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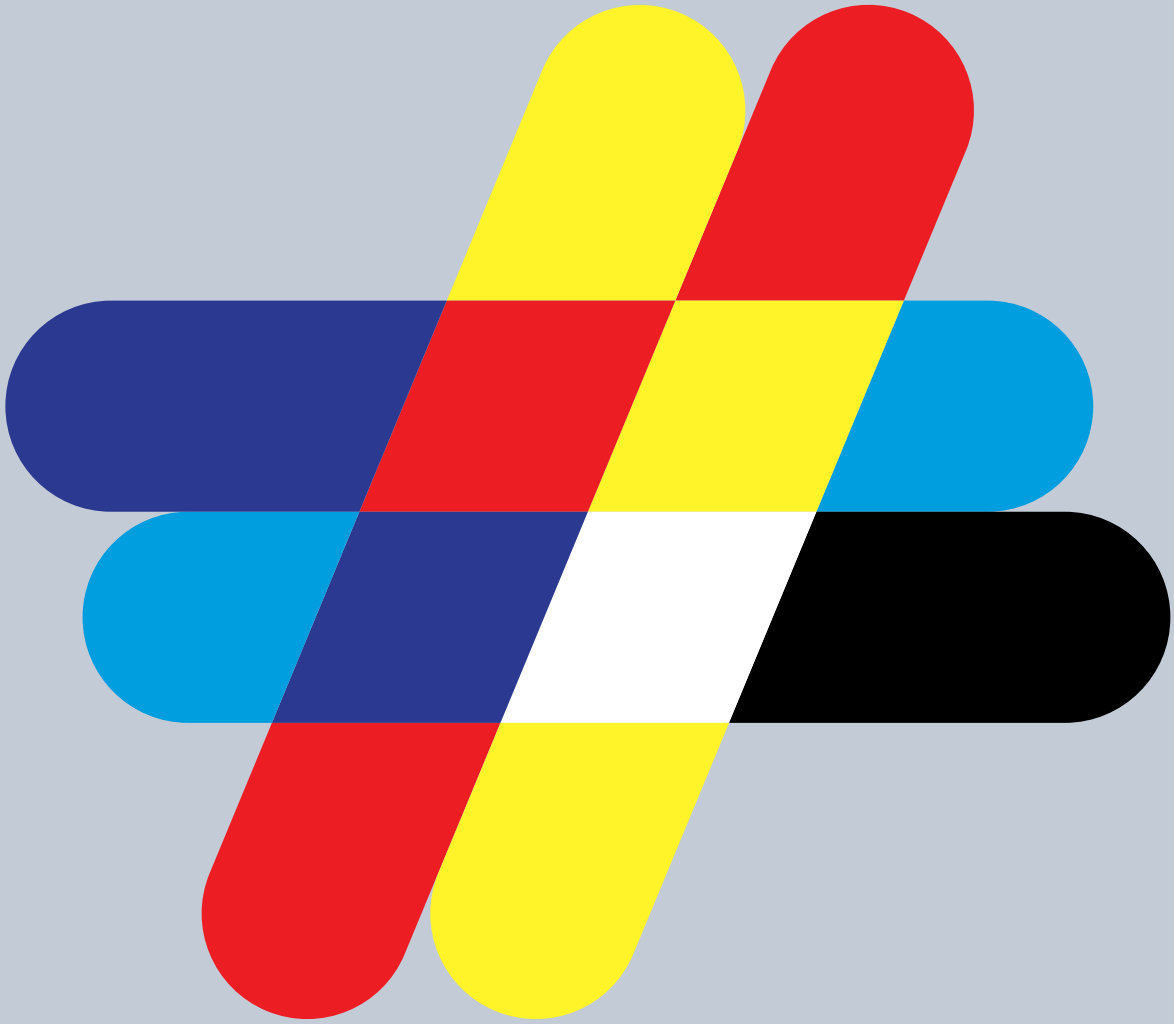

Common Ground

Country Report: France

The Significance of Citizen Participation in Politics and Society

By Lionel Cordier, Yves Sintomer

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Note

The writing of this country report was initiated following the conduct of three interviews. The first one was conducted with Ilaria Casillo, geographer and Vice-President of the National Commission for Public Debate (Commission Nationale du Débat Public, CNDP), the second was with Loïc Blondiaux, Professor of Political Science at Paris I Panthéon-Sorbonne University and, finally, the third was with Sandrine Rui, a lecturer at the University of Bordeaux.

The synthesis of these three interviews was then completed, after he had read it, with the analyses of Yves Sintomer, Professor of Political Science at Paris 8 University.

The report is structured as follows: first of all it examines the concept of citizen participation, its specific features and examples of its implementation in France, as well as the legal framework within which it operates, before going on to question how it is perceived by elected representatives and civil society and what the main challenges for the future are.

1. Comprehension of the Notion of Citizen Participation and its Forms in France

All the experts interviewed tend to define citizen participation as the possibility for citizens to influence decisions, whether it is by being informed about them and/or by influencing them directly. This definition remains a broad one, in the sense precisely that it leaves room to include to a wide variety of mechanisms and ways of participating in decision-making. Loïc Blondiaux also makes a distinction between citizen participation, which encompasses all the actions of citizens to influence decisions, including those outside of the institutional frameworks (citizen collectives, demonstrations, etc.) and participatory democracy, which designates institutional mechanisms aimed at involving citizens in decision-making processes. Participatory democracy is more about local and national institutional actors "offering participation", frequently in response to a "demand" for participation coming from citizen groups, and promising to involve them more or less directly. The notion of participatory democracy is thus more circumscribed, referring to all the mechanisms and procedures intended to include ordinary citizens in decision-making processes.

It should be noted, adds Yves Sintomer, that until the 2000s, participatory democracy was at variance with the concept of *démocracie de proximité*. This democracy of proximity was essentially consultative and involved "selective listening" to citizens by politicians, who would organise neighbourhood councils or other mechanisms of that type, and take one or other of the arguments heard at these meetings, which they would then include in a proposal when the mechanism in question was required to adopt recommendations. All of this takes place without any binding procedural rules applying. Today, the term participatory democracy is used in a much broader way, to refer to all institutional participation mechanisms – which, moreover, include more processes more closely linked to actual decision-making than before.

Again with reference to its most common uses in French, Sandrine Rui has noticed the appearance of a notable semantic change: previously there was more talk of participatory democracy and participatory mechanisms, but now the concept of "citizen participation" is also being enlisted more and more. It is possible that the emergence since the 2010s of citizen initiatives and different forms of grass-roots experimentation have contributed to imposing a more generic formulation with a broader scope, encompassing not only initiatives coming from the institutions but also those from citizens themselves.

Concerning the more common forms of citizen participation in France, Ilaria Casillo considers that France is characterised at once:

- by institutionalised mechanisms conceived as add-ons to representative democracy, such as neighbourhood councils (conseils de quartier) or citizen committees (conseils citoyens). Citizen committees are consultative bodies introduced by a law in 2014, in which volunteer residents drawn by lots, along with association leaders can be involved in discussions with officials from the municipality and representatives of the Prefect. It is estimated that there are 1034 of these committees in 2023.
- by procedures organised within a specific legal framework that involve "one shot" measures such as public debates and public enquiries which have to be implemented in a mandatory way. An example of a recent public debate organised by the National Commission for Public Debate (CNDP) would be the debate on the management of

radioactive waste organised in 2019 at national level, which was characterised at once by the consultation of experts, public communication and information campaigns and the organisation of dozens of public meetings all over France.

- by mechanisms that do not fall under a regulatory framework, such as citizens' conventions and participatory budgeting, which come out of political initiatives.

To understand the specifically French historical and cultural factors concerning citizen participation in France, Loïc Blondiaux and Sandrine Rui point out that it is necessary to understand that these participatory practices have a history that goes back to the 1960s and a whole series of initiatives and political proposals linked to what at the time was known as *action municipale*. Municipal action groups (*groupes d'action municipale*) were collectives of citizens who wanted to challenge political authorities and demanded a form of right of scrutiny of the decision-making processes, whilst attaching themselves to the world of the urban struggles of the time. In the 1970s, environmental movements also took up this idea of citizen participation where citizens were considered to be having a vision of ecology that was different to that of the State. Other movements also latched on to these demands, for example all those, including the CFDT (*Confédération Française Démocratique du Travail*, one of the largest French trade unions), who were advocating self-management, various movements that were critical of science, etc. A nebulous array of protest groups then began to make demands in line with the concept of participatory democracy, although the term had not yet come into use. In the 1980s, these movements faded away to a large extent, as Hélène Hatzfeld shows in "Faire de the politique autrement": this theme lost ground and morphed, in the French context, into a series of reforms on decentralisation, which in the end had very little to do with citizen participation. In the 1990s it made a noticeable but sporadic comeback in a certain number of cities and, more rarely, at national level, where the idea of increased participation led to some initiatives intended to involve citizens in decision-making processes, which this time originated more with politicians and institutions. Yves Sintomer insists on the fact that the crisis in electoral representation was increasingly pushing the political class to embark on experiments. Cécile Blatrix shows that what we saw then was a converging of several dynamics: local policies, social movements and administrative dynamics. All of this would lead to the development of a certain number of regulatory provisions at the beginning of the 2000s. The movement has amplified since then, but the experiments conducted are a long way from being a consistent success story.

The experts interviewed all frequently insist on the fact that in France, whenever lawmakers have started to think about legislating on participatory democracy or when the executive has embarked upon participatory initiatives, it is virtually always following social and environmental conflicts. The willingness of the institutional actors to act is not born of a democratic awakening but rather from the need to continue doing what they do. The most recent example of the organisation of the Great National Debate and the Citizens' Convention on Climate following the Yellow Vests protests is typical. Concerning the constitution of the CNDP (National Commission for Public Debate), Ilaria Casillo mentions two important social conflicts that led to its creation: the first concerned the TGV Méditerranée in the 90s, which really revealed the absolute need for public debate and led to the initial creation of the CNDP. Then the clashes on the Sivens dam culminating in the death of an environmental activist in 2014, which resulted in a widening of the scope of the CNDP and an important reform of participatory and environmental democracy in 2016.

2. Legal Framework and Institutional Structures

Concerning the general legal framework and the institutions promoting citizen participation in France, Casillo and Rui consider that a priori France has arrived at a state of advanced institutionalisation of participatory democracy in the fields of urban planning and the environment. In the environmental field, this takes the form of the existence of some very extensive legislation with procedures and an independent body tasked with ensuring they are followed: Article 7 of the Charter for the Environment, which has constitutional force, enshrines a right to participation and information for citizens concerning all laws with an impact on the environment. This legislation includes the establishment of an original institution, namely the National Commission for Public Debate (CNDP), an independent national administrative authority supposed to organise public participation on major projects with an impact on the environment. This type of national institution is specific to France and has no real equivalent in other countries, except for the *Bureau d'Audiences Publiques pour l'Environnement* (BAPE) in Québec.

A certain number of issues are hindering or threatening the development of citizen participation in France. Ilaria Casillo believes that French legislation on participation remains too weak as far as accountability in public debates or consultations is concerned. Although it is written into the law, the decision-maker remains free to provide incomplete or erroneous responses with no possibility of recourse for the participants or the CNDP.

Loïc Blondiaux even thinks that the right of participation in environmental matters is being rolled back. This can be seen in the recent ASAP laws *(Loi d'accélération et de simplification de l'action publique* (Law on the acceleration and simplification of public action)) or the green transition laws, which limit the scope of the public debate system by removing an increasing number of projects from its remit. Loïc Blondiaux considers that here we have a kind of double-speak: a public governmental discourse paying lip service to the need for participation, and a law that is moving in the opposite direction. Ilaria Casillo observes that we are seeing true legislative backtracking on the competencies of the CNDP, with a whole series of these laws bringing in exemptions and emergency laws that are being passed more and more often. Thus, for example, the 2018 ASAP law has raised the threshold for the projects of national interest that must be the subject of a public debate from 350 to 600 million euros, thereby de facto reducing the number of projects for which the CNDP must act, while the green transition law states that in any one area only one public debate can be organised in a period of 8 years, even though we are seeing a multiplication of industrial projects in a number of areas (Fos-sur-Mer, Dunkirk, etc.). The organisation of the Olympic Games or the reconstruction of Notre Dame de Paris have also been occasions for lawmakers to bring in exemptions to restrict the scope of the CNDP: by creating, in particular, an *ad hoc* planning right which reduces the scope and form of public enquiries. This type of measure thus adds to the feeling that participation is a façade.

There are also obstacles at local level, as Loïc Blondiaux points out: for example very few local referenda are held in France although the possibility of holding decision-making referenda at this level has existed since 2003. Whenever a local authority wants to go further and redistribute power, it finds itself vetoed by the Prefect. This was the case, for example, in Poitiers and Grenoble when these cities tried to set up mechanisms to tie the hands of their municipal councils. Thus in the Grenoble case, the city wanted to set up a citizens' motion and referendum mechanism: this was supposed to allow the addition to the municipal council's

agenda of a motion supported by a petition signed by more than 2,000 citizens. After being debated by the council, the mayor would be able either to adopt the proposal for implementation or to put it to the people of Genoble in a local referendum, with it then being adopted if it received more than 20,000 favourable votes. The Prefect blocked the adoption of this system considering that local councillors are not competent to organise local democracy according to the mechanisms that they choose.

More generally, Yves Sintomer stresses that French political culture has traditionally been marked by a paternalistic variant of republicanism, which sees a State insularised from pressure from particular interest groups (including associations and citizen initiatives) as a means of guaranteeing the general interest. In a similar way, the idea of the irrationality of the masses is particularly marked among the country's ruling classes.

All of the experts interviewed agree that there is no overarching and consistent reflection by the institutions in France on participatory democracy. Ilaria Casillo mentions knee-jerk reactions, a form of "responsiveness" in public action with regard to the idea of participation, to the detriment of any reflection on "responsibility" or a choice and an assumed political project. She considers that in the absence of any clear guidelines, what we are seeing is a proliferation of participation tools and a multitude of bodies tasked with participation (DITP, CESE, CNDP, Ministry for Democratic Renewal, etc.). Likewise the growing role of the CESE (Economic, Social and Environmental Council) in relation to the CNDP and the complementary role that these two institutions could play has not really been codified.

Furthermore, Sandrine Rui, who has been working on the subject since the 1990s, points out that politicians have been talking about "experimenting" with participatory mechanisms for the last 30 years. If we observe certain dynamics of institutionalisation, we see that these types of policies continue to be seen as experiments, and the measurement of their long-term effects in the French public sphere in the end remains quite difficult to assess.

3. Important Citizen Participation Projects

The experts interviewed observe that the holding of the national citizens' convention has had a significant ripple effect, and that today there are numerous plans for conventions at local and municipal level: Nantes, Poitiers, Bordeaux, Grenoble, Paris, the Department of Gironde, the Brittany Region, etc. This wave of citizens' conventions follows on from earlier demands to set up participatory budgeting and the digital platforms that Ilaria Casillo had noticed.

Loïc Blondiaux also mentions the existence of an interesting Franco-Swiss community initiative: the setting up of a Rhône People's Assembly, consisting of a sort of citizens' committee with its members drawn by lots tasked with imagining what kind of governance mechanism there could be for the Rhône river. This original cross-border scheme is still in the embryo stage, but has the merit of being a vehicle for an interesting form of reflection on how it might be possible to set up environmental governance systems.

When asked about the emblematic participation schemes in France apart from the citizens' conventions, Ilaria Casillo reveals that her main interest is in the increasing appearance of forms of participation that are currently outside the institutional box (self-

management, occupations and takeovers of places) and which tend to forge clear links between the requirements for an ecological and a democratic transition. She mentions for example the occupation of a cable car construction site on the Girose glacier by the Soulèvements de la Terre collective, which probably had a greater impact at every level on the public debate than any number of institutional mechanisms. Yves Sintomer adds that among the activist section of the younger population, these forms of self-managed participation generate more energy and fire the imagination far more than any institutional set-up. Until now the development of such institutional mechanisms has had little or no effect on citizens' growing mistrust of the political system. The demand for institutional participation that is the most popular in France, and by far, is that for citizen initiatives, in France called the *Référendum d'initiative citoyenne* (Citizen-Initiated Referendum).

4. Approaches to Citizen Participation among Elected Representatives and the Representative Institutions

The experts interviewed are unanimous in asserting that the great majority of elected representatives remain very wary, hostile even towards citizen participation initiatives. A large part of France's elected representatives continue to claim that they have a monopoly on definition of the general interest and to believe that they alone have the legitimacy to make decisions in a democracy. They fear a form of competition in a context of general weakening of the democratic institutions.

Sandrine Rui, Ilaria Casillo and Yves Sintomer, however, temper this judgement by noting that there have nevertheless been some changes in perceptions and norms over the last 30 years: it is no longer possible to imagine an elected politician saying that there is no need to listen to citizens. Similarly, a participatory event on the scale of the Citizens' Convention on Climate would have been unimaginable 20 years ago. On another note, although it is true that there is a minority of elected representatives who are driving forces in promoting these mechanisms, Ilaria Casillo regrets that this acceptance is only part of a discourse where the main idea is to rebuild ties. She calls this a "medicinal" vision of participatory democracy, one where it is reduced to a series of tools and seen merely as a way of curing the illness of abstention and mistrust of elected representatives.

Loïc Blondiaux also regrets that there has not been a realisation and deeper awareness of the fact that citizen participation could reinforce the legitimacy of representation, along the lines of the model that the "intermediate bodies" (trade unions, employers' associations, NGOs) participating in the CESE intuitively developed by promoting the citizens' conventions, thereby guaranteeing their survival. The conflict of legitimacy between elected representatives and citizens is strongly felt on both sides, the problem being that a multiplication of experiments with participation with no clear outcomes or influence risks jeopardising the very idea of participation in France. Indeed, even with a particularly innovative initiative like the Citizens' Convention on Climate, and in spite of all the publicity around this event, the government still felt entitled not to take account of the recommendations. The disillusionment caused by that refusal was perceptible, for example, in the citizens who agreed to take part in the Citizens' Convention of the End of Life held in 2022-2023, who were already much more critical of this mechanism. Ilaria Casillo thus makes the point that citizens are now demanding

not so much the right to participate as that to have a greater say in the decision-making process itself.

Yves Sintomer adds that the governments of the current French President, from this point of view, are pursuing a contradictory policy. The best example lies in the contrast between the experience of the Citizens' Convention of the End of Life organised at the beginning of 2023, a process that had its limits but also an indisputably serious side, at the very time when the pension reform was being pushed through against the will of all of the workers' trade unions, the majority of public opinion, the huge demonstrations by opponents in the streets and even the majority in Parliament. Likewise, Macron organised the Citizens' Convention on Climate but rejected the institutionalisation of the "Citizen-Initiated Referendum" also demanded by the Yellow Vests.

Loïc Blondiaux points up a bloated executive and presidential power and the institutional copycatism that leads to this mode of functioning being reproduced at every local level, from the municipality to the Department to the Region, with a president and their executive who are all-powerful and spaces for deliberation that remain extremely restricted. The paradox here is that there can only be participation with the agreement of the executive. The existence of ambitious policies on participation also starts with the political will of a leader. At national level we saw this with the citizens' convention, which only came about on the say-so of Emmanuel Macron and his commitment to putting its result "without a filter" to a direct vote, but the same thing can be seen in the cities: municipalities that have a high level of participation in their decision-making circuits owe it to mayors who have made a strong commitment (Kingersheim, Grenoble, Poitiers, Paris, etc.). Yves Sintomer adds that too often, still, the departments that are in charge of citizen participation remain marginalised within the administrative structure of local authorities. However, this is not always the case. For example, the Department of Seine Saint-Denis has just integrated participation into a bigger department covering equality and citizenship in general, which is itself attached to the Human Resources and Modernisation division. On a more ambitious scale, the city-metropolitan district of Nantes has adopted a "metropolitan citizenship pact" which is supposed to instil a new systematic and across-the-board participatory dynamic into the authority's different departments.

5. Approaches to Citizen Participation in Civil Society and among Citizens

How is citizen participation perceived today by the actors of civil society and by citizens? Although we observe that there is a sizeable and dynamic activist sphere (Démocratie Ouverte, Décider Ensemble, Institut de la Concertation, etc.), and opinion surveys show that a large majority of the population is in favour of the development of participatory democracy, it is also true that a certain disillusion and a feeling of growing exhaustion among associations and citizens is diagnosed by the experts interviewed. Sandrine Rui thus observes that from the middle of the 2010s, a substantial proportion of citizens started to gradually turn away from the participation mechanisms and to move towards direct action, and participatory democracy itself is now contested in some quarters. These out-of-the-framework experiments claim not only to debate, but also answer a more and more pressing need for action. As demonstrated by Selma Tilikete, Yves Sintomer adds that the field of Sciences and

Technology in Society (STS), along with the practitioners who were actively involved in trying to develop participation in the science and technology field, has also largely disengaged from institutional participation, so badly have public policies failed to keep up with the need to tackle the climate crisis.

The larger non-profit organisations, especially in the environmental field, are also expressing their weariness with the institutional participatory mechanisms more and more often, even while they find themselves more and more overwhelmed and left behind by new forms of protest. Ilaria Casillo mentions that they no longer lend any credence to these initiatives and that it had been difficult to get any of the NGOs to take part in the last public debate organised by the CNDP on nuclear power. Such distrust is appearing even at a time when these non-profit organisations are going through a sort of crisis of intermediation themselves, as Sandrine Rui points out. These organisations often find themselves caught in the crossfire between citizens and activists wanting rapid action on one side and the institutions, which have also designed these participatory mechanisms to modulate and nuance the positions of these organisations in the face of other points of view on the other. However, Yves Sintomer notes that some radical non-profit bodies such as OXFAM France and ATTAC France include in their demands the creation of citizens' assemblies drawn by lot, and that at local level, a significant portion of the non-profit and voluntary sector do get involved in institutional participatory mechanisms when they are implemented seriously. What is missing, however, is a dynamic of community organising, as practised in the USA or in many countries in the Global South: a dynamic that consists of helping to empower the lower strata to organise autonomously and take action. In France, the fear of countervailing powers and also the more paternalistic culture of a number of non-profits and NGOs, constitute major obstacles, as has been highlighted by researchers like Julien Talpin and Marie-Hélène Bacqué.

More generally, Loïc Blondiaux points out that quantitative surveys of the French population show that there is a real aspiration for more participation whilst also observing the emergence of a more and more critical view of the mechanisms already at work, with the suspicion that everything is decided in advance. He agrees with Yves Sintomer that it is the citizen-initiated referendum that remains overwhelmingly popular, rather than systems involving selecting participants by drawing lots. This direct democracy mechanism, which enables citizens to request a referendum without going through the French President or Parliament, emerged as an important demand of the Yellow Vests movement.

Yves Sintomer also highlights the development of consultancies made up of participation professionals who are developing genuine expertise on the subject as well as a strong form of political ethics. ResPublica and Missions Publiques are among the consultancies most respected on this subject at European level. However, numerous other organisations are motivated by mainly commercial imperatives, and, what is more, do not possess a sufficiently solid body of expertise in the field of participation.

6. Main Challenges and Obstacles

For the experts interviewed, the future of citizen participation in France looks either grim or uncertain. For Loïc Blondiaux, approved by Yves Sintomer, even if there is an overall picture that looks quite dynamic with a multiplication of professionals and the emergence of a

real “market” for participation, the general political momentum in France is going in the other direction. Thus, the regression of fundamental freedoms, the extension of repressive law enforcement measures and the emergence of a world view more and more marked by the extreme right are undermining the possibilities for a political environment favourable to participation. The political parties no longer look like reliable relays for demands for participation, and the rare plans for constitutional reform never give this issue a central place. In addition, the institutionalisation of participation in France remains fragile and still depends to a very large extent on the short-term strategies of political decision-makers, who always have the risk of being voted out of office at the next election in mind.

As for Ilaria Casillo, her main point is that participatory democracy cannot resolve the crisis in representative democracy and serve as a “medicine” to cure it, for the problem of trust in representative democracy can only be dealt with by taking action on the representative bodies themselves. For her, participatory democracy is an evolution of contemporary democracy, but when the aim is to tackle the problem of representation and trust, we have to look first and foremost at the political parties and the trade unions to rethink politically what it means to represent, that is to say we have to leave the field of participatory democracy and focus more on a reflection on the representative institutions.

Sandrine Rui, for her part, believes that the growing place occupied by the CESE would be a first way of attaching participatory approaches to a Chamber of the Republic, and in particular to social democracy. She sees here a potential avenue in a way of designing the forms of citizen participation in connection with the forms of social participation of the trade unions, the “intermediate bodies” and organised civil society. Although the first citizens’ convention on the climate did not have the hoped-for outcomes, it nevertheless showed that it was possible to debate complex questions in what was in the end quite a short space of time. More proactive recourse to these mechanisms by politicians remains desirable and does not fundamentally go against the requirements for efficacy and celerity.

Yves Sintomer, for his part, strongly disagrees with Ilaria Casillo’s argument, which seems to be too marked by the logic of the institution she heads, the CNDP, which is purely consultative and not intended to be a representative body. The representation/participation dichotomy is being played down in the literature more and more, but is also becoming more relative in practice as the example of the Citizens’ Convention on Climate demonstrated, when it behaved like a new representative assembly, within the limits of this experiment. More generally, assemblies and panels drawn by lots constitute a new form of political representation, and cannot be categorised simply as participation mechanisms.

Finally, the articulation between participation and decision-making remains a major and complex obstacle, one that is frequently brought up by all the experts. As long as this issue is not dealt with, the institutions will see frustration with these mechanisms grow and citizens desert them, driven to act and coordinate outside of the established frameworks. Ilaria Casillo would therefore like to see a more codified, better clarified and more concrete system of accountability, without which the risk would be to “get people talking more the better to keep them quiet”. She also insists on the need to build more bridges with non-institutional mechanisms, while Loïc Blondiaux calls for a true mobilisation to prevent a general backsliding of participation in France. Yves Sintomer agrees with the two previous experts and argues that in the absence of large-scale reform of the institutions, to include a strong participatory dimension and the creation of new forms of citizen representation, some quite dark

scenarios for French democracy risk becoming a reality. From this point of view, the challenge represented by the Anthropocene and the environmental crisis, which could not be taken into account when the electoral political regimes were founded, is a huge one. How to represent non-humans and future generations? How to switch the political institutions over to a long-term vision instead of short-term electoralism? These are questions that are being asked far beyond France, but the particularly strong mistrust of the political system in this country makes them even more burning issues here.

7. Authors

Lionel Cordier is a postdoctoral researcher attached to the CNRS and the CRESPPA laboratory. He is currently working with Yves Sintomer on the European PHŒNIX project relating to the use of democratic innovations in the context of the implementation of the European Green Deal. He completed a doctoral thesis in political science on the Icelandic democratic crisis of 2008 and has also worked on borealism and representations of Nordic whiteness, as well as the emergence of the Icelandic Pirate Party after 2012.

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