



European Economic and Social Committee

Conference

Participatory democracy: current situation and opportunities provided by the European constitution

Brussels - 8-9 March 2004

Session 2

Towards a European civil dialogue

STATEMENT

**by Mr Jean-Luc Dehaene,
Vice-president of the European Convention**

Please allow me to limit my statement to a few considerations, to leave as much time as possible for dialogue and debate with the representatives of civil society here today.

First of all, I would like to highlight that, as a result of first-rate cooperation with the Secretariat of the European Economic and Social Committee throughout the whole duration of the Convention, we have experienced in very practical terms what dialogue with civil society actually is. From this point of view, I think that we can say that civil society's contribution to the Convention's work has been positive.

This is also due to the Convention's public and transparent working methods. These highlight the contrast with those of the Intergovernmental Conference, which make it extremely difficult to appreciate the current state of the work, what questions are being discussed and what interests are at stake. I think that once the IGC has been completed, we need to think about how to hold the debate on the future of Europe and the process to be implemented in the future.

Having said that, I still believe that dialogue with civil society at European level, which was provided for by the Laeken Declaration, has been a success. I cannot say as much for the link with the national level, which has been far less successful and less systematic than at European level.

It was also as a result of the dialogue held by the Convention with European civil society that one of civil society's basic demands was taken into account, namely the inclusion of the Charter of Fundamental Rights in the Constitution. An article on participatory democracy, Article 46, was also introduced under Title VI on *The democratic life of the Union*.

The debate must now focus on the implementation of this provision on participatory democracy, since the situation is clear in relation to the other articles in Title VI, whether they concern the role of political parties, the European Parliament, social dialogue - which is differentiated from dialogue with civil society - appeal to the mediator or even the public right to address a direct request to the Commission to take an initiative in its areas of competence – and the innovative nature of this provision needs to be stressed.

That being said, debate on the application of Article 46, since a Constitution can obviously only establish principles, contrary to what some people would have wished, namely that the Constitution would also include provisions on the policy implementation. In my opinion this would have been a serious mistake, as I believe that the Constitution should keep to the basics and leave implementation to be decided flexibly on a day-to-day basis.

In this context, I think that we should take one or two considerations into account.

The first relates to the distinction between social dialogue and dialogue with civil society. This distinction is vital due to the quasi-legislative role of the social partners.

This being the case, we need to take into account the fact that this social dialogue is held with Europe-wide organisations: UNICE, ETUC, etc. This raises a key question on the organisation of dialogue with civil society and the implementation of the principle of participatory democracy, namely how to conduct this dialogue.

Are we envisaging dialogue at European level with the representatives of organised civil society in the Member States, as is in a sense conducted in the EESC, or European dialogue as such, i.e. with European organisations?

I was made very aware of this distinction in the context of the dialogue held with civil society during the Convention, where our interlocutors were mainly NGOs organised at European level.

This does of course have an advantage which is the European approach adopted by these organisations, but it also raises a question, which is in itself a challenge and which concerns the relations these organisations have with their base. I have to admit that, from time to time, I have had the impression that I was dealing with an NGO technocracy, just as Europe is often accused of being technocratic. Technocracy is therefore a genuine danger for NGOs organised at European level that are part of the "Brussels scene".

That being the case and as I have already pointed out, it would be a pity for the European dimension not to be involved if dialogue with civil society were only organised on an inter-state basis in line with an intergovernmental approach.

I think that this is a key point which should be explored and, at least in part, resolved by civil society itself.

The second consideration relates to the issue of representativeness, where I see a danger. This is clearly a key question, but we need to avoid rushing headlong towards representativeness and the risks of exclusion this involves. Civil society risks getting lost in a never-ending debate on representativeness at the expense

of its influence. This is also a delicate matter to be resolved through dialogue with civil society.

These are two points that I wanted to go into a little more detail about.

Should we make a clear distinction between consultation and participatory democracy, which means in practice participation in policy- and decision-making processes ? Personally, I would avoid doing this, as I believe that consultation is important in truly bringing participatory democracy to life and allowing the effective participation of civil society.

Lastly, I would like to say something that is no doubt a little controversial: I believe that democracy is much stronger when it is organised. This implies that representatives elected by the public, which is of course, why Parliament is so important, make political decisions. It is equally true that these elected representatives need a partner for dialogue, an organised partner, since it is impossible for an elected representative to hold a dialogue with each individual citizen.

An interface between the public and elected representatives is therefore necessary to allow a genuine dialogue to be established and therefore participatory democracy to complement representative democracy perfectly. We should be wary of the idea that direct democracy means genuine participatory democracy, especially given the idea some have of direct democracy, which is not necessarily the most democratic possible! Consequently this also needs to be discussed.

I am convinced that the democratic system can function at its best when it is fully organised both at the level of political representation, where the parties play an important role, and that of dialogue with the citizens, where the organisations play a key role as an interface - and not according to the simplistic view that genuine democracy depends on direct links with each individual citizen.

Thank you.