



**University of Limerick**

**Ollscoil Luimnigh**

**Increased and deepened civil society participation in local governance in Ireland? A case study of one local authority**

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**Abstract:**

This dissertation will assess the nature of civil society engagement with structures of local participatory governance in Ireland. Since the introduction of ‘Better Local Government’ in 1996 there has been an increased opportunity for civil society actors to participate in local governance. This project attempts to analyse the extent to which structures of participatory governance such as the Housing SPC, JPC and LTACC have increased and deepened civil society engagement in local government with reference to important issues such as participant selection, agenda setting, communication, decision-making and bureaucratic responsiveness.

Similar studies have tended to focus on a particular structure of participatory governance (Callanan 2005). This study, however, seeks to explore the reality of participatory governance through an in depth case study of one local authority. The location of these structures within local government places considerable responsibility on behalf of senior officials to facilitate civil society involvement. In this regard, the ethical perspective and conduct of officials is crucial in assessing the functioning of structures of participatory governance and role of civil society. It appears that despite the increased range of civil society voices in local governance participation has not been deepened. This is a consequence of the limitation of the structures, the conduct of senior officials as well as problems within civil society which is not always capable of more sustained engagement in local governance.

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I dedicate this dissertation to my family. I am grateful for your support and advice throughout my education.

**Author's Declaration:**

I hereby declare that this project is entirely my own work and that it has not been submitted for any other academic award or part thereof, at this or any other educational institution.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **List of Abbreviations**

**BLG:** Better Local Government

**CDP:** Community Development Programme

**DOE:** Department of Environment, Heritage and Local Government

**DOJ:** Department of Justice and Equality

**EAPN:** European Anti-Poverty Network

**EDD:** Empowered Deliberative Democracy

**EEC:** European Economic Community

**EU:** European Union

**HSE:** Health Service Executive

**ITM:** Irish Traveller Movement

**JPC:** Joint Policing Committee

**LTACC:** Local Traveller Accommodation Consultative Committee

**NPM:** New Public Management

**NESC:** National Economic and Social Council

**NESF:** National Economic and Social Forum

**PESP:** Programme for Economic and Social Progress

**TAP:** Traveller Accommodation Programme

**TAO:** Traveller Accommodation Officer

**SCC:** Senior Citizen Council

**SEO:** Senior Executive Officer

**SMI:** Strategic Management Initiative

**SPC:** Strategic Policy Committee

# **Chapter One**

## **1.1 Introduction**

Civil society participation is regarded as beneficial to public policy and governance but has significant implications for the traditional role of administrators and political elites (OECD 2009, Government of Austria 2011). The introduction of ‘Better Local Government’ in 1996 and the subsequent implementation of the Local Government Act 2001 has provided a space for the inclusion of civil society and citizens in local governance through formalised structures of participation such as Strategic Policy Committees, Local Traveller Accommodation Consultative Committees and, more recently, Joint Policing Committees.

It is necessary, however, to examine the extent to which the creation of these processes has increased and deepened civil society engagement in local governance. Deepened participation can be defined as a more sustained and direct involvement in governance, for example, the ability to agenda set and impact policy outcomes. The following project will assess the reality of civil society participation in a case study of one local authority through original qualitative data, local authority documents and a theoretical framework drawn from participatory and administrative theory.

## **1.2 Rationale of Study and Research Question/Hypothesis**

Local government in Ireland has seen widespread reform in an attempt to increase its capacity, efficiency and responsiveness. Since 1996, local authorities in Ireland have implemented new structures of participatory governance which offer an expanded role for civil society actors. Whether advisory or decision-making, the creation of structures of participatory governance has clear implications for local government and the traditional role of administration and political elites. It is worthwhile to evaluate to what extent civil society engagement has increased and deepened since the creation of these structures. Although

designed nationally the three structures subject to analysis are administered and facilitated by local authorities. The conduct and disposition of senior local authority officials, therefore, who have considerable responsibility and autonomy in responding to the participation of ‘external actors’, is important in making this assessment. The recent creation of the JPC means there has been little academic study of its operation to date and it is worthwhile to assess the functioning of the JPC in its relative infancy.

The research question seeks to assess the extent the creation of structures of participatory governance at the local level in Ireland increase and deepen civil society participation in governance. It is possible to distinguish between ‘increasing’ and ‘deepening’ citizen/civil society participation. Increased participation allows ‘growth in the numbers involved in political participation’ (Smith 2005, p.17). Deepened participation is defined as ‘any change which allows a more direct, sustained and informed participation by citizens’ (ibid, p.18). The hypothesis of this dissertation is that despite the expanded range of voices in local governance that civil society participation has not been deepened.

### **1.3 Research Design**

This project is a detailed case study of civil society participation in one local authority. Due to the constraints of an MA dissertation, a case study approach was more manageable and achievable than a focus on a number of different local government institutions. A case study is beneficial as it can provide an in depth and detailed study of phenomena in its real life context and represent the world of the phenomena to be assessed (Yin 2003). The study of three different structures of participatory governance helps to increase the project’s internal validity and is more representative of the reality of participatory governance within the local authority (ibid). A case study relies on ‘analytical generalisation’ not statistical generalisation, in which the researcher is trying to generalise a

set of results to a broader theory (Yin 2003, p.37). This case study will engage in analytical generalisation in a design with three analytical units in one geographic location. For example, the analytical units are three structures of participation of in one zone of local governance (McInerney and Adshead 2010).

Using deliberative and participatory theory to construct a theoretical framework the thesis will engage in a theory testing or applying approach to evaluate civil society participation with research data from original interviews and local authority documents. This study does not analyse one structure of participatory governance but instead attempts to analyse the experience of civil society involvement in local governance within the local authority. This design can assess the institution's response to participatory governance and potentially find parallels in the response of officials and the experiences of civil society actors' across the different structures.

The selection of informants in qualitative research is purposeful and not random (Cresswell 1994). The selection of interviewees was made on the basis of their role in local governance. Eleven semi-structured interviews or 'guided conversations' were conducted with two senior local authority officials, a senior representative of An Gardaí Síochána, three elected representatives and five civil society representatives, some of whom answered followed up questions through email (Ying 2003, p.90). Qualitative research which attempts to capture the beliefs, behaviour and motivations of the actors involved can provide an important insight into the reality of participation (Hennink et al 2011). The frankness of participants resulted in a considerable volume of data which has been condensed and edited due to the constraints of the dissertation word count. In truth, the interviews revealed a large number of issues not all of which could be included in the final project.

Attempts were made to strengthen the internal validity of the study through the gathering of multiple sources of evidence. It is argued a finding from a single case study is more robust if based on different information sources and subsequently triangulated (Yin 2003, p.99). Therefore, in addition to interviews, the study will make reference to academic secondary sources; local government documents such agendas and minutes of relevant meetings and national government documents, for example Joint Policing Committee (JPC) Guidelines. Agendas and minutes of meetings can help to verify the contributions of the interviewees, identify the range of issues discussed as well as any committee outcomes.

In summary, this thesis will engage in an in depth case study of participatory governance in one local authority with the aid of qualitative primary research data gathered from eleven interviews. In the subsequent chapter the theoretical justification for civil society involvement in governance and the theoretical framework used to analyse the data will be explored.

## Chapter Two:

### 2.1 Literature Review

The purpose of this chapter is to explore the theoretical rationale for greater civil society participation in governance. Participation is regarded as a feature of substantive democracy, where citizens can participate directly in decisions which affect their lives (Luckham et al 1999). There has been an increased opportunity for citizen and civil society involvement at the local level as society has experienced a shift from government to governance. This literature review will outline different forms of participatory theory, discuss issues surrounding the inclusion of civil society in governance, its potential benefits and concerns as well the implication of increased participation for traditional administration and democracy. Finally, the theoretical framework used to analyse the practice of participatory governance in this study will be discussed in detail.

#### *Modern Democratic Theory*

By the late twentieth century a particular form of democracy became universal in western society with constitutional frameworks of representative elected government, adult suffrage and the right of citizens to form and participate in independent political associations and interest groups (Dahl 1994; Fung and Wright 2001; Pateman 1970). Modern democratic theory focused largely on the election of leaders or minority elites by voters as the mass participation of citizens was seen as potentially harmful to democracy. In *A Preface to Democratic Theory*, for example, Dahl argued lower socio-economic groups were both the least politically active and most likely to hold authoritarian tendencies. Instead, Dahl equated political equality with universal suffrage (Dahl 1956).<sup>1</sup> Schumpeter advocated electoral competition for political leadership and in *Capitalism, Socialism and Democracy* his negative

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<sup>1</sup>Later, however, Dahl acknowledged that modern representative democracy is often skewed in favour of the dominant interests of society (Dahl 1994).

attitudes toward mass participation are evident, writing ‘the electoral mass is incapable of action other than a stampede, so that it is leaders who must be active, initiate and decide’ (Schumpeter 1943, p. 283).

John Stewart Mill maintained citizen participation in local government could strengthen the national liberal democratic system, which could not allow every citizen to seriously expect to influence national policy. In this liberal perspective local political participation served as a means to build respect for the democratic political system and to educate and develop future national leaders (Mill 1975). Contemporary democratic theory, therefore, largely regarded the participation of minority elites as essential and the non-participation of ordinary citizens as an effective bulwark against political instability (Pateman 1970, p. 104). However, in contrast to traditional representative democracy, a participatory society, argues Held, fosters ‘a sense of political efficacy nurtures a concern for collective problems and contributes to the formation of knowledgeable citizenry capable of taking a sustained interest in the governing process’ (Held 1987, p. 269).

There are a number of different and contrasting forms of participatory democracy. Deliberative theorists, for example, argue the essence of democratic legitimacy is not voting but the ability of those affected by a collective decision to deliberate in the creation of that decision (Dryzek 2000; Barber 1984). Deliberation involves discussion, problem solving and the exchange of arguments as individuals are obliged to justify their opinions, become willing to change preferences and propose solutions (Dryzek 1996; Teague 2006). Deliberation, it is argued, can enable participants to learn more about policy-making and result in more legitimate and better thought out decision-making created through collaborative and joint action (Teague 2006; Dryzek 1996). Participants involved in deliberation are not entirely self-interested but instead are encouraged to consider issues from the perspective of the common good (Young 1996).

Associative democracy, meanwhile, emphasises the role of associations in governance. Associative democracy is not a uniform concept and emphasises divergent perspectives on the role of associations. One model maintains associations can represent poorer citizens and make steps towards the realisation of greater political and economic equality (Cohen 1996). Associations, therefore, can contribute to the tackling of societal problems in particular those experienced by marginalised sections of society. Other advocates of associative democracy refer to the role of associations as part of a robust and vibrant civil society which does not necessarily participate in processes of governance but rather serves as a check and balance on government behaviour and power (Gaventa 2006).

Empowered Deliberative Democracy (*EDD*) attempts to place ideal deliberative and participatory theory within real structures of governance (Fung and Wright 2001). Drawing on real-life experiences in Brazil, India, and the United States, *EDD* is concerned with the resolution of specific societal problems, the active participation of those affected by such problems and the use of deliberative processes to solve them (Fung and Wright 2001, p. 17). To be effective and worthwhile, however, deliberation must take part in decision-making arenas where there is a need for a genuine balance of power between participants as well as an absence of domination from political and societal elites in the deliberative arena (*ibid*, p.23).

### *Concerns with Representative Democracy*

The increased demand for citizen and civil society participation has emerged in part due to concerns with the representative model of democracy which is subject to a variety of criticisms. For example, representative democracy is not always inclusive of all societal groups and the formal promise of democratic equality may mask the exclusion and even oppression of some groups (Dryzek 1996). This sentiment is echoed by Held who argues that

‘the formal existence of certain rights is, while not unimportant, of little value if they cannot be genuinely enjoyed’ (Held 1987, p. 291).

A liberal view of politics conceptualises the democratic process as primarily ‘programming’ the government in the general interest of society, where elected government is run through public administration and society through the market-based competition between individuals (Habermas 1996, p. 21). Modern democracy therefore is ‘self-programming’ in which citizens choose representatives through elections in a society that demands little from citizens apart from voting (Kelly 2004). This is also criticised as ‘diminished democracy’ in which citizens have lost connection to political life now the almost exclusive terrain for professional political groups (Skocpol 2003).

Young, meanwhile, distinguishes between deliberative democracy and what she describes as the ‘interest based model of democracy’ (Young 1996). In this model, citizens express preferences and demands predominately through the ballot box.<sup>2</sup> This corresponds to democratic practice in most of western society and can have an effect on the legitimacy of democracy as citizens become detached from politics (Kelly 2004; Schmitter 1994). Elections as a means of democratic accountability is also subject to criticism and it is argued that democratic institutions are often weak while the influence of private lobbying and contributions to political parties weaken the effectiveness of elections as a constraint on governing elites (Ackerman 2003). In a critique of the British party system modern politics is said to be blighted by an ‘anti-political culture’ in which political actors have lost confidence in their own capacity to govern and delegated considerable power to non-accountable institutions (Hay and Stoker 2009, p. 227).

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<sup>2</sup>Further, the goal of democratic decision-making is to ‘decide what leaders, rules and policies will best serve the greatest number of people’... and where ‘interest groups determine and vote for policies that will best serve their own perceived interests’ (Young 1996, p.120-121).

Patterns of traditional partisan identifications and trust in political institutions appear in decline with citizens increasingly disaffected, cynical and sceptical of the 'professionalization' of politics (Schmitter 1994, p.68). Empirical studies on the attitudes of voters to democracy, for example, show a public more distant from political parties, less positive toward government and more critical of political elites and existing democratic institutions (Dalton 2004). Norris refers to the emergence of the 'critical citizen', one who values democracy but is dissatisfied with the performance of modern representative government (Norris 1999b, p. 269). Increasingly the debate surrounding democracy centres on ways to make it more inclusive and substantial (Schmitter 1994; Dryzek, 1996; Hay and Stoker 2009; Kelly 2004). One possibility is the combination of robust participation and traditional representative democracy (Pateman 1970). To ensure improved democratic accountability, argues Ackerman, a 'full inclusion of citizenry as a whole in the core activities of government' is necessary (Ackerman 2003, p.459).

#### *Problems with bureaucracy and administration*

In addition to concerns with traditional representative democracy, there are also problems with traditional administration and bureaucracy (Cornwall 2002; Kelly 2004; Vigoda 2002). Bureaucracy is based on hierarchy with the concentration of power in the hands of senior officials, formal structures with clear rules, regulations and few channels of communication between officials and citizens (Vigoda 2002). This appears to be at odds with greater collaboration between governors and civil society. The modern state is regarded by some as bureaucratic, rule-bound, and hierarchical and closed off to feedback. Consequently, modern society and government is 'instrumentally rational' and treats citizens as objects to be 'processed' and 'controlled' (Kelly 2004, p.40-41).<sup>3</sup> Government is often caught in a

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<sup>3</sup> There are forms of rationality that do not constrain citizens. When human beings communicate with each other they use 'communicative rationality', based on consensus in which they attempt to understand each other (Kelly 2004, p.41).

dilemma as it looks after the welfare of its citizens in ways citizens do not find legitimate (ibid, p.43).

Kelly advocates reconceptualising administration as a normative and deliberative practice which can reconnect the public with administrators (Kelly 2004, p. 59). In this process, public policy can in part be constructed by an active citizenry engaging in collaborative government. Finally, Habermas argues for a society in which deliberative democracy connects the public and administration in a way that both respects individual rights and creates communicative procedures in which society can steer or counter-steer administrative power (Kelly 2004, p.48). For example, here citizens do not ‘control’ the state, something unrealistic in a technologically advanced society, but instead indirectly steer the administrative state through communicative power thus making policy decisions more acceptable to citizens by limiting the range of illegitimate decision-making (ibid).

#### *Complex nature of governance*

The nature of governing society has changed in recent decades. Due to budget constraints governments often do not have sufficient resources to tackle complex societal issues adequately and seek a greater variety of actors to resolve them. As a result, the state or traditional bureaucracy does not possess the same level control over decision-making as the number of non-governmental actors in governing has increased (Rhodes 2007; Wilkinson 2005; Dahl 1994). It is clear that society with a growing array of policy networks and partnerships has experienced a shift from government to governance. For example, governors have been proactive in involving those charged with the delivery and provision of social services and the citizens affected in the creation of social policy and schemes of urban regeneration (Boydell and Rugkasa 2007, p.219; Vázquez et al 2008; Adshead 2003). The

proliferation of policy networks and partnerships has led to an increased opportunity for civil society participation in modern governance particularly at the local level.

Increased citizen and civil society participation alters the traditional roles of administrators, political elites and citizens in governance (Bryer 2007; Callahan 2007). For example, the traditional role of the administrator as ‘expert, implementer and ruler’ is shifting as is the traditional role of the citizen as the ‘client, voter, and customer’ (Callahan 2007, p.1186). Current public administration is characterised by a tension between the traditional treatment of citizens as customers and the increasing need to collaborate with them as partners (Vigoda 2002). It is argued that to incorporate greater participation in modern governance public administration must evolve from ‘technical-rational’ to a ‘citizen participatory’ culture (Bryer 2007, p.445). Moreover, the shift from government to governance has created numerous structural problems for elites to solve. Good participatory process management is required to ensure effective outcomes and relationships between stakeholders and elites as the design of a structure supports the subsequent interaction of participants (Edelenbos and Klijn 2005). Participatory processes must be well designed and maintain a degree of flexibility. Good process design and management is evident in participatory structures at the municipal level in Holland (Guertz and van de Wijdeven 2010; Michels and De Graaf 2010).<sup>4</sup>

Processes of participatory governance now involve networks and partnerships that may not be inclusive of society and accountable to citizens and elected politicians (Sorensen and Torfing 2008; Hay and Stoker 2010). To be considered more democratic network governance arrangements should be ‘metagoverned’, or accountable to elected politicians, representative of the wider community, and subject to effective scrutiny by citizens (Sorensen

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<sup>4</sup> For a more detailed discussion of participatory governance in Holland and Denmark please consult Appendix A

and Torfing 2008, p. 244). However, with a desire to improve the efficiency of public policy-making, governance networks including partnerships often have problems in terms of democratic legitimacy and accountability (Pierre and Peters 1998; Sorensen and Torfing 2008). The balance between representativeness, accountability and efficiency may be difficult to achieve. The more democratic, open and inclusive governance networks are the less efficient they can be in practice as the increased range of voices can restrict the ability to construct policy or reach consensus on contentious issues. Closed and less democratic networks with like-minded and experienced participants may be the most efficient and profitable arrangements as they involve fewer stakeholders and less diverging interests (Sorensen and Torfing 2008, p.253).

#### *Benefits of Participation*

Participation is increasingly regarded as a mechanism to address the democratic deficit of traditional representative institutions and to force political elites to listen to the concerns of citizens (Callahan 2007; Cornwall 2002; Fung 2006) In addition, increased civil society and citizen participation in governance is beneficial to democracy and public policy through increasing the legitimacy of policy-making, feelings of justice, and the effectiveness of public policy (Fung and Wright 2001; Fung 2006, p. 74). Acting in concert with representative democracy it has the potential to increase the legitimacy and effectiveness of governance, as well as improve democratic decision-making, accountability and public policy (Fung 2006; OECD 2009; Pateman 1970). For example, citizens' local knowledge and commitment is now regarded as an instrument to overcome failures in traditional representative institutions and bureaucracies (Fung and Wright 2001; Fung 2006; Beck 1992). The increased role for citizens and civil society can enhance democracy through the inclusion and participation of disadvantaged and marginalised groups (Fraser 1990; Dryzek 1996). Active civil society participation in co-governance can also make administrators and

executives more accountable as societal actors can demand governors to account for their decision-making or wrongdoing (Ackerman 2003). For example, the vast majority of public officials and bureaucrats may not be directly accountable to the public through traditional processes of representative democracy. Thus increased participation can provide improved ‘horizontal accountability’ (ibid).

### *Concerns with Increased Participation*

There are a number of relevant concerns regarding participation and deliberation, however (Dahl 1994; Papadopoulos 2003; Mutz 2006). Dahl maintains it is unrealistic to expect extensive citizen inclusion on decisions that affect their lives (Dahl 1994, p.32).<sup>5</sup> Others argue the demands of deliberation can often pose high and unrealistic demands upon citizens (Mutz, 2006 p. 32). Advocates of deliberation recognize issues of concern with the deliberative method. Dryzek acknowledges it is time consuming and demanding and because of this not all issues should be subject to deliberation (Dryzek 2000). Citizen participation at the local level can also result in ‘nimby’ syndrome where self-interest dominates the agenda (Papadopoulos 2003, p.481).

The realisation of effective participatory democracy may be made difficult by the asymmetry of information between citizens and their inability to communicate effectively with fellow citizens in comparable circumstances (ibid). Processes are also in danger of being dominated by elites within communities particularly those who already possess technical knowledge or are more comfortable with political discourse and/or have prior experience of formalised meetings (Lowndes et al 2001b; EAPN 2011). This could lead to elitism or technocracy as small groups of self-interested yet powerful actors dominate others in political competition (Garcia 2007, p. 751). Administrators in England, moreover, have described the

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<sup>5</sup> Although he does believe participation on small scale issues could be enhanced

delay in decision-making by adding extra stages to the bureaucratic process and additional financial costs as problems to be overcome (Lowndes et al 2001b).

Past practice underlines a number of barriers to realising effective participatory governance. A report for the '*POWER Inquiry*' in Britain entitled '*Beyond the Ballot*' highlights the lack of incentives for citizens to participate, a lack of awareness about opportunities to become involved and scepticism about the effectiveness of participation (Smith 2005, p.106). The report also highlights institutional barriers to effective participation citing poorly executed structures, elite resistance to citizen and civil society involvement, a lack of dedicated resources and an absence of cultural change within governance institutions (ibid).

A report of a United Kingdom Participation Working Group (*National Country Report for Ireland in the Study of the Stakeholder*) outlines some measures to encourage more effective participation. The report advocates being clear and consistent about the process, taking time to develop shared understandings, not expecting actors to take part in cosmetic processes, clear communication between participants and officials, and avoiding the use of jargon (EAPN 2011). Public managers may also have to show imagination and commitment not to deter the public but to convince potential participants that the process is beneficial and worthwhile. In short, the task for managers and administrators is often one of recruitment not selection (Burton 2004).

There is no uniform method or design of participatory structures in modern governance and their level of authority can vary significantly. Structures can be advisory, co-governance or exercise direct authority (Fung 2006). '*Beyond the Ballot*' identifies five distinct categories of participation, ranging from consultation, deliberation, direct democracy, e-democracy, and co-governance (Smith 2005). In a theoretical ladder of eight levels of

citizen participation Arnstein places citizen manipulation by elites at the bottom and citizen control at the top (Arnstein, 1969). Timney, meanwhile, presents three categories, active, passive and transitional participation. In ‘active participation’ citizens and civil society are in control while in ‘passive participation’ non-elite involvement is a cosmetic exercise. Finally, in the ‘transitional’ paradigm power and control is divided between non-elites and administrators (Timney 1998).

## **2.2 Combined Theoretical Framework**

Having set the broad theoretical landscape for civil society participation it is necessary to focus on a number of key theoretical elements to assess the data gathered. This combined theoretical framework is drawn from the work of Bryer, Fung and Smith, and concerned with the following issues: Agenda Setting; Participant Selection; Modes of Communication; Extent of Decision Making and Bureaucratic Responsiveness. This framework can help analyse the experience of civil society representatives and determine the extent to which increased and deepened participation is present in the case study.

The combined framework of participatory theory and bureaucratic responsiveness is important as the situation of participatory structures within the remit of the local government makes the conduct of officials and political elites important to the functioning of each mechanism. For example, to better manage and facilitate participatory or collaborative governance mechanisms officials may have to incorporate a new culture of responsiveness, be amenable to new ways of governing, and balance the demands of civil society with existing political rules norms and practices.

Civic engagement and civil society participation has the potential to both increase and deepen wider society’s involvement in governance. Increased participation is defined as any ‘growth in the numbers involved in political participation’ (Smith 2005, p.16). The selection

mechanism of a structure is one way to evaluate increased participation. According to Smith, the selection mechanism can be open or restrictive. For example, open selection mechanisms can include all citizens as well as provide an opportunity for marginalised groups to participate (ibid). In Fung's *Democracy Cube*, participant selection is more exclusive or more inclusive. More exclusive selection refers to the prominence of officials, elected representatives and professional or lay stakeholders. A more inclusive mechanism, however, has open recruitment, open self-selection and citizens from the 'diffuse public sphere' (Fung 2006, p.71).

Deepened participation, meanwhile, refers to 'any change which allows a more direct, sustained and informed participation by citizens' (Smith 2005, p.18). Two key aspects of deep participation are initial agenda-setting and final decision-making. According to Smith, agenda setting is important because power is often exercised through the prioritisation of certain issues over others (ibid). Further, an inability of civil society to set the agenda of a structure can limit its potential to be a key actor or equal partner. Unequal agenda setting ability may also lead to conflict between participants as issues relevant to some actors are not discussed.

Deepened participation and agenda setting is connected to the dominant mode of communication which measures how participants interact and converse. Participation, therefore, is measured as 'least intense' to 'most intense' (Fung 2006). In least intense participation, actors have no expectation of influencing agendas or policy and instead take part to 'derive the personal benefits of edification or to fulfil a sense of civic obligation' (ibid, p. 69). In this form of participation officials commit only to receiving and hearing the views of those involved as participants largely receive information, and perhaps express preferences. Alternatively participants could engage in agenda setting and deliberation as they discuss and explore issues through intense dialogue. In deliberation and negotiation, a

form of most intense participation, participants deliberate to decide what they want individually and as a group. Here participants can engage with literature and policy material, exchange perspectives and reason with each other to develop views and reach consensus (ibid, p.69).

The second aspect of deepened participation is the role of civil society in decision making. According to Smith, decision-making measures the extent to which civil representatives can influence the final decision on the policy or issue discussed (Smith 2005, p. 17). For Fung, the 'Extent of Authority and Power' relates to the influence of participation and ranges from 'least authority to most authority' (Fung 2006, p.70). Key questions include do the decisions participants make become policy or have participants any expectation of influencing policy outcomes? (ibid).

Civil society's role in participatory governance can be influenced by the disposition and response of officials and political actors as, according to Smith, elite resistance to participation is a potential barrier to effective participatory governance (Smith 2005). Bryer distinguishes between three ethical perspectives within administration, 'control-centred', 'discretionary' and 'deliberative'. In control-centred ethics political decision-making is restricted and the scope of administrators to act freely is limited by rules, regulations, organisational structures, leadership and authority structures (Bryer 2007, p. 483). As a result, the subsequent responsiveness of administrators to participants exhibits 'constrained' and 'dictated' behaviour. Dictated responsiveness is the extent to which politicians and senior administrators influence and control the direction of administrative thought and action while constrained responsiveness is the degree to which administrative action and behaviour is limited and moulded by established rules, norms, cultures and structures (ibid).

Cultural change within administration is crucial to the realisation of deepened participatory democracy such as shared decision making and deliberation (Smith 2005). This can be facilitated through a deliberative administrative culture or ‘collaborative’ and ‘negotiated’ responses on behalf of officials (Bryer 2007). A negotiated response is the extent to which administrators seek a balance between multiple and potentially competing demands with administrators making policy according to the consensus of stakeholders. Both types of responsiveness incorporate a deliberative ethical perspective in which elites are amenable to communication with non-elites and new ways of governing (ibid).

This is complicated, however, as administrators may be open to deeper participation but restricted in their ability to act freely and openly and interpret their environment (ibid). The ability of civil society to agenda set and engage in decision making therefore may be stymied by the constraints of existing political rules or bureaucratic norms. For example, as citizens and civil society collaborate directly with public officials, choices of responsiveness are often made more complicated as collaboration with stakeholders must be balanced with existing political obligations and environments, such as political masters, rules, and professional norms (Bryer 2007). Administrators can be torn between direct responsiveness to the interests and demands of participants and internal responsiveness to other ethical obligations that both guide and restrict behaviour (ibid).

This chapter explored the theoretical rationale for increased civil society participation in local governance and outlined a more focused theoretical framework to analyse the extent to which participation is increased and deepened in the area of case study. In the next chapter the development of the governance landscape in Ireland will be discussed.

## **Chapter Three:**

### **Shift from Government to Governance in Ireland**

The purpose of this chapter is to explore the development of the governance arena in Ireland at both the national and local level. A further aim is to situate the presence of local governance structures such as Strategic Policy Committees, Local Traveller Accommodation Consultative Committees and Joint Policing Committees in a wider political, cultural and historical context. This chapter will, firstly, discuss the shift from government to governance and identify the key reforms which created the space for civil society participation in local governance, and secondly outline the structure of local government in Ireland, its historical weakness and lack of autonomy. Finally, the origin and function of the three local governance mechanisms subject to analysis in this dissertation will be discussed.

#### **3.1 Influence of Social Partnership**

The shift from government to governance in Ireland at the national level witnessed the inclusion of new groups of actors in political decision-making (Adshead 2010). Facing difficult economic circumstances and political instability in the late 1980's the minority Fianna Fail government sought an inclusive and consensus based approach to economic recovery. 'Social Partnership', a tri-partite or corporatist arrangement between government, unions and business groups, sought to build on the work of the National Economic and Social Council (NESC) established in 1973 under the auspices of the Department of An Taoiseach (ibid).

Social Partnership in Ireland, which became synonymous with the country's rapid economic growth during the Celtic Tiger, is conceptualised as a web of governance comprising 'multiple sets of engagements between government departments and civil society actors' (Connolly 2008, p.8). Partnership marked a new relationship between civil society

and the state and increased civil society's ability to communicate with both elected representatives and government. For some, the advent of partnership signalled the central government's willingness to surrender its unique position in policy-making in favour of a more inclusive and consensus based approach (Adshead and Quinn 1998, p. 218). The extent of shared decision-making is questioned, however, and it is argued despite the expanded range of voices that power ultimately rested with central government (Connolly 2008; Hardiman 2006).

Partnership was extended to include community and voluntary organisations in 1996 to negotiate the fourth agreement, *Programme 2000*. The less cohesive and homogenous Community and Voluntary sector did not integrate into partnership as successfully as the other actors with many organisations critical of government and civil servant conduct. The sector's focus on complex issues such as equality and social inclusion challenged a process largely concerned with matters of pay and taxation (Adshead 2010; Meade 2005). The inclusion of these organisations impacted upon existing relationships and they were seen by other participants as unable or unwilling to adapt to the partnership's well established and embedded parameters (Adshead 2010). Soon some organisations within the pillar would refuse to ratify partnership agreements and exit the process entirely.

Despite these issues, the perceived success of Social Partnership at the national level would influence the subsequent reforms in local government in the 1996 white paper 'Better Local Government' (*BLG*). *BLG* praised the achievements of Social Partnership at both local and national level, arguing it had enabled communities 'to take responsibility for their own affairs in an important exercise in participative democracy' (Government of Ireland 1996a, p. 29). More specifically the influence of partnership is evident in the composition of Strategic Policy Committees (SPC's) which include 'external members' comprised of representatives

from the business, union and the community and voluntary sectors in governance subcommittees within the local authority.

Partnership and the economic crisis of the 1980's also contributed to an increased role for local civil society actors in local development through community based partnerships such as 'Community Development Projects', 'Money Advice and Budgeting Services', 'Local Drug Task Forces', 'RAPID' and 'CLAR' initiatives (Meade 2005; McInerney 2008). After an initial narrow focus on employment these community based structures soon developed a social inclusion focus and, with the exception of 'Community Development Projects', incorporated features of national partnership mainly through the inclusion of state, union, employer and community actors (ibid).

The partnership agreement, *Programme for Economic and Social Progress (PESP)* also led to the creation of 'Area Based Partnerships'. These bodies represented the first series of governance processes created to tackle issues of local economic and social development and have been described as 'the primary conduit for radical localism in public policy reversing a long standing hegemony of government centralism' (Walsh et al 1998 p.228; McInerney 2008). Similar to other structures, membership of 'Area Based Partnerships' commonly comprised representatives from trade unions, business and community and voluntary sectors.

However, it appears that central authorities consciously established these partnerships in parallel to local government, resulting in two divergent systems, one of functionally limited local government and a collection of local development networks with little or no coordination (McInerney 2008). This practice represented a lack of cohesion and alignment of development bodies and local government subsequently referenced in *BLG* which states; 'through lack of resources and inability to respond to problems which transcend their

traditional functions, local authorities have tended to be by-passed by the growth of new forms of community development organisations, many of which are attracting state and European Union (EU) support' (Government of Ireland 1996a, p. 7-8). *BLG* advanced efforts to align and coordinate these parallel systems with the aim of enhancing local democracy by allowing communities and their representatives to influence service delivery and the decision-making processes of local government (Forde 2005b; McInerney 2008).

### **3.2 Local Government Powers and Reform**

Local government is based upon the idea that local communities should have the capacity to make decisions based upon their own needs and priorities (Callanan 2004). It is also regarded as the most accessible branch of government for citizens and one which can provide opportunities for non-elite participation in governance (Tierney 2003). Despite recent reforms, Ireland is regarded as one of the most highly centralised European liberal democracies with weak regional and local structures answerable to and largely financially dependent on central government (Connaughton 2009). This centralisation is regarded as an enduring feature of Irish politico-administrative culture and the connection between central and local government has been likened to a principal-agent relationship (Callanan 2003b; Haslam 2001).

The system of local government in Ireland follows a top down model in which functions are allocated by central government. Historically local government in Ireland could only act with powers granted by the central executive. This doctrine of '*ultra vires*', which constrained local government to perform functions outlined in law, was not abolished fully until the introduction of the Local Government Act in 1991. With regard to its functional capacity, local government in Ireland is perceived as weak and lacking in autonomy relative to other European states (Quinn 2003). For example, local government plays a limited role in

areas of education and health while the absence of a system of local taxation has rendered it heavily dependent on central government for funding. This lack of financial independence was compounded by the abolition of domestic rates in 1978 previously a vital source of funding for the local government system (Forde 2005a).

One explanation for the weakness of local government in Ireland relates to the development of government after independence. The combative birth of the Irish Free State challenged political elites in charge of a fledgling state apparatus largely inherited from British rule (Haslam 2003). In response, governors desired a strong central executive to curb anarchy and local corruption (Callanan 2004). There is a sense of a distinct lack of trust from the central executive in local government during this period as political elites consciously and deliberately designed a state with a strong centre (Barrington 1991; Ferriter 2005). The ambivalent attitude towards local government is also reflected in its absence from *Bunreacht Na hEireann*, the 1937 Constitution. Indeed local government lacked constitutional recognition until the inclusion of Article 28A into the constitution after a referendum in June 1999.

Weak structures of local government based on the Westminster model endured without significant reform upon Ireland's entry to the European Economic Community (EEC) in 1973, as, in contrast with the vast majority of European states, Ireland did not enact any major reform of local government in the post-World War II period. The Local Government Acts of 1946 and 1955 introduced only minor improvements (Haslam 2003). Local government in Ireland, argues Connaughton, had become 'locked in a creation of Victorian Britain and nineteenth century legislation adapted for Ireland' (Connaughton 2009, p.56).

An important stimulus for local government reform was the 'Advisory Expert Committee on Local Government Reorganisation and Reform' led by Tom Barrington. The

committee published a series of recommendations in 1991, known as the Barrington Report, after the most comprehensive analysis of the system of local government undertaken in Ireland. Its main recommendations included constitutional recognition of local government, devolution of greater functions to local government, greater attention to the policy role of councillors, financial independence of local authorities from central government, improving the responsiveness of local government to the public, and the relaxation of the system of 'ultra vires' (Barrington 1991). The Local Government Act of 1991, which implemented aspects of the Barrington Report, afforded local authorities general powers of competence.

Although it could now operate more independently of central government, reform of local government continued to be on the national agenda. Amidst the publication of numerous reports on its future, the Fine Gael, Labour and Democratic Left 'Rainbow' Coalition pledged to reform local government in its programme for government. In 1996, *BLG* was published through the Department of Environment, Heritage and Local Government. With origins in the Strategic Management Initiative (SMI) and influenced by the perceived success of Social Partnership, the white paper centred on enhancing local democracy, serving the customer better, developing efficiency, and providing proper resources for local authorities. In contrast to other European states the stimulus for change in local government at this time was provided to a large degree by the senior civil service and not politicians (Connaughton 2009).

*BLG* did not propose a significant devolution of powers from central to local government but inspired future legislation which extended competences to local authorities to better tackle issues of local importance. For example, the document pledged to enhance local democracy mainly through constitutional recognition of local government, reorganising the committee system, and through strengthening the role of local councillors (Keogan 2003). There was a deliberate attempt to increase the influence of elected representative's vis-à-vis council officials, and encourage them to take an enhanced role in policy-making (Callanan

2005). Elected representatives in Ireland are subject to criticism for a lack of interest in policy matters (ibid). It is argued that this strengthening of the role of elected representatives came at the expense of other local stakeholders from civil society, however (Forde 2005b).

The development of *BLG* is subject to criticism for a lack of consultation with local authorities and the wider community and can be regarded as an example of centralised ‘top down’ local reform (Forde 2005a). *BLG* was introduced by the Department of Environment and Local Government without any consultation. After its introduction, the ‘Interdepartmental Task Force on the Integration of the Local Government and Local Development Systems’ did consult with social partners, elected representatives, the City and County Managers Association, County Enterprise Boards, and the national Community and Voluntary sector. However, there was little substantial involvement with local community or civil society actors and the taskforce did not engage in a more extensive country-wide consultation with citizens and local communities thereby fostering a greater connection between communities and local governance (ibid). This is significant in the Irish case as, according to *BLG*, local government in Ireland ‘developed largely from a judicial system introduced under a colonial regime and from town corporations with limited community involvement; it tends therefore to lack the deep community roots that go to form the basis of continental local government’ (Government of Ireland 1996a, p.14).

A number of core features of *BLG* were incorporated into law through the Local Government Act, 2001, which solidified the enhanced role of elected members, supported the involvement of local interests in policy-making and helped to modernise local government through national legislation (Local Government Act 2001). Crucially, it also encouraged a move away from local government as solely a deliverer of services to a facilitator and coordinator of local governance (Forde 2005a; McInerney 2008). In the Irish context, with

the creation of Strategic Policy Committees and the inclusion of civil society actors, the act signalled a shift toward a more participatory culture in local governance (ibid).

### **3.3 Local Government Structure**

At present local government in Ireland is divided into 29 county, 5 city authorities and 80 town councils. Local government functions are divided into two categories, reserved and executive. Traditionally any function of a local authority not expressed in law as a reserved function is an executive function and thus the responsibility of the County Manager and the local authority's team of Directors of Services (Sheehy 2003). Reserved functions are concerned with policy and provide the framework through which the manager and authority staff work (Callanan 2004). These functions, adopted by elected representatives, include the adoption of the local authority budget, the power to borrow money, and make or revoke by-laws.

The local authority system is led by elected County Councillors and administered by County and City Managers who are hired by the Local Appointments Commission for a period of seven years. The County or City Manager possesses decision-making powers alongside the reserved functions of elected representatives (Callanan 2004). Since *BLG* each manager has a team of Directors of Services with the responsibility of administering and providing services in a specific function of the local authority (Sheehy 2003). The Director of Service advises elected representatives in the performance of their functions and provides administrative support to the Strategic Policy Committees within his/her department. Despite concerns about a democratic deficit and the power of unelected officials, the functions of a local authority it is argued are carried out in a partnership between the manager and elected representatives (ibid).

### 3.4 Structures of Participatory Governance

Since the introduction of 'BLG' a number of local governance structures have emerged. The majority of these mechanisms function in close cooperation with local authorities. Strategic Policy Committees are advisory structures located within the local authority system and accountable to the elected County Council. SPC's are designed to 'focus on policy formulation' ...and 'they are not decision making bodies in their own right' (Cullen 1998, p. 15).<sup>6</sup> The creation of SPC's is significant as they introduced the concept of formal participation in local governance and established a direct connection between representative and participatory democratic processes in local government (McInerney and Adshead 2010). SPC's allow for council officials, community representatives, local councillors, and/or business and union actors to meet and discuss policy needs in the local area.

National legislation on the provision of Traveller accommodation was introduced in 1998 leading to the establishment of the Local Traveller Accommodation Consultative Committees (LTACC). The Housing (Traveller Accommodation) Act 1998 instructed each local authority to create a Traveller Accommodation Programme (TAP) in consultation with the LTACC. The guidelines instruct local authorities to take reasonable steps to secure the implementation of Traveller Accommodation Programmes (Housing (Traveller Accommodation) Act 1998). The establishment of LTACC's represented the introduction of a governance dimension into the provision of Traveller accommodation at the local level (McInerney and Adshead 2010).

LTACC's should comprise council officials, elected representatives, and Traveller representatives. Original guidelines envisage the committees providing a 'liaison between travellers and members and officials of the appointing authority concerned' (Housing

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<sup>6</sup> This dissertation will focus on the local authority's Housing SPC

(Traveller Accommodation) Act 1998, p.20). LTACC's are also an attempt to introduce a forum on the contentious issue of Traveller accommodation in communities as well as advise the authority on the preparation of subsequent implementation of the TAP. However, although the committees can advise the local authority on aspects of the draft accommodation plan, the subsequent adoption of the plan is a reserved function of elected members of the council (ibid).

Joint Policing Committees (JPC's) were established under the Garda Siochana Act 2005. The membership of the JPC varies according to the size of the local authority. The JPC subject to analysis in this dissertation allows 3 Community Representatives from the Community and Voluntary forum, council officials and 13 local authority members to sit on the JPC along with 6 local members of the Oireachtas. The Community and Voluntary Forum comprises a large number of local civil society organisations and represents a wide range of local interests such as youth and community groups and social services and enterprise organisations.

JPC's should function not as a 'talking shop' but be 'strategic', 'action orientated' and serve as a genuine partnership between local authorities, An Garda Siochana, and the members of the community (Department of Justice, Equality and Law Reform 2008, p. 2-4). JPC's are fora for consultation, discussion and recommendation on matters of policing as well as monitor issues of crime in a local authority area such as anti-social behaviour and the misuse of alcohol and drugs. In this regard, it is envisaged that JPC's would produce outcomes and recommendations, for example, suggest bye-law changes or changes to policies and regulations (ibid). According to official guidelines, it is hoped that the JPC's would facilitate at least one public meeting to increase the engagement of the wider community and civil society. Public Meetings, designed to focus on general policing, would be inclusive and

open to all members of the community and actively seek the involvement of marginalised communities.

### **3.5 Conclusions**

The space for civil society participation in local governance developed with the introduction of *BLG* and the Local Government Act 2001 which also sought to increase the capacity of local government in Ireland. Influenced by Social Partnership the reform of local government facilitated the inclusion of external actors in new formal structures of participatory governance such as SPC's, LTACC's and later JPC's. However, the role of central government in designing and introducing these structures has clear implications for civil society participation. With reference to the theoretical framework it is apparent that the broader agenda, method of participant selection and extent of decision-making for all 3 structures are nationally determined with the potential for more locally inspired agenda and decision-making therefore limited. The centrally designed mechanism for participant selection often modelled on national partnership also privileges certain groups and in many cases prevents the wider participation of local actors and citizens. Central government also largely determined the extent of power and authority by creating advisory structures of governance. Finally, there appears to be limited national monitoring of the structures despite being set up centrally and inadequate investment in communication mechanisms between actors or in resources for civil society actors and local authority staff. These issues will be explored further in subsequent chapters with explicit reference to participation in the case study.

## **Chapter Four:**

### **Data Presentation Chapter**

The purpose of this chapter is to present the data gathered during field research through the theoretical framework constructed and outlined in the literature review section. The chapter will explore the reality of participatory governance with regard to important issues such as participant selection, agenda setting, modes of communication and the extent of decision-making with reference to the views and experiences of civil society representatives, elected representatives and officials. These aspects of participation can help to assess the extent to which these structures increase and deepen civil society participation in local governance.

#### **4.1 Increased Participation**

Increased participation is concerned with the number of civil society actors involved in local governance. Although each mechanism can be said to increase participation, the selection mechanism or mode of participant selection is important in assessing the degree to which it increases citizen and civil society involvement.

##### *Participant Selection*

Participant selection can be exclusive or inclusive, open or restricted. The nomination, selection and number of civil society representatives vary across the structures. On each structure civil society representatives sit alongside a greater number of elected representatives, one of which serves as Chairperson, and senior council officials. On the JPC civil society is represented by three members drawn from the local Community and Voluntary Forum. These representatives are nominated and elected through the internal procedures of the Forum, similar to the Community representative on the Housing SPC. On

the SPC, civil society is further represented by a trade union and business representative. On the LTACC Travellers are represented by members of Traveller groups and members of the ordinary Travelling community. There appears to be no formal and standard mechanism to elect the four representatives who are selected with different procedures and with the aid of different voluntary and state organisations such as the Irish Traveller Movement (ITM) and Health Service Executive (HSE).

Civil society representatives interviewed revealed some scepticism from elected representatives on their nomination and their 'right' to be involved on the committee. The indifferent attitude of elected representatives to 'external' members is evident in the querying of the selection of Community representatives to sit on the JPC.

*'I know at one meeting one county councillor said, what was the purpose of having the community and voluntary people there?' ... 'Yes, it was during the meeting and they wanted to know how the reps were elected. He wanted to know how we were at the table, how we're elected.'* (JPC Community Representative Feb 2012)

The potential to widen civil society and citizen involvement is available on the JPC with the possibility of regular public meetings which can provide the opportunity for ordinary citizens and non-Community and Voluntary Forum groups to participate. Under official JPC guidelines, 'it is envisaged that JPCs would hold public meetings at regular intervals and at least once a year. Care should be taken to ensure that the venue is varied' (Department of Justice, Equality and Law Reform 2008, p.6).<sup>7</sup> To ensure inclusivity and awareness among all sections of the community guidelines state 'appropriate provision should be made to ensure that marginalised and hard to reach sections of the community are made aware of the

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<sup>7</sup>These meetings should be widely publicised, advertised 14 days prior, and afford ordinary citizens the opportunity to raise issues of concern and better understand the work of the JPC (Department of Justice, Equality and Law Reform 2008, p.6).

meetings' (ibid). The local authority is responsible for the organisation and implementation of these meetings which to date have not taken place. The County Secretary did not offer a reason for the lack of public meetings.

*'No and I do not know why to be honest with you. I would welcome it certainly'...*  
*'Having a meeting explaining what we are about that certainly would be worthwhile.'*  
*(County Secretary Feb 2012).*

The official did, however, refer to a lack of demand for one and concerns at the possibility of meetings being dominated by people with anti-government agendas. A public meeting would be welcomed by An Gardaí providing it was controlled with a strict agenda to adhere to. According to the Community Representative, initial discussion on the matter referenced concerns surrounding the safety of citizens interested in bringing issues of anti-social behaviour to the JPC in a public forum.

From the data gathered participant selection is exclusive and restricted with no uniform mode of selection of civil society representatives across the three structures. Also, it is apparent that the opportunity to further increase and widen participation on the JPC by including citizens has not been realised through the failure to facilitate public meetings.

#### *Reason for Participation*

It is clear that the level of civil society participation is determined by the selection mechanism chosen. The motivation for participation on behalf of civil society, however, also appears to be significant. The motive and impetus for participation is an important as it can influence and shape the subsequent behaviour of each actor (Smith 2005). The motivations for civil society, official and elected representative participation differs across all three structures. There is a contrast between the selection and involvement of voluntary civil

society members and local authority staff who are compelled to participate in a professional capacity because the structure is a function of local government and relates to an area of policy for which they are responsible. In this task, officials perform the role of administrator, information giver and policy advisor to civil society and elected representatives.

Representatives chosen through the Community and Voluntary Forum on the SPC and JPC participate largely because of a sense of civic obligation and a desire to feed bottom up inputs from the community to the local authority. For the representative on the JPC participation largely seems to fulfil an educational and civic purpose namely raising awareness of crime related issues to the local authority and the Chief Superintendent of An Gardaí, and feeding issues raised by An Gardaí back to the public through the Community and Voluntary Forum. Further, the representative acknowledged that participation was more of necessity rather than choice in the beginning to ensure adequate representation for the Community sector. A similar desire to raise issues which are relevant to people in the community is apparent from the Community representative on the Housing SPC also.

Traveller representatives, meanwhile, participate due to a commitment to Travellers' rights as well as an interest in the 'wicked issue' of Traveller specific accommodation. Participation was also explained in terms of highlighting the LTACC's inability to function and deliver for Travellers. For example, one representative outlined a desire to monitor the conduct of the local authority on Traveller issues. This admission hints at combative motives for participation. There is a widespread perception among many local elected LTACC members (and officials) that some Traveller representatives have attempted to use the committee for personal reasons. Instead of a focus on the issue of Traveller accommodation for the entire community, it is alleged that some representatives focus on accommodation issues related to family members.

*'Some of my own councillor colleagues would have the view that the people who are on the committee earlier were on it for personal reasons that affected them as regards, say, their housing issues.'* (Elected Representative C Jan 2012)

This is understood by the Traveller representatives also.

*'Look to me it has been said... that there is one rep on the LTACC who is only representing family interests.'* ... *'And the last meeting the Director said 'X' 'you are here to speak about more than your immediate family'. That was something around Traveller specific accommodation.'* (LTACC Traveller Rep B Jan 2012)

Evidence suggests there are contrasting motivations for participation among the different actors on each mechanism. Officials participate in a professional capacity while civil society participation is voluntary and often concerned with delivering 'bottom up' inputs to the local authority.

## **4.2 Deepened Participation**

The extent of deepened participation can be approached from an agenda setting, communicative and decision making perspective. This section will explore the mechanism for agenda setting, outline the procedure for the selection of issues discussed throughout participatory governance in the local authority and the impact of civil society actors on decision-making.

### *Agenda Setting*

Agenda setting is important in evaluating deepened participation as considerable power is exercised through the discussion of issues (Smith 2005). A collaborative approach to the selection of issues discussed can demonstrate a genuine partnership between participants. The key actor in setting the agenda of all three committees is the senior official in charge, the

Director of Services for Housing for the SPC and LTACC and the County Secretary for the JPC.

The Director of Services will typically consult with the Senior Executive Officer for Housing (SEO), the Traveller Accommodation Officer (TAO) and the Chairmen of the relevant committee to help compose the agendas of the SPC and LTACC. According to this official, the agenda of the SPC is dictated by senior management due to the narrow remit of the structure and the lack of interest in contributing to the agenda from both elected and external representatives.

*'To be honest, one of the thing I dread most is when the Housing Officer comes in says we have an SPC meeting... Lord Jesus... What do we put on the agenda of the meeting? And she and I will sit for twenty minutes trying to think what the hell will we put on the agenda to fill a meeting for 2 hours? My practice has always been we try to contact every individual member of the SPC to ask them if they have anything they wish to put on the agenda at this meeting. Invariably the answer is no. Invariably, every SPC every meeting, I have been doing this for ten years.'*<sup>8</sup> (Council Official A Dec 2011)

Similarly, argues the same official, the agenda of the LTACC is dictated because of the lack of interest of Traveller representatives in policy and their preference for issues relating to specific problems experienced by Travellers on particular sites. Traveller Representatives, however, claim consultation with officials between meetings is rare and they are seldom consulted on items for inclusion in meetings.

*'But in terms of controlling the meetings it is the officials, by and large. They control the agenda; they control the minutes' ... 'Before the last meeting of the LTACC... He (TAO) sent*

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<sup>8</sup> He also reveals *'I've had 4 out of the 5 SPC's during that time it is always the same it is not about the people, the reality is it is entirely officer driven, management driven, we decide what is on the agenda we run through what is on the agenda, the minutes are very civil, the minutes are written up and they go to the council where they get no attention whatever and the whole world moves on.'* (ibid)

*me an email because I sent him one, he probably was not aware I even had an email. The TAO asked me if there was anything I wished to put on the agenda of the meeting for the first time and that was a once off. That is not particularly supportive.’ (LTACC Traveller Representative B Jan 2012)*

The County Secretary is responsible for the agenda of the JPC and will often formally engage with the Chief Superintendent of An Gardaí in the process. According to the official, the opportunity to include items is open to all members but does not formally contact all JPC participants in this process.

*‘No{ don’t contact people} but, if...say I will look at the last meeting or something has my notice then yes I could contact the Chief Super of the Gardaí.’ (County Secretary Feb 2012)*

The agenda is informed also by the official’s presence at District Council meetings where the concerns of local Councillors are noted. There is a perception among Community representatives that the Gardaí and senior council officials dominate the agenda of the JPC.

*‘The agenda is set by the Chief Superintendent and he sets it with the Director of Services (County Secretary) because it has issues which come up within the Gardaí that he wants to put forward. He is imparting that knowledge to us and it is only then through discussion that we then bring forward ours’... (JPC Community Representative Feb 2012)*

Typically Community representatives raise issues relevant to their concerns through the ‘Any Other Business’ section of JPC meetings. Members can also ask for a specific item to be put on the agenda of the next meeting.

In summary, the main agenda setter on each structure is the senior official in charge and civil society actors are not formally included as there is little formal contact between officials and

civil society between meetings. Evidence suggests, however, some civil society actors may not be willing or interested in contributing to agenda setting in some instances.

### *Modes of Communication*

Related to agenda setting, communication between different actors is of fundamental importance on structures of participatory governance. The nature of communication can help to assess the depth and impact of civil society participation and evaluate how demanding participation is of participants. It can also give an insight into the intensity of participation, the nature of discourse and how issues are discussed during meetings (Fung 2006).

Evidence from minutes of meetings reveals the practice of reports and circulars submitted to the SPC by senior officials, followed by occasional discussion and contributions from members. These minutes highlight the practice of senior officials presenting reports of housing policy circulars and regulations to members to which they respond, express preferences and ask questions on issues such as purchase and rent schemes and anti-social behaviour strategy. In the view of a senior official,

*'Usually, what happens with the SPC is that you put on the agenda the latest circular that has come from Dublin. And you tell the members what has been decided we will be doing.'* (Council Official A Dec 2011)

During JPC meetings participants typically listen to the views and expertise of the Chief Superintendent of An Gardaí who will often brief members on Garda strategy or the latest CSO crime statistics in the geographic area. In addition, according to minutes of meetings, it is also common for senior council officials to inform JPC members of local authority policy in areas of crime and public safety, for example, anti-social behaviour strategy and the implementation of CCTV cameras. In response members will ask questions,

engage in some debate and express preferences on issues arising from these briefings. Community representatives can raise issues of importance during meetings predominately through the 'Any Other Business' section of the meeting in which they can deploy some expertise or knowledge through informing the JPC of issues of concern received through feedback from the Community and Voluntary forum.

A relatively new structure, Community representatives were not introduced or acknowledged by the Chairperson or senior officials during its opening two meetings. It took a formal interjection by the Chairperson of the Forum, also a member of the JPC, to address the issue at the third meeting.

*'I stated it at the next meeting. I stood up and said that I was very disappointed that this was the third meeting and we still had not been acknowledged as part of the Community and Voluntary sector. And of course, there were apologies and it was all resolved there and then...but for the first two meetings we were totally disregarded...'* (JPC Community Representative Feb 2012)

Due to the large number of elected representatives contributions from the floor during JPC meetings, in the eyes of many participants, can be dominated by politicians who often raise issues informed by party political considerations. This numerical imbalance has not gone unnoticed by the County Secretary who acknowledges that...

*'You might not necessarily get the full input of the community in the minutes because the politicians they are in the majority on the committee, whether they are councillors or Dail members...so theirs would be the dominant view.'* (County Secretary Feb 2012)

The JPC, explains the Chief Superintendent, can function according to a political hierarchy with the inputs of politicians preceding and outweighing civil society voices.

*'But what I do sense at the meetings is a kind of a hierarchy of questions that some of the more senior or long serving politicians will lead with their questions and lead with their input. And then as the meeting progresses the community groups {get involved} ... it seems to be the politicians who dominate the meetings.'* (Chief Superintendent Apr 2012)

The influence of party politics appears significant with elected representatives from certain parties asking questions which may embarrass colleagues from government parties.

*'The questioner will try to get me to answer a question that will embarrass the government or the party in power.'* (ibid)

This view is echoed by the Community representative who references the prominence of party political discourse during meetings.

*'The Councillors are very dominant they treat it like a council meeting'... 'I have found the political parties...if you are a Fine Gael councillor and you bring up something, an issue or concern, the other Fine Gael councillor will say 'yes'...whereas the Fianna Fail councillors laugh and guffaw about it.'* (JPC Community Representative Mar 2012)

Informal contact and communication amongst elected representatives, officials and the Chief Superintendent between JPC meetings is common.

*'Well I would have informal discussions with local representatives and council officials...because see you would have the County Manager at the meeting the County Secretary, the Roads engineer...these people would be in contact formally through written correspondence and informally through the committee we have built up that relationship now...they can ring me now and say 'look I have a problem now, have you ten minutes for a cup of coffee?'...' we can discuss it see can we come to some arrangement. And I can do the same with them... and it is the same with councillors they have my number they can ring me*

*or the Superintendent and we will discuss probably disorder in a particular area or a crime issue that will come up...* (Chief Superintendent Apr 2012)

In the view of the Community representative this relationship does not extend to the Community sector.

Communication between current LTACC members is poor and marked by distrust and conflict. From the perspective of senior management, the LTACC is a 'confrontational', 'tense' and 'sterile' environment marked by 'distrust' between members. This is shared by one elected representative who refers to 'coolness' and frequent 'raised voices' between Traveller representatives and other members. This is often in response to 'perceived underhanded' comments with Traveller representatives frequently on the 'offensive' against the local authority (Elected Representative C Jan 2012).

Despite the remit to monitor the implementation of Traveller accommodation, with reference to minutes of LTACC meetings, it is common for issues of crime and anti-social behaviour in Traveller communities to be discussed under 'Matters Arising' and 'Any Other Business' sections of the meetings. LTACC meetings commonly discuss issues surrounding anti-social behaviour, criminal activity, horses, and CCTV cameras. Also, elected representatives request Traveller representatives, particularly ITM members, to become involved in issues of anti-social behaviour in Traveller specific housing estates.

LTACC members also discuss the contentious issue of Traveller accommodation in the county. Traveller representatives have some influence in the creation of the TAP and monitor its subsequent implementation during meetings. Traveller representatives on the LTACC appear to engage in more intense forms of communication, for example, some negotiation and deploy expertise in the creation and implementation of the TAP. The representatives interviewed expressed their satisfaction with the creation of the first TAP

under the LTACC, which is perceived as a genuine collaboration between all actors in the process.

*'I think the first plan was produced well, not just because we were involved in producing it. I think it was a genuine attempt to map out an accommodation plan that took into account future and existing needs. As a piece of policy work it was pretty successful.'* (LTACC Representative A Dec 2011)

In summary, the voices of senior officials and at times elected representatives outweigh those of civil society and in the view of most participants senior officials are key actors during meetings. There is a divergence in the nature of communication as on the LTACC, where, in contrast to the other mechanisms, discourse and participation is often more intense but also strained and argumentative.

#### *Extent of Decision-Making*

The extent of decision making is concerned with the capacity of each structure and the potential for civil society to influence policy. The ability to impact policy outcomes is a vital element in evaluating deepened civil society participation in local governance. According to the theoretical framework, structures possess 'most' or 'least' decision making authority. The JPC, SPC and LTACC are advisory and not decision-making bodies which give advice to and consult with the local authority. According to the senior official in charge of the SPC and LTACC,

*'In general all the council's structures have legitimacy as a body not individuals, so effectively when the County Council as a body decides to do something that mandates me to go do it.'* (Council Official A Dec 2011)

The scope of functions of the JPC, according to official guidelines, is quite broad. The committee should be strategic and action orientated and has the potential to suggest bye law changes as well as policies and regulations and even create local policing fora (Department of Justice, Equality and Law Reform 2008). In the view of the Chief Superintendent of An Gardaí, the JPC is *'an arena for consultation, discussions, recommendation and some decisions so something positive comes out of the meetings that it is not just a talking shop'* (Chief Superintendent Apr 2012).

According to the County Secretary, the JPC *'typically would make recommendations or resolve to do this or that on an issue...for example resolve to write to the Minister of Justice on the closing of rural police stations in the county...can you please write to the Minister and outline our concerns.'* (County Secretary Feb 2012)

Recommendations made by the JPC, similar to the LTACC and SPC, are subject to action by the local authority.

The SPC is an advisory subcommittee and can make recommendations to the full Council. According to a senior official in charge, SPC's *'in practice, and in law, advise. The SPC has no power, it advises, it's a subcommittee and their reports go to the County Council who then decide as a body what the policy is. And that's how it works basically'...* *'so you frequently find, it's very difficult to find a blue sky discussion on what policy ought to be...'* (Council Official A Dec 2011)

The official in charge of the SPC believes its lack of autonomy often comes as a surprise to 'external' members.

*'The external people have trouble understanding that and they want to say things like 'we shouldn't do it that way' but that isn't an option. It has been decided what we will do and now it is a matter for us to do it or not do it.'* (Council Official A Dec 2011)

It is argued by one elected representative that all SPC's within the local authority function as a 'rubber stamp' for policies presented by senior management.

*'They {officials} would present a policy document at the SPC meeting, a 25 page document, at a meeting where there are ten items on the agenda, and will expect members of the SPC will simply rubber stamp that document for full representation to the council.'* (Elected Representative B Jan 2012)

The influence of participants is largely in response not to local issues but to national legislation to be applied and implemented at the local level and the low number of civil society representatives impacts their ability to influence any outcomes from the SPC. In the view of the Community and Voluntary member,

*'You can have input but you cannot affect {policy} because proportionally you are only 12.5% of the committee. If it went to a vote, well the Community is only one vote. You can bring forward ideas and maybe it will get taken in but it definitely won't change it.'* (Community Representative SPC Jan 2012)

Increased autonomy on behalf of SPC civil society members is not popular with one local councillor who argues, *'you see you cannot give an outside agency the right to vote in a non-elected situation. It is totally alien to everything I believe in. I had to work my butt off to get elected, now I am surely not going to allow people to come in and vote who are elected to nothing.'* (Elected Representative A Dec 2011)

Interestingly, there is no real desire on behalf of the SPC Community representative interviewed to possess greater power without more adequate knowledge on the relevant issues. This is echoed by an elected representative who explains *'I don't think the councillors would want more power now...whereas if there were more projects going on I would say, yes. They would all love to be able to say, 'well the final decision comes back to us' but with the lack of new infrastructure coming on board...or capital money or new projects I do not think there is much authority you would be looking for.'* (Elected Representative C Jan 2012)

The advisory nature of the LTACC is apparent in relation to implementation of the TAP. Agreed schemes of accommodation must be passed in the full Council where elected representatives can reject or support plans. The senior official in charge of the LTACC explains,

*'No policy the Council don't want to be adopted will be adopted, so they don't fear the LTACC.'* *'For instance on the issue of travellers there is no point in me coming into the Council Chamber with a great policy if there is no chance of me getting eleven votes, eleven votes happy, ten votes defeat that's it. If I lose the vote eleven votes to ten it doesn't matter how good the policy is I can't get it implemented'...*

The official also argues *'any new project for group housing, for halting sites, anywhere in the country, is dead before it gets off the board, politically and locally.'* ... *'Now transient halting sites are never going to happen, they're just not going to happen. I couldn't get a proposal for a transient halting site through the council chamber if I was to put it on 'X', every so often I raise it, I am required by national policy to do so and the lads will just laugh at me. You know that's going nowhere so don't waste your time and of course I don't because I am a busy man.'* (Council Official A Dec 2011)

The significance of the council chamber is echoed by a former and original LTACC member who argues that some elected representatives undermine elements of the TAP in District and County Councils.

*'So the members of the LTACC, for example, agree to a new group housing scheme in 'X' as part of the LTACC agreed plan, they would do their best in the District to undermine it by saying travellers do not want it. So there are a few examples of them being duplicitous. And I would go even further and say there were positively disposed to undermining elements of the plan, particularly around halting sites and group housing schemes.'* (LTACC Representative A Dec 2011)

In the face of political and public opposition, senior officials believe that they must manage and ride out opposition to proposals agreed in the TAP.

*'What causes the frustration in a way is that I push on and I am as we speak a very modest little two it was three but one family sorted themselves, a small group scheme. I am already getting flak, now this was worked out in our TAP, worked out in our development plan, it was brought to the area committees it was discuss it was agreed and it was funded, in other words it is going on for several years. But now it is in the public phase... now the community is getting agitated, they're lobbying councillors, the councillors are starting to get nervous and they are lobbying me.'* (Council Official A Dec 2011)

This is understood by a current LTACC representative who explains *'the way it works between the officials and the elected reps it is kind of a bartering system'...* *'The officials adopt the plan and it has to adopted by the councillors and they know if we are trying to build a halting site and group scheme it is never going to get past the council. So, on the outer sphere the councillors control it because the officials know we cannot go any further*

*because we cannot get it past the councillors...’ (LTACC Traveller Representative B Jan 2012)*

In addition, the senior official expressed frustration with schemes of Traveller specific accommodation which due to anti-social behaviour and crime is expensive and difficult to manage and maintain.

*‘But the community has to live with that every day. So the horses and the rubbish, I mean, we spent €6000 cleaning up outside the group housing scheme in ‘X’ in the last couple of weeks...because all the rubbish goes over the wall and it builds up and I have to send in lads to clean it up. And that’s one of our best facilities and it causes the least trouble. It’s our best example of a scheme that has integrated into the local community there. And they {LTACC Traveller Reps} wander in and say we have a great idea and say we have another group scheme over there.’ (Council Official A Dec 2011)*

Recently, the local authority has begun to move on the creation of a small two unit group housing scheme at the behest of the Traveller representatives and individual Traveller families in the south of the county. According to the senior official in charge, there has not been much political opposition to the proposed scheme. Traveller representatives also appear to have influence with officials on so-called ‘transactional’ or ‘operational’ issues. Officials claim a willingness to discuss and solve issues which do not necessarily centre around the ‘wicked issue’ of accommodation but on problems experienced by individual Travellers.

*‘Yes it is kind of clientalism in that it is you are on that committee with the guys with money, I want a new door. Go get me a new door... Now because the agenda doesn’t allow that to happen, usually that happens in networking before the meeting...and we usually facilitate that to some extent. Sometimes it can be rather confrontational but usually we facilitate it.’ (Council Official A Dec 2011)*

The influence of Traveller representatives on so called ‘transactional’ issues appears to be a small feature of the LTACC since its creation. According to an original member of the LTACC, *‘no, there would have been some stuff like that certainly. We were far from perfect! People would have built on the relationships they had on the LTACC, went to officials and councillors, and said my son, neighbour, cousin, whatever, that would have went on...’* (LTACC Traveller Rep A Dec 2011)

From the senior official’s perspective, the LTACC’s primary benefit to local governance is as a forum not on the ‘wicked issue’ of Traveller accommodation but in which the problems and the complaints of the Travelling community are communicated to and addressed by the local authority.

*‘So if you didn’t have {The LTACC}, I am not sure it would be good if there was no engagement between Travellers at ground level, that there was no engagement at a management level, and it as an overall policy it is not working at all, but on an actual level there are occasional positive gains at a transactional level.’* (Council Official A Dec 2011)

In summary, the advisory nature of these structures limits the potential for civil society influence in decision making in local governance while the small number of civil society actors on each committee restricts their ability to impact the work of each committee. The outcomes of the LTACC, SPC and JPC, in particular, are subject to the considerable influence of senior officials and politicians. These issues will be explored further in the next section which with reference to the theoretical framework will analyse the data presented in this chapter.

## **Chapter Five:**

### **Data Analysis Chapter**

The aim of this dissertation is to assess the extent to which structures of participatory governance have increased and deepened civil society involvement in local governance. The combined theoretical framework drawn from the work of Fung, Smith and Bryer, outlined in the literature review, highlighted important issues such as the inclusivity or exclusivity of participant selection, agenda setting, communication, decision-making and the response of officials. An analysis of the data presented in the previous chapter will now be conducted with the aid of this framework. It seems civil society participation has not been deepened with limited agenda setting and decision making capacity for civil society and predominately control-centred responses from the local authority to external members.

#### **5.1 Increased Participation**

##### *Participant Selection*

As outlined earlier participant selection can be more exclusive or inclusive, open or restricted (Fung 2006; Smith 2005). This can help to determine to what extent participation has been increased. The creation of LTACC, SPC and JPC provide an opportunity for civil society to engage in formal advisory structures of participatory governance. In this regard, the three structures do increase civil society involvement in local governance. The LTACC and JPC, in particular, with the potential participation of ordinary Travellers and public meetings on issues of policing and justice respectively, have a clear potential to increase the engagement of marginalised groups and communities. The presence of the Community and Voluntary representative on the Housing SPC also provides the opportunity for bottom up inputs from marginalised communities directly on issues of housing.

The selection of these actors, however, is determined to a large degree by guidelines set down by national government. The preponderance of senior officials and elected representatives, moreover, indicates more exclusive and restricted selection as these actors are the most prominent participants and each committee is to some degree dominated by officials and elected representatives. For example, despite the attendance of three representatives from the Community and Voluntary Forum, the large number of politicians relative to civil society actors gives the impression of political dominance of the JPC. This can affect the ability of these actors to influence the process, an issue raised by the County Secretary and Chief Superintendent who argue that the number of community representatives is not large enough.

The LTACC with representatives from Traveller advocacy groups as well as ordinary members of the Travelling community is perhaps the most open and inclusive structure. However, at present only two of four potential Traveller representatives participate. It seems discord between representatives at meetings and the problems with the selection and nomination process have impacted on the participation of the other Traveller representatives. It must be remarked that the process of inclusive participant selection as outlined in the framework does not fully capture the reality of subsequent participation. For example, nominal inclusivity does not equal substantive involvement into processes of governance (Young 2000). In this regard, the work of Fung and Smith is not entirely adequate in assessing the full reality of inclusivity of civil society.

There are a number of concerns surrounding the selection and nomination of civil society representatives and how representative actors involved in these committees are of the wider community. The informal and ad hoc procedures to elect Traveller representatives have raised questions about their mandate and legitimacy and are a source of tension between LTACC members. This conflict arises, in part, due to the lack of a standard mechanism to

elect Traveller representatives. Further, the ad hoc selection mechanism has at times led to the selection of representatives who are not entirely informed on the nature of the LTACC or its demands. On the SPC, moreover, the participant selection is quite selective and based on national partnership with the inclusion of actors from community and voluntary, business and union groups and there are questions as to how representative these actors are of the wider population. These selection processes are determined nationally by national government and not entirely responsive to local realities.

With regard to the LTACC and JPC opportunities to further increase participation are not fully realised. As outlined, two selected Traveller representatives do not participate while the absence of JPC public meetings has prevented the widening of participation from civil society to ordinary citizens. This represents a missed opportunity for a greater interaction between all sections of the population and the JPC as despite coverage from the media; the work of the JPC is not fully understood by ordinary citizens. This issue was referenced by all participants interviewed. The local authority is responsible for the facilitation of these meetings and its failure to do is not fully understood. This failure may represent evidence of control centred ethics and an unwillingness to engage in greater collaboration, a lack of capacity on behalf of local authority staff to arrange and facilitate meetings, or genuine concern for the safety of citizens who wish to raise issues of crime in a public forum.

Although civil society involvement has been increased with reference to the framework and the work of Smith and Fung, in particular, participant selection is rather restricted and exclusive with a preponderance of officials and elected representatives. Further, there are some concerns regarding the selection procedure of civil society representatives. For example, the ad hoc and informal procedure to nominate and elect Traveller representatives has resulted in conflict between members and questions regarding their mandate and legitimacy.

## 5.2 Deepened Participation

The previous section analysed the extent to which participation has been increased. It is of fundamental importance, however, to assess the reality of subsequent participation for civil society representatives. Fung, Smith and Bryer suggest that the space for dialogue, deliberation and shared decision making is fundamental to deepened participation. This assessment will be made in relation to agenda setting, communication and the extent of decision making. From the evidence of the data gathered and the framework constructed deepened participation is not present in the case study.

### *Agenda Setting*

The ability to set the agenda is an important question in evaluating deepened participation as considerable power can be exercised through the selection and discussion of issues in participatory governance (Bryer 2007; Smith 2005). The ability of civil society voices to set the agenda of a committee would indicate evidence of deepened participation and partnership and collaboration between all participants. However, in general, it appears civil society representatives are not formally included in agenda setting on all three committees.

The agenda of the SPC is driven primarily by the concerns of senior management. The official in charge of the Housing SPC acknowledges that the agenda is largely management driven but maintains that SPC members, whether politicians or from civil society, are not interested in contributing to issues discussed at meetings or engaging in policy discussion.<sup>9</sup> The agenda of the LTACC is also official led and there appears to be no formal mechanism or contact made between the senior official and LTACC participants

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<sup>9</sup>Housing SPC minutes reveal a formal request at a recent meeting from this official to SPC members to raise issues of relevance.

between meetings. This practice is one possible explanation for the poor participatory environment on the LTACC as issues such as crime and anti-social behaviour tend to dominate much to the annoyance of Traveller representatives who prefer a focus on issues of accommodation.

This process of agenda setting is similar on the JPC with the added importance of the Chief Superintendent of An Gardaí. The location of the JPC within the County Council arena empowers councillors and there is evidence of greater influence for elected representatives relative to civil society actors. For example, the County Secretary uses his attendance at District Committee meetings to inform the agenda where community representatives do not attend.

Issues discussed appear dictated and constrained by a combination of national and local political realities. The influence of central government in designing the JPC, SPC and LTACC has set the broad parameters of each structure while senior officials often demonstrate limited ambition for issues discussed which are often constrained or dictated by political or bureaucratic concerns. Issues such as Traveller accommodation, for example, appear to be dictated by the unpopularity of Traveller specific schemes or the concern of officials and politicians with anti-social behaviour in the Travelling community.

It is evident that civil society representatives have a limited role in agenda setting as senior officials are the key actors in this process. As discussed by Bryer and Smith, there is a need to shift to more collaborative processes, perhaps the creation of formal agenda mechanism procedures, and a reduction in the influence of bureaucratic and political concerns on the range of issues discussed particularly on the LTACC, if more deepened participation is to be achieved.

### *Modes of Communication*

According to Fung, the mode of communication in participatory governance can be least or most intense. It seems that the three structures feature ‘least intense’ communication as civil society actors predominately listen to the expertise of senior management and express preferences during meetings. However, there is evidence of more intense communication on the LTACC in the creation of the TAP.

The senior official in charge of the Housing SPC argues the committee functions predominately as an ‘info briefing’ session for elected and civil society representatives with officials briefing members and answering questions on national and local housing policy. Although participants read policy documents, exchange perspectives and can come to a consensus on issues arising from the agenda, there is little evidence of more intense forms of communication such as deliberation, negotiation, aggregation or bargaining. According to the same official, however, administrative domination of SPC discourse is necessary as many members, both external and elected, do not have the desire or capacity to engage in high level discussion on housing policy. Further, argues the official, the capacity and remit of the SPC with a focus on national legislation and regulations restricts the discretion of officials in facilitating greater deliberation and negotiation.

Despite the ability to make recommendations and to advise the police and the local authority, the perception among many different participants is that the JPC functions as a ‘talking shop’ with members listening in the main to the technical expertise of the Chief Superintendent of An Gardaí and senior officials. It seems participants are largely passive recipients of information about matters of crime and policing in the county. Further, the make-up of the committee as well as the conduct of elected members has contributed to a perception of political domination. There is a widespread belief from the different actors

interviewed that communication from the floor can be dominated by politicians and at times party politics. The contributions from Community representatives are also subject to the discretion of the Chairperson, an elected representative, who controls the flow of the meeting.

The Community representative interviewed believes the JPC was dominated by Councillors particularly in the beginning. This was not helped by the failure of the JPC Chairperson or senior council staff to formally introduce Community representatives during the opening meetings of the JPC. In the view of the Community and Voluntary Forum this led to their effective exclusion from communication and contributed to a feeling of being outsiders who had to fight to make their presence felt because as 'external' members they had limited knowledge of other members and formal procedures. The informal communication between meetings amongst officials, elected representatives and the Chief Superintendent does not seem to extend to the external representatives who claim to have little contact (or relationship) with Garda representatives or senior council officials between meetings. These practices do not indicate equality amongst JPC members and are examples of unequal communication and influence.

Communication is somewhat different for Traveller representatives on the LTACC, however. Traveller representatives can engage in more intense communication, for example negotiation and deploying expertise in the creation of the TAP. Traveller representatives seem to engage in both less intense and more intense communication and decision at different stages of the process (Fung 2006). Representatives expressed satisfaction with participation in more intense forms of communication during the creation of the first and second TAP's.

However, currently communication between LTACC members during meetings is tense, argumentative and devoid of trust and shared understandings. Conflict appears to arise from issues placed on the agenda of meetings as well as the lack of implementation of agreed

schemes of accommodation. This is acknowledged by the senior official in charge of the LTACC who explains that Travellers representatives believe politicians are duplicitous in working against agreed schemes of accommodation. This conflict can be explained to some degree by the controversy and lack of political consensus surrounding the ‘wicked issue’ of Traveller specific accommodation. Disagreement also extends to the type of accommodation desired by ordinary travellers. Officials claim the vast majority of Travellers now prefer standard local authority housing while representatives argue strongly that Travellers desire more Traveller specific accommodation such as group housing and transient sites. This issue as well as crime and anti social behaviour appear to dominate LTACC meetings. The discord reveals a lack of consensus between members and is evidence of the failure of the LTACC to serve as an effective forum to deal with these contentious issues.

As outlined in the literature review, existing theories point to the conflict between communicative and instrumental rationality or the conflict between rules and discourse in governance (Kelly 2004). It appears that communication is dominated by instrumental dialogue as the concerns of civil society are subservient to the more technocratic rules and constraints of the local authority. As a result, there is a need to strike a greater balance between both communicative and instrumental forms of rationality as well as encourage more regular and intensive forms of communication from all members if deeper and more substantive communication on behalf of civil society is to be facilitated.

#### *Extent of Decision Making*

The ability to impact on decision making and policy outcomes is key in evaluating deepened participation. With reference to Fung, Smith and Bryer the experience of civil society representatives in this case study reveals participatory governance with ‘least authority’ and devoid of partnership as civil society representatives do not possess significant

ability to influence policy outcomes. Moreover, the structures' potential to collaboratively advise and consult the local authority is not fully realised.

The SPC, JPC and LTACC are advisory and have only the capacity to make recommendations to the County Council and power is largely dictated by officials and political actors. At best, civil society representatives can give advice to and consult with the local authority. In many instances the location of the structures within the local authority allows politicians greater influence in progressing issues in District and County Councils and in reality the legal basis of local government in Ireland provides significant power to councillors and officials.

The advisory nature of these committees restricts the potential for deeper participation and the ability of civil society representatives to exercise more decision-making capacity. Furthermore, evidence suggests that each structure's capacity to collaboratively advise and consult through recommendations and creation of policy is not fully realised. SPC and JPC meetings tend to function more as policy information briefings while the combative atmosphere between members obstructs the potential work of the LTACC. For example, when questioned the Community representative on the JPC could not give an example of any recommendations made at meetings. On the JPC, unequal power is also evident as elected representatives can use council membership to advance crime and policing issues under the 'AOB' sections of council meetings. This avenue is not open to Community representatives.

The extent of civil society influence is exemplified by the experience of Traveller representatives who are involved in the creation of the TAP which must be approved by the elected members before implementation. Potentially the creation of the local authority TAP and its subsequent implementation may demonstrate evidence of a 'negotiated response' as officials balance the demands of multiple stakeholders (Bryer 2005). Feedback suggests this

deliberation and negotiation was more realised during the first TAP but is currently limited as there is a lack of consensus on the issue as well as constructive relationships.

Although required by law to explore the possibility of implementing certain schemes, it seems senior officials are often unwilling to work for elements of agreed schemes because of political opposition and the belief they will not receive approval in the Council Chamber. The official in charge explains the lack of implementation due to the unpopularity of Traveller specific schemes in the settled community. To proceed officials must therefore 'ride out' opposition but this is made difficult due to the extent of anti-traveller accommodation sentiment within local communities. There is some evidence, however, to suggest that these schemes are unpopular amongst officials also due to the perceived cost and difficulty in managing and maintaining such sites due to anti-social behaviour and crime.

Traveller representatives have expressed frustration at the failure to implement transient accommodation and halting sites as well as the duplicity of some elected representatives who later oppose agreed elements of the TAP. This has served to undermine dialogue, trust and relationships between LTACC members. Recently, Traveller representatives have exercised some influence with the recent development of a small Traveller specific unit of housing. Although this represents negotiation and bargaining between LTACC members and is evidence of some deepened participation, it is not indicative of sustained partnership or a culture of shared decision-making. Traveller representatives do appear to have some influence with officials on 'transactional' or 'clientalist' issues. This practice, although potentially valuable to marginalised communities otherwise distant from local government and the state, is also evidence of LTACC's inability to deal adequately with the more substantive 'wicked issue' of Traveller accommodation.

With reference to the theoretical framework, civil society representatives possess little influence on decision making and at best can advise and consult with the local authority. Their influence it appears is limited by the advisory nature of the structures as well as the considerable power of officials and political actors particularly on the LTACC. Further, the potential to advice and consult is not maximised as each structure tends to function more as information briefings from senior officials to the other participants.

### **5.3 Bureaucratic Responsiveness**

One possible explanation for the lack of deepened civil participation in local governance is the ethical perspective and nature of response of the local authority to participatory governance (Bryer 2007). The importance of administrative behaviour is echoed by Smith also in his focus on the importance of cultural change within bureaucracy (Smith 2005). 'Control centred ethics', in the form of 'dictated' and 'constrained' responses are common in the local authority's response to civil society across all three structures. In reality, the JPC, SPC and LTACC are strongly management led and subject to the considerable influence of senior officials and political actors. There is little evidence of sustained collaboration or partnership with the importance of rules; the concerns of senior officials and the power of elected representatives' key factors on each committee. This is evident with regard to the mechanism for agenda setting on all three committees which has resulted in official (and often political) driven and motivated dialogue.

There appears to be no sense of the need to deepen civil society participation in governance in terms of agenda setting or forms of shared decision making through a greater culture of collaboration and deliberation. The senior official in charge of the SPC and LTACC, for example, has questioned the purpose and merit of both committees in their current guise and the ability of civil society actors to participate as equals and engage

authoritatively on complex policy issues. Staff may not adequately facilitate SPC members in regard to policy information before meetings, however. According to the Community representative and one elected representative interviewed, officials do not always facilitate participants in regard to relevant policy information before meetings.

On the ‘wicked issue’ of Traveller specific accommodation, in particular, power is control centred with ‘dictated’ responses as officials are reluctant to work for the preferences of Traveller representatives due to political opposition as well as issues of crime and anti-social behaviour in the Travelling community. These factors have contributed to a belief among Traveller representatives that their participation is unequal and largely tokenistic.

The control centred response of the local authority is further evident in the disregard for civil society through the failure to formally introduce and recognise representatives from the Community and Voluntary Forum at the beginning of the JPC process. Council officials have a high degree of discretion to act in many instances and the JPC guidelines are clear about a partnership approach with a clear balance between all the stakeholders. Further, as in the case with the non-scheduling of public meetings, there are no real sanctions for local authorities who do not adhere rigidly to committee guidelines. The only national oversight appears to be the submission of an annual report of a local authority’s JPC activities to the Department of Justice, Equality and Law Reform.

In summary, there is apparent reluctance on behalf of the local authority to foster greater partnership and collaboration through more deliberative responses to civil society as power remains control centred and the work of officials is largely determined by existing bureaucratic rules, procedures and political considerations.

## 5.4 Challenges for Civil Society

The previous section focused on the conduct of officials as an explanatory factor for the lack of deepened participation. The theoretical framework and data gathered, however, suggest there is a need to address problems within civil society to fully explain the lack of deepened participation. For example, there are issues surrounding the knowledge, capacity and accountability of representatives who often lack support and are not fully capable of participating as equals.

In evaluating deepened participation a key question is to what extent are civil society organisations informed about the policy area or issues explored? (Smith 2005) This is echoed by Fung and Bryer who argue that officials must consider and balance the demands and preferences of all participants (Fung 2006; Bryer 2007). As discussed in the literature review, others refer to the ability of civil society to steer or counter steer administrative power through communication (Kelly 2004). However, there are legitimate questions as to whether civil society representatives are equipped or indeed interested in matters of policy. This is apparent on the Housing SPC where evidence suggests both elected representatives and civil society are not always informed on matters of policy. Indeed the Community representative interviewed became involved with the SPC because of a concern over anti-social behaviour in certain housing estates (an issue largely outside the remit of the Housing SPC) and not housing regulation.

Further, there is a clear dependence from civil society members on the knowledge and resources of senior officials as the community representative appears to lack support in terms of policy advice and information. Elected representatives are often in a similar position but can rely on their parties to receive some additional support. The administrative dominance of the Housing SPC, therefore, may not be solely a consequence of a controlled centred ethics

but also a lack of interest or unwillingness from elected representatives and civil society to engage with the issues. In the view of the senior official in charge this is largely because the items discussed at the SPC are not ‘relevant’ to actors leading to an intellectual ‘drift’ from SPC members who struggle with the ‘onerous’ demands of policy reports and documents (Council Official A Dec 2011). There is some evidence that Traveller representatives and Community representatives lack a solid understanding of the work of the LTACC and JPC prior to their selection, which can hinder the ability of civil society to participate as equals, and its ability to successfully steer or counter steer administration through communication (Kelly 2004).

The accountability of participants is important in participatory governance and can have implications for subsequent participation. There are issues surrounding the feedback mechanism from civil society representatives to the local community in this study particularly on the LTACC. Feedback from representatives to ordinary Travellers is uncommon and unsystematic. Representatives maintain it is difficult in current circumstances to feedback to Travellers which in their view should be carried out in conjunction with a funded local Traveller project, currently absent in the area. This practice raises questions about the capacity of representatives to consult and interact with the wider Travelling community and raises questions regarding their mandate and accountability. Feedback from the Community and Voluntary Forum is executed through meetings of the different area fora but there are also legitimate concerns as to how accountable this mechanism is in practice.

The participation of civil society representatives is voluntary and often combined with full time employment. If civil society is to increase and deepen its role in local governance issues surrounding the support and resourcing of civil society representatives must be addressed. For example, Traveller representatives have witnessed a reduction in the level of support in terms of finance and assistance provided from advocacy groups since the creation

of the LTACC. Originally representatives enjoyed the help of a full-time support worker from a local Community Development Programme (CDP), who also served as an unofficial LTACC member. Previously participation was aided through information, training and resources provided by organisations such as Pavee Point and the National Traveller Movement. This support is now greatly reduced.

In addition to the conduct of officials and political actors, the capability and capacity of civil society must be considered in evaluating the lack of deepened participation. The data gathered in this case study suggests that civil society representatives are not always fully capable to engage authoritatively with the local authority, to deliberate on policy, and lack the ability to effectively steer or counter steer administration.

## **Chapter Six:**

### **6.1 Conclusions**

Previously data from the case study of participatory governance in a local authority was outlined with reference to a combined theoretical framework and data drawn from interviews and local authority documents centred on key issues such as participant selection, agenda setting, communication, decision making and bureaucratic responsiveness. This final section will present some conclusions on the experience of civil society in local governance and address important issues if more deepened democratic participation is to be achieved.

The experience of civil society members of the LTACC, SPC and JPC in this case study suggests that although civil society participation has increased to some degree it has not been deepened. Representatives, for example, do not possess significant agenda setting capability and have little impact on policy outcomes. The absence of deepened participation is a consequence of the lack of capacity of the structures, poor or limited communication between members and officials, a largely control centred ethical perspective on behalf of the local authority, in addition to problems within civil society.

The location of the three structures within the local authority affords a high degree of autonomy to officials and elected representatives. The attitude and conduct of these actors therefore can have a considerable influence on the work and operation of each structure. Despite the expanded range of 'external' voices in local governance, the culture of administration has not altered to facilitate deeper participation. For example, established political and bureaucratic practices as well as the disposition of senior officials and political actors have served to reduce the depth and impact of civil society participation, affected the range of issues discussed and the quality of communication during meetings. There is an absence of deliberation and shared decision making, and although lacking autonomy, the

structures do not seem to function as collaborative sources of policy, recommendations and advice, with senior officials often the dominant and most influential actors. To encourage and foster deeper participation the local authority must also be amenable to and believe in the merits of participatory governance and greater collaboration with 'external' actors. Greater technical resources and support for all actors involved could begin to address these problems and further research on how to facilitate the shift from control centred to more deliberative responses to participatory governance within local authorities is required.

There is a pressing need to address problems within civil society which is not always capable or fully empowered to participate as equals. In many instances, representatives lack the accountability, capacity, mandate and support to engage in more deepened democratic participation and steer or counter-steer administrative power. Participant selection processes, determined nationally, are also weak and there is a need for more robust, accountable and inclusive selection mechanisms which could begin to address issues regarding the capacity and legitimacy of representatives.

This dissertation has focused on the ethical perspective of senior administrators and their response to civil society. However, there is a need to further explore the ethical perspective of civil society and assess whether it fully understands the level of responsibility which goes with greater autonomy and responsibility in local governance. In this regard, there may be limits to the work of Bryer and the exclusive focus on administrative and political elites despite the location of these structures within the local authority.

Finally, there is also a need to explore the merits of more locally designed structures which could be less rigid and more accountable and responsive to local issues. The structures analysed in this dissertation are centrally designed advisory structures, which often restrict participants' influence on policy outcomes and issues relevant to local governance. To

facilitate and embed deepened democratic participation in local governance in Ireland significant cultural and institutional change is required, such as a greater commitment to participatory democracy, to the building of more robust and flexible participatory processes and the devolution of greater autonomy from national to local government.

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## **Appendix A**

### **Review of European Practice:**

The purpose of this chapter is set the experience of participatory governance in Ireland in a wider European context with reference to innovative practice in Holland and Denmark. The selection of Holland and Denmark is a result of a reputation for best practice and for largely embracing participatory governance particularly at the local or municipal level. It is clear that examples of participatory governance in other states and municipalities can provide learning for the execution of similar processes in Ireland. Further, with reference to the theoretical framework outlined it is possible to identify increased and deepened participation as well as examples of deliberative administrative ethics and responsiveness to civil society.

Kuhlman in a comparative study of local government reform in Europe underlines the importance of the ‘starting conditions’ of local government modernization, highlighting the potential ‘misfit between new institutional structures and cultural legacies springing from the past’ (Kuhlman 2010, p. 1117). When considering the quality of participation and civic engagement in different countries, therefore, it is necessary to identify and acknowledge the diverse cultures and historical norms of behaviour in each state which can influence how structures of participation work in practice.

#### ***1.1 Holland***

Local Government in Holland is comprised of over 400 local municipalities ranging in population from 750,000 in Amsterdam to just 1000 in Schiermonnikoog (VNG International 2007). The Municipal Council is the primary centre of local government and administers committees responsible for various areas of local policy similar to Ireland’s SPC’s. Holland has a tradition of consultation and co-operation between government and wider society in large part due to an emphasis within political and administrative culture on ensuring ‘equilibrium’ and consensus in a state of minorities (ibid).

In Holland, there is no standard design of participatory processes and there appears to be a degree of freedom for individual municipalities to introduce innovative structures of participation. As outlined by Edelenbos and Klijn, ‘in the Netherlands there are no laws that prescribe certain priori rules and norms before conducting interactive decision-making processes’ (Edelenbos and Klijn 2005, p.426). The capacity and express purpose of these structures can vary significantly between municipalities also (ibid). Municipal governments are generally eager to involve individual citizens and stakeholders in planning and on issues on which citizens are affected, particularly at the early stage. Many local authorities, however, have attempted to deepen the level of civil society participation in local governance further. Traditional representative democracy, however, has not been replaced and numerous municipalities have attempted to balance increased and deeper civic engagement with traditional representative democracy.

A study by Guertz and van de Wijdeven (2010) assesses the effectiveness of citizen and civil society participation in Hoogeveen, a municipality in the Drenthe province. In Hoogeveen, the municipal council made a deliberate decision to deepen community participation in local governance, known as the ‘Forges of Hoogeveen’, a co-governance project (Guertz and van de Wijdeven 2010). Interestingly, local citizens were invited to help design the ‘Forges’ structure. The project seeks to nurture greater social cohesion between

residents and improve collaboration between local partnership organisations as local residents can decide on annual budgets for their neighbourhood and are involved in the long-term planning of its future development.

Decision-making is divided between short-term and long-term projects. In long-term projects citizens do not have any formal decision-making powers (ibid). In short-term projects, however, residents do and put forwards ideas, which are then reviewed by an initiative group consisting of 15 residents. The initiative group decides which ideas will be submitted for a vote on election night, where proposed ideas are voted on by fellow residents. Ideas which receive a majority of votes are then implemented. For long-term plans, professionals draft a development plan with residents. In this process a 'harmonisation team' consisting of area directors and policy officers from the six main parties must recommend the plan to the steering committee of the 'Forges'.

According to this study, Hoogeveen shows that both direct participatory and representative democracy can be balanced with the help of 'professional connectors', or administrative and political support as in most participatory structures tensions between elected representatives and citizens are common (Guertz and van de Wijdeven 2010, p.545). Further support is provided through steering committees and harmonisation teams which support citizens and civil society in all aspects of participation as well as manage tensions between different stakeholders. Ultimately, the authors conclude that constructive and effective participation is possible with managing of tensions, good support from political elites, and the dedication of people in key positions of authority. For example, Hoogeveen Council appears to act in support of 'citizens' logic' and does not 'wish to dismiss citizens offhand, even when it can' (Guertz and van de Wijdeven 2010, p. 545).

Other regions of Holland have implemented less radical structures of participation. A case study of Groningen and Eindhoven details participation in collaborative governance and participatory budgeting (Michels and De Graaf 2010). Like Hoogeveen, structures of participation are designed locally and are intended to increase citizen and civil society involvement in local decision-making. In this study the authors conclude that the new structures have not altered the balance of decision-making power between citizens and local authority members. According to the authors, 'vertical government decision-making remains largely intact' with more space provided to citizens and civil society to propose ideas and suggestions (ibid, p.488). However, these participants have developed civic skills and had an increased engagement and involvement in local issues and problems. Further there is evidence to suggest that this increased involvement has served to strengthen the legitimacy of public policy in the eyes of participants (ibid).

In Groningen, the municipal council allocated €20 million over four years to 14 neighbourhoods in the shape of neighbourhood budgets. Each neighbourhood has a community team consisting of traditional partners and community organisations that, along with citizens, develop plans and decide how the budget is spent (ibid). Individual citizens can also participate in the community teams which consist predominately of representatives from traditional community and professional organisations. The level of engagement and dialogue between the community teams and the wider public is extensive and actively encouraged by local authorities.

In Eindhoven, city authorities introduced participatory policy-making schemes in seven neighbourhoods. Projects varied from reconstruction of town squares to increasing neighbourhood safety and quality of life. The role of individual citizens centres on policy

problems and suggesting solutions. In Eindhoven, citizens see their role as providers of information while professional organisations, including resident associations, welfare services, police, and entrepreneurs are co-producers of policy. These groups work with the local councils to solve policy issues in neighbourhoods. Interestingly, local politicians and council alderman have little involvement in these projects. This deep engagement of civil society has not undermined the role of municipal officials, however, who continue to take all the major decisions on planning and implementation in Eindhoven (Michels and De Graaf 2010, p.484).

## ***1.2 Conclusions and Learning From Holland***

Municipalities in Holland have designed and implemented structures which engage in extensive consultation with and in some cases delegate considerable decision-making power to citizens and civil society groups. The Dutch experience reveals the importance of municipalities designing local structures which are applicable and responsive to local communities. Moreover, these structures appear to have the support of local officials and elected representatives (Guertz and van de Wijdeven 2010). Whether co-governance or advisory the above processes have served to both increase and deepen participation and demonstrate a deliberative ethical response on behalf of officials.

**1.** Inclusive and open participant selection is evident with structures open to the wider public as well as civil society organisations **2.** There is clear agenda setting capacity for citizens and civil society representatives in each mechanism. Further, in the case of Hoogetveen there was consultation between officials and communities on the design of the participatory mechanism itself. **3.** Local ownership of the structure appears to have helped to increase ‘buy-in’ from key political elites involved **4.** Processes are flexible and are often divided between short-term and long-term projects. Participants have different responsibilities and power in each type of project. For example, communities have control over budgets in the short-term projects in Groningen and Hoogetveen but can only consult on long term plans. **5.** Civil society actors often possess decision making power and are actively involved in the various stages of project and budget planning **6.** There is evidence of a deliberative ethical perspective as in collaboration with citizens officials design, embrace and implement these processes. **7.** This support has reduced tensions between traditional representative and participatory democracy. For example in Hoogetveen, despite of loss of some authority, political and administrative elites seem to support co-governance. **8.** There are often different roles and responsibilities for citizens and civil society organisations. For example, citizens provide can advise while civil organisations co-produce public policy.

## ***1.3 Denmark***

Nordic Countries have significant social-democratic traditions and place considerable value on social equality and democracy. Denmark has a tradition of strong local government which has emerged from the development of strong *Rechtstatt* and a tradition of a well organised civil society (Torfing 2007). The relationship between the central and local, however, has been characterised as a complex balancing act between local democracy and the implementation of national government policies with local government subject to interference and even control from the central executive (Hansen and Heeger 2008). Denmark has experienced NPM influenced public management reform since the early 1980’s and the shift from Conservative to Social Democratic led governments resulted in a compromise between marketization and participation, for example through the direct involvement of users in boards and networks (Torfing 2007).

Until 1970 Denmark consisted of more than 1300 local and urban municipalities. In 2007, the Danish government reformed the structure of local government resulting in by ninety eight municipalities in five regions (Local Government Denmark 2009, p.3) Reformers sought to make local government more efficient by reducing the number of municipalities. The local authorities are led by Mayors appointed by political representatives in the councils. The Danish authorities also have a CEO responsible for administrative matters, who is appointed by the municipal council on a permanent basis (Local Government of Denmark paper, p.5). Danish municipalities are responsible for the provision of a broad range of social and planning services, including environmental control, road management, care for the elderly and even education. Danish municipalities earn revenues from income and profit taxes as well central government grants and monies paid by citizens for the use of local services.

There has been an increased planned and unplanned role for networks in governance, in part, through the decentralization of public services to local authorities and public institutions and the merging of municipalities. The current prominence of civil society actors in local governance, argues Torfing, can be understood in terms of ‘a compromise between free choice of public services and voice-based user influence through participation in collaborative boards and networks’ (Torfing 2007, p.20). This has led to the involvement of citizens, organisations and various societal groups in policy-making and implementation (Jensen et al, 2004). Local councils also use advisory committees to help formulate development plans and gain input from citizens on service delivery.

In contrast with Ireland, there appears a much greater connection between citizens, civil society and local government in Denmark. For example, eight forms of local governance mechanisms used in Denmark have been identified; Municipal companies, Public foundations and funds, Public-private partnerships (PPPs), Public consultations, Collaborative boards, Supra-local network forums, Sub-local committees, councils and networks; and project-related governance networks (Torfing 2007). The development of ‘bottom up’ networks is increasingly prevalent in Denmark. Similar to other states, participatory network governance has emerged as responsibilities are delegated to from the state to the local level. Sub-local bodies have increased in popularity partly in response to the increased distance between citizens and elected politicians caused by the amalgamation of municipalities (ibid).

Sub-local networks are not elected or appointed like many councils or committees but instead open to all citizens, civil society organizations, business firms and public institution managers (Torfing 2007). These forums present ‘bottom up’ inputs to city councils. In the Municipality of Holbaek, for example, 18 such sub-local governance networks have been established. These networks provide a stark contrast to traditional local authority councils and committees. For example, at meetings citizens can come, voice concerns and seek to establish a ‘working group’ to tackle a particular issue (ibid). Crucially, in Holbaek there appears to be good relationships between the networks and the council. For example, officials have established a number of ‘Dialogue Committees’ which liaise and consult on the issues arising from the forums, which present ‘bottom up’ inputs and are regarded as consultation partners for councils also. It is common for municipal administrators to try to recruit these forums to help promote new public policy initiatives. These processes are examples of participatory governance bodies which can function more independently of administration and political elites.

Changes to national public administration have led to the creation of ‘User Boards’ in an attempt to improve the responsiveness of public services to consumers (Hansen 2005).

User Boards were also designed to increase citizen involvement with politics and allow greater influence on the part of users of public services (ibid). The power of these boards varies. For example, boards in schools and day care-institutions have power on the day to day operational matters while boards in the realm of care for the elderly or immigration possess no formal authority (Bang et al 2003).

In contrast to traditional decentralisation conducted on a territorial basis, User Boards are in practice a form of functional decentralisation and appear to polarize opinion (ibid). Supporters praise them for fostering broader political participation while critics deride them for fragmenting the political community and producing ‘divisive interest communities centred around the individual institution or service area at the expense of the greater common good’ (Bang et al 2003, p. 381). Despite criticisms, User Boards can represent a partnership between individuals and governments in which citizens participate in the public sphere and engage in cooperation with political actors and institutions in the realisation of common goals (ibid). The boards interact closely with local councils. Local Boards (*Lokalrad*), for example, are elected by citizens in the local area and enjoy ‘minor formal competences’ (Hartje 2010). Development Boards (*Udviklingsråd*) are one example. The network of boards comprises a formalised framework for discussion between the district council and the local areas. There are generally only 10-12 boards in each municipality, however, because it is not possible for the district council to be in a continued dialogue with 50-70 boards (Hartje 2010).

In the municipality of Aarhus, a wide variety of ‘Citizens Councils’, a type of User Board, are in formation. Citizen Councils serve as arenas where ordinary citizens can debate, articulate and advance local interests. In addition to individual citizens civil society organisations are also represented. A Senior Citizen Council (SCC) was established by Aarhus council in 1996. In this structure, all citizens aged 60 or over are eligible to vote and stand in an election of a 15 person council every 4 years (Mayne 2010). The SCC has plenary meetings every two weeks and a number of sub-committees and can speak on all municipal issues relevant to over citizens over 60’s. The SCC meets quarterly with the municipal councillor in charge of elderly affairs and biannually with the municipal council subcommittee in charge of elderly affairs.

In advance of council meetings, senior administrators provide the SCC with minutes of agendas and encourage them to comment on matters of interest to them. This structure is well embedded in local policy making processes and members of the SCC enjoy regular and open interactions with the politicians and civil servants who worked on policies affecting residents over 60 years old. From interviews with members of the councils and local political elites, a good level of trust and understanding has built up between both sides and there is clear evidence that civil servants and elected representatives had a significant interest in listening to and learning from the SCC (ibid).

#### ***1.4 Conclusions and Learning From Denmark***

With reference to the theoretical framework and established practice in Denmark, the examples of Holbaek and Aarhus provide much learning for participatory in Ireland. Although not decision-making the processes serve to increase and deepen citizen participation in local governance.

**1.** There is evidence of inclusive selection mechanisms as processes are open to all citizens in Holbaek and all senior citizens in Aarhus. Elections on the SCC help with the legitimacy and mandate of representatives as citizens are elected to the SCC’s by their peers for a period of four years in clear and transparent processes. **2.** Both mechanisms display a

degree of agenda setting for participants. For example, in Holbaek the issues tackled during meetings emerge from the participants themselves. Further, in meetings with municipal bodies the SCC can express views on all municipal policies affecting residents over 60 years of age. **3.** There is evidence of deliberative ethical perspective as officials support and collaborate with councils and sub local networks. For example, networks and boards are regularly used as consultation ‘partners’ for City Councils in public initiatives. **4.** The above case studies detail flexible processes which exist to some degree outside the remit of the local authority. For example, networks and councils have a high degree of autonomy and are not dominated by the Municipal Councils. **5.** In contrast to Ireland, mechanisms are generally targeted at certain issues, services or the concerns of a particular societal group, not any one area of municipal competence. **6.** In Aarhus, there is evidence of trust and positive dialogue between senior citizens, elected representatives and municipal officials. Moreover, there appears to be good relations and communication between City Council and the networks in Holbaek, formalised through ‘Dialogue Committees’.