Accountable autonomy? Examining multilevel associational democracy in Spain[1]

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Abstract: Most recent research about democratic innovations has neglected the analysis of one of the most widespread participatory institutions: associationally based institutions that exist and meet regularly at the neighborhood or policy level. Fung (2004) claimed the important role these institutions could have, but limited research has been developed around other similar, but probably less successful cases. Our research aims to map these advisory councils in Spain using a multilevel perspective, covering from the national to the local level (cities of more than 200.000 inhabitants) and to explain their diverse performance. The paper presents the research project, its objectives and methodological strategy, as well as very preliminary descriptive results.

Keywords: advisory councils, participatory democracy, policy making, associative democracy

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1. The "ugly ducklings" of participatory governance?

Sectoral and territorially based advisory councils are the most common of all existing participatory devices in many countries. However, differently from other innovative mechanisms developed in the last decades, their more limited media visibility and the generalized perception that they perform in most cases basically a ritual role has resulted in an almost complete lack of research about their development and results. Do they achieve their goals? Is there any relationship between their composition and work dynamics and their ability to effectively influence public policies? Can improvements be made to ensure greater effectiveness?

Well known international research is quite limited (Fung, 2004) and the same thing happens with Spanish literature, limited quite often to the analysis of one single experience or a small set of them (Navarro, 1999). The reasons why advisory councils have been under-represented in research are probably diverse. The fact that they are not a recent "participatory innovation" but an institution which is already a routine in public administrations (Smith 2009) is a central one. Also, the fact that they are based on associations (the most traditional participatory publics) or the generalized perception that their policy role is quite limited contributes to the limited attractiveness of their image. For these reasons, advisory councils could be considered "ugly ducklings": they are part of the general family of participatory democracy but they are not perceived as groundbreaking and transformative as other democratic innovations such as participatory budgeting.

However, this skepticism and lack of rigorous knowledge does not entail that these councils are being abandoned. In fact, they continue to have a relevant role -sometimes substantive, others symbolic- at different policy levels and areas and some of the 2015 Spanish newly elected local and regional governments have started reforms to reinvigorate their performance. Therefore, this paper aims to offer a general overview of the Assodem Project, a research project that has two main goals: 1) to establish a clear comparative mapping of the existence of these councils in Spain, going from the local (municipalities above 200.000 inhabitants) to the national level; 2) to understand what makes these mechanisms perform well from several points of view, in order to provide useful inputs for their potential redesign.

The paper develops as follows. The next section tries to clarify the universe of analysis, making a brief overview of previous research both in Spain and in the comparative literature. The third section presents our research questions and research design. Finally, the fourth section presents the methodology, data collection strategies as well as some very preliminary descriptive evidences.

2. Advisory councils in comparative perspective

2.1. Defining the universe of analysis

Advisory councils have received several names in different countries and public administrations. There is not a single denomination for this type of institutions, either in Spain or in comparative perspective: we find different names according to the main research question addressed or the main theoretical tradition in which each research participates. Firstly, there is *corporatism and neo-corporatism* (Schmitter 1992) tradition which comes from the idea of business and unions contributing to social policies and to the coordination of the political economy. This literature normally includes the study of bodies for "interest

representation", from the work-place to state departments. Secondly, the tradition of "associative democracy" (Hirst 1994; Cohen and Rogers, 1995) is more focused on the articulation of a variety of social interests and demands, which should be channeled complementing state policy-making. In this tradition, Hirst talks about "councils" (1994: 187), but also of "associational bodies". Thirdly, there is a "participatory" tradition which connects them with all the literature on participatory democracy which appeared since the 80s (Fung 2003; Fung, 2004). Finally, in the last decades we also find the expression "deliberative councils" for this type of institutions (Campos & Gonzalez 1999; Cornwall 2008; Schattan 2004; 2006).

Considering this diversity, we prefer to talk about "advisory councils" (ACs, hereinafter) for several reasons. There is some consensus around the idea of calling these institutions "councils", as collective bodies including different actors (not only public authorities), including particularly representatives of associations. Also, we remark the "advisory" character because, normally, this is their most common role: public decision-makers consult these institutions. Clearly, there is not a homogeneous advisory style or a single product (sometimes is just advice, other times it is consensual agreements, formally voted reports or just information provision). Thus, the concept "advisory councils marks the collective nature of these settings, and the common advisory relationship with public authorities.[2]

Thus, our universe includes bodies that have all the following characteristics:

-They have a formal existence, which links them to some kind of public administration. The council may have been created from above or from below, but it has been recognized by a public administration as a legitimate partner and space for public debate.

-They have been created to have a permanent character, not to solve a particular issue in a given time frame.

- They include some kind of citizen presence (individual or associational). This excludes councils that only include politicians and/or experts.

2.2 Advisory councils in Spain and beyond

ACs appeared in Spain in the 1980's with the development of the post-Francoist political system (Bueso 2009) and the transformation of public administrations into the actual democratic system. Their extension was very relevant at the local level since the first local election (1979). In the 80's and the early 90's ACs mushroomed in the central, regional and municipal administrations. Stable institutions for social and economic interaction were stablished in a corporatist way and they expanded to other policy areas (e.g., youth, women, sport, education and others).

The most classical typology to group ACs is related to their scope. There are *territorial* and *sectoral* councils (Gomà & Font 2001). Territorial are those dedicated to all the policies in a given territory (most often in a medium to large city). They are generalist in their political

[2] For example, in Spain, they are called consejos de participación, comisiones de participación, consejos asesores, consejos de participación, foros deliberativos, comités, mesas de participación, órganos colegiados de participación asociativa o de participación ciudadana, etc.

scope and heterogeneous in their composition. Organizations and citizens are often represented, for example, in a neighborhood or a district council. Sectoral councils are those related to specific policies and associative groups are the most common participants. Another possible type consists in councils centered on specific sectors of population (e.g. old people or immigrants).

Secondly, we can distinguish ACs in terms of their tradition. This is a relevant dimension because it distinguishes old councils which were created under the idea of corporatism and class conflict, from other which are more recently created under a pluralistic approach (a variety of social interests) (Schmitter 1992: 436). We have old *corporatist councils* and *new social councils*, which respectively respond to two different periods, models and probably different ways of working. Thirdly, another typology would be related to the origins of the councils (Alarcón & Font 2014: 8-9), distinguishing if it was created from the initiative of associations ("from below"), or if it is the initiative of political authorities or another superior authority (for example, to respond to an EU regulation). A fourth typology would describe the composition of society's representation. In this sense, we have *associative-based councils* and *councils including also individual citizens*, elected by lot or because they are especially affected, prestigious, etc. The first type is the most common, but some councils created in the last few decades incorporate individual citizens (Bherer et al. 2016: 349).

In the Spanish field, there are no recent studies mapping and analyzing ACs in general, neither exists a study comparing different territorial levels. The only general study which focuses on these devices is Navarro's work on local associative democracy (1999), where he combined desk-analysis and interviews with public officials in charge of participatory institutions. Other general and large-N studies on participatory processes include ACs at the Spanish level (Font, Della Porta & Sintomer 2015) or at the regional one, so that there is no systematic information on ACs in these large N studies. On the other hand, case studies based on qualitative data have been conducted at all levels, often linked to the study of social policies (Sarasa & Guiu 2001; Jiménez Sánchez 2005; Rodríguez & Ajanguiz 2007). These studies focus on how participation is performed in these settings and its impacts, but they lack systematic cross-case comparisons and a common analytical framework. Also, there is no ethnographic research.

Varieties of ACs, receiving different names, are a quite extended institution, which is found in most of Europe, the US, many Latin American countries, as well as several countries of Asia, at the very least (Campos & Gonzalez, 1999; Cooper & Musso, 1999, Serdult & Welp, 2015; Sintomer, 2015). As the next section will show, their analysis has covered different fields, from their influence in policy-making to its central working dynamics.

3. Who cares about ACs?: research questions

One of the central goals in the Assodem Project is to understand what makes ACs perform well. Thus, the first step is to explain what we understand as good or bad performance, which constitutes the dependent variable in our research.

Most of the participation literature tends to develop general evaluation criteria departing from normative democratic theory, resulting in a list of potential benefits of any participatory device. On the other hand, several authors have also argued that even if all these criteria are generally desirable, several trade-offs may exist in pursuing them, so that each specific participatory instrument may be better at reaching one of them (Fung 2006; Sintomer 2011;

Galais & Font, 2012). Following this argument, each participatory mechanism would aim only at one or a few of these democratic goals and it would be unfair to evaluate them, using objectives they were not designed to deal with. For example, most ACs have not been created explicitly to promote social justice and, therefore, it does not make much sense to use this as an overarching criterium against which to judge their outcomes.

In the literature on criteria for assessing the democratic characteristics of participatory institutions there is a certain degree of agreement as to the central criteria that can be employed. Fung (2004; 2006), for example, has suggested the use of three dimensions: 1) authority and power; 2) communication and decision making; 3) participants. His concerns resonate in many ways with the democratic goods suggested by Smith (2009), namely: 1) inclusiveness; 2) popular control; 3) considered judgement; 4) transparency. Other authors make different proposals, which use slightly different labels and end up including a few more aspects, but coincide on three main issues: participants, working procedures and policy influence. For example, Mansbridge (2015: 36) includes different criteria related to how discussion proceeds, but also inclusion, power and transparency among others.

Our research tries to combine these different approaches in two central dimensions. The most central concerns in our framework are those performance related ideas which are central for any AC: voice and policy relevance. Any of our ACs should contribute to make different social voices heard and to aim at providing relevant inputs for policy-making. Thus, in the context of the structure and practice of Spanish ACs we can crudely distinguish between a) the way in which the internal composition and practices of the council promotes voice and b) the policy role of ideas and proposals that emerge from the council.

Which are the factors that could explain different levels of performance? Previous research points to several potential hypotheses. We will not fully develop them, but they will come from three main fields: a) the different representation of social and political interests inside the AC; b) political conflict and strategies of all actors, including the will of politicians in charge to empower these institutions; c) the institutional design of these mechanisms.

In order to operationalize these dimensions, we have summarized them in three research questions aimed to grasp the key factors that probably explain the different performances of AC's.

3.1 Who participates?

The selection of the AC's members is a key factor because it affects the diversity of views and information inside the council (Bohman, 2006; Sunstein, 2002). The council's initial composition determines whether it is a forum for associations, activists and interest groups dominated by an idea of representation as partisanship and negotiation or it is rather a forum for the participation of non-partisan actors (lay citizens, for instance) with an idea of representation as deliberation (Hendriks, 2006; Fung, 2006; Ganuza et al, 2013).

We can highlight two factors that condition the ACs' composition: representativeness and political strategy. In the first place, a principle of democratic justice obliges the council to include all interests affected by the issue under discussion so that any final outcome can be considered legitimate. However, the realization of this principle generates problems when it is not clear which is the criterion of representativeness that qualifies an actor to be part of the AC (Font & Blanco, 2003). The ambiguity of the criteria that determine representativeness

allows manipulations, biases and strategic calculations when deciding the composition of an AC (Navarro, 1999). Sometimes the problem arises because the authorities do not find appropriate representation of the issues addressed by the council, due in part to the weakness of the associative network within the policy area covered by this mechanism. This would mean that politicians do not trust that the ACs really represent the social interests and, therefore, disregard them. From there, a vicious circle of lack of interest in the development of the institution also spreads to social organizations (Font, 2003).

In the second place, political strategy can be the driving criteria for authorities when deciding the composition of an AC. As Hendriks explains, partisan actors approach these devices through an instrumental rationality that ultimately seeks to move forward their own strategic interests (Hendriks, 2006: 577). In this sense, Navarro (2000) argues that the close links between some parties and associations can generate a "participatory bias", so that the decision of a local government on the composition of a certain participatory mechanism lies more on partisan strategies to give more weight to ideologically close associations than to be truly inclusive of the plurality of interests represented by the local associations. Also, Schattan (2004) finds the same dynamics when analyzing health councils in Sao Paulo.

These strategic attitudes do not only belong to politicians, but they also appear in associations, activists or interest groups. For instance, a concrete interest group may decide strategically not to participate in a AC because it is unsure of achieving its interests there, or because it has better and pre-existing channels for accessing the institutions and it does not want to undermine its status and ability to influence decision makers by engaging with other actors (Hendriks, 2006: 584). Ganuza et al (2013: 7) state that associations that have traditionally monopolized representation in a given AC may resist losing their privileged position in favor of other participants, such as non-associated citizens or political activists.

3.2 How does the council work?

Attributing an important explanatory role to institutional design is a powerful tradition in research about participatory institutions (Delli Carpini et al, 2004: 327; Gastil & Levine, 2005; Fung, 2006; Landwehr & Holzinger, 2010; Baiochi et al, 2011). Design choices have consequences for the level, bias and quality of participation. The ACs' organizational rules could become a key factor for their performance.

There are several explanatory factors to analyze here. For example, having working commissions is not a guarantee that a AC will perform well, but it is at least a signal that some real activity is going on and there is interest to discuss policy details. Also, a democratic access to the permanent commission is a sign that this body is not completely controlled by a small minority. Some recent evidence (Bherer et al, 2016) supports the idea that allowing organizations to participate in the establishment of their internal procedure can be considered a reason for the well-functioning of the participatory processes.

Finally, focusing on decision-making rules, the most usual pattern combines different procedures: seeking consensus, simple majority and dissenting vote. Nonetheless, the functioning logic rewards consensus in the work commissions (Rodríguez & Ajangiz, 2007) because a proposal is more likely to be accepted by the superior body if it got a unanimous approval. The same happens with the recommendations approved by the plenary, they are more likely to be considered by the external political authority if there is a strong support behind them.

3.3 What for?

This question focuses on the ACs' powers and competences. How does it integrate the participants' input into the decision-making process? In most cases, these ACs rarely have a strong influence in the design of public policies, their implementation or their evaluation. In their assessment of citizen participation mechanisms in the Spanish municipalities during the late 90s, Gomà & Font (2001) point out that there is a clear difference between a small number of councils with a direct impact on program design and a large number of merely advisory councils, perceived by municipal officials as spaces for information and legitimation of unilateral policies. In other cases, ACs are more empowered but the issues they address are scarcely relevant. A similar image comes from comparative research: councils rarely have binding decision-making (Cooper & Musso 1999: 213).

Fung expectation is that participatory processes with merely advisory functions would be ineffective (Fung, 2006: 69). On the other hand, when an AC has a direct impact on public policies their members will be more committed to use it as a forum for deliberation, negotiation and decision, and it is likely that public authorities will be pressured to provide this mechanism with material resources (budget, personnel, technical office, etc) to secure that it can fulfil its executive functions. However, regarding this discussion, it is important to note the contrast between the more skeptical assessments of many scholars with a more positive subjective perception of participants. For example, this is seen in a survey study in the system of ACs in Flanders (Fobé et al. 2013) or in Barcelona (Sarasa & Guiu, 2001).

How independent is the AC versus the administration? From his analysis on ACs on education and security in Chicago, Fung (2004) proposes the concept of "accountable autonomy" as a variable that explains the good results of some of these experiences. Thus, it would be a matter of combining a considerable functional autonomy of these institutions with the presence of an external authority that provides them with resources and, at the same time, forces them to offer explanations and be accountable for their actions. However, this dynamic could be context-dependent and, therefore, less successful in environments characterized by a partisan political culture. In these cases, the insertion within higher-level institutions may play against the proper functioning of the AC if there is a hierarchical, financial dependency or simply a need for coordination on a public policy that requires the cooperation of rival administrations.

4. Methodology: data collection strategies and preliminary evidences

This section presents the overall research strategy of the project as well as its main data collection strategies. For those which have been already developed, we also present some very preliminary descriptive results.

The first objective of the Assodem Project is to develop a multilevel mapping of the existing ACs at the national, regional (17 regions) and in the almost 30 municipalities of more than 200.000 inhabitants that exist in Spain.

An initial search, mostly based on web mining has been the source to create a **General Data Set** (**GD**). This includes basic information (subject, year of creation, territorial scope) about all the ACs existing in Spain in these administrations. The Annex includes the main results: 1983 ACs, or an average of about 43 councils for each of these administrations. Apparently, the

number decreases in smaller administrations: 93 for the Spanish central administration, an average of 74 for each region and about 22 in each city. As it is usually the case, these average figures hide a quite large diversity: the 17 regions range from having 18 of them in Cantabria to a maximum of 137 in Comunidad Valenciana. A similar pattern is found in cities, where Barcelona reaches a maximum of 152 (a complete outlier among municipalities), whereas Almeria has only 11 (followed by many others with 12-13).

Regarding the policy fields, there is presence of ACs in almost every policy field, with an especially high concentration in two sectors, economy (388) and environment (283), where they are present in most administrations (most especially at the regional level). The other large category belongs to the territorial councils (303), which only appear at the local level.

Three additional data collection strategies are envisaged. First, departing from the GD, we will mine the web looking for the constitutional documents and rules of a selection of ACs to generate a **Thematic Data Set (TD)** with information regarding a limited number of indicators on mission and aims, composition, organizational structure, transparency and publicity, and other aspects that are easily available. To generate the TD we have limited the policy scope so that the number of cases is manageable for web mining (n= 600-700 cases) by selecting some subjects on each of the following types of ACs: a) traditional social policies (social welfare, education); b) new social policies (environment and housing); c) identities (immigration-cultural diversity, childhood-youth-elders-family, women, LGTB); d) territorially based councils. Table 1 presents the initial distribution of this dataset.

Table 1. Thematic dataset distribution (initial universe)

SUBJECT STRATA

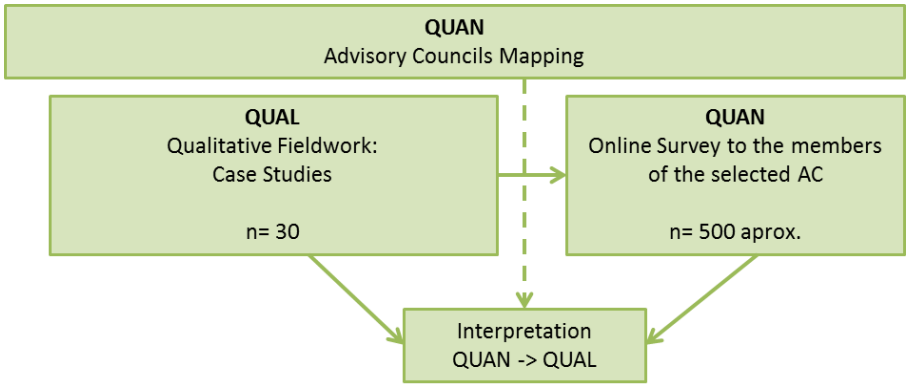
Subject	Municipalities	Regions	State	Total general
TRADITIONAL SOCIAL POLICIES	**54**	**126**	**7**	**187**
Social Welfare	17	47	1	65
Education	37	79	6	122
NEW POLICIES	**25**	**110**	**2**	**137**
Environment	24	97	2	123
Housing	1	13		14
IDENTITY BASED POLICIES	**94**	**100**	**12**	**206**
Inmigration and ethnic and cultural diversity	11	18	4	33
Childhood - Youth - Elders - Family	49	54	5	108
Women	30	25	3	58
LGTB	4	3		7
TERRITORIAL	**104**	**0**	**0**	**104**
Territorial general (Social City Councils)	25			25
Territorial districts	72			72
Territorial neighbourhoods	7			7
Total general	**277**	**336**	**21**	**634**

In a second stage, we will select around 90 cases from our TD[3] (trying to reach a final number of 50 cases with effective results) to survey the council members in order to quantify the subjective side of their experience (perceptions of the performance of ACs). This will generate a **Satisfaction Survey Data Set (SSD)**.

Finally, we will conduct around nine **Case Studies (CS)** using all the information available through document search, interviews to diverse participants and organizers and, if possible, observation. The idea here is to examine in-depth some of the causal effects that may have appeared in the analysis of our general data (GD, TD, SSD). This qualitative strategy will enrich the description of ACs and it also will help us to improve our comprehension, building on the causal processes behind effects.

To sum up (Figure 1 and table 2), the project will incorporate quantitative and qualitative tools. The first stage will undertake the mapping of the sectorial and territorial councils (GD and TD) that will be analyzed in additional stages for a deeper understanding (CS and SSD).

Figure 1. General Research Design



Own elaboration

Table 2. **Scientific objectives and information tools**

		Objectives	
Information tools		Comparative mapping	Explanatory factors of performance
	Web data	Description of composition and operating dynamics	Quantitative relationship between explanatory hypotheses and functioning of councils
	Survey to AC members	Informal operational dynamics; Subjective perceptions of performance	
	Case studies	Detection of informal dynamics	Deepening, detection of informal dynamics; understanding causal mechanisms

Own elaboration

[3] The idea is to stratify the research universe (about 600 cases) and to make final random selection of cases within each of the strata.

Final remarks

Advisory Councils are one of the most common participatory instruments used by public administrations, but they have received limited academic attention compared to other mechanisms like participatory budgeting or minipublics.

The existing evidence presents also a remarkable contrast between very successful cases (Fung, 2004), a few experiences where they produce at least some relevant results (e.g., Pobrebinschi and Ryan, 2017) and many instances where they appear to have no real impact at all.

The Assodem project aims to contribute to this field by producing a multilevel mapping of existing ACs as well as some explanations of why some of these mechanisms work much better than others.

The extremely preliminary evidence existing at this point confirms that the existence of ACs is extremely common, but also that their distribution is quite heterogeneous. As a result, not only their diverse performance but also their diverse existence needs a careful examination that contributes to understand when and why public administrations choose to create these institutions.

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Annex 1. Spanish ACs by level of administration and policy field

Subject	Municipalities	Regions	State	Total general
Social Welfare	**17**	**47**	**1**	**65**
Education	**37**	**79**	**6**	**122**
Healthcare	**19**	**92**	**5**	**116**
Foreign affairs	**20**	**30**	**3**	**53**
Culture / Heritage / Language / Religion	**24**	**55**	**3**	**82**
Sports / Leisure	**8**	**43**	**3**	**54**
Economy	**24**	**330**	**34**	**388**
Primary Sector	1	122	5	128
Industry / Commerce / Business	15	71	17	103
Employment / Labor relations / Safety at work		72	5	77
Tourism	2	16	1	19
Prices / Taxes / Games and bets	2	29	4	35
Consumption and others	4	20	2	26
Public Administration	**4**	**72**	**7**	**83**
Environment	**24**	**255**	**4**	**283**
Citizen Participation / Volunteering / Third Sector	**21**	**24**	**2**	**47**
Transports / Mobility	**8**	**35**	**3**	**46**
Security	**5**	**28**	**3**	**36**
ICTs / Science		**14**	**5**	**19**
Urban Planning	**7**	**12**		**19**
Housing	**1**	**13**		**14**
Inmigration and ethnic and cultural diversity	**11**	**18**	**4**	**33**
Childhood - Youth - Elders - Family	**49**	**54**	**5**	**108**
Childhood	10	13	1	24
Youth	19	19	1	39
Elders	19	11	1	31
Family	1	11	2	14
Women	**30**	**25**	**3**	**58**
LGTB	**4**	**3**		**7**
Dependents / Disabled People / Accesibility	**12**	**30**	**2**	**44**
Territorial	**303**			**303**
Territorial general (Social City Councils)	25			25
Territorial districts	203			203
Territorial neighbourhoods	75			75
Others	**1**	**2**		**3**
Total general	**629**	**1261**	**93**	**1983**