account of the electricity sector's colonial history provided participants with critical contextual understanding, while a Syrian refugee's practical knowledge of energy efficiency as an electrician added value often overlooked in technical analyses.

- **Additional feature:** The CA planning process is also conceived as an opportunity to capitalise on the significant effort invested in its design by producing durable resources—such as recorded educational materials—that could extend the assembly's impact beyond the event itself. Initially developed in response to the constraints imposed by Covid-19, this feature also addresses longstanding critiques concerning the often-limited timeframe available for meaningful deliberation within CAs (Curato & Calamba, 2024; Johnson, 2025).

A central element for planning CAs in Arab countries is relationship-building, which is seen not only as a means to procedural legitimacy, but as an end in itself (Bussu et al., 2022; Starblanket & Stark, 2018). In contrast to liberal-democratic ideals that prioritise individual autonomy, a decolonial democratic practice foregrounds relational interdependence, communal care, and long-term engagement (Asenbaum et al., 2025; Escobar & Henderson, 2024). Crucially, we recognise that mere "localness" does not guarantee ethical practice. Extractive dynamics, where local knowledge is instrumentalised to legitimise external projects without genuine inclusion, remain pervasive. In both Lebanon and Tunisia, trust was cultivated through the organizers' years of engagement and collaborations, laying the groundwork not only for the successful implementation of CAs but also for the development of enduring communities of practice on energy as well as democratic experimentation.

## 7. The Future of a CA for Arab Countries: Bottom-Up Democratisation

### 7.1. Claimed Spaces and the Politics of Imagination, Dialogue, and Disagreement

Contrary to dominant understandings of CAs as state-sanctioned democratic innovations, the CAs studied here align more closely with "claimed spaces" and "sites of radical possibilities" (Cornwall, 2002; Curato et al., 2024). Rather than seeking to be integrated within state architectures, these assemblies were carved out by activist networks and civil society actors operating at the margins of formal political processes. As such, their value lies less in their capacity to influence policy and more in their potential to convene diverse actors—community organisers, technical experts, Indigenous knowledge holders, and activists—who rarely share deliberative spaces. In this sense, we redefine the normative impact of CAs in the Global North (see van der Does & Jacquet, 2023 three-phase assessment) and instead approach them as "added value" (van der Does & Jacquet, 2023). By reflecting on the post-assembly phase of the pilot in Lebanon, we recognise CAs as spaces for shared visioning. As stated in the final report on energy justice in Lebanon, the CA sought to foreground people's needs and visions in shaping energy-related policies and create a vision that is more shared (Shehabi et al., 2021). This is not to suggest, though, that the deliberative is devoid of agonistic exchanges—there is still space for disagreement, as much as affect. CAs are not then used to create pacifying democratic spaces just for audience members to participate. Instead, they make space for critical discussions that question all visions, including those of political and activist groups. Furthermore, they legitimise future advocacy based on members' informed recommendations and produce learning as well as alternative models and solutions that could be used for replicability.

While the impact of CAs on policy continues to be debated in the Global North, focus in the Global South—particularly in the SWANA region—requires a different lens. Here, eroded social contracts, widespread mistrust in institutions, and the absence of safe or accessible public fora all shape how deliberative practices take root. Grounded in these political realities, we have moved away from measurable outcomes and institutional uptake toward cultivating spaces for dialogue, imagination, and political possibilities.

## ***7.2. Situated Sovereignty and the Limits of Institutional Integration***

Rather than providing a blueprint for institutional integration, the planned or attempted CAs across Lebanon, Tunisia, and Jordan articulate a mode of political action premised on reclaiming deliberation in the absence or refusal of institutional engagement. In none of the contexts was sustained state collaboration achieved. In Lebanon, previous collaboration with state representatives in closed fora did not translate into willingness to engage with the CA format. Official representatives rejected the possibility of having citizens (or “non-experts”) deliberate in a rational way on topics perceived as highly technical—such as energy. Another explanation for their refusal to participate was to avoid engagement with a public that, at the time, was openly expressing frustration with the political establishment and calling for systemic change. In Tunisia, during the consultation phases, potential civil society partners shared their concerns about contributing to projects framed around “democratic participation,” as it may risk legitimising the democratic façade of Saeid’s regime. These dynamics, unfolding within broader contexts of suspicion (LeVine & Malmström, 2019), where motivations are constantly questioned and initiatives viewed through a lens of mistrust, raise a deeper question: When implemented in fragile or authoritarian contexts, do CAs bypass the state or risk inadvertently reproducing it? We contend that practicing deliberative democracy in a decolonial manner necessitates exploring alternative practices of sovereignty, assuming control over knowledge, and exercising the collective right to self-determination (Banerjee, 2022; Mendonça & Asenbaum, 2025).

We also reflect on the trade-off between reach and viability. While national-scale deliberation risks triggering political anxieties or co-optation, smaller-scale efforts may struggle to achieve visibility. The CA must therefore be understood as a form of situated sovereignty—an expression of collective agency within the bounds of what is politically imaginable in each context. While the “small is beautiful” ideology (Lee et al., 2015; Schumacher, 1973) has been criticised for romanticising local interventions that rarely produce systemic change, experience in the region suggests a different logic. Here, we concur that the value of CAs as democratic spaces may operate closer to Bayat’s theory of “social nonmovements”: organised in the margins and with limited (or no) involvement from state institutions, acting less as formalised processes and more as spaces for dispersed, everyday acts of resistance that slowly and gradually unsettle dominant power structures in contexts marked by eroded social contracts (Bayat, 2013).

Despite lacking state endorsement, the imaginaries that emerge from these assemblies are not anti-institutional—they are deeply invested in envisioning functioning, inclusive, and responsive public institutions. This echoes what Ipek (2018) has described in Lebanon as “the longing for a nation.” As one CA organiser noted: “We almost have to organise them in the margins, but the imaginaries and the vision that drive the CAs include public institutions answering those needs.” In this light, CAs represent what research literature describes as “institutionalisation from below”—a decolonial, grounded form of political embedding that prioritises community ownership, iterative legitimacy, and alignment with justice-oriented movements over formal state integration (Asenbaum et al., 2025; Bussu et al., 2022).



## 8. Conclusion

There have been at least 700 CAs, as recorded by the OECD, as part of the “deliberative wave,” responding to an increasing democratic deficit in the West’s electoral politics and growing concern over climate change. This article set out to ask not only whether CAs on energy can function as meaningful democratic innovations in Arab countries with eroded representative institutions, but also what it means to institutionalise a CA in non-democratic contexts, with weak public institutions and, at times, authoritarian restrictions. As experiments in the radical and emancipatory potential and limits of the CA method, the empirical focus on the planning and design of CAs in Tunisia and Lebanon challenges the universalist and standardised approach to CAs in the Global North. Based on our experiences and insights, it is important to adapt to local realities and histories, cultural practices, and forms of collective decision-making. Bringing people together across sectarian, class, and generational lines nurtures critical thinking and allows participants to imagine alternatives beyond the immediate crises they may face. Recognising the importance of power, identity and inequality, deliberative spaces must be designed with an ethic of care, co-creation and equity, mitigating rather than reproducing systemic injustice. As Mendonça and Asenbaum (2025) observe, placing Global South perspectives at the centre of study on deliberative democracy turns the focus on contestation, power, economic redistribution and a broader sense of “what counts,” and, we may add, what is possible in authentic deliberative spaces (p. 14)—most importantly, as our CA in Lebanon showed, an articulation of alternative political imaginaries.

A critical decolonial perspective must situate CAs cautiously within a broader ecosystem of resistance, recognising both their possibilities and limitations. In response to the growing universalist methods that seek to standardise a one size fits all approach to CAs, this article proposes a regional guide to CA organising, not as a singular framework but as a set of principles and variables to consider and adapt based on context, using examples from the three CAs we have designed. Tunisia and Lebanon are very different politically, and so is every other Arab country. Our work, even after five years, is still at an early stage. Our ultimate aim is to progressively help social and political actors think more explicitly about deliberation across themes that have been subject to obstacles and sociotechnical barriers, such as energy, humanitarian aid, reconstruction and water. Such designs must reflect a context-sensitive understanding of power, dynamics and values, adapting tools such as sortition, duration and expert knowledge into existing practices. A viable process, therefore, hinges on a frank look at purpose, resources and safety, as well as nurturing a learning network that spans funders, organisers, participants and wider publics. Likewise, dialogue must remain fluid and self-critical to keep technical concepts under scrutiny, not as a technical “add-on” (Mendonça & Asenbaum, 2025, p. 13). In short, deliberation can only flourish when it grows out of its cultural soil and is studied across settings as part of broader “deliberative cultures” (Sass & Dryzek, 2014, p. 4).

CAs become truly meaningful when they are embedded in the lived struggles of the communities they aim to serve. We did not contend with the question of scale in this article, and for practical reasons our CAs have been on a sub-city scale. However, we do note the criticism that a “small is beautiful” focus of participation projects (Lee et al., 2015; Schumacher, 1973) limits their reach, as citizens may shape their realities while elites still decide on the bigger questions. Yet, although such modest interventions rarely trigger sweeping change on their own, these tangible “small victories” remain key for broader democratic transformation (Elstub & Escobar, 2019, p. 495). In contexts where civil society is weak or co-opted, forging links between assemblies and legislative or policy processes, as well as social and grassroots movements, is difficult but vital. Assemblies

do not replace political organising, direct forms of activism, protests or collective action, but build on insurgent origins by offering a relevant, inclusive and deliberative infrastructure in a “claimed space” that can inform and energise wider struggles, setting visions of alternative worlds that are being sought.

A crucial question is whether such spaces, however valuable, can effectively address deep structural inequalities and power imbalances in post-colonial societies. Can a well-designed deliberative forum, dismantle entrenched economic systems, challenge geopolitical dependencies, achieve land restitution, or fundamentally alter racist or patriarchal social structures? The answer is, of course, no. Does this make them decolonial, or simply a metaphor for decolonisation? We view CAs as an expression of collective will echoing Hammond’s (2019) view of deliberation as an activist political theory whose purpose is “to fight domination in all its forms” (p. 5). It is decolonial in the sense of being an essential tool of resistance in the arsenal of decolonisation. In Arab contexts, where formal political systems often obstruct participation, democracy is frequently constructed in defiance of the state—not through it. CAs, as claimed and constructed spaces, may, therefore, be most valuable not as policy instruments but as expressions of alternative decolonial imaginaries—sites where democratic legitimacy is redefined from the ground-up (Dryzek, 1996).

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ARTICLE

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# Institutionalizing Democratic Innovations in Poland: Mapping the Evolution of Citizens' Assemblies Through Rules of Procedure

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## Abstract

Institutions play a crucial role in organizing, systematizing, and simplifying public life, enabling the planning of activities and structuring the behavior of individuals. In Poland, various institutionalized and formalized instruments of civic engagement are commonly used at the local level, particularly in municipalities (Kołomycew, 2023). However, since 2013, there has been a surge in democratic innovations, such as participatory budgeting and, since 2016, citizens' assemblies (CAs), which serve as deliberative instruments of a quasi-decisive nature (Gerwin, 2018; Podgórska-Rykała, 2020; Pospieszna & Pietrzyk-Reeves, 2024; Ufel, 2022). This article explores the process of institutionalizing CAs in Poland by analyzing the evolution and content of their Rules of Procedure (RoPs). We focus on Poland due to its unique position as one of the first Central and Eastern European countries to join the deliberative wave (Carson & Gerwin, 2018; OECD, 2020). Using a triangulated theoretical approach that draws from neo-institutionalism, structuration theory, and critical institutionalism, this article investigates how formalization, practice, and political creativity interact in shaping this democratic innovation. The study is based on a comparative analysis of 10 local climate assemblies organized between 2016 and 2023. Its findings suggest that while RoPs serve as formalizing scripts, they also reflect evolving practices and localized reinterpretations that expand the civic potential of CAs.

## Keywords

citizens' assemblies; democratic innovations; institutionalization; Poland

## 1. Introduction

In recent decades, democratic innovations have gained global prominence as tools for revitalizing representative democracy. Among them, citizens' assemblies (CAs)—forums where randomly selected and demographically diverse citizens engage in structured discussions on complex public issues—have gained prominence as influential democratic innovations (Dryzek et al., 2019; Fishkin, 1995; Niemeyer, 2014). Grounded in deliberative democratic theory, these assemblies exemplify the principles of inclusivity, informed dialogue, and reasoned decision-making (Gutmann & Thompson, 2004; Habermas, 1984). Designed to address the shortcomings of traditional electoral institutions, CAs offer not only epistemic and civic benefits for participants (Curato et al., 2017; Grönlund et al., 2014) but also the potential to enhance legitimacy, transparency, and public trust in decision-making (OECD, 2021; Smith, 2021). While many CAs remain one-off consultative initiatives, recent scholarship and policy developments call for their institutionalization to ensure their sustained democratic impact (Dean et al., 2023; OECD, 2021).

The institutionalization of deliberative mini-publics is often demonstrated through the creation of permanent or regularly recurring assemblies, legal frameworks, or integration into formal policy-making processes (Macq & Jacquet, 2023; OECD, 2021). However, institutionalization is increasingly understood as a continuum, ranging from one-off experiments to routinized and embedded practices. It involves not only formal rules or legislative acts, but also softer forms of stabilization, such as administrative standardization, civic norms, and evolving procedural blueprints (Curato & Böker, 2016; Elstub & Escobar, 2019). In other words, it is a multi-dimensional process involving formalization, routinization, and symbolic embedding within governance structures. Thus, drawing on neo-institutionalist and structuration theory (Barley & Tolbert, 1997; Giddens, 1984; March & Olsen, 1984), as well as critical institutionalism (Cleaver & de Koning, 2015), this article adopts a dynamic understanding of institutionalization—not as the endpoint of innovation, but as an iterative process shaped by civic practice, local adaptation, and creative reinterpretation.

One key mechanism through which CAs can become more structured is the development and use of Rules of Procedure (RoPs)—internal regulatory documents specifying participant selection, deliberation format, expert involvement, decision-making thresholds, and implementation commitments. Scholars focused particularly on the legal, legislative, and political aspects of institutional changes have often analyzed RoPs since they are an invaluable source of knowledge on the dynamics of internal norms and practices within political organizations (Palonen & Wiesner, 2016; Sellheim, 2023). Furthermore, deep insight into the procedural rules of different political bodies has prompted researchers to draw conclusions related to the inter-institutional balance of power (Kreppel, 2003; McKelvey & Ordeshook, 1984), politicization and rationalization of practices (Brack & Costa, 2018), or even the relationship between institutions and the public (Cox, 2000; Saalfeld & Dobmeier, 2012). This article argues that RoPs serve as a crucial—though often overlooked—tool for embedding deliberative practices into local governance structures. They enable coordination among multiple stakeholders, reduce procedural uncertainty, and create expectations of continuity and accountability—even in the absence of national or local legal frameworks. We expect to find that beyond stabilizing the institutional form of CAs, RoPs also evolve over time, shaped by practice, adaptation, and organizational learning. In this sense, they are not only instruments of formalization but also sites of procedural experimentation. This article, therefore, asks: *How do RoPs indicate the institutionalization of CAs as democratic innovations? To what extent do RoPs reflect learning, adaptation, and professionalization in the organization of CAs?*

In order to answer these questions, we focus on Poland. In Poland, CAs have become a growing phenomenon at the local level, despite their absence from national legislation and the lack of formalized institutional frameworks. Since 2016, 14 assemblies have been organized in cities including Gdańsk, Warsaw, Poznań, and Kraków, with most focusing on climate-related issues, such as air quality, urban greenery, and transport (Podgórska-Rykała & Pospieszna, 2024; Pospieszna et al., 2025). By focusing on the Polish context, this study contributes to the emerging literature on democratic innovations in Central and Eastern Europe—a region where participatory instruments are gaining traction but remain under-researched (Gherghina et al., 2019, 2020; Paulis & Pospieszna, 2024)

This article draws on a qualitative analysis of all available RoPs from CAs held in Poland between 2016 and 2023. These documents were collected from public sources and through direct outreach to organizers, then thematically coded to trace patterns of procedural design, variation, and institutional development. We also incorporate participant observations from two assemblies. To further explore institutionalization in practice, we conducted a focused case comparison of the Kraków and Rzeszów CAs, organized in the same year by the same coordinator. This comparison allows us to examine how institutional learning unfolds through both formal rule-setting and adaptive practice.

Our findings suggest that while Polish CAs remain outside formal legal frameworks, their RoPs are increasingly standardized and reflective of international best practices. This points to a form of soft institutionalization rooted in civic experimentation and negotiated legitimacy, in which RoPs function not only as regulatory tools, but also as evolving sites of democratic learning and procedural innovation.

The remainder of this article is structured as follows. Section 2 outlines the relevant literature on democratic innovations and the institutionalization of CAs. Section 3 presents our methodological approach. In Section 4, we analyze the content and evolution of RoPs in Polish CAs. Section 5 focuses on a comparative analysis of two recent local CAs in order to explore institutional learning in practice. We conclude by reflecting on the implications of our findings for broader debates on democratic innovations and institutionalization.

## 2. Institutionalizing CAs: Theoretical Perspectives

Democratic innovations have gained considerable attention in recent decades as institutional responses to growing dissatisfaction with representative democracy. These innovations aim to deepen citizen participation, enhance inclusiveness, and strengthen the legitimacy of political decisions. One of the most prominent types of democratic innovations is CAs, which are a type of deliberative mini-publics composed of randomly selected citizens who engage in structured discussions on complex public issues (Dryzek et al., 2019; Fishkin, 1995; Niemeyer, 2014). Rooted in deliberative democratic theory, CAs operationalize ideals of inclusive, informed, and reasoned deliberation among free and equal citizens (Gutmann & Thompson, 2004; Habermas, 1984). Research has shown that when properly designed, CAs can foster cognitive gains, social trust, and civic empowerment while offering a meaningful supplement to traditional democratic processes (Curato et al., 2017; Grönlund et al., 2014; OECD, 2020; Smith, 2021). Such well-designed deliberative processes have been well in line with a new mode of governance, namely, network governance (Kronsell & Backstrand, 2010). Scholars indicate that the shift from government to governance is one of the most important characteristics of modern policy-making, where decisions are taken collectively with a broad participation of different actors (Dryzek & Niemeyer, 2010).

Despite their normative appeal and growing popularity, particularly at the local level, most CAs remain *ad hoc* and operate without formal ties to existing democratic institutions (Dean et al., 2023; OECD, 2020). They often address single issues, involve limited segments of the population, and lack binding legal status, limiting their long-term impact on public policy. Scholars and practitioners have thus advocated for the institutionalization of CAs as a means to increase their effectiveness and legitimacy (Macq & Jacquet, 2023; OECD, 2021). Institutionalized CAs, such as permanent citizens' councils or standing advisory panels, are integrated into legislative or administrative processes, providing continuous input into decision-making. Examples include the Paris Citizens' Assembly and permanent deliberative bodies in Australia, Belgium, and France, which demonstrate the capacity of mini-publics to contribute to policy design, participatory budgeting, and referenda (Niessen & Reuchamps, 2022; OECD, 2021).

Institutionalization, however, remains a contested concept. Traditionally, it has been defined as the process by which experimental or innovative practices become stable, repeatable, and embedded in organizational or political systems (March & Olsen, 1984). In the case of CAs, institutionalization is often equated with legal anchoring or the creation of permanent structures (Macq & Jacquet, 2023; Niessen & Reuchamps, 2022). However, such a narrow focus overlooks the broader spectrum of institutional development. The institutionalization of deliberative processes can occur through the formalization of practices, the routinization of procedures, and the embedding of deliberation within governance systems (Abers, 2019; Elstub & Escobar, 2019; OECD, 2021). For instance, the adoption of standard operating procedures or recurring use of CAs at municipal levels can signal progress toward institutionalization even without national legal codification.

In contexts such as Poland, where CAs are not formally recognized by national or local law and are instead framed as a form of social consultation (Firek, 2024; Gąsiorowska, 2023b), focusing on their RoPs provides a valuable lens to assess institutionalization. RoPs function as the organizational “constitutions” of CAs, codifying procedural norms, roles, and stages of deliberation. They not only structure internal dynamics but can also mediate the relationship between CAs and existing political institutions (Curato & Böker, 2016; Elstub & Escobar, 2019). The codification of RoPs reflects growing internal complexity and a drive for procedural stability, offering a shared normative framework for organizers across diverse local contexts (Bastiaensen & Stearns, 2022; Cleaver & de Koning, 2015; Macq & Jacquet, 2023).

From a neo-institutionalist perspective, RoPs can serve as instruments of formalization. They transform experimental deliberative practices into recognizable and legitimate institutional forms by standardizing procedures, clarifying responsibilities, and ensuring continuity (Courant, 2018; Shepsle & Weingast, 1984). Core design elements—such as demographic representativeness, informed deliberation, and voting thresholds for recommendations—have become procedural backbones of CAs (Pogrebinski, 2021; Smith, 2009). At the same time, neo-institutionalists deriving from the sociology of action observe that institutions do not restrict human agency. Instead, they may be self-reproductive through collective action (Di Maggio & Powell, 1991). There are many examples of studies in which scholars present the constitutive function of formally established bodies (Moe, 1987; Shepsle & Weingast, 1987).

Therefore, institutionalization need not result in rigidity or stagnation. Recent research emphasizes that even permanent CAs can emerge through experimentation, learning, and negotiation between civil society and public authorities (Courant, 2018; Macq & Jacquet, 2023). This view aligns with structuration theory (Giddens,

1984), particularly as articulated by Barley and Tolbert (1997). They conceptualize institutionalization as an iterative process in which human action reproduces well-known scripts, which then become actively shaped and transformed. In this framework, RoPs act as scripts that are constantly adapted by actors in practice. They evolve over time from informal guides to formal documents embedding good practices promoted by international organizations such as the OECD. Importantly, following structurationist logic, these rules are not static; they are continuously reinterpreted, modified, and contextualized on the basis of local needs and actors' feedback. Because of this, CAs can constantly evolve over time in ways that reflect broader democratic governance ideals, such as a flexible approach to shared challenges, sensitivity to the interests of diverse stakeholders, and a commitment to solidarity and the common good (Bang & Esmark, 2009).

Critical institutionalism expands this understanding by highlighting the embedded, contested, and creative dimensions of institutional development (Berk et al., 2013; Cleaver & de Koning, 2015). Rather than viewing institutions as coherent systems, critical institutionalism emphasizes their emergence through negotiation, bricolage, and layered adaptation that, in turn, may influence the balance of power between political actors (Pilon, 2021). Applied to RoPs, this perspective may help reveal new relationships not only between the CAs' participants but also between the CAs and "older" institutions.

This theoretical framework reconciles tensions in the literature regarding the potential trade-offs of institutionalization. While some warn that institutionalization risks diluting the grassroots character of CAs or enabling co-optation (Pierri, 2023; Pogrebinschi, 2021), others argue that institutionalization and innovation can co-evolve. When institutional forms remain adaptable and open-ended, they allow deliberative democracy to deepen and expand (Berk et al., 2013; Streeck & Thelen, 2005). In this spirit, we believe that the evolution of RoPs toward greater clarity, inclusiveness, and accessibility can demonstrate that procedural development is not merely administrative, but a key component of social institutionalization.

To conclude, institutionalization is a multidimensional and dynamic process that can be meaningfully analyzed through the lens of RoPs. By drawing on neo-institutionalist, structurationist, and critical institutionalist perspectives, we can better understand how democratic innovations like CAs move from the margins to the mainstream of democratic governance, especially in contexts where legal or political support remains limited.

### 3. Research Design

As we mentioned in Section 2, RoPs can serve not only as a source of knowledge on the procedural aspects of institutional functioning. Scholars who focus on EU studies often treat them as a starting point for the qualitative description of internal institutional development that frequently goes hand in hand with such processes as politicization, rationalization, or empowerment (Brack & Costa, 2018; Kreppel, 2003). A RoP can even be the subject of textual analysis conducted in order to explore hidden conflicts of competences between EU institutions (Palonen & Wiesner, 2016). Furthermore, legislative-oriented researchers find RoPs valuable because they are extremely useful in mapping trends in formal bodies (Johnson, 2003) and drawing cross-country comparisons between generally accepted practices (Serban, 2022). Sometimes, the examination of RoPs may be quite helpful in disentangling complex issues that lie behind the controversial behavior of members of international organizations (Sellheim, 2023). Therefore, although the complicated and formal language of RoPs may sometimes be difficult to follow, they are a key source of information



regarding the deep and multifaceted processes that take place in institutions, organizations, and agencies. In this vein, we decided to focus on the RoPs of Polish CAs treated as a source of indicators of their growing internal institutionalization.

In Poland, cooperation between civil society and public administration is regulated under the Public Benefit and Voluntary Work Act of 24th April 2003. According to this Act, in areas such as social integration, health, environment, and culture, public authorities are required to cooperate with the civil society organization sector (Sejm Rzeczypospolitej Polskiej, 2003, art. 4). Social consultations are one of the possible mechanisms through which this cooperation takes place (art. 5, para. 2). Since we focus on local CAs, it is necessary to mention that, according to art. 6 of the Local Governance Act from 8th March 1995, municipalities have their own executive and legislative powers in policies that are not restricted to the state (Sejm Rzeczypospolitej Polskiej, 1995) and, according to many municipal statutes (local “constitutions”), they can shape these policies in cooperation with residents using social consultations that can take the form of CAs. The problem is that neither national nor local acts specify their internal structure, functions, or the role they should play in Polish civil society. This means that CAs’ RoPs are the only document that codifies good practices and informal norms governing the organization of CAs in Poland and is usually prepared by the organizers of CAs. Alternatively, we can call it “the constitution” of a CA, which can be treated as the first step in institutionalizing deliberative processes that, as we argued, are still not well rooted in Poland. Thus, the primary source material consists of the official RoPs that regulate the organization and structure of each CA. These documents were critically examined in order to explore general trends in the development of crucial structural elements of Polish CAs. Therefore, our focus is not a comparison, but rather an analytical description of the institutionalization process over time, including the identification of continuous and evolving practices. We draw on a comparative qualitative analysis of almost all (i.e., 10 RoPs) local CAs that took place between 2016 (when the first local CA was organized in Gdańsk) and 2023 (when the last—as for April 2025—local CA was organized in Rzeszów). We excluded: (a) national CAs from the analysis because local CAs are the most frequently organized type of CA, and also, their scope was too broad to be compared to local CAs, and (b) two CAs that were organized in Łódź because, according to some authors, they did not conform to all the good practices for CAs published by the OECD (Szymaniak-Arnesen, 2024).

The analysis of RoPs proceeded in three stages. First, we labelled the formal properties of each RoP, including document structure, length, and formatting. Second, we analyzed the substantive properties across three dimensions: deliberative procedures (e.g., educational phase and voting mechanisms), actor roles (e.g., facilitators, experts, and monitoring bodies), and decision-making rules (e.g., thresholds for binding recommendations). Third, we synthesized the similarities and differences across the cases to identify common design elements and contextual variations. Given that our initial set of substantive categories was expanded with emergent themes identified during the analysis, we employed a combined deductive–inductive approach (Denscombe, 2008; Teddlie & Tashakkori, 2011).

This methodological orientation enables us to trace the evolving patterns of institutional design across Polish CAs and to explore the extent to which RoPs function as instruments of formalization and sites of procedural innovation. All RoP documents were collected from publicly available sources or obtained directly from the organizing institutions. For an overview of the cases included and the coding framework applied, see the Supplementary File.

To further explore how the institutionalization of CAs unfolds in practice, we also employed an in-depth analysis to focus on the learning dynamics between two CAs. We chose two recent Polish CAs—Kraków II and Rzeszów—organized in the same year by the same coordinating NGO. Drawing on our conceptual framework, we view this learning process not as a simple replication but as a multi-dimensional mechanism of institutionalization, one that blends active formalization (neo-institutionalism), iteration (structuration), and creative adaptation (critical institutionalism). By examining what was retained, revised, or rejected between the two cases, we hope to illuminate how CAs evolve not only through codified rules but also through reflective practice, contextual responsiveness, and organizational learning. To gain a comprehensive understanding of both cases, our research team supplemented the document and material analysis with participant observations during the Kraków II Citizens' Assembly in 2021 and the Rzeszów Citizens' Assembly in 2023. This immersive involvement provided practical insights that enriched our analysis and allowed us to compare the RoPs of these CAs with firsthand experience.

## 4. Institutionalizing CAs Through Rules

To trace the institutionalization of CAs in Poland, we begin with Section 4.1, which analyzes their RoPs as key instruments of formalization. We distinguish between their formal properties—such as document structure, length, and formatting—and their substantive properties, which include the procedural norms and actor roles codified within them. This dual lens allows us to examine not only how RoPs stabilize the institutional form of assemblies but also whether they evolve through practice, adaptation, and learning. In Section 4.2, we explore how institutionalization unfolds in practice by focusing on the learning dynamics between two recent Polish CAs, namely Kraków II and Rzeszów.

### 4.1. *Formal and Substantive Properties of the RoPs*

Our analysis reveals several important trends in the formal evolution of the RoPs for CAs in Poland. In the early phase of the development of CAs, prior to 2019, the RoPs were not even a stand-alone document. For example, in the case of all three Gdańsk CAs, the RoPs were appended to the Mayor's Ordinance, while in Lublin, "guidelines" were distributed in the form of role-specific handbooks for panelists and experts. From 2019 onwards, we observe a shift: RoPs began to be issued as stand-alone documents by the organizers of CAs, signaling a new phase of formalization.

This shift was accompanied by increased internal complexity. Post-2019, RoPs typically included explicit definitions of actors and procedures, as well as references to internationally recognized good practices, most notably those proposed by the OECD (2020) and later elaborated by the Knowledge Network on Climate Assemblies (KNOCA; Carrick, 2020; OECD, 2020). This alignment likely served a dual purpose, namely, to objectify the deliberative process for public audiences and to substitute for the absence of national legal recognition by anchoring legitimacy in internationally accepted standards.

A notable change occurred in the treatment of participant selection procedures: early RoPs (2016–2018) offered detailed descriptions of the random selection (Gąsiorowska, 2023a), which proved difficult to communicate clearly in public-facing documents. Another trend involves the use of appendices. Starting in 2023, RoPs began to include annexes outlining good practices, reflecting a broader move toward simplification and increased accessibility. These structural adjustments mark an evolution in how RoPs

function: from technical guides for organizers to communicative instruments for broader audiences. We return to this point in the next sub-section.

Our analysis of the substantive content of the RoPs reveals two broad categories of procedural elements: (a) *Gold standards*: defined as rules that appear in at least six out of the ten RoPs analyzed (recognizing that the first CA was of a more experimental nature and that the Covid-19 pandemic necessitated specific procedural adaptations, we consider the recurrence of a rule in six or more RoPs as indicative of its establishment as a gold standard), and (b) *Novelties*: defined as rules that appear in no more than two RoPs. These categories allow us to distinguish between procedural consolidation and experimentation.

One finding from the first set is that several procedural elements qualify as *gold standards* of the RoPs in the Polish context. These include the presence of a guiding question, demographic criteria for the selection of participants, including a minimum age requirement, a binding threshold for recommendations, public access to the educational phase, confidentiality of the deliberative phase, the duration of the CA, defined roles and rights for key actors in the process, and the public release of a final report. These elements map directly onto the OECD's core principles for effective CAs, as outlined in Table 1. The table confirms that these principles are a good matrix for a comparative analysis of CAs-related documents, since they reflect the multidimensionality of the proper design of the CAs and the basic democratic values to which the organizers should refer.

**Table 1.** Alignment of the properties of the RoPs of Polish local climate assemblies with OECD good practices and KNOCA evaluation framework.

Properties Analysed	RoPs	OECD good practices for deliberative processes	KNOCA evaluation framework
Purpose	Guiding question of a CA Specific questions	The objective should be outlined as a clear task linked to a defined public problem	Remit and framing Process design integrity
Accountability	Binding nature of the CA's recommendations	There should be an influence on public decisions	Pathways to impact Impact on policymakers and government
Transparency	Educational part of the CA is available to the public	Process and all materials should be publicly available in a timely manner	Not explicitly included
Representativeness	Description of the draw (random sampling) Demographic criteria Number of panelists from each district Minimum age of panelists	Participants should reflect a microcosm of the general public through stratified random sampling	Representativeness of recruitment process Demographic diversity
Inclusiveness	Choice of stakeholders Time allocated for stakeholders' speeches Formulation of recommendations by stakeholders Remuneration for panelists	Inclusion of under-represented groups should be considered Support through remuneration and other means	Stakeholder involvement Diversity of political views and activity

**Table 1.** (Cont.) Alignment of the properties of the RoPs of Polish local climate assemblies with OECD good practices and KNOCA evaluation framework.

Properties Analysed	RoPs	OECD good practices for deliberative processes	KNOCA evaluation framework
Information	Remuneration for experts Time allocated for experts' speeches Fact-checkers Rights of panelists to verify information Rights of panelists to invite additional experts/stakeholders Rights of panelists to organize additional meetings or extend sessions	Participants should access a wide range of accurate, relevant, and accessible evidence and expertise	Quality, accessibility, and balance of evidence Member engagement with evidence
Group deliberation	Facilitators/moderators Reserve group Final wording of recommendations Probationary voting	Participants should engage in structured deliberation with skilled facilitation	Approach to facilitation Quality and inclusiveness of deliberation
Time	Length of a CA	Participants should meet for a sufficient duration to allow informed deliberation	Not explicitly included
Integrity	Composition and rights of the coordinating team Composition and rights of the monitoring team Observers Arbitration	The process should be coordinated by an independent team with oversight mechanisms	Planning and organization Process design integrity
Privacy	Confidentiality of deliberative sessions	Small group discussion should be private Not explicitly included	Not explicitly included
Evaluation	Final report	An internal evaluation should assess achievements and areas for improvement	Not explicitly included

Notes: Based on the authors' own data collection and interpretation of the RoPs of Polish local climate assemblies, in reference to the OECD's *Good Practice Principles for Deliberative Processes for Public Decision-Making* (OECD, 2021), and the KNOCA *Impact Evaluation Framework* (Carrick, 2020).

The strong and consistent presence of these elements in Polish RoPs signals a degree of convergence around an emerging “institutional spine.” While some of this convergence may be strategic—serving to bolster legitimacy in the absence of formal legal status—the consistency across cases suggests a deeper process of institutional consolidation.

The second set of findings relates to *novelties*, which we categorize into three types: *protective*, *enhancing*, and *integrative*. These context-specific adjustments reflect the creative and localized dimensions of institutionalization, in line with critical institutionalist understandings outlined in the theoretical section. *Protective novelties* aim to safeguard participants and reinforce the integrity of the deliberative process. Examples include: the right of panelists to request the dismissal of a facilitator or a moderator (Wrocław and Poznań CAs); the use of arbitration procedures (Wrocław, Poznań, and Kraków I CAs); the inclusion of fact-checkers (Gdańsk and Lublin CAs); the recording of monitoring team meetings (Poznań CA); and the rule that observers can attend only the educational part (Poznań CA). It should be noted that these provisions were introduced to enhance transparency and shield participants from potential manipulation and misinformation. The limited continuation in the later RoPs may indicate that certain protections have become normalized and are now embedded informally in facilitator practices, or that they have been absorbed into more general procedural frameworks. For instance, the right to dismiss a facilitator may now fall under the broader mechanisms of feedback and accountability. Accordingly, the introduction of a fact-checker was replaced by another *gold standard*. These context-specific adjustments reflect the creative and situated dimensions of institutionalization, namely, the right of panelists to request that the organizers verify information that seems unreliable.

*Enhancing novelties* emerged when Polish CAs were still developing, but at the same time, their organizers obtained valuable experience learning from each other. These include: the introduction of “witnesses” with lived experience (Poznań CA); appeal procedures for both observer selection and final vote outcomes (Poznań CA); additional criteria for defining binding recommendations based on participant attitudes (Poznań CA); alternative forms of compensation such as vouchers (Kraków II CA); and formal approval of RoPs by monitoring teams (Kraków II CA). These adaptations varied in purpose—some intended to enhance the legitimacy of CAs, while others addressed the increasing procedural complexity of CAs. Their absence in later RoPs suggests they were not treated as sufficiently useful or were absorbed into existing *gold standard* rules (e.g., the role of “witnesses” falling under stakeholder rights). This finding aligns with a broader trend toward simplification, which we explore in the next sub-section. Nevertheless, the mere existence of this type of novelty contradicts the claim that institutionalization narrows down the scope for creativity and experimentation. On the contrary, a stable set of core rules appears to facilitate ongoing procedural experimentation and innovation.

Finally, *integrative novelties* began to appear in CAs from 2021, when citizens’ assemblies were “blooming” and had already established *gold standards* of deliberation in Poland. By this stage, organizers had tested and refined various models of sampling, facilitation, and communication. As institutions mature, they tend to formalize their relations with existing structures, hence the emergence of rules regulating interactions with municipal authorities. These include mayoral approval of monitoring team composition (Kraków I CA); provision of photo services by the City Hall (Rzeszów CA); and mayoral convening of monitoring meetings (Rzeszów CA). Though still recent and difficult to assess for long-term continuity, these provisions suggest a new phase of institutionalization, in which CAs not only consolidate internal procedures but also define their role within the broader governance ecosystem. This reflects the ongoing professionalization of Polish CAs, discussed further in the next sub-section.

#### 4.2. Case Study: Institutional Learning in Practice—Kraków and Rzeszów CAs

While the comparative analysis of RoPs reveals broader patterns of formalization and procedural adaptation, these documents do not emerge in a vacuum. They are developed, tested, and revised by actors who operate within real-world constraints, accumulate practical knowledge, and engage in iterative refinement. To further explore how institutionalization unfolds in practice, this section shifts the focus to the learning dynamics between two recent Polish CAs, Kraków II and Rzeszów. We selected these cases because they are the most recent among the eight Polish CAs analyzed and therefore relatively well-grounded in political and organizational practice; they were both conducted in the same year—Kraków in the spring and Rzeszów in the autumn—allowing us to examine the potential learning effects between the two processes; and both were organized by the same NGO, the Fundacja Pole Dialogu, offering an ideal setting to assess whether and how procedural adaptations were transferred across cases. In addition, our research team conducted participant observations in both processes, allowing us to combine document analysis with practical insights.

The Kraków Assembly on Transport was organized by two NGOs—Foundation Pole Dialogu and Optimum Pareto Foundation—selected through a competitive public tender by Kraków City Office. The assembly sought to answer the question: How can the City of Kraków and its citizens advance activities for sustainable transport? The process began with three consultative meetings between 12th and 25th January 2023, followed by educational sessions on 4th–5th March, deliberative meetings on 18th–19th March, and final voting on 1st April. In total, 43 recommendations received over 80% support from the panelists and were submitted to the mayor. The Rzeszów panel on climate, organized later that year, was centered on the question: How can Rzeszów achieve climate-neutrality by 2030? It followed a similar structure, with educational and initial deliberation sessions on 21st–22nd October, further deliberation and recommendation refinement on 4th–5th November, and final voting on 18th November. Ultimately, 51 recommendations obtained at least 80% of votes and the mayor confirmed that he would implement them according to his initial declaration.

Given the above, the question arises as to what Rzeszów has learned from Kraków. At first sight, both RoPs are quite similar in terms of the same *gold standards* that we listed in the previous sub-section. However, several new provisions in the Rzeszów RoP suggest adopting selective adaptation—or “institutional learning”—from Kraków. These include both refinements to existing rules (*sharpening*) and the expansion of the procedural scope (*opening*). *Sharpening* rules included the addition of appendices summarizing OECD good practices; lowering the minimum panelist age from 18 to 15 (it is important to note that a reduction in the minimum age was first introduced during the 2020 Warsaw Citizens’ Assembly, reflecting a broader trend towards increased youth participation in deliberative processes); the rule that stakeholders cannot act as experts; allowing panelists to submit recommendations during the deliberation meetings; permitting experts to waive their honoraria; and requiring final recommendations to be published within 14 days of the final voting. These refinements suggest growing sophistication and responsiveness to practical challenges. For example, excluding stakeholders from expert roles may address perceived conflicts of interest, while the expanded submission window for recommendations may promote inclusion. The relocation of OECD good practices to the appended materials illustrates a trend toward simplifying core RoPs documents. Another possible explanation is that the Rzeszów RoPs seem to be tailored to the general public. Given that OECD good practices may not be widely understood by those unfamiliar with the CAs, the authors of the RoPs might have deemed it sufficient to mention these practices without elaboration. Individuals seeking more



detailed information could refer to the appended materials. Furthermore, as CAs become an integral part of Poland's political landscape, the necessity to consistently reference their foundational principles in RoPs may have diminished.

*Opening* rules introduced in Rzeszów further reflect deeper integration with public institutions. These include: designating the City Hall representatives as observers; co-organizing expert recruitment with the City Hall; resolving unspecified matters through collaboration between the coordinating team and the City Hall; and making RoP validity contingent on approval by the monitoring team.

What was not learned, which procedural elements from Kraków CA were omitted in Rzeszów, and why? Despite this evidence of institutional learning, certain provisions from the Kraków CA were not carried forward to Rzeszów. These include: a preamble in the RoP (originally adopted in Kraków I CA); a paragraph defining the role of the operator/organizer; using the term “compensation” for the participant honoraria; issuing vouchers as a form of payment; and requiring breaches of the RoP to be documented in the final report and published on the CA's website.

Several factors may explain these omissions. The absence of a preamble could reflect efforts to streamline RoPs and prioritize accessibility over symbolic formality. The omission of the operator's role may align with organizational restructuring: unlike Kraków, where the organizer also managed facilitation, the Rzeszów CA separated the technical and deliberative functions. This functional differentiation signifies a more professionalized model, with discrete roles and responsibilities. The decision not to use the term “compensation” or adopt voucher payments may be ideological, distancing the CA process from market logic or transactional connotations. Similarly, dropping the requirement to publicize RoP breaches may reflect an emphasis on conflict resolution over punitive transparency. Based on our field observations, RoP breaches are rare, and any irregularities are typically addressed proactively by the monitoring team, rendering formal reporting mechanisms largely redundant.

Beyond adaptations from Kraków, the Rzeszów RoP introduced three original rules not seen in earlier cases: City Hall providing photographic services; selection of stakeholders is made by the operator in cooperation with the City Hall; and the mayor convening the monitoring team's first meeting. These changes mark a further stage of institutional integration. Many CAs' RoPs now explicitly reference cooperation with municipal authorities, including the City Hall or the mayor, in many areas. The Rzeszów CA provides a clear example: the City Hall was not only an observer or a body providing feedback on recommendations, but an active partner engaged in practical tasks, such as contributing to the final selection of Stakeholders or providing photographic services. This shift reflects a broader trend of increasing political integration, whereby traditional public institutions become more directly involved in the organizational infrastructure of CAs. Another observable tendency is the growing professionalization of the organization of CAs. Technical responsibilities, such as logistics, documentation, or communication, are increasingly outsourced to external entities selected through public tenders. In contrast, responsibility for safeguarding deliberative quality is retained by dedicated coordinating teams, allowing them to focus more fully on the substance and integrity of the process. The last trend that we observed is related to the formal presentation and user interface of RoPs. As noted in previous sections, recent RoPs have become simpler and more accessible. This shift is evident in three key changes: (a) specialized or technical information is often moved to the appendices; (b) the rules are shorter and more concise; and (c) the rules that are now widely accepted or taken for

granted are omitted. Additionally, some RoPs, such as those of Rzeszów CA, include visually engaging features, such as colorful graphics and clearly marked section headings.

Our analysis of the RoPs reveals that they are a valuable source of insight into the institutionalization of CAs. Specifically: the form and content of the RoP documents may be useful indicators of the institutional evolution of the CAs; RoPs play a dual role: on the one hand they formalize and legitimize informal norms that are taken for granted by the CA participants, while on the other hand they function as flexible tools for introducing innovative changes to the process of deliberation; and comparing RoPs across successive CAs offers valuable insights into how organizers learn from and adapt procedures and organizational strategies over time. Another crucial observation is the importance of the OECD's good practices for institutionalizing deliberative innovations that have still not been well recognized in the legal orders of Central and Eastern European countries, such as Poland. They function as the "institutional spine" of these CAs and, even more importantly, they are a normative axis around which these CAs build their institutional identity. From our research experience on different CAs, we know that depending on the organizers, context, time, and place where a CA took place, different organizational solutions were applied, but they were all based on the hard core of a good climate assembly, which is observable in the RoPs under consideration. Consequently, their clear and firm presence in the RoPs means they are the lowest common denominator among theorists and practitioners of deliberative democracy.

The comparative analysis of the Kraków II (2021) and Rzeszów (2023) assemblies further illustrates the dynamic nature of institutionalization. The Kraków II assembly demonstrated a high degree of procedural refinement, with RoPs incorporating lessons from previous assemblies and emphasizing transparency and participant engagement. In contrast, the Rzeszów assembly, while adhering to established norms, introduced adaptations to accommodate local contexts and challenges. These cases exemplify how CAs evolve through iterative learning, balancing the formalization of procedures with the need for contextual responsiveness and innovation.

## 5. Conclusion

This article set out to investigate how the institutionalization of CAs unfolds in the Polish context through the lens of their RoPs. The central research questions asked how RoPs function as instruments of institutionalization and whether they reflect learning, adaptation, and professionalization over time. This topic was selected in response to the growing popularity of CAs in Central and Eastern Europe and the relative lack of scholarly focus on how their institutional features evolve. We drew on a triangulated theoretical framework—including neo-institutionalism (Barley & Tolbert, 1997; March & Olsen, 1984), structuration theory (Giddens, 1984), and critical institutionalism (Cleaver & de Koning, 2015)—and a combination of document analysis and field observations to explore how RoPs help stabilize, legitimize, and innovate deliberative practices in a legal and political vacuum.

Our findings contribute to a more nuanced understanding of institutionalization. We show that RoPs are not merely static tools of procedural codification, but evolving documents that formalize good practices while enabling flexible adaptation (Barley & Tolbert, 1997; Elstub & Escobar, 2019). They function both as scripts of institutional stability and sites for procedural experimentation, aligning with Giddens' (1984) notion of structuration as recursive interplay between structure and agency. The presence of *gold standards* across

RoPs illustrates institutional convergence, while context-specific novelties highlight ongoing institutional bricolage (Cleaver & de Koning, 2015). This dual character of RoPs reinforces the idea that institutionalization, particularly in the realm of democratic innovations, is dynamic and negotiated.

As discussed in Section 2, scholars remain divided on the consequences of institutionalization. While some highlight benefits such as predictability and legitimacy (Bastiaensen & Stearns, 2022; Berk & Galvan, 2009), others caution against co-optation and ossification (Consejero & Herranz, 2023; Streeck & Thelen, 2005). Our empirical evidence supports a more optimistic view: a comparative case study of the Kraków II and Rzeszów assemblies illustrates that institutionalization does not preclude experimentation. Instead, it often fosters “institutional creativity,” especially when rules are adapted to local contexts or reflect accumulated learning. This supports the view, developed in Section 2, that institutionalization is not a fixed end-state but a dynamic, recursive process shaped by civic practice and political engagement (Barley & Tolbert, 1997; Cleaver & de Koning, 2015). Among the strengths of this study is its original methodological design, combining document analysis with participant observation and case comparison. This has enabled us to access both the textual and experiential dimensions of institutional change. However, we also acknowledge the limitations: our sample was restricted to local CAs in Poland, excluding national or less standardized assemblies. Additionally, while we tracked procedural patterns, the political outcomes of CAs and their implementation impact were beyond the scope of this article.

Nevertheless, the results have broader significance. First, the Polish case reveals how RoPs function as a flexible mechanism of institutionalization in contexts where legal anchoring is weak or absent. Second, the OECD good practices appear to operate as a form of transnational standardization: an “institutional spine” across decentralized CAs. Third, we observe signs of increasing engagement between CAs and public institutions, indicating the rise of an “inside-outside” dynamic (Stephenson, 2016) that may ultimately embed deliberative practices in wider governance structures.

In practical terms, our findings suggest that RoPs can help improve democratic legitimacy and operational coherence, especially when tailored to include diverse audiences and stakeholders. As such, they can serve as templates not only for organizers but also for policy-makers seeking to institutionalize deliberative mechanisms. Going forward, further research should examine whether similar trends are observable in other Central and Eastern European countries and whether RoPs are being localized or harmonized in global comparative frameworks.

Contrary to fears that institutionalization may constrain deliberative innovation, our analysis shows that it can provide a stable yet flexible foundation for further development. When approached reflexively, it can deepen the democratic potential of CAs by grounding them in both shared standards and responsive practice. The Polish experience suggests that even in legally fragmented contexts, it is possible to develop a resilient and evolving infrastructure for democratic deliberation.

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## Conflict of Interests

The authors declare no conflict of interests.

## Supplementary Material

Supplementary material for this article is available online in the format provided by the authors (unedited).

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