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Ray McGaffrey

The Civic Forum

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This research paper provides information on the Civic Forum, including an update on the current status of the Forum; the legislative basis of the Forum; equivalent institutions in other jurisdictions and an overview of what is meant by the term 'participative democracy'.

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Executive Summary

The Civic Forum emerged from the Belfast (Good Friday) Agreement as part of the institutions established under Strand One of the Agreement. The Forum comprised 60 representatives from the business, trade union, voluntary sectors etc. and was to act as a consultative mechanism on social, economic and cultural issues.

The Forum met in Plenary 12 times between October 2000 and October 2002, when the political institutions were suspended.

The advent of the Forum was not universally welcomed by elected representatives. There was a view among some Members of the Assembly that its membership did not adequately represent the views of those in society who had voted against the Agreement and that it was an unnecessary additional layer of bureaucracy, whose funding could be better used elsewhere.

Supporters of the Forum argued that it was a valuable mechanism for obtaining the views of wider civic society and bridging the gap between political institutions and the public.

During its operation, the Forum produced a number of reports on issues such as Human Rights, Lifelong Learning, and Sustainable Development along with submissions on the Programme for Government. There were differing opinions among members of the Forum as to the effectiveness of the Forum, with some positive about the ability of the Forum to influence change, while others questioned the willingness of the Assembly and Executive to take account of its views.

Review of the Forum

The Civic Forum was originally supposed to be reviewed in 2002, but although a review was commissioned it was never completed due to suspension of the political institutions. During subsequent discussions in the Committee on the Preparation for Government (Transitional Assembly), it was clear that there was no consensus on the need for the Forum to be re-established. Members did agree however that there should be a review of the mechanism for civil society to promote its views.

Following the restoration of devolved government in 2007, the FMdFM announced a fresh review of the Forum, taking account of changes in civic society since the Forum's inception. That review did not appear to produce any definitive outcome regarding the future of the Forum.

Equivalents to the Civic Forum in other jurisdictions

There are/were a number of equivalent institutions in other parts of the UK and Ireland. One of the longest running is the National Economic and Social Council (NESC) in the Republic of Ireland. The NESC was established in 1973 and advises the Taoiseach on strategic issues related to economic and social development. Members are drawn from

business and employers' organisations, trade unions, agricultural and farming organisations, community and voluntary organisations etc and are appointed by the Taoiseach for a three-year term.

A Scottish Civic Assembly had in fact existed since 1995, but the establishment of the new Scottish Parliament in 1999 provided an opportunity for the Assembly to be rebranded as the Scottish Civic Forum. The Forum sought to facilitate the move to a more participative democracy by enhancing civil society's ability to influence decisions made by the Parliament and Executive.

The Forum was initially well-received by the Parliament and Executive and a 2001 concordat between the Forum and Executive recognised the 'significant role' played by the Forum in strengthening the relationship between the public and the new political institutions. However, the fact that the Forum was funded by the Executive led to questions around its independence and whether this financial support would continue in the longer-term. The Executive withdrew funding in 2005 and the Civic Forum ceased to exist.

The European Economic and Social Committee is a larger scale Forum with 353 Members drawn from the EU member states that plays an important role in informing and advising the EU institutions on socio-economic matters.

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1 Background

The Civic Forum emerged from the Belfast (Good Friday) Agreement. Its role was to put forward its views on social, economic and cultural matters to the First Minister and deputy First Minister. The Forum comprised 60 representatives from across 10 sectors of civil society.

The Forum did not meet until October 2000 due to instability around the newly established institutions and met for the 12th and final time in October 2002 when devolved government was suspended. The Forum was not reconstituted following the return of devolution in May 2007 and is currently the subject of a review undertaken by the Office of the First Minister and deputy First Minister.

The Forum has both its critics and supporters with its status the subject of a number of Assembly debates. This research paper looks at the current status of the Forum, its original legislative basis, equivalents in other jurisdictions and places it in the context of the wider notion of participative democracy.

2 Legislative basis of the Civic Forum

The role of the Civic Forum is outlined in Strand One of the Belfast (Good Friday) Agreement which stated that it would comprise “representatives of the business, trade union and voluntary sectors, and such other sectors as agreed by the First Minister and Deputy First Minister. It will act as a consultative mechanism on social economic and cultural issues, The First Minister and Deputy First Minister will by agreement provide administrative support for the Civic Forum and establish guidelines for the selection of representatives to the Civic Forum”¹.

Previous research highlighted that:

The idea of the Civic Forum had been around in Northern Ireland for some time. But it was the Women’s Coalition party who championed the idea during the multi-party talks (1996-98), insisting upon its inclusion in the Belfast Agreement. They hoped for some form of corrective to the Assembly, which was always going to be dominated by the main political parties fiercely opposed to one another. This would be an opportunity for a more deliberative approach to issues of governance².

Section 56 of the Northern Ireland Act 1998 requires the First Minister and deputy First Minister to make arrangements for obtaining from the Forum its views on social, economic and cultural matters. Section 56 states:

¹ Strand One of the Belfast (Good Friday) Agreement

² Vikki Bell, In Pursuit of Civic Participation: The Early Experiences of the Northern Ireland Civic Forum, 2000-2002, Political Studies, vol 52 pp565-584

- (1) The First Minister and the deputy First Minister acting jointly shall make arrangements for obtaining from the Forum its views on social, economic and cultural matters.
- (2) The arrangements so made shall not take effect until after they have been approved by the Assembly.
- (3) The expenses of the Forum shall be defrayed as expenses of the Office of the First Minister and deputy First Minister.
- (4) In this section “the Forum” means the consultative Civic Forum established in pursuance of paragraph 34 of Strand One of the Belfast Agreement by the First Minister and the deputy First Minister acting jointly.

The point has been made that the “civic forum is not a statutory body”³:

The civic forum was not established by the Belfast Agreement. Nor is it to be established by the NIA 1998. The civic forum is not a statutory body. This is in spite of its inclusion in the NIA1998...subsection (56)(4) defines it as ‘the consultative Civic Forum established in pursuance of paragraph 34 of Strand One of the Belfast Agreement by the First Minister and the deputy First Minister acting jointly’. Section 56 transfers the obligation to the First Minister and deputy First Minister. This section did not come into force at royal assent. It only happened on 2 December 1999⁴ (via the Northern Ireland Act 1998 (Commencement No. 5) Order 1999)⁵.

On 16 February 1999 the Assembly approved a report presented by the First Minister (Designate) and dFM (Designate) the previous day which set out the proposed structure of the Forum. It was to comprise a chairman and 60 members representing ten sectors:

- Voluntary/Community (18 representatives)
- Business (7 representatives)
- Trade Union (7 representatives)
- Churches (5 representatives)
- Arts & Sports (4 representatives)
- Culture (4 representatives)
- Agriculture & Fisheries (3 representatives)
- Community Relations (2 representatives)
- Education (2 representatives)

³ Austen Morgan, *The Belfast Agreement: a practical legal analysis*, 2000

⁴ As above

⁵ http://www.legislation.gov.uk/ukxi/1999/3209/pdfs/ukxi_19993209_en.pdf

- Victims (2 representatives)

The FM and dFM were also to be responsible for three personal nominations. A report from the FM and dFM designate made clear that all nominations to the Forum from all sectors should adhere to the following guidelines:

- a gender balance;
- a community background balance;
- a geographic spread across Northern Ireland; and
- a balanced age profile to include young people and older people⁶.

On 6 February 2001 the Assembly agreed the following arrangements for the Executive to obtain the Forum's views on social, economic and cultural matters:

The Civic Forum shall offer its views on such social, economic and cultural matters as are from time to time agreed between the Chairperson of the Forum and the First Minister and deputy First Minister. In addition, the Civic Forum shall be invited to offer its views on specific social, economic and cultural matters where the Assembly has by motion so requested⁷.

The Forum met in plenary format 12 times between 9 October 2000 and 14 October 2002 when devolution was suspended. Various standing committees and working groups were established to take forward the bulk of its work. For example, the membership was divided into groups that would address specific social issues – the Anti-Poverty group (later changed to the Social Inclusion Group), the Life Long Learning group, the Sustainability group and the Towards a Plural Society group⁸.

Budget

In response to an Assembly question in April 2008⁹, the First Minister provided the following information on the costs of the Forum:

⁶ Report from the First Minister (Designate) & Deputy First Minister (Designate), 15 February 1999

⁷ Official Report, 6 February 2001

⁸ Vikki Bell, In Pursuit of Civic Participation: The Early Experiences of the Northern Ireland Civic Forum, 2000-2002, Political Studies, vol 52 pp565-584

⁹ AQW 6137/08 18th April 2008

Year	Total Expenditure £k
2000/01	Not available from accounting system
2001/02	425
2002/03	328
2003/04 – 2007/08	None

What did the Civic Forum achieve?

The Forum adopted as its mission that “The Civic Forum will exercise effective community leadership and directly influence the building of a peaceful, prosperous, just, cohesive, healthy and plural society”.

In terms of tangible output, the Forum delivered an Anti-poverty report, Lifelong Learning report, a submission on Sustainable Development, a submission on Human Rights to the Northern Ireland Human Rights Commission, a submission on Victims to OFMdFM, two responses to the Programme for Government and four editions of a Civic Forum newsletter¹⁰.

In response to an Assembly question in March 2008 asking the First Minister to list the proposals of the Civic Forum that were adopted by Executive and/or Direct Rule Ministers, the First Minister replied that “It is for the relevant Ministers to comment on the extent to which any relevant recommendations made by the Civic Forum were adopted”¹¹.

There are competing views regarding the impact of the Forum. For example, previous research looking at civil society and peacebuilding argued that the “Civic Forum has had negligible political impact. The Civic Forum was resisted by many politicians as a challenge to their power, especially by the...DUP, which raised issues of representativeness, legitimacy, and effectiveness of decision making inherent to this unelected body. The Assembly has been able to muffle the new institution through its control of appointments and funding”¹².

Other research published shortly after the October 2002 suspension provided detail on the workings of the forum:

Between its inauguration in October 2000 and this current period of suspension of devolution, the forum met in plenary sessions every second month. They were open to the public and moved around Northern Ireland in an attempt to encourage public participation in all regions of Northern Ireland. At its first meetings, the members drew up a vision statement and a mission statement, as well as deciding upon topics that would form the work of four sub-groups...

¹⁰ The Civic Forum in the context of the Review of the Agreement: Civic Forum members' perspective, 24 March 2004

¹¹ AQW 5067/08

¹² Thania Paffenholz (Ed.) *Civil Society & Peacebuilding: A Critical Assessment*, Lynne Reiner Publishers, 2010

During this early period, the forum received minimal press coverage, despite being the subject of some hostile questions in the Assembly. The implication from its foes has been that it is a costly but unproductive exercise... There has also been concern, both within and outside, that members were drifting away from the forum, becoming disillusioned with its mission.

This research also gained access to some members of the Forum itself to seek their views on the success or otherwise of the Forum. Some members commended the work of the Forum in reaching groups that would traditionally not have engaged with the political process, but others felt that it was reluctant to tackle difficult issues, such as interface areas. Others felt there was a lack of clarity around the precise role of the Forum, in particular the balance between peace building and social issues¹³.

The Forum could also be placed in the context of the New Labour goal of greater public engagement in the policy-making process: "The Civic Forum was heralded by some as Northern Ireland's equivalent of the Blairite vision of joined-up government", a 'third-way- form of governance capable of connecting society to a more sophisticated form of politics'¹⁴.

Relations with the Assembly and Executive

It was also reported that there was a feeling among some members of disconnect between their work and that of the Assembly and Executive, with a seeming lack of political will on the part of politicians to take into account the work of the Forum¹⁵. There was a perception that some Members were paying lip-service to the Forum because it was part of the Agreement, rather than because they believed in the concept of a Civic Forum. It had been difficult to establish a proper working relationship with the Assembly, with any contact initiated by the Forum rather than vice versa¹⁶.

In addition, concerns were expressed about the independence of the Forum and the extent to which it was dependent on the Assembly and Executive, even in relation to the secretariat staff provided. Some Forum members felt that they were under pressure to conform with governmental structures which inhibited flexibility¹⁷.

What happened to the Forum?

The Forum was never officially suspended, but the collapse of the institutions in October 2002 effectively mothballed the Forum.

The original arrangements for the Forum presented to the Assembly in 1999 had provided for a review of the structure and effectiveness by the FMdFM after one year of

¹³ Vikki Bell, In Pursuit of Civic Participation: The Early Experiences of the Northern Ireland Civic Forum, 2000-2002, *Political Studies*, vol 52 pp565-584

¹⁴ A Farewell to Arms? Beyond the Good Friday Agreement, 2006

¹⁵ Lone Singstad Palshaugen, *The Northern Ireland Civic Forum and a Politics of Recognition*, Institute for British and Irish Studies, Working Paper no.38, 2004

¹⁶ As above

¹⁷ As above

its operation. This was deferred until spring 2002 to allow the Forum to establish itself, but the review was not completed due to suspension.

During discussions in the Transitional Assembly's Committee for the Preparation for Government, Members were divided on whether the Civic Forum was the most appropriate platform for obtaining the views of civic society. The committee did agree, however, that there "should be a review of the mechanisms for civic society to promote its views"¹⁸.

Following the restoration of devolved Government in 2007, the FMdFM announced a new review of the Forum, taking "into account the changes in civic society during the intervening years and the wider concerns emerging from the Preparation for Government Committee debate"¹⁹.

The aim of the review was to:

propose the most appropriate mechanism and arrangements for engaging with and obtaining the views of civic society on social, economic and cultural matters. The review will take account of existing methods of engagement with civic society here as well as looking at structures in place elsewhere. The review will recommend how the various channels of engagement might be realigned to best serve both government and the general public. Consistent with the Terms of Reference, the review team will address how any future Forum would operate in practice, including governance, legal and financial matters and secretariat arrangements²⁰.

The review received written submissions from a range of stakeholders including local councils, voluntary and community groups and political parties²¹. No report or recommendations followed the review.

The questionnaire that formed part of the review is available at Appendix 1.

Views on the Forum: a Nationalist – Unionist split

Research suggests that, in the past, there has been a clear Nationalist/Unionist divide on the desirability of a Civic Forum, at least in the format in which it was established. This is clear from a number of Assembly debates and questions over the years. The DUP raised concerns in the first Assembly mandate about the composition of the Forum, in particular that it did not have adequate representation from Unionists who opposed the Belfast (Good Friday) Agreement. Furthermore, concerns were raised that it lacked a representative from the Orange Order and that this undermined its representativeness, given the large membership of the Order. Questions were subsequently raised about the cost and effectiveness of the Forum.

¹⁸ Transitional Assembly's Committee for the Preparation for Government, 2006

¹⁹ <http://www.ofmdfmi.gov.uk/index/making-government-work/civic-forum-review/background/review-civic-forum.htm>

²⁰ Scope of the Review: <http://www.ofmdfmi.gov.uk/index/making-government-work/civic-forum-review/scope-of-the-review-civic-forum.htm>

²¹ Written submissions to the Review: <http://www.ofmdfmi.gov.uk/index/making-government-work/civic-forum-review/civic-forum-your-views/making-government-work-your-views-written-responses.htm>

Nationalist Members were generally supportive of the role and remit of the Forum. The opposing views are perhaps best summed up by two motions on the Civic Forum – one Unionist and one Nationalist:

That this Assembly notes the ongoing review of the Civic Forum; notes that it has not met since 2002; notes the absence of any value from the Civic Forum to date; notes the lack of a widespread public concern about the absence of the Civic Forum; and calls on the First Minister and deputy First Minister not to establish a new Civic Forum, but instead to investigate modern ways to interact with the public, including online interactive means of helping to shape public policy. (Unionist Private Members' Motion, 3 February 2009)

That this Assembly calls on the First Minister and deputy First Minister to reconvene the Civic Forum to fulfil the commitments of the Belfast Agreement to participative democracy and to facilitate an all-inclusive consultative forum to help address the social, economic and cultural issues facing this region. (Nationalist Private Members' Motion, 9th April 2013)

3 Bodies with similar roles to that of the Civic Forum – examples from other jurisdictions

There are a number of examples of bodies which play similar roles to that envisaged for the Civic Forum within the UK, Ireland and beyond. Although the role and remit of each are different, they nevertheless are/were aimed at increasing civic engagement with an elected body. As this section demonstrates, this was achieved with varying degrees of success.

The Scottish Civic Forum

The report of the Consultative Steering Group on the Scottish Parliament addressed the issue of a civic forum to operate alongside the new Parliament:

It is important that our proposals for a more open political process are paralleled by the development of appropriate institutions at different levels in Scottish society, to ensure meaningful dialogue between the Parliament and civic society. In this respect, we welcome proposals which were presented to us for a Civic Forum, which would be facilitative, recognise the plurality of voices and groups and take an active role in ensuring the effective involvement of groups traditionally excluded from the decision-making process. We endorse the proposals for a Civic Forum and encourage the proponents of such a Forum to develop the details of the role and funding arrangements for the Forum. We recommend that the Parliament should encourage Scottish civic society through the establishment and work of a Civic Forum and through other imaginative social partnership ventures.

We see these as significant means of achieving an accessible Parliament within a participative democracy. Our endorsement of this proposal does not, of course, exclude the use of other means of engaging with the Parliament. It is important also to recognise the plurality of voices which exists in Scottish civic society and the establishment of a Civic Forum would not preclude the development of other social partnership ventures²².

A Scottish Civic Assembly had in fact existed since 1995, but the establishment of the new Scottish Parliament in 1999 provided an opportunity for the Assembly to be rebranded as the Scottish Civic Forum. The Forum sought to facilitate the move to a more participative democracy by enhancing civil society's ability to influence decisions made by the Parliament and Executive. Part of its role was to inform its members of public consultation exercises undertaken "by the Parliament and Executive; disseminate briefing papers on upcoming legislation; provide the means through which members could articulate and develop their views; and 'map' these views before communicating them to the appropriate body"²³.

The Forum was initially well-received by the Parliament and Executive and a 2001 concordat between the Forum and Executive recognised the 'significant role' played by the Forum in strengthening the relationship between the public and the new political institutions. However, the fact that the Forum was funded by the Executive led to questions around its independence and whether this financial support would continue in the longer-term. This question was resolved in 2005 when the Executive withdrew funding on the basis that it compromised the impartiality of the Forum. It was then suggested in a parliamentary debate that the Scottish Parliamentary Corporate Body should provide funding. It declined.

Duplicating the work of the Parliament?

It was argued that the Forum was duplicating the work of the Parliament and was thus an unnecessary drain on public funds. This argument pre-dated the eventual demise of the Forum, with the Parliament's Procedure Committee reporting in 2003 its concerns that the Forum "should not come to be perceived as the 'sole conduit' through which civil society engages with the Parliament"²⁴. The Procedure Committee was however supportive of the role of the Forum and noted its relatively limited funding.

Therefore, the balance began to shift from a Forum that complemented the work of the Parliament to one that duplicated its work:

This shift is relevant not just to the fate of the Forum, but also to a broader analysis of public participation, as its validity rests upon the Parliament being seen as superior or at least equal to the Forum when it comes to increasing deliberative forms of

²² http://www.scottish.parliament.uk/PublicInformationdocuments/Report_of_the_Consultative_Steering_Group.pdf

²³ Davidson, Stark & Heggie, *Best Laid Plans...The Institutionalisation of Public Deliberation in Scotland*, Political Quarterly, vol 82, No.3, July-September 2011

²⁴ As above

participation...parliamentarians were displaying an increased confidence in the ability of the Parliament to perform this function²⁵.

There was also the question of how effective the Forum actually was in providing a link between wider civic society and the Parliament:

Many organisations bypass the Forum and make their own direct contact with the Executive. Moreover, the Parliament has grown restless with the practice of consultation through spokespeople for structured groups. As a member of the Parliament staff put it, 'we don't want aggregated opinion, Civic Forum style. We want to get at people who are disgruntled and discontented. The Civic Forum thought they would have a monopoly of presenting public opinion to us, but they have yet to prove that they can deliver something we want'²⁶.

But it has been argued that this misses the point of the Forum and ignores "the benefits that accrue from a deliberative process which is inclusive of various affected bodies within civil society"²⁷. Responding to criticism of the Forum, a supporter stated:

Obviously, MSPs have contact with their constituents, but the deliberative educational process in which the Scottish Civic Forum is engaged is a particular type of intervention that requires sustained work...there is a broader notion of a more participatory politics that allows people to debate and to identify issues that they would not necessarily take to their MSPs in the first instance²⁸.

Debate in Parliament

In February 2005 the Scottish Parliament debated the future of the Forum at a time when uncertainty surrounded the sustainability of the Forum in light of the Executive's reluctance to continue its funding. All of the speakers, representing all of the main parties in the Parliament, supported the Forum and felt that it should continue. In response, the Deputy Minister for Finance and Public Service Reform supported the continuation of the Forum, defended the Executive's history of funding and called on the Scottish Parliamentary Corporate Body to sponsor the Forum (as per the motion)²⁹.

Scotland's Futures Forum

The concept of futures forums has been explored by the Hansard Society:

These provide an arena in which cross-cutting long-term policy issues can be discussed by a variety of actors such as politicians, government officials, civil society representatives as well as ordinary citizens. A leading example of such a Forum can be found in Finland.

²⁵ As above

²⁶ Neal Ascherson, *Designing Virtual Citizens: Some Scottish Experiments with Electronic Democracy*, Scottish Affairs No.43, Spring 2003

²⁷ Davidson, Stark & Heggie, *Best Laid Plans...The Institutionalisation of Public Deliberation in Scotland*, *Political Quarterly*, vol 82, No.3, July-September 2011

²⁸ As above

²⁹ <http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=4565&i=34604&c=0&s=civic%20forum>

This model of a permanent forum for debate on economic and social futures issues, operating within the parliamentary structure but taking considerable advice from a permanent advisory body of experts and citizens from outside parliament, has also been replicated elsewhere, particularly in Scotland³⁰.

Scotland's Futures Forum³¹

The Forum, also known as Holyrood's 'think-tank', was created by the Scottish Parliament to 'help its Members, along with policy makers, businesses, academics, and the wider community of Scotland, look beyond immediate horizons, to some of the challenges and opportunities we will face in the future.'

By looking beyond the electoral cycle it was hoped that fresh perspectives and ideas for policy development would emerge and the Forum thus undertakes studies and organises public seminars and consultations to provide long term solutions across a variety of policy areas. The board consists of both politicians and stakeholders, including the Presiding Officer of the Parliament and other Members of the Scottish Parliament (MSPs), academics and private sector leaders and is operated as a company limited by guarantee in order to raise third party finance to support its work. The Forum itself is led by a 10 member Board but there are 2,000 members across civil society...it undertakes research into long-term and cross-cutting policy areas such as drug and alcohol misuse, the implications of poverty in Scottish society, and what a learning Scottish society should look like.

European Economic and Social Committee³²

The European Economic and Social Committee (EESC) acts as a consultative body that provides a platform to Europe's socio-economic groups to give their opinions on EU issues. The EESC has 353 members since Croatia joined the EU in July 2013. It was established under the 1957 Rome Treaties to ensure input from economic and social interest groups in the establishment of the Common Market and to provide a method for briefing the European Commission and Council of Ministers on EU issues. Members are drawn from economic and social interest groups from across Europe and are nominated by national governments but are appointed by the Council of the European Union for a renewable five year term. Members belong to one of three groups:

- Employers
- Workers
- Various Interests

One of the three key points contained in the EESC's mission statement is "promoting the development of a more participatory European Union which is more in touch with popular opinion, by acting as an institutional forum representing, informing, expressing the views of and securing dialogue with organised civil society..."³³

³⁰ Parliaments and Public Engagement: Innovation and Good Practice from Around the World, Hansard Society, 2011

³¹ As above

³² Information in this section drawn from the website of the EESC

³³ About the Committee: <http://www.eesc.europa.eu/?i=portal.en.about-the-committee>

The EESC issues on average 170 advisory documents and opinions each year, of which approximately 15% are issued on its own initiative.

The Committee has six sections and section opinions are drafted by study groups, which usually have 12 members, including a rapporteur. Study group members can be assisted by experts (usually four). The sections are:

- Agriculture, Rural Development and the Environment
- Economic and Monetary Union and Economic and Social Cohesion
- Employment, Social Affairs and Citizenship
- External Relations
- Single Market, Production and Consumption
- Transport, Energy, Infrastructure and the Information Society

The EESC meets in Plenary nine times a year with adopted opinion forwarded to the institutions and published in the Official Journal of the European Communities.

Republic of Ireland – National Economic and Social Council³⁴

The National Economic and Social Council (NESC) was established in 1973 and advises the Taoiseach on strategic issues related to economic and social development. The members of the Council are drawn from business and employers' organisations, trade unions, agricultural and farming organisations, community and voluntary organisations, environmental organisations as well heads of Government departments and independent experts. Members are appointed by the Taoiseach for a three-year term.

The Council has undergone significant changes since its inception. The first Council was larger (46 members, of which only one was a woman) and was chaired by an independent expert. Since 1983 the Council has been chaired by the Secretary General of the Department of the Taoiseach and the number of members was halved. Seven members were Government nominees; five were nominated by industry groups, five by farming groups and five by the Irish Congress of Trade Unions.

1996 witnessed another significant change, with the inclusion of nominees from the voluntary and community sectors, increasing the membership to 31 (including 13 women). In December 2010 representatives of environmental groups were included, bringing the total number of members to 33 (eight Government nominees, five Secretary Generals of Government departments and four representatives nominated

³⁴ Information in this section drawn from the website of the NESC

by each of the following groups: business organisations, trade unions, farming organisations, community and voluntary groups and environmental groups³⁵.

The NESC has reported on a range of issues related to socio-economic issues. Its early work focused on the economy, taxation, population and emigration, and agricultural policy. In addition, it has reported on employment, housing and education, social policy, Ireland in the EU, public services and well-being. From 1986 to 2006 the NESC regularly produced strategy reports which formed the basis for negotiating the social partnership agreements, as well as contributing to the development of overall Government policy. Some recent reports include:

- The Social Dimensions of the Crisis: The Evidence and its Implications
- Achieving Quality in Ireland's Human Services - A Synthesis Report
- Quality and Standards in Human Services in Ireland: Disability Services

The NESC is the only state agency under the remit of the Department of the Taoiseach.

London Civic Forum

The London Civic Forum ran from 2000 to September 2012 when it ceased to exist due to a “lack of political will and the related reductions in public sector funding”. The Forum was:

A membership organisation comprised of 1,300 full member organisations and associate individual members, from London’s private, public and not-for-profit sectors...Members included colleges, hospitals, trade unions, chambers of commerce, large corporates, small consultancies, advice providers, campaign groups, big charities, local strategic partnerships, community policy consultative groups, training providers, helplines, museums, libraries, theatres, city farms, housing associations and social enterprises³⁶.

The strategic objectives of the Forum were listed as:

- Champions civic engagement by exploring the ways people get involved with civic institutions and examining how those avenues of involvement can lead to better decision-making and more effective use of London’s public resources
- Makes power systems accessible by equipping London citizens with the knowledge, confidence and skills to make their individual and collective voices heard, thus increasing communities’ capabilities to effect social change

³⁵ History of the NESC: <http://www.nesc.ie/en/our-organisation/about-nesc/history-of-nesc/>

³⁶ <http://www.londoncivicforum.org.uk/about/>

- Brokers relationships by creating links between sectors and supporting networking that increases and improves the relationships between citizens and governing bodies
- Delivers locally by using its understanding of, and connection to, city-wide relationships to ensure that barriers to community civic participation are overcome at all levels

The Constitutional Convention – an alternative model?

The Constitutional Convention is a forum established by resolution of the Houses of the Oireachtas in July 2012. Its task is to examine specific areas related to the Irish Constitution:

- Reduction of the Presidential term of office to five years and the alignment with local and European elections;
- Reduction of the voting age to 17;
- Review of the Dáil electoral system;
- Irish citizens' right to vote at Irish Embassies in Presidential elections;
- Provisions for same-sex marriage;
- Amendment to the clause on the role of women in the home and encouraging greater participation of women in public life;
- Increasing the participation of women in politics; and
- Removal of the offence of Blasphemy from the Constitution.

The Convention is described as “a venture in participative democracy in Ireland tasked with considering certain aspects of the Constitution to ensure that it is fully equipped for the 21st Century and making recommendations to the Oireachtas on future amendments to be put to the people in referendums”³⁷.

What makes the Convention interesting is its composition. It is a forum of 100 people, representative of Irish society and parliamentarians from the island of Ireland, with an independent Chairman.

Political parties and groups in the Dáil and the Seanad nominated representatives on the basis of their relative strengths in the Oireachtas. Political parties in Northern Ireland were invited to nominate one representative each.

Citizens were selected randomly using the electoral register and on the basis of groups representative of Irish society generally and balanced in terms of gender, age and region, etc. In total 66 citizens were selected along with a ‘shadow’ panel of 66 citizens

³⁷ Message from the Chairman: <https://www.constitution.ie/Default.aspx>

recruited in the same way to act as a back-up to the Panel. All citizens professing an interest in becoming a member of the Convention were given an information booklet explaining what the Convention was, who would be participating, how it would work and the type of issues it would address.

No monetary incentives were offered or provided to participating members (apart from expenses). No exclusion criteria were applied to citizens in terms of membership of political parties, lobby groups, level of interest in social/political matters.

4 Participative democracy and civic engagement

Collaborative civic engagement

Encouraging greater citizen participation in decision-making processes can augment the democratic process by managing or resolving disputes that cannot be resolved through the electoral process alone.

Collaborative civic engagement “refers to policies and methods for creating opportunities for citizens to get directly involved in community policy-making and implementation...although collective decision-making can be difficult, complicated, time-consuming and sometimes unattainable, when consensus-based decisions are made, the results are often more legitimate and widely-accepted made by elected officials acting independently”³⁸. It has been further stated that although collaborative process can take more time to reach decisions, if community groups are afforded more opportunity to provide input into decisions they will be less likely to ignore support for new initiatives.

A 2001 article entitled *Governance and Democracy in Northern Ireland* addressed the issue of what constituted participative democracy:

A checklist of criteria for participative democracy may include: civil participation in the political and economic institutions of a society to facilitate citizen involvement in agenda-setting, deliberation, legislation and policy implementation; political party officials being directly accountable to the party membership (as already happens in some political parties in Northern Ireland); and a review procedure that allows easy adaptation of the institutional system to changing conditions. A special effort should be made to include marginalised voices that have never before been heard. A greater sense of community is forged by civic activity, educating citizens to “think publicly”, which in turn generates greater participation³⁹.

³⁸ http://www.idea.int/publications/dll/upload/chapter_5.pdf

³⁹ C. McCall & A. Williamson, *Governance and Democracy in Northern Ireland: the role of the voluntary and community sector after the agreement*, in *Governance: an international journal of policy and administration*, vol. 14, 2001

A report published by the Scottish Civic Forum in 2002 as part of its Audit of Democratic Engagement identified three levels of participation related to democratic governance: non-participation, semi-participation (when people take part in the political processes but the political leaders still have the power to make the final decisions) and real participation (in which power is actually shared between the political leaders and the people)⁴⁰.

It has been argued elsewhere that the increased access to information has enhanced the “transparency of governance, stimulating the interest of citizens in its processes”⁴¹. There has been a greater willingness on the part of politicians to accept the need for input into policy-making from voluntary participants, to the point where it is now actually expected. This research also presented the scenario whereby those within the voluntary and community sectors become detached from those they represent:

During the direct rule period, strategic policy issues were discussed frequently by the participant voluntary and community groups and the appropriate department or quango or British minister. However, while the leaders of these groups have become experienced policy negotiators, questions regarding their democratic legitimacy and accountability have been raised...As these leaders become more integrated into the public policy decision-making process, they become specialists and therefore distinguishable from the “ordinary citizen”⁴².

Limitations to civic engagement

The following table provides some pragmatic limitations to civic engagement⁴³ (the full list is available from the source):

1. In many matters of state, open and unconstrained civic engagement is not desirable. These are matters involving prosecutorial affairs, personal or corporate privacy, diplomacy, espionage...subversion, military movements and security.
2. Civic engagement does encourage disparate views, preferences, urgencies and sentiments. Therefore what an undiscerning government may hear is discordance that encourages indecision or hastens a decision improperly vetted.
3. Civic engagement can be captured by special interests just as these interests may form, transform or influence others to do their private (group or corporate) bidding. These interests, though legitimate, are not necessarily consistent with the best interest of the wider community – if the ‘best’ is at all ascertainable.
4. Civic engagement can be inconvenient or inopportune to the government given its outlook, its promises, its philosophies, and its ability or willingness to perform.
5. Civic engagement, though often low cost, is rarely a zero opportunity cost activity to individual citizens. People must choose to engage. The level of civic engagement is often a consequence of a choice of citizens not to do so.

⁴⁰ Annie Thiec, *Participative Democracy in Scotland, Parliaments, Estates and Representation*, vol. 28, 2008

⁴¹ C. McCall & A. Williamson, Governance and Democracy in Northern Ireland: the role of the voluntary and community sector after the agreement, in *Governance: an international journal of policy and administration*, vol. 14, 2001

⁴² As above

⁴³ Building Trust through Civic Engagement: Publication based on the 7th Global Forum workshop on Building Trust through Civic Engagement 26th to 29th June 2007, United Nations publication, 2008.

5 Conclusion

The Civic Forum emerged from the Belfast (Good Friday) Agreement and was to act as a consultative forum on social and economic matters to the Assembly and Executive. There appears to be general agreement that the driving force behind the Forum's inclusion in the Agreement lies in a proposal by the Women's Coalition.

The Forum was not, however, universally welcomed, with Unionists accusing it of being unrepresentative of people who had opposed the Agreement.

The Forum itself met in Plenary 12 times between October 2000 and October 2002 when the political institutions were suspended. It was the subject of a planned review by FMdFM which although commissioned was never completed. Following the restoration of devolved government in 2007, the FMdFM announced a fresh review of the Forum which is currently ongoing. The Forum has also been the subject of debate in the Assembly, with two debates in 2009 and 2013 (one Unionist and one Nationalist) presenting opposing views of the merits or otherwise of the Forum. A number of Assembly questions have also addressed issues such as the budget and output of the Forum.

The concept of a civic forum is not unique to Northern Ireland. The Scottish Civic Forum was established in line with proposals emanating from a report by the Consultative Steering Group on the Scottish Parliament. Its role was to inform its members of public consultation exercises undertaken by the Parliament and Executive; circulate briefing papers on legislation; disseminate briefing papers on upcoming legislation; provide a platform for members to articulate their views and 'map' these views before communicating them to the appropriate body. Funded by the Scottish Executive, questions were raised about its independence and despite being initially well-received the Executive withdrew its funding and the Forum ceased to exist in 2005.

The European Economic and Social Council is an example of a civic forum on a larger scale. Its 353 Members are drawn from the EU member states according to the relative size of each state. Established under the Rome Treaties of 1957, the Council functions as a consultative body on EU issues and sees part of its role as bringing the EU closer to its citizens. Its reports are forwarded to the European institutions and are recorded in the official record of proceedings. Consultation of the Council is mandatory in some instances and optional in others.

Established in 1973, the National Economic and Social Council in the Republic of Ireland is an example of a forum comprising members of civic society that continues to provide valuable, strategic advice to the Government. It should be noted of course that the Council falls within the remit of the Department of the Taoiseach (the only state agency to do so) and Secretaries General of the Government sit on the Council. A cause for concern with the Northern Ireland Civic Forum and Scottish Civic Forum was

their perceived lack of independence due to their reliance on Executive funding. No such concern appears to exist with the NESC.

Appendix 1

Review of the Northern Ireland Civic Forum – questionnaire⁴⁴

As the aim of the review is to propose the appropriate mechanisms and arrangements for engaging with and obtaining the views of civic society on social, economic and cultural matters, the review team intends primarily to focus on the way forward, while accepting that there are valuable lessons to be learned from previous experience.

The questions posed in this section cover the issues on which we would particularly welcome your views. They are, however, designed only to focus discussion and to provide a framework for written responses. They are not exhaustive and are not intended to constrain comment.

⁴⁴ <http://www.ofmdfmi.gov.uk/index/making-government-work/civic-forum-review/civic-forum-your-views/civic-forum-framing-questions.htm>

Question 1: What do you consider would be the best way for Government to engage with and consult civic society?

Question 2: What do you consider were the main strengths and achievements of the (1999-2002) Civic Forum as originally constituted?

Question 3: What, in your opinion, were the main weaknesses of the original Civic Forum and how might they be remedied?

Question 4: To what extent do you think the sectors included in the original Civic Forum remain representative of civic society? Who do you think should be represented on a new Forum and what should be the balance between different sectors?

Question 5: Do you consider that an alternative model of social partnership might provide a suitable example for a new Forum? If so, what type of model would you propose and why?

Question 6: What should be the role and remit of the new Forum? What types of issues might form the basis of its work programme and how should they be prioritised?

Question 7: What should be the relationship between a new Forum and the First Minister and deputy First Minister, and the Assembly?

Question 8: What suggestions would you make for the organisation of a new Forum in terms of:

- Membership - including numbers, sectoral representation, processes for selecting members and filling vacancies, term of office and expenses/remuneration;
- Chairperson - including appointment process, role and remit, and expenses/remuneration.
- Structure and operation – including format and frequency of meetings, staffing, accommodation, budget and legal status.

Question 9: How might a new Forum interact with other consultative fora within Northern Ireland to avoid duplication?

Question 10: How should a new Forum interact with bodies representative of civic society outside Northern Ireland?