The Belgian experiments of deliberative democracy – An analysis of the institutionalisation of deliberative citizen participation in multi-level Belgium

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In recent years, a 'wave' of deliberative democracy has swept through an ever growing number of states (OECD 2021: 3). The mushrooming of deliberative democracy appears to mark an unseen trend in democratic innovation (Bächtiger et al. 2018). This trend has now reached the very heart of Europe, the European Union. With the launch of the *Conference on the Future of Europe (CoFoE)* a new era appears to have begun: one, in which deliberation is no longer limited to the scope of the municipality, the region or the nation-state. With an ambitious project the EU has created various forms of citizen participation via its Multilingual digital platform and the four European Citizens' panels that debated some of the greatest challenges posed to society today. The sheer scale of the European deliberative project raises hopes that the road of deliberation within the framework of the European Union does not stop here. In Belgium, the initiative was met with open arms. The government officially reported 26 events, organised independently from one another, that were held in the CoFoE's context and brought together citizens, elected representatives (MPs), and representatives of civil society (FPS Foreign Affairs 2022). The topics addressed throughout these three weeks were related to two subjects, namely climate change by debating matters of mobility, energy and sustainability, and democracy, debating citizen participation and communication. Not only do these initiatives show the willingness of Belgian citizens to participate, if we look closely many of the events produced recommendations that demand more inclusion of citizens into public decision-making.

The large variety of events held in the context of the CoFoE throughout Belgium showcases the country's general experience with deliberative democracy. Citizen participation has been a tool that has persistently marked the last 22 years (Vrydagh et al. 2020). Even more so, a growing number of parliaments have permanently introduced participatory mechanisms since 2019, namely the Permanent Citizen Dialogue of the German-speaking community as well as the deliberative commissions of the different parliaments in the Walloon and the Brussels-Capital-region.

1 The authors would like to declare that they have been directly involved in designing the processes that are described in this article. Min Reuchamps was part of the group of experts asked by the bureau of the Parliament of the German-speaking Community to elaborate the model of the Permanent Citizen Dialogue for which he observed and evaluated the implementation of a team composed of Christoph Niessen, Rebecca Gebauer and Ann-Mireille Sautter who attended several meetings in parliament. Min Reuchamps was also involved in the design of the deliberative commissions in Brussels at the request of the combined bureau of the Brussels Regional Parliament and the French-speaking Brussels Parliament. Finally, for a period of two years, he was appointed by the Walloon Parliament as a member of the accompanying scientific committee for the deliberative commissions organised by the region of Wallonia.

The implementation of deliberative citizen participation is often justified on epistemic grounds or proposed as a remedy for citizens' dissatisfaction with representative democracy, as it is supposed to restore the proximity between citizens and their MPs. However, political leaders do not only integrate the public and thereby enrich the political debate around certain policy matters, they also cede autonomy to citizens as they find themselves publicly constraint by recommendations. So, why would elected representatives implement and, even more so, institutionalise deliberative mechanisms on such a broad scale? The answer to the question in the Belgian case might provide an exploration that could be tested in the wider context of the CoFoE and the supranational and national initiatives it has triggered.

1. A *'Three I's approach'* to elected representatives and deliberative democracy

The question of the democratic preferences of elected representatives has long been overlooked by studies on participatory and deliberative democracy. Elected representtatives were seen as guardians of representative democracy, a perspective that assumed a hostility towards the deployment of these mechanisms. The implementation of theoretical ideals drew most academic attention to their deliberative dimensions in which elected officials were no longer central actors. However, the mushrooming of deliberative mechanisms has encouraged recent works to take a closer look at the role of MPs within the process. Recently, a *'Three I's approach'* has been put forward to analyse the emergence of democratic innovations within the political arena (Edelenbos/Van Meerkerk 2015; Hall/Taylor 1997; Palier/Surel 2005), with which variables are regrouped into *interests, ideas and institutions*. It provides a paradigm through which interactions of single variables can be understood within a broader scope of consideration. Explanatory variables that have been already associated with citizen participation would thus be reorganised into these three concepts (Caluwaerts et al. 2020; Junius et al. 2020; Lowndes et al. 2001).

Interest-driven or strategic justifications are some of the most publicised considerations. Deliberative mechanisms are often presented as a means to increase the legitimacy or effectiveness of political decisions, given that the substance of the decision-making process is enriched by the life experience of citizens (Blondiaux 2008; Edelenbos 2005; Zurn 2007). Moreover, the stance of MPs can also arise from a strategic consideration towards their position within the representative system to reorient the relationship between citizens and politics (Ryan 2014). Deliberation moves towards a form of networked governance in which citizens and MPs interact on an equal basis to shape policy decisions, which implies a change in power dynamic. This change inevitably faces resistance (de Sousa Santos 1998). Especially the 'winners' of the electoral system, i.e. the governing majority, are assumed to be more reluctant towards far-reaching participatory reforms, whereas opposition MPs perceive it as a possibility of political distinction and influence (Bowler et al. 2006: 437; Junius et al. 2020).

At the same time, the perception of deliberative democracy can depend on an *ideational* vision, in which democracy is not a mere decision-making mechanism, but a social ideal (Mayer et al. 2005). As it increases the inclusion of citizens into decision-

making, citizen participation becomes an end in itself. This vision can depend on personal conviction (Lefebvre et al. 2020); some representatives might seek to revitalise democracy, whereas others are more sceptical, fearing a political deadlock. Literature has also highlighted the role of ideology of MPs. Traditionally, it was argued that more left-winged or environmentalist MPs tend to favour citizen participation, which emerged from new social movements and sought to empower citizens (Cohen/Fung 2011; Fung/Wright 2003; Geissel/Hess 2017; Heinelt 2013). However, this argument tends to overgeneralise apparently shared priorities between left-winged parties while glossing over significant differences (Galais/Font 2011). Furthermore, democratic innovations have gained broad popularity also within the right and far-right (Jacquet et al. 2015; Rangoni et al. 2021; Schiffino et al. 2019). Yet, while the left-right continuum might not determine whether MPs support citizen participation, their ideology still influences which models MPs prefer (direct/deliberative) and whether they believe it to be a cure for the 'democratic disconnect' (Junius et al. 2020).

The structure of *institutions* and underlying formal and informal rules can also influence whether or not political actors are willing to implement deliberative democracy (Palier/Surel 2005). Within this *institutional* vision, a double dimension must be considered. On the one hand, the general experience within the institution plays a crucial role. The degree of political professionalisation and thus the institutional socialisation of an MP can significantly impact how they perceive the need for participatory reform, where newcomers might be tempted to change established rules (Niessen 2019). On the other hand, the institutional choices made by the respective institutions have to be considered. The results of a study on the attitude of Swedish local politicians towards unconventional participation show that the more experience elected representatives have, the greater the acceptance towards democratic innovation (Gilljam et al. 2012: 260).

2. Belgian experiments

In Belgium, deliberative democracy has a relatively long tradition. Within the scholarship, the experimentation with deliberative democracy has increased after the G1000, a citizens' summit organised by public figures, civil society activists and scholars in 2011 and 2012. In a context of national crisis[2], the G1000 assembled 704 citizens to discuss on political subjects. However, despite more than 20 years of experience of deliberation on the local level and the G1000, deliberative democracy has reached the federal level only this year (Vrydagh et al. 2020). Since 2011, citizen participation has been limited to the regional and community level[3] due to a historic experience, the *Royal Question* on the return of King Leopold III. from exile.

2 At this time, Belgium had been unable to form a government for more than 500 days.

3 The Belgium system, *consociational federalism*, regroups two models of institutional design within one system, namely federalism and consociationalism to accommodate the tensions between the Dutch-speaking and the French-speaking population (Caluwaerts/Reuchamps 2015). Consociational elements of power-sharing can be found in, e.g., the formation of coalition governments. Belgium's federal

This historic example is often presented as illustration of the divisions between Dutch- and French-speakers. In its light, some authors argue that citizen participation has become more common on community and regional level as the population is much more homogeneous (Van Crombrugge 2021). By jurisdiction of the State Council, citizen participation is also limited to consultative, i.e. non-binding, models and can only cover matters in which the respective entity is competent thus limiting its thematic scope (see Fn. 3).

Formalisation of citizen participation has picked up speed since 2019. The question that arises is to what extent *interests, ideas* and *institutions* have played a role in the way MPs justify the implementation and institutionalisation of deliberative democracy on the regional level. So far, no systematic comparison has been conducted on the Belgian case. The qualitative comparison allows us to better understand the interdependence of different factors and the attitudes towards deliberative democracy.[4] Below, we present the Ostbelgien Modell, the Permanent Citizen Dialogue of the German-speaking Community, then the deliberative commissions, in the Brussels-Capital-Region and Wallonia.

2.1 The Ostbelgien Modell

On 25 February 2019, the Parliament of the German-speaking Community unanimously adopted a decree establishing a model for permanent citizen deliberation (‘Permanenter Bürgerdialog’; see Niessen/Reuchamps 2019; 2022). It consists of a Citizens’ Council (‘Bürgerrat’) composed of 24 randomly selected members meeting monthly. The Council is mandated to initiate, set the budget and to select the topics of Citizens’ Assemblies (‘Bürgerversammlungen’). These are composed of a varying number of randomly selected citizens drawn from the population of the German-speaking community aged 16 and older. The objectif is to deliberate and make recommendations. The whole process is accompanied by the Permanent secretariat (‘Permanentes Sekretariat’), a civil servant mandated by the Citizens’ Council. The deliberations are followed by a three-stage control process during which the recommendations are presented by the Citizens’ Assembly to Parliament and then followed up by the Citizens’ Council. Unless the competent parliamentary committee and/or ministers give a justified opinion to the contrary, the recommenddations are supposed to be respected by parliamentary or governmental action, with an official report one year later.

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structure accommodates the division through a dual system, in which multiple entities coexist, namely language communities and regions (Deschouwer 2012). Three language communities (the Dutch-, the French- and the German-speaking Community) are tasked with cultural matters among other matters. Three regions (the Flemish Region, the Walloon Region, and the Brussels-Capital-Region) are tasked with matters related to territory. These layers do not perfectly overlap. As the Brussels-Capital-Region is officially bilingual, both the French-speaking and Dutch-speaking community exercise, e.g. cultural, education and health related competences within Brussels. The French-speakers of Brussels have their own parliament (the Assembly of the French-speaking Community Commission [COCOF]).

4 To do so, we have analysed the preparatory documents, on which the final decisions to institutionalise deliberative citizen participation were based. Furthermore, we have conducted interviews with some twenty parliamentarians and, more generally, have been able to participate in numerous preparatory and follow-up meetings.

This process is internationally known as the 'Ostbelgien Modell' is embedded in a particular political and institutional context. The German-speaking Community, also known as East Belgium ('Ostbelgien'), is, with 77.000 inhabitants, the smallest federate entity in the country. MPs are only 'part-time politicians' and usually exercise another professional occupation. It is argued that they thus maintain regular contact with the German-speaking population and are more open to its participation (Niessen 2021). Despite the Community's size, Ostbelgien has extensive legislative power (Bouhon et al. 2015), allowing it to put an ambitious citizen deliberation scheme at the heart of existing institutions. The very idea of institutionalisation came from its political leaders, namely the minister-president of the government and successive presidents of parliament. They commissioned a group of experts, organised by the G1000 umbrella organisation (Caluwaerts/ Reuchamps 2018), with the task to develop a deliberative model. The proposal was then debated and refined by the leaders of each parliamentary political group. The final proposal was adopted by a unanimous vote.

Macq and Jacquet (2021) identify three reasons behind this institutionalisation. First, the MPs wished to integrate the viewpoint of randomly selected citizens into the decision-making process in order to benefit from divers types of experience and expertise, a classic *interest*-driven consideration. To MPs, this 'life experience' was not necessarily present in traditional decision-making processes despite their openness and double function as both citizens and elected officials. Second, MPs employed it as a *strategy* to reduce mistrust towards political institutions through deliberation. In their eyes, it would show that citizens' opinions mattered, but would also provide an occasion to acquaint citizens with the complexity of public decision-making. Their hope was that deliberation would restore the legitimacy of traditional party families. Third, the MPs were encouraged by the fact that the model's permanent character would be a 'world's first', allowing the Community to give itself a brand image and reference point. From an *ideational* and *interest*-driven point of view, it would allow to put it on the world map of scholars and practitioners.

Interestingly, initial fears that the proposal would go too far and cede too much political control to the citizens within the Assembly, most prominently voiced by the largest opposition party, the Christian-democrats, were ultimately dismissed (Niessen/ Reuchamps 2022: 139) firstly, based on *institutional* consideration, namely the constraints imposed by the Belgian constitution, which would not allow for binding decision-making by citizens and therefore leave a sufficient margin of appreciation to politicians. Secondly, both the Christian-democrats, as well as the radical democratic Vivant believed in the *idea* that any form of integrating citizen into decision-making would be better than none and therefore ultimately supported the Ostbelgien Modell.

2.2 The Deliberative Commissions

While much international attention has been drawn to the Ostbelgien Modell, other regions started to experiment with deliberative democracy as well. In December 2019,

the Parliament of the Brussels-Capital Region[5] and the French-speaking Brussels Parliament of the COCOF adopted an amendment to their procedural rules. The elected representatives officially introduced deliberative commissions composed of both elected representatives and randomly selected citizens to jointly develop recommendations on political issues. Inspired by the Brussels model, the Parliament of Wallonia followed in October 2020[6]. In concrete terms, each parliament can call upon a parliamentary committee composed of both citizens and parliamentarians[7] to draft recommendations on a given issue. Any resident in Brussels aged 16 and above can be drawn by lot and participate. In contrast, Walloon citizens can only be drawn if they have acquired voting rights for the Walloon Parliament, meaning that only Belgian citizens residing in Wallonia over the age of 18 are entitled to participate. The difference is explained by the distinct demographic realities. Brussels has a much younger and larger non-Belgian population (who are therefore not entitled to vote in regional elections).

This commission works in three stages: After the public gathering of information, participants deliberate behind closed doors. Then the recommendations are presented to the public, which is followed by a vote. While the power of citizens in this deliberative process is important, their vote is not binding due to the institutional constraints in Belgium. Therefore, the recommendations are voted on separately for each of the proposed recommendations: a secret, consultative vote for the citizens and a public, binding vote by an absolute majority of MPs in the commission. Recommendations approved by both groups are incorporated into a report that is submitted to the competent standing committee, which is composed of the MPs of the deliberative commission. Within six months, this standing committee must provide and present a follow-up report on what has been done with the recommendations at a public meeting to which the participating citizens are invited.[8]

The deliberative commissions realise an ambition that was voiced during the regional election campaigns by the green opposition parties in spring 2019 (Vrydagh et al. 2021). Due to the electoral success of the Dutch-speaking Groen and the French-speaking Ecolo, both parties joined the regional governments in Brussels and Wallonia after the general elections. The commissions were subsequently included in the coalition agreements and mirror the Ostbelgien experience. Shared characteristics are the institutionalisation, the use of drawing participants by lot, and a clear vision of deliberation as an adjunct to

5 To be precise, the Parliament includes the General Assembly of Common Community Commission (COCOM) that deals with person-related matters that cannot be attributed to a language group. The Assembly of the COCOM has thus also introduced deliberative commissions.

6 Until today no deliberative commission has been organised within the Walloon Parliament. The COVID-19 pandemic certainly plays a role, but it probably also reflects area lack of political ambition.

7 The ratio in the Brussels regional parliament is 45 citizens to 15 parliamentarians, in the COCOF the ratio is 12-36 and in Wallonia the ratio is two-thirds/one-third. The parliamentarians are precisely those who sit on the standing committee under whose competence the subject falls (Reuchamps 2020).

8 To date, three deliberative commissions have been held and have produced 43 recommendations on the implementation of 5G (organised by Parliament of Brussels-Capital region), 97 for homeless and poorly housed people in the Brussels Region (principally organised by the COCOM), 22 on citizen involvement in times of crisis (organised by COCOF).

democratic decision-making. Yet, the deliberative commissions differ in two respects: by the integration of deliberative commissions into the very functioning of parliament, allowing the commissions to take advantage of the entire administrative body instead of a Permanent secretary, and, above all, by their mixed nature.

However, here too Wallonia differs from Brussels, as both an adapted Ostbelgien Modell[9] and the Brussels-inspired deliberative commissions were proposed within a short period. The former was supported by the opposition and the later by the governing majority. The opposition perceived the organisation of an independent and randomly selected Citizens' assembly as the *philosophically* most appropriate model due to fears that a mixed model risked generating a power imbalance. Furthermore, they criticised a lack of posterior control of the citizens, which could further damage the credibility of politics. Thus, the opposition explicitly preferred the three-stage control mechanism of the Ostbelgien Modell. Nevertheless, the opposition voted in favour of the majority proposal out of *ideational conviction*, as they believed any improvement would be better than none. The majority, on the other hand, argued that the Ostbelgien Modell would not be feasible due to the much larger Walloon population and the high risk of drop-outs due to long travel distances for participants. Furthermore, having *experienced* multiple less successful citizens' assemblies, some MPs argued that argued that thanks to the socialising between MPs and citizens, MPs would have higher levels of commitment towards the implementation of the final recommendations.

Thus, in both regional parliaments the majority favoured deliberative commissions. The reasoning was three-fold. Firstly, the introduction of a mixed deliberative model aligns with an *ideational* and ideological vision of democratic renewal proposed by the green parties. Inspiration was drawn from the Irish 'constitutional convention' set up in 2013 to solve contentious societal issues and which was composed of 33 MPs and 66 randomly selected citizens (Suiter et al. 2016). Ecolo and Groen retained the principle of a partnership between two groups that usually do not debate one another. The parties consider the mixed formula as a key factor in the success of the Irish experience. In Wallonia, MPs explicitly believe that deliberative commissions are more likely to produce feasible and socially acceptable outcome due to an internal control mechanism via the expertise of MPs and an external control mechanism due to electoral accountability. For these arguments, a majority emerged in favour of directly involving a randomly selected group of citizens *alongside* MPs in parliamentary committee work. Secondly, similar to the Permanent Citizens Dialogue, the deliberative commissions institutionalise a novel formula, both in Belgium and in other parts of the world, which motivated decision-makers to experiment with the mixed deliberative model in Brussels. The MPs behind the project realised that, if it were to come to fruition quickly, their institutionalised system of bringing together MPs and citizens would be a 'world's first'. Finally, two *institutional* elements should be noted, namely the arrival of a significant number of new MPs after the 2019 regional elections and the rejuvenation of the average age of MPs. These are decisive factors for the success of the process. First-time MPs are often

9 The proposal foresaw an additional popular consultation on the recommendations.

more positive about the implementation of citizen participation mechanisms, as they aim to bridge the existing "gap" between citizens and the political level (Rangoni et al. 2021), for which mixed deliberative commissions are proposed as a solution.

3. The Belgian laboratory of deliberative democracy

During the last twenty years, Belgium has become a laboratory for democratic innovations. Despite its constitutional framework, which does not allow for binding involvement of citizens in formal public decision-making processes, several Belgian parliaments have taken a crucial step by experimenting with the institutionalisation of citizen participation and by creating innovative, deliberative mechanisms. The introduction of specific mechanisms and models was justified on various grounds and this chapter does not claim to be exhaustive regarding the motivation. Multiple justifications emerged such as the hope that deliberative democracy could decrease the divide between citizens and politicians (Macq/Jacquet 2021). Similarly, the *interest*-driven consideration of bringing citizens' experience and expertise into decision-making as an element of enrichment has been broadly discussed (among others Blondiaux 2008).

Tab. 1: Non-exhaustive summary of justifications presented by MPs

	Interests	**Ideas**	**Institutions**
German-speaking Community	Citizens' experience Restore legitimacy *World's First*	*World's First*	Margin of appreciation Constraints
Brussels Parliaments	*World' First*	Decrease divide citizen-politician *World' First*	New MPs Rejuvenation
Parliament of Wallonia	Citizens' experience Efficacy	Decrease divide citizen-politician Mixed as more legitimate	Save electoral model Previous inefficiency New MPs Constraints

Source: compiled by the authors.

Some of the above-identified elements deserve discussion. Some factors that emerge in the discourse of politicians can be attributed to at least two categories. The motivation to be a 'world's first' could serve both a strategic purpose of putting a region on the map of practitioners and scholars and an ideational one of igniting an innovation by learning from flaws and errors of previous experiences on a path to improved citizen participation. Another element is the effect of electoral turnover and rejuvenation of the regional parliaments of Brussels and Wallonia. As Niessen (2019) expected, this effect appeared to have allowed to help question the parliamentary functioning and break with a strict separation

between citizens and politicians. Additionally, it appears that the presence of institutional constraints can ease the way of permanently institutionalising deliberation. In the case of Ostbelgien, MPs retain a margin of appreciation once the recommendations are presented. In the Walloon case, MPs believed that a mixed model without binding citizens' vote would help control the content of the recommendations while providing a basis for accountability through the binding vote of the participating MPs.

The experimentations that we can observe in Belgium today are crucial for two reasons. Firstly, because they open a research agenda towards a wider cross-country comparison. Many of the chapters in this book have highlighted the diversity of citizen participation that has taken place in the framework of the CoFoE. Some of the initiatives break with institutional constraints possibly out of philosophical convictions, other might have been implemented due to strategic considerations. The CoFoE has thus generated somewhat of an experimental setting that provides the opportunity to test and further investigate the diversity of reasons why deliberative democracy is used in the first place. The CoFoE raises similar questions in itself. What factors drove its implementation? How do *interests*, *ideas* and *institutions* shape diverse formats that emerged on the EU-level?

Secondly, Belgium showcases how institutionalisation of deliberative democracy can succeed despite what some authors identify as a permanent cessation of political autonomy. The Ostbelgien Modell and the deliberative commissions have, through careful design and contextual factors, grown into permanent aspects of the Belgian political life. Despite the restraining constitutional framework and reluctance of some parties towards specific models, it is clear that MPs are willing to rethink democracy as they recognise the need for democratic renewal. For practitioners, the reasoning behind the 'why' MPs implement deliberative mechanisms might not be as salient as to ask 'why they do not' or what strategies are implemented to cope with constraints of deliberative models or reluctance voiced by opposing MPs. The investigation of MPs' reasoning thus remains crucial independently of the level of analysis.

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