

**IMPROVING DEMOCRATIC GOVERNANCE THROUGH
INSTITUTIONAL DESIGN: CIVIC PARTICIPATION AND DEMOCRATIC
OWNERSHIP IN EUROPE**

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IMPROVING DEMOCRATIC GOVERNANCE THROUGH INSTITUTIONAL DESIGN: CIVIC PARTICIPATION AND DEMOCRATIC OWNERSHIP IN EUROPE

Chris Skelcher and Jacob Torfing

Abstract:

In this article we provide a conceptual and argumentative framework for studying how institutional design can enhance civic participation and ultimately increase citizens' sense of democratic ownership of governmental processes. First, we set out the socio-political context for enhancing the democratic governance of regulatory policies in Europe, and highlight the way in which civic participation and democratic ownership is given equal weight to economic competitiveness. We then discuss the potential for institutionalised participatory governance to develop and their prospects for improving effective and democratic governance in the multi-layered European polity. The article concludes by outlining a research agenda for the field and identifying the priorities for scholars working in interaction with civil society and governments.

DEMOCRATIC CHALLENGES AND POSSIBILITIES

This article examines how institutional design can enhance democratic governance by building new opportunities for participation by citizens in public policy, thus strengthening their democratic ownership. The state of democracy is a matter of debate internationally, and particularly in the liberal democracies where traditional forms of representative government seem less able to respond effectively to the changed social, economic and cultural conditions of societies (Cain *et al* 2006). In Europe there are a special set of challenges in connecting the supranational institutions to citizens across almost thirty member states. Despite the introduction of direct election to the European Parliament, the Eurobarometer data shows that citizens differ considerably between member states in their attitudes to political mobilization at the European level and in their view of democracy.

Nevertheless, in recent years citizens themselves, social movements, and governments at multiple levels have initiated a number of democratic innovations. These include new forms of public participation, deliberative events drawing from Habermasian theory of communicative action, interaction through network governance involving citizens alongside government and business, and advanced techniques for opinion polling and interactive decision-making (Fung & Wright 2003; Edelenbos 2005; Smith 2005). These may complement representative government by widening access to the formulation and making of public policy, but equally could offer a fundamental challenge to the primacy of elected politicians (Klijn & Skelcher 2007; Sørensen & Torfing 2005).

The position taken in this article is that the theory and practice of democratic policy making can be enhanced through detailed study of the institutional designs for citizen participation in a multi-level polity. Institutional design refers to the development and embedding of rules and norms that enable and constrain actors' agency, whether this is a result of purposive action or evolving of patterns of behaviour. It is important that there is further development of relevant theories and methods in order to be able to grasp the role of institutional designs for the enhancement of civic participation and democratic ownership. We need to create new diagnostic tools in order to assess the conditions for citizen participation and measure the impact of participation on effective and democratic governance. Last but not least, we must develop new experimental research designs where key research findings serve as the basis for concrete attempts to improve the functioning and impact of actual and ongoing processes of participatory governance.

This article initially sets out the European context. It highlights the relevance of civic participation and democratic ownership for Europe's ambitions for stronger economic competitiveness. We then discuss the potential for institutionalised forms of civic participation to develop and their prospects for improving the functioning of the European polity. We outline four types of institutional design – data gathering, opinion seeking, policy exploration, and interactive dialogue – and discuss the conditions for their application to policy making in Europe. The article concludes by setting out a research agenda for the field, identifying the priorities for scholars working interactively with civil society and governments.

EFFECTIVE AND DEMOCRATIC GOVERNANCE OF EUROPE

The context for democratic governance in Europe is highly complex. Although bound by a common history, close economic ties and a joint adherence to democratic political values, the European countries are politically diverse as they have different state structures and degrees of devolution, different political and civic cultures, different traditions for involvement of citizens and stakeholder in public policy, and populations with varying levels of social capital and political empowerment. Some European countries are unitary states whereas others are federal systems, and the majority of countries are members of the European Union that aims to spur economic, social and political integration, and in so doing adds a new institutional level that in different ways interact with the national, regional and local levels found in the member states.

Europe is increasingly constructed as a 'community of destiny' facing tough competition from other regional powers in the globalized knowledge economy. In response to this challenge the EU has formulated the highly ambitious goal that Europe is to become the most competitive and dynamic innovation region in the world. In some parts of the world the enhancement of structural competitiveness is obtained through autocratic rule, suppression of fundamental democratic rights, and political emphasis on obedience and discipline. However, in the European context it is an explicit goal that the enhancement of structural competitiveness must go hand in hand with a reinforcement of core values about democratic participation and ownership. The achievement of the twin-goals of enhancing competitiveness and reinforcing democratic values is a daunting task that puts a tremendous pressure on public authorities at all levels, which are already struggling with severe and persistent legitimacy problems due to their failure to solve a whole series of socio-economic problems such as unemployment and economic decline, inner city decay, poor integration of ethnic minorities, persistent gender inequalities and alarming climate changes. The public decision makers in local, regional and national governments, and within the EU, must deliver an *effective* and *democratic* governing of the European societies, but they are facing a series of problems and challenges that may jeopardize their efforts and performance.

Challenges to effective governance in Europe

Effectiveness is hampered by the concurrence of rapidly growing expectations and limited public resources. The emergence of a global risk society strengthens the demand for public governance and regulation, and public governance is increasingly expected to be knowledge-based, proactive, strategic, responsive, flexible and targeted. At the same time, the available public resources at the EU-level and in the member states are limited, especially as a result of enlargement resulting in increased regional disparities and fiscal constraints. As such, national, regional and local governments across Europe suffer from serious overload problems. In order to find a way out of this impasse, public authorities are increasingly attempting to mobilize the knowledge, resources and energies of relevant and affected actors from the private sector, while trying to transform citizens from demanding consumers of public services to responsible co-producers of governance (Newman 2005; Olsen 2003).

Effectiveness is also hampered by the institutional and cultural fragmentation of Europe and the European societies. Modern society is becoming functionally differentiated into a large number of institutionalized subsystems and socio-political organizations (Mayntz 1989). The institutional fragmentation is reinforced by a growing individualization, the prevalence of post materialist values and the emergence of new risks that create new horizontal lines of political conflict (Beck 1997).

In addition, the national political systems seem to have lost their privileged position as the undisputed centre of economic and societal governance. Old and new political powers and responsibilities are shifted upwards to transnational authorities, downwards to regional and local authorities and outwards to quasi-autonomous agencies, private enterprises and voluntary organizations. The resulting governability challenge is being mitigated by the formation of new forms of horizontal and vertical coordination that bring the relevant and affected actors from the public and private sectors together in processes of negotiated governance and concrete problem solving (Piattoni 2009).

Finally, effectiveness is hampered by wicked problems that are characterized by a high degree of substantive uncertainty and strategic complexity (Koppenjan & Klijn

2004). Many policy problems are ‘wicked’ in the sense that there is a blurred conception of the problem, specialized knowledge is required, the number of stakeholders is high and so is the risk of conflicts. The proliferation of wicked problems makes it difficult for public authorities to solve the urgent problems faced by citizens and private firms and further sustain the need for crosscutting negotiation among public authorities, citizens, organized stakeholders and experts.

Challenges to democratic governance in Europe

The ambition of governments to engage with citizens is taking place in a context where traditional forms of representative democracy are undermined by civic disengagement and apathy. This shows itself in the decline in voter turn out, party membership and participation in community activities and public affairs (Mair & van Biezen 2001; Niemi & Weisberg 2001). The European Social Survey (2006) reveals that the citizens in Europe have little trust in the elected politicians and only score 3.43 on a weighted index ranging from zero to ten when ten is the highest possible trust. In addition, Eurobarometer (2008) shows that fewer than a third of the citizens in Europe consider that their voice count in the EU, while only a quarter consider that, on European issues, their voice is listened to by the European parliament or their national government.

One of the key explanations for this ‘democratic disenchantment’ is that representative democracy, which is supposed to solve the problem of how to actively involve the people in modern mass societies in popular self-government, gradually has turned into an impediment of democracy. First, dialogue between the voters and their elected representatives are limited. The latter are captured by political elites and strong interest groups and the former are treated as customers, who communicate with the elected elites through opinion polls and electronic market research processes. Second, the main influence of citizens as voters is on the input-side of the political system, leaving the output-side to be governed by public administrators who have increasing scope for influencing policy due to the increased use of delegation and devolution, but often lack detailed knowledge of citizens’ life-worlds and are difficult to hold accountable for their decisions. Third, attempts to supplement representative democracy through direct citizen engagement at the European level, as in the referendums on the proposed Constitution, have not been successful. Instead of

stimulating a constructive political debate about salient political issues where pro and cons are carefully weighted, the EU referendums have only allowed citizens to express their views on isolated constitutional issues and have provided a means of expressing discontent with national governments.

Democracy is also challenged at its root since the current ‘deterritorialization’ of politics and governance problematizes the idea of a unified people defined by clear national boundaries. The congruence between the level and source of public governance and the people affected by public regulations has weakened. There is a growing displacement of power and authority to international policy regimes, transnational organizations, regional and local authorities, and different sorts of cross-border regions. There are also examples of policy areas with competing and overlapping jurisdictions and many examples of policy problems that seem to fall in an institutional void (Hajer 2003). At the same time, the homogenizing concept of ‘the people’ is being problematized by migration that increases the number of non-national residents, immigrants and ethnic minorities, and by postmodern ideas that seem to spur the formation of new and multiple forms of identity. The result of this growing heterogenization is that the ‘people’ can no longer be taken for granted. Instead of a tendentially unified *demos* we have plurality of *demoi* that must be constructed and connected in and through participatory forms of governance (Bohman 2005).

Debating the democratic challenges

Today, the governance of the different societies, economies and political communities in Europe involves a complex and dynamic interaction among a plethora of transnational, national, regional and local authorities and a host of private actors (citizens, civil society associations, businesses) within a multi-level governance system (Bache & Flinders 2005). The performance of this multi-layered and tangled governance system is hampered by the persistent *lack of democratic legitimacy*. Democratic participation in public governance is found wanting and critics complain that Europe is still suffering from high unemployment, regional disparities, environmental problems, and a general failure to meet the challenges posed by the globalized, technology-driven risk society. Hence, the legitimacy problem consists both of a failure to ensure an adequate level and quality of democratic participation

(‘input legitimacy’) and a failure to deliver effective solutions to pressing problems and challenges (‘output legitimacy’) (Scharpf 1999). These two gaps tend to weaken the trust in the political system and the ownership of public policies by citizens.

However, this is not a uniformly accepted view. Leading scholars like Majone and Moravcsik have recently argued, first, that the EU should not be further democratized and, second, that expanding participation is unlikely to overcome political apathy. Majone (1994, 1996) claims that the EU is essentially a regulatory state that produces Pareto-improving policies with one unique solution. A further democratization will only lead to an unfortunate politicisation of issues that are better left to experts and independent agencies to decide upon (Majone 1998). Agreeing with this general warning against a further democratization of the EU, Moravcsik (2002, 2003) goes on to argue that there is no point in trying to enhance participation in relation to EU policies since the kind of issues that the EU addresses are not sufficiently salient for the European citizens to take an interest in them.

Although we recognize the need for caution in the debate about the ‘democratic deficit’ in the EU, we retain the view that questions of democratic legitimacy and ownership are important in a European context. In contrast to Majone, we believe that (re-) distributive policies gradually are gaining ground in the EU and that both regulatory and (re-) distributive policies call for the development of democratic procedures that facilitate political contestation, ensure accountability and enhance the legitimacy of the EU. While (re-) distributive clearly create winners and losers, regulatory policies also advance some political projects and interests rather than others. In contrast to Moravcsik, we believe that the citizens’ perception of the salience of policy issues is likely to change if the media, the political parties and the various EU institutions begin to recognize the impact of EU regulation to high-salience issues such as social security, health care, education, law and order, and taxation and if the citizens were offered more opportunities to engage in the formulation and implementation of EU-related policies at the local, regional, national and transnational level (see also Føllesdal & Hix 2005). Consequently our normative position is that the EU polity as well as the national, regional and local governments in Europe need further democratization, not only by bringing traditional democratic politics closer to the citizens, but also by bringing the citizens closer to public policy

making (Stoker 2006). This normative position is not without its difficulties, including how citizens who may otherwise be disaffected from the representative democratic process can be mobilised, and the constraints imposed by existing structures of state and corporate power. We provide some pointers as to how problems of realising civic participation and democratic ownership may be overcome through the institutional means we set out below, although a full treatment is beyond the scope of this article.

THE POTENTIAL OF INSTITUTIONALISED PARTICIPATORY GOVERNANCE

The future success of the European project is conditional upon the development of institutional forms of empowered participation that can help to facilitate a more effective and democratic policy making within the multi-layered European polity. Consequently, the constitutional forms of parliamentary democracy must be supplemented with institutionalized forms of participatory. While the former is based on the citizens in their capacity of *voters*, the latter is based on citizens in their capacity of *stakeholders* (Olsen 2003).

There are different implications for the design of democratic institutions if we consider citizens-as-voters in contrast to citizens-as-stakeholders. First, whereas the civic and political entitlements of citizens-as-voters have strict territorial boundaries, citizens-as-stakeholders are not bound to a particular territory and may try to influence decisions that are taken in territorial entities that do not recognize them as citizens. Second, whereas the influence of voters is confined largely to the input-side of the political system, the conception of stakeholder involves influence deeper within the policy formulation, decision-making and implementation process. This type of involvement engages with the throughput and output-side of the political system. Finally, whereas voters are merely expected to make an informed choice between a pre-given set of political candidates, stakeholders are expected to formulate their own opinions on different issues, engage in public deliberation over common problems and joint solutions, and mobilize their knowledge, resources and energies in the societal governance processes.

The distinction between citizens-as-voters and citizens-as-stakeholders pushes the traditional concept of the citizen as a passive, individual bearer of universal legal entitlements to its limits. The concept of citizens-as-stakeholders is more collective, less inclusive, more pragmatic and outcome-oriented and has a clearer emphasis on active engagement than the traditional notion of citizenship. Nevertheless, the recognition of citizens-as-stakeholders is based on a new kind of democratic right of those collectivities or jurisdictions that are affected by particular policies to be present in the policy arena where the binding policy decisions are made (Skelcher 2005). Our view is that the involvement of citizens-as-stakeholders in and through institutional forms of participation will contribute to a responsible production of relevant policy outputs and outcomes through active engagement and democratic deliberation. As such, we propose that democratic participation of the citizens-as-stakeholders will facilitate and enhance new forms of empowered participatory governance that will both enable a better aggregation of relevant interests, ideas and resource and a better integration of the relevant and affected actors. In other words, we think that the functional justification for civic participation (to improve the operation of a complex European governmental system) will lead to, and also presupposes, the realisation of the republican justification (to promote an active and democratically educated citizenship capable of containing the power of elites). Outside of the European context, these issues are further explored by Warren and Pearse (2008).

But what is it actually that institutional forms of participation and empowered participatory governance can do in order to help ensure an effective and democratic response to pressing problems and new opportunities? The literature in this field indicates a number of positive effects that institutional forms of participation may have on the effectiveness of public policy:

1. Effectiveness in the *phase of policy initiation* can be enhanced through a more precise identification of needs and demands of affected actors; a negotiated definition of problems and challenges in the face of uncertainty; and the facilitation of negative and positive coordination among relevant and affected actors across sectors, policy areas, levels and countries.

2. Effectiveness in the *phase of policy selection* can be enhanced through the mobilization of the knowledge and ideas of the participating actors; the reduction, or managing, of conflicts through mutual learning; and the development of mutual trust that permits the overcoming of the negotiators dilemma.
3. Effectiveness in the *phase of policy implementation* can be enhanced through the exchange of information and resources; the augmentation of programme responsibility and voluntary compliance through empowered participation; and the production of strategic, proactive and responsive policy adjustments through continuous negotiations (Koppenjan & Klijn 2004; Provan & Milward 2001; Scharpf 1993; Sørensen & Torfing 2007).

The list of the democratic merits of institutional forms of participation is equally long:

1. Democracy can be deepened by *enhancing participation* at the output-side of the political system through the availability and use of different institutional forms of collective and individual participation; the selective activation of different groups of citizens; and the empowerment of the participating actors through the enhancement of their resources, rights, competences and know-how and a transformation of their identity.
2. Democracy can be deepened by *enhancing deliberation* through the construction of horizontal links between different *demoi*; through the establishment of an active, informed and continuous interaction between politicians, civil servants and citizens based on negotiated rules, norms and values; and the stimulation of public debates based on insights gained through participation and policy interaction.
3. Democracy can be deepened by *enhancing accountability* through the recruitment, mobilization and education of political sub-elites that can compete with the established elites and hold them to account; through the development of new forms of horizontal accountability; and through a widening of the scope for discursive contestation (Bohman 2005; Dryzek 2000; Etzioni-Halevy 1993; Fung and Wright 2003; Hirst 2000; March & Olsen 1995; Sandel 1996; Schillemans 2008)

In sum, it seems reasonable to expect that the institutional forms of participation can help to enhance both *input* and *output legitimacy*. In addition, it might be argued that institutional forms of participation, depending on their particular form and functioning, also carry the potential for enhancing *throughput legitimacy* by means of increasing citizens' understanding of how and why public policies are adopted and who are responsible for them (Grote & Gbikpi 2002).

THE PROSPECTS FOR INSTITUTIONALISED PARTICIPATORY GOVERNANCE

The reinvigoration of institutionalized forms of democratic participation is not an easy task. First, large inequalities in education and wealth will often make it extremely difficult to ensure an equal participation and influence. Hence, participation might increase, but it might not include all relevant and affected sections of society. Second, a major obstacle to participation and influence is that the problems and issues that trouble people's daily lives are often caused, or at least, influenced by distant national, transnational and global forces and dynamics, which are difficult to affect through popular participation. Third, in a time where hierarchical top-down government is reinforced by New Public Management (NPM) reforms that urge politicians not to deal with the details of policy implementation and tell civil servants not to worry about policy formulation (Osborn & Gaebler 1993), it is difficult to see how the public authorities can engage in a meaningful policy dialogue with citizens-as-stakeholders. The politicians are removed from the arenas where public policies are implemented and evaluated by the citizens, and if the latter want to influence the content and delivery of public policy they must interact with public administrators who are not supposed to deal with policy formulation. Hence, the neo-Weberian and neo-Wilsonian NPM-discourse, which aims to separate politics and administration, does not square well with a neo-Tocquevillean participatory democracy that aims to involve citizens in public deliberation about both the means and ends of public policy (Kettl 2002).

Nevertheless, there are also some important promises for the future that should be considered. Due to its relatively decentralized administrative structure and its political and cultural multiplicity, Europe offers a broad field for experimentation

with new modes of civil society participation. In many countries, regions and localities, traditional forms of democratic representation through elections and popular referenda have been complemented by innovative forms of civic participation. At the local level, traditional welfare state issues like social policy, employment policy, preventive health plans and urban development are relatively open for political participation through the construction of local partnerships, governance networks and user boards. At the regional and national level, civil society organisations are often consulted about most of the re-distributive policy areas, especially in relation to large reform initiatives.

Within the EU civil society participation has received an increasing attention since the adoption of *The Treaty of Amsterdam* (European Council 1998) that stipulates that ‘the Commission should [...] consult widely before proposing legislation’. This stipulation was in 2001 followed by the *White Paper on European Governance* (European Commission 2001a), which aimed to define criteria for good governance by emphasizing core values in terms of openness, participation, accountability, effectiveness and coherence. One of the working groups preparing the White Paper highlighted the citizens’ participation in different kinds of networks in their report on *Networking People for a Good Governance in Europe* (European Commission, 2001b). The white paper was further supported by a scientific report on *Governance in the European Union* (Schutter *et al* 2001) in which leading political theorists called for a procedural approach to public governance based upon participation and consultation. In 2002 the Commission adopted the *General Principles and Minimum Standards for Consultation* (European Commission 2002) that had been proposed in the White Paper. Procedures for online consultation with civil society were developed as a part of the *Interactive Policy-Making Initiative* (European Commission 2003). Last but not least, it should be noted that the draft treaty of a *Constitution for Europe* (European Council 2004) in Art. 47 states that: ‘The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action, [...] and] maintain an open, transparent and regular dialogue with representative associations and civil society’. This signals a clear commitment to the development of a more participatory governance style in the EU.

Although the EU Constitution is now dead, much of its spirit and content has survived in the new Lisbon Treaty, which is about to become ratified. As such, the attempt to codify the principles of participatory governance will survive as the EU needs to enhance its input, output and throughput legitimacy. This further evidenced by the European Commission's *Plan D for Democracy, Dialogue and Debate* (2005) that has triggered a number of experiments with Citizen Conventions and the recent *White Paper on a European Communication Policy* (European Commission 2006) that calls for the empowerment of the citizens through increased participation and interaction and underlines the need 'to do the job together' via a partnership involving all key actors: the EU institutions, regional and local level authorities, political parties and civil society organizations.

In sum, there is little doubt that civil society participation flies high on the political agenda and that participatory governance is conceived as an important tool for boosting the legitimacy of the EU. It is frequently argued that the way of organising civil society participation should be context-sensitive and should facilitate collective learning into to take local and regional conditions into account (Banthien *et al* 2003), but in academic research there has been paid far too little attention to the important question of *how the institutional forms of participation should be designed in order to enhance participation, democratic ownership, and effective and democratic governance.*

INSTITUTIONAL DESIGN FOR PARTICIPATORY GOVERNANCE

Both the literature on political parties and elections and the research on collective action and civic engagement tend to focus on individual and collective behaviour: who participate, why, how, and how much? (van Deth 1997; Verba *et al* 1995; Webb *et al* 2002) By contrast, we shall here focus on the role and impact of institutional design (covering procedures, mechanisms, tools and arenas) for stimulating participation, shaping the experiences of the participating actors and producing relevant and feasible outcomes (see Fung 2003, 2006). It is well established in the academic literature that participation must be reiterated over time and supported by institutional rules, norms and procedures in order to have a positive effect on the participants in terms of increasing political empowerment, mutual learning and integration of interests and ideas into innovative and sustainable solutions (Koppenjan

& Klijn 2004). One-off participation will not produce any such effects. Only institutional forms of participation with a certain extension in time and space can do the trick.

However, there are gaps in the knowledge base about how and why different institutional forms of participation contribute the enhancement of empowered participation and democratic ownership. To compensate this neglect, we must open the 'black-box' of the institutional forms of participation and analyse the internal dynamics of the institutions of participatory governance in order to account for their formation, functioning and impact. We must analyse how institutional forms of participation are formed, how they operate, and how they affect the actions of social and political actors by providing particular incentives and defining a particular logic of appropriateness in terms of specific identities, roles, obligations, norms, and rules (March & Olsen 1995).

There are many different institutional forms of participation (Fung 2006) and they are constantly transformed due to institutional atrophy, changing conditions, contingent mutations, or strategic interventions of social and political entrepreneurs (Barnes *et al* 2003; Skelcher *et al* 2005). It is important to capture the unique and changing character of the institutional forms of participation. A frequently used conceptual taxonomy is Arnstein's (1969) famous 'ladder of citizen participation'. Arnstein ranks a number of participatory mechanisms according to how much the citizens are allowed to participate and how much influence they get. As such, the ladder juxtaposes powerless citizens with the powerful in order to highlight the fundamental difference between them. Distinguishing between different degrees of participation and influence is crucial, but the problem with Arnstein's ladder is that the highest rung is 'citizen control', defined as a situation where citizens govern a program, or an institutional setting, and are in full charge of all political and managerial aspects. This normative ideal is highly problematic since complete popular self-governance is not a feasible option in the increasingly complex, fragmented and multi-layered European polity in which interdependency among a plurality of public and private actors constitute an indispensable condition for public governance.

In developing an institutional taxonomy to match today's complex and pluri-centric society, we distinguish among four broad institutional forms of participation:

1. Data gathering through public surveys
2. Opinion seeking through public consultation
3. Policy exploration through deliberative forums, and
4. Interactive dialogue through governance networks.

Our purpose in identifying these different institutional designs is to facilitate a more detailed discussion of their normative application and the research challenges for scholars who want to explore their contribution to an effective and democratic governance of contemporary societies. There are many concrete examples of these different institutional designs, but we shall here content ourselves to a brief outline of the general format and the typical forms of the four institutional designs.

1. Data gathering through public surveys

Elected politicians and public administrators at different levels sometimes become informed about the citizens' needs and opinions on various issues through small- or large scale opinion polls. Although public surveys based on opinion polls tend to result in a highly controlled and restricted one-way communication with a very limited direct impact on political decisions, the subsequent publication of survey results, or the use of deliberative polls (Fiskin 1995), tend to create less controlled and more interactive 'mini publics' in terms of sustained dialogues among citizens, politicians and experts that sometimes give rise public demands for a popular referendum. Typical forms of information gather include: Web-based user satisfaction surveys; opinion polls about people's satisfaction with public services and facilities, their conception of different policy problems, or their reactions to new public initiatives; and deliberative polls about large scale infrastructure projects or ethical issues.

2. Opinion seeking through public consultation

Public authorities often consult with relevant and affected civil society organisations and local citizen groups, either on the initiative of the public authorities who aim to secure support for new policies or on the initiative of civic stakeholders who want to

be heard and gain influence on public governance. The stakeholders receive information about new policy initiatives and express their views and preferences about these within a certain deadline. The stakeholders' comments may either be submitted as a written response to particular consultation documents or presented face-to-face in public meetings. Electronic submission devices and/or internet-based posting and discussion boards might support the written procedure. Typical forms of opinion gathering include: written procedures that can be open or selective in terms of participation; open hearings organized as large public meetings with all civil society stakeholders; and closed hearings organized as public enquiries where public decision makers discuss with a focus group consisting of different stakeholders.

3. Policy exploration through deliberative forums

A randomly selected group of individual citizens, or a politically selected group of civil society organisations, are sometimes invited to participate in a structured dialogue with each other and with relevant experts and policy makers about sensitive policy issues in order to produce relevant and informed policy advice. Public authorities often set up deliberative forums, but they may also be arranged by semi-public agencies, private think tanks, or large civil-society organizations. Deliberative forums and other forms of policy exploration are normally organized as face-to-face meetings, but the Internet may facilitate input from experts and policy makers. Typical forms of policy exploration include: citizen forums, planning cells and citizen juries; future- or scenario-workshops; and consensus conferences.

4. Interactive dialogue through governance networks

Interdependent, but operationally autonomous, actors from the public and private sector interact through relatively self-regulated negotiations in order to identify policy problems, formulate policies and/or implement joint solutions. These interactions are often termed policy or governance networks (Sørensen & Torfing 2007). The negotiated interaction may be either bilateral or multilateral and may either take the form of face-to-face encounters or communication via e-mail, web pages, restricted on-line discussion realms, video conferences, etc. Typical forms of interactive dialogue include: permanent monitoring and advisory committees with citizen participation; formally organized foresight-, policy-, or implementation-networks; self-grown citizen networks formed in relation to particular policy issues.

Analysing the institutional designs

As we move through the four institutional designs for participatory governance, the involvement of citizens individually and organized as civil society associations becomes both more demanding and more institutionalized. The participating citizens are asked to commit more time, resources and energy to the participatory arenas and the more and more sustained interaction among public and private actors is not only regulated by formal rules and procedures, but also gives rise to jointly formulated norms, values and perspectives of a more informal character. At the same time, the potential influence of the participants also tends to increase. Since programme responsibility tends to be positively correlated with the degree of political influence, citizens' commitment to the realization of joint decisions also tends to increase when we move from the first to the last design. Table 1 compares the four different institutional forms of participation in relation to the type of citizen, the form of participation, the degree of institutionalization, and the degree of popular influence. The different participatory designs distribute themselves along a continuum from citizens as individuals to civil society associations, a continuum from passive to active participation, a continuum from low to high institutionalization, and a continuum from low to high political influence.

----- Table 1 about here -----

Although interactive dialogue scores high on all the key variables we cannot conclude that governance networks are the best way of enhancing citizen-as-stakeholder participation. Not only are instruments such as governance networks difficult to initiate, sustain and terminate, but also it is difficult to ensure the participation of individual citizens who are not organized in formal associations and organizations and civil society organisations. In addition, governance networks often suffer from the lack of transparency and accountability. As such, the choice of the right mechanism for democratic participation is complex and depends on the national and institutional legacies, the actual circumstances, the level of government, the time horizon, the

content of the policy issues at stake, and the kind of actors one seeks to involve. Nevertheless, there is a marked shift in the forms of participation and the degree of popular control, when we move from data gathering via opinion seeking to policy exploration and interactive dialogue. As such, we might conclude that the last two cases provide relatively good opportunities for *empowered participatory governance* (Fung & Wright 2003)

From the point of view of the civic stakeholders, the institutional forms of participation provide important channels for *empowered participation* and a possibility for exerting *political influence* on the governing of society and the economy. Empowered participation is defined as active participation of actors who possess relevant resources and competences, a sufficient understanding of the issue at hand, and an identity that prescribe participation (March & Olsen 1995). Political influence concerns the ability to affect actual decisions, the political agenda, the rules of the game within a certain policy areas, and the underlying discourses that enable the actors to produce particular understandings and navigate politically (Torfing 2009).

From the point of view of governments, the central question becomes how to choose, design, sustain and develop – or in short *metagovern* – the institutional forms of participation, which are initiated by public and/or private policy entrepreneurs (Kickert *et al* 1997; Kooiman 2003; Koppenjan & Klijn 2004; Jessop 2002; Rhodes 1997). Metagovernance involves the governance of participatory forms of governance through reflexive choices and interventions that involve the following questions:

1. Is participatory governance appropriate in a given context and situation?
2. If yes, which of the four institutional forms of participation should be used, facilitated, or supported, and how should it be designed?
3. How should it be framed legally, economically, politically and discursively?
4. How to facilitate empowered participation of relevant and affected citizens and civil society organisations?
5. How to manage and reduce eventual conflicts?

6. How should the public authorities respond to the results and outcomes of the participatory process?
7. Finally, to what extent, how and in what capacity should the public authorities participate in the process of participatory governance?

In principle, both public and private actors can exercise metagovernance, but the legitimacy and special capacities of public authorities give them a lead (Klijn & Koppenjan 2000). However, the ability of public authorities to metagovern the institutional forms of participation varies from case to case as it depends on whether participation is a result of top-down or bottom-up initiatives. Moreover, metagovernance is constrained by the self-regulating character of the institutional forms of participation, which tends to increase when we move from data gathering to interactive dialogue.

Another crucial concern, still seen from the governments' point of view, is to what extent the institutional forms of participation enhance the *democratic ownership* of different kinds of citizens in terms of individuals, groups and associations. In the lack of a well-established scientific definition of the term, we shall define democratic ownership as the participants' feeling of being an integral part of the formulation and implementation of policy solutions. Inspired by the civic tradition and literature on corporatism, we shall propose that the feeling of being an integral part of the process through which binding decisions are made is a function of:

1. The participants' confidence in their own ability to influence decisions (internal efficacy)
2. The participants' perception of the political systems responsiveness (external efficacy)
3. The participants' assessment of the fairness of the participatory process (procedural justice)
4. Their commitment to the implementation of joint decisions, despite of eventual conflicts and grievances (programme responsibility).

We do not expect any nice co-variation among these measures of democratic ownership different kinds of trade-offs are likely to occur. Hence, as we move from 1

to 4, the criteria for measuring democratic ownership are becoming stricter and more exclusive. Being confident in one's own capacities to influence decisions is one thing and is clearly not as demanding as being committed to decisions one might disagree with. Consequently, democratic ownership is a matter of degree rather than all or nothing as civic participants are not likely to score equally high on all four dimensions.

The production of democratic ownership is crucial since it tends to construct the citizen-as-stakeholder as a responsible co-producer of governance rather than as an irresponsible and demanding policy taker who feel alienated from public policy making. However, the production of democratic ownership might vary among individuals, groups and civil society associations as it depends on the ability of the participating actors to influence public policy, which in turn depends on their social, political, and cultural capital. As such, there is a risk that participation will generate democratic ownership for the resourceful participants while alienating the less resourceful participants such as immigrants, minorities, women, young people and people with low income and education.

In order to avoid treating the institutional forms of participation as a black box, we must focus on their *internal dynamics*. Three internal dynamics deserve a special attention. The first concerns *the formation of a commonly accepted discursive and institutional framework*, which facilitates and shapes the interaction between individual citizens and citizens organized as associations of stakeholders on the one hand, and the policy experts, civil servants and elected politicians (Hajer 1993; Hajer & Versteeg 2005; Torfing 2007). Without such a framework democratic participation might result in Babel of voices that nobody listen to or understand. Although storylines, cognitive frames and institutional norms and rules are contested and subject to hegemonic struggles, they tend to constitute a much needed reference point for the inclusions and exclusion of participants, the advancement of legitimate claims and arguments, and sustained interaction among a plethora of social and political actors.

The second dynamic concerns the attempt to *facilitate deliberation and the formation of compromise and consensus in the face of political conflicts and power struggles*.

Conflicts and struggle is an irreducible aspect of politics and a driving force in policy innovation. Therefore, it is important to find ways of the making conflicts and struggles compatible with a grammar of democratic conduct that seeks to transform political enemies into legitimate adversaries. Such an endeavour calls for institutionally mediated attempts to *balance consensus and conflict* through the cultivation of an ethos of agonistic respect (Mouffe 2005).

The third dynamic concerns the *democratization of the institutional forms of participation* so as to ensure that citizens-as-stakeholders are anchored in metagoverning politicians; the groups and organizations that they claim to represent; a critical public that scrutinizes the arguments and decisions of the participants; and in relevant democratic norms and values that ensures inclusion, an open, passionate and responsive deliberation, and equal influence on key decisions (Sørensen & Torfing 2005). Democratization of the participatory processes is important since participation without democracy easily results in clientilism, oligarchy and private interest government that tend to reduce input legitimacy. However, the prospect for the development of democratic forms of participation through democratic anchorage of the participants and their interactions might weaken as we move upward from the local to the transnational level as the problems encountered at the local level tend to aggravate. Hence, the participatory arenas at the national and especially the transnational level are often dominated by expert discourses, invisible to the general public, inhabited by professional political actors with a limited contact to ordinary citizens, and hard for the elected politicians to influence.

A RESEARCH AGENDA ON INSTITUTIONAL DESIGN AND PARTICIPATORY GOVERNANCE

The development of new knowledge about the dynamics and impact of institutional designs of democratic and participatory governance is well under way (see Goodin & Dryzek 2006; Hendriks *et al* 2007). A further enhancement of our understanding of institutional forms of participation requires scholars to address a number of challenges. First, research must adopt *a multi-level perspective on democratic participation* that aims to analyse the dynamic links among the local, regional, national and transnational levels of participation. The individual and organized citizens who are capable of participating at all these levels link the different arenas.

The citizens' choice of level of participation depend on their assessment of where the binding political decisions are made, their sense of political obligation and duty, and their perception of the costs and benefits of participating at a particular level. The citizens' experiences with participation at one level are also likely to affect their participation at other levels. For example, negative experiences with participation at the local level will either discourage further participation or encourage the citizens to seek other venues for political influence at either the regional, national or transnational levels. However, the dynamic links among the different levels are not only a result of the experience-based choice of the citizens. They are also a function of political preferences and experiences on the part of the public authorities that may find that particular institutional forms of participation are suitable for particular levels of government. As such, public authorities might construct different forms of participation, or embrace different forms of citizen-initiated participation, at different levels of government. Future research must both explore the dynamic links of multi-level participation from the perspective of the citizens and from the perspective of public authorities. The burning question is whether the citizens want to participate at the level where the binding political decisions are made and how this participation is facilitated and encouraged by public authorities.

Second, research should broaden knowledge by addressing a new set of questions concerning: the ability of politicians, civil servants and other resourceful actors to metagovern the institutional forms of participatory governance; the effect of the institutional forms of participation on the effectiveness of public policy; and the prospects for democratic innovation at the systemic level leading to the formation of a pluricentric democracy based on the co-existence of competing democratic norms, values and institutions. The attempt to address these crucial questions is premised on a further *integration of sociological theories of participation with political science theories of policy, governance, effectiveness and democracy*. The unfortunate gulf between sociology and political science is a result of the split between the society-centric view of sociology and the state-centric view of political science. Bridging this gulf is important in order to gain new insights about how the state in its different forms and contexts can facilitate and sustain institutional forms of participation that promote democratic ownership. In other words, it will permit a connection between macro and micro level perspectives on the analysis of participatory governance.

Third, at the level of methods, scholars should focus on constructing *analytical tools for assessing and improving the conditions for participation, measuring democratic ownership, and evaluating the effectiveness and democratic quality of participatory governance*. The future development of the research on citizen participation and democratic participatory governance is hampered by the lack of clear methodological standards and procedures for measuring the effectiveness and democratic quality of participatory governance (see Sørensen & Torfing, 2009). Although there are many studies of who participate, why and how, there are no systematic tools for assessing and improving the conditions for participation and for measuring the democratic ownership produced by different forms of participation.

Finally, scholars who are conducting research on democratic and participatory governance should aim to develop *new and innovative forms of science-society interaction that take us beyond the traditional divide between researchers who produce knowledge and practitioners who apply knowledge*. There is urgent need for developing a structured dialogue between researchers and practitioners that can help to improve participation and democratic ownership through institutional design. An interactive research strategy might benefit from design experiments that use real-life testing grounds as a way of providing feed back on theoretically-informed research results and improving concrete processes of participatory governance through trial and error in order to develop a situated knowledge about ‘what works’ (John & Stoker 2008). It could also develop and test prototypes that can be used by civic associations and citizen leaders who want to spur democratic innovation. Last but not least, interactive research can enhance the knowledge and competences of both researchers and practitioners in the field of participatory governance by facilitating transdisciplinary learning.

CONCLUSION

The desire to produce a more effective and democratic governing of the European countries and other Western societies provides the political motivation behind the attempt to reinvigorate and develop institutional forms of participation. The institutionalized forms of participation can help to *improve the effectiveness of public policy* defined in terms of a well-informed identification of problems and

opportunities, a proactive choice of feasible solutions that goes beyond the least common denominator and avoids cost-shifting, a flexible implementation that tends to solve urgent policy problems and exploit emerging policy opportunities, and the production and institutionalization of cognitive, strategic and institutional learning (Sørensen & Torfing 2009). The effectiveness of public policy can be enhanced by adjusting and refining the public policy agenda through the use of data gathering instruments; by providing relevant and specialized knowledge, information and assessments through forms of opinion seeking; by stimulating mutual learning and handling political conflicts in and through policy exploration mechanisms; and by mobilizing resources and facilitating coordination through approaches to interactive dialogue.

More specifically, we think that adoption of the institutional forms of participation proposed in this article will have important *democratic effects*. The *positive* democratic effects will begin to resolve the practical problems inherent in our normative approach to citizen participation and democratic ownership. For example, they will: contribute to the establishment of an intermediate level of sub-elites that can challenge the dominant elites and enhance elite competition; help to establish vertical organizational links between governments and citizens and horizontal links between different social and political communities and identities; enhance democratic legitimacy by facilitating political participation and influence on the output-side of the political system and horizontal accountability by promoting negotiated interaction between interdependent powers; and contribute to a widening of the scope for inter-discursive contestation and deliberation. However, they might also have *negative* democratic effects in terms of giving rise to a biased and exclusionary participation, creating a more opaque policy process, and hampering traditional forms of accountability. A careful metagovernance might help to mitigate these negative effects.

The enhancement of institutional forms of participation will not only have effects on the existing forms of democracy, but might also spur *democratic innovation* by strengthening democratic ownership of the institutional design process as well as the substantive matters of political debate. Just as the design of European institutions is an evolving process of experimentation and negotiation without a single agreed end

point, this may also be the case in the design of participatory arenas at other levels. Consequently the idea of democratic innovation suggests the idea of governance as a process of emergence of different institutional arrangements through which public purpose is negotiated and realised, in a manner reminiscent of Casella and Frey (1992) as self-organising, functionally overlapping jurisdictions developed in contrast to the post-Westphalian norm of hierarchically organised and spatially exclusive government.

Although our approach emphasises institutional solutions to the problems of civil participation throughout the policy process, we recognise that this is intimately connected to political struggles that may be expressed in the material or discursive realms. Institutional design does not take place in a vacuum, but is an expression of wider political processes, which may generate compromises between actors or the exercise of authoritative rule by power holders. Nevertheless, institutional change also impacts back on these other realms of the political. The interactions are not unidirectional, and so specific opportunities to redesign institutions in line with the agenda we set out will also shape citizens' understandings of the possibilities and constraints that are open to them in engaging with government.

Studying these issues in a European context provides an important site for learning because of the impact of European programmes that promote new forms of civic participation at multiple spatial scales. There is an important task for scholars to see their specific studies within this broader agenda, and to build a knowledge base through exchange of ideas with citizen and governmental actors so that the normative possibilities proposed in this paper can be fully explored.

Table 1: Analysis of four types of institutional design for participatory governance

| Institutional design | Data gathering through public surveys | Opinion seeking through public consultation | Policy exploration through deliberative forums | Interactive dialogue through governance networks |
|-------------------------------|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| Type of citizen | Mostly individual | Individual and organized | Individual and organized | Mostly organized |
| Level of participation | Passive | Active, but non-committal | Active and committal | Highly active and committal |
| Institutionalization | Low degree of institutionalization | Certain degree of formal institutionalization | Considerable degree of formal and informal institutionalization | High degree of formal and informal institutionalization |
| Influence of actors | Low as there is no direct impact on policy making, although citizens may trigger public policy making | Relatively low, but with unpredictable outcomes for citizens as they may succeed to veto new policy initiatives | Considerable, and with unpredictable outcomes for government as deliberative processes are different to control | High and based on either interest mediation or co-governance |

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