

The question of representation and representativeness of citizens' organizations

Data and suggestions from national-based
researches

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Introduction

- The problem: article 11 of the Lisbon Treaty twice mentions “representative” associations but with no definition
- Information coming from two sources:
 - Active Citizenship Network project “Assessing and reviewing the criteria of representativeness of civic NGOs” (2004), implemented in 28 European countries and in some Latin America countries
 - FONDACA survey on the Italian situation (2008), involving national public institutions and citizens' organizations
- Focus on “Autonomous Citizens' Organizations” as actors in the public arena (European Charter of Active Citizenship, 2006)
- Information can feed the debate on the statute of European associations, that should involve also the non-Brussels-based ones.



Starting points

- Representation:
 - To **stand for**
 - To **act for** someone or something that is absent
- In the case of citizens' organizations there must be distinguished various situations:
 - **Internal representation:** the way in which organizations make present in their forms and procedures subjects, interests and situations they deal with;
 - **Direct representation:** they way in which organizations stand and act on behalf subjects, interests, situations etc.
 - **Second-degree representation:** the way in which umbrella organizations stand for and act for other citizens' organizations
- It is a matter of fact that citizens' organizations **do stand for and act for a lot of people**, in spite of contradictions and paradoxes (*Impossible but real; Real but impossible*)



Official criteria for the involvement

Objective	Evaluative
<p><i>Related to the organization</i></p> <ul style="list-style-type: none"> • Size • Territorial scope • Degree • Stability • Resources • Transparent accounting <p><i>Related to activity</i></p> <ul style="list-style-type: none"> • Field of operation 	<p><i>Related to the organization</i></p> <ul style="list-style-type: none"> • Experience • Expertise • Reputation • Independence • Trust • Networking • Internal organization • Specific interests • General interests <p><i>Related to activity</i></p> <ul style="list-style-type: none"> • Past results • Projects

Source: Active Citizenship Network, "Assessing and Reviewing the Criteria of Representativeness of civic NGOs", 2004



Prevailing criteria in formation and implementation of policies

Policy formation	Policy implementation
<ul style="list-style-type: none"> • Connection of organizations with the target of the policy • Membership (quantitative) 	<ul style="list-style-type: none"> • Operational abilities • Financial accountability



Institutions' practices / 1

- *General features:*
 - Practices regard **mainly policy formation** (implementation not considered as "citizens' participation)
 - **Objective and evaluative criteria are mixed and overlapping**
 - A wide **variety of behaviors and habits also in the definition of rules and standards**
- *Definition of rules, standards and criteria:* participation in policy making **not as a right of civic organizations, but rather as an institutions' prerogative**
- *Tools and procedures:* guidelines, codes of conduct, distribution lists open to all the interested



Institutions' practices / 2

- *Hidden criteria:*
 - **diversity in the application of criteria** according to the people or operational structures involved;
 - **arbitrariness and lack of transparency** in the choice of organizations allowed to participate in policy making;
 - **informal relations** giving an advantage to **well-structured organizations**;
 - identification based on **partisan criteria**;
 - priority given to **organizations' lobbying ability** rather than to the **real expression of people's interests and rights**;
 - **reference of public officials to institutional traditions and habits rather than to the content of rules and laws.**



Institutions' practices / 3

- *Intervening variables:*
 - great influence of **political and institutional culture**, attitudes and relations;
 - relevance of **logistical and organizational factors**, such as the length of notice, the time and place of meetings, as well as the possible existence of forms of support enabling civic organizations to be physically present;
 - **lack of civic organizations' time, human resources and skills** but also their deficit of power vis-a-vis public institutions;
 - existence of **cognitive divergences** between politicians and civil servants on one side and citizens' organizations on the other.



Effects and reactions

- Citizens' organizations involved in the projects show deep **distrust** in the reliability and effectiveness of the criteria, especially because of the implementation gaps. They strongly believe that criteria are directed to **make the strong stronger and the weak weaker**. They contest both written and unwritten criteria for the same reason.
- **Paradox**: criteria aimed at assuring equity and equal opportunities ended by generating distrust and further inequality in the access to policy making process of citizens' organizations



Active Citizenship Network's proposal emerging from the 2004 project

- From representativeness to relevance
- Representativeness: an absolute and definitive concept
- Relevance: a pragmatic and contextual concept, depending on specific needs and situations.
- A consequence: a citizens' organization cannot be relevant in itself, but only in relation to specific situations, problems and needs.



Guidelines for the implementation

- Right, not discretion
- Publicly stated rules and criteria
- Mixed criteria (general and sectoral; objective and evaluative)
- Flexible norms
- Priority to procedures
- Accompany norms with policies
- Involve civic NGOs in the definition of criteria



Procedures

- Selection of criteria case by case
- Open and public procedure to select criteria
- Involvement of citizens' organizations in the definition of the criteria;
- Chosen criteria should be communicated and publicly used
- Mixed bodies for assessing the organizations that fulfill the criteria
- Public disclosure of the conclusion of the process and the reasons for the identification of some organizations as more relevant;
- Possibility of appealing against the result of the process to a third party (acting as a conflict manager)



Some remarks to conclude

- Citizens' organizations do exist and are legitimate also in case they are not recognized by public institutions
- They act under the principle of intervention rather than the traditional principle of representation
- Their role is in any case linked to the general interest: protecting rights, caring for common goods, empowering people
- When interacting with public institutions, the question of their representativeness comes under question
- The growing power and influence of citizens' organizations rise unavoidable questions regarding who and how they stand for and act for
- No shortcuts can work (e.g. the trade-unionist approach)
- To be considered as a framework constitutional principle: subsidiarity (not as a division of work but as a principle of mutual cooperation and support recognizing the value of autonomous citizens' activities in the general interest)

