

People's Assembly in Estonia – crowdsourcing solutions for problems in political legitimacy.

Case description of deliberative process

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Context

In May 2012, a former Estonian MP, member of the ruling Reform Party unleashed one of the greatest scandals in Estonian politics. Meikar confessed in an Estonian daily newspaper *Postimees* that the party's officials had given him money of unknown origin that he then had to donate to the party under his own name. He claimed that this was a standard practise for the party and several other party members had donated funds to the party this way.

The criminal investigation of the party's alleged funding violations was ended by the prosecutor's office due to insufficient evidence. Yet, the suspicions were enough for public to be alarmed. The public reacted to the scandal by organizing street demonstrations against the Reform Party. People criticised the lack of transparency in party funding and expressed the need for a more open political system. The public dissatisfaction was expressed in a manifesto called Charter 12 (*Harta 12*) that was initiated by 17 civil society activists and signed by nearly 18,000 citizens.¹ The manifesto called attention to the shortcomings in Estonian political landscape and demanded for the opening of the party system and increased influence of the citizens in public decision-making. These sentiments motivated civil society advocates to wonder, how to use this increased public activism in the most constructive manner.

Ice Cellar Initiative

Estonian president Toomas Hendrik Ilves responded to the public resentment by assembling a meeting of representatives of political parties, social interest groups and non-profit sector, political scientists and other opinion leaders. The roundtable became quickly known as "The Ice-Cellar Process" as the meeting took place in the old ice-cellar building in Kadriorg. Although such an arrangement was criticized for taking the initiative away from the public control², the meeting's transparency was secured by broadcasting it online. More importantly, it was decided at the meeting that the search for solutions would be continued through public deliberation processes to implement the principle of open government and to bring governing closer to the public. Thus, the process resulted in two interconnected initiatives: an online crowdsourcing function for collecting policy proposals from citizens and a deliberation day to discuss these ideas.

People's Assembly as a deliberation process

¹ Harta 12, Petitsioon.ee. <http://petitsioon.ee/harta12>

² Priit Hõbemägi, "Aitab! Ei mingeid Jäakeldreid enam!" [Enough! No Ice Cellars Anymore!], Delfi, 23 November 2013. <http://www.delfi.ee/news/paevauudised/arvamus/priit-hobemagi-aitab-ei-mingeid-jaakeldreid-enam.d?id=67142722>.

The whole process that became to be called the People's Assembly was organised by a group of civil society advocates from the Estonian Cooperation Assembly, the Praxis Centre for Policy Studies, the Network of Estonian Non-profit Organisations NENO, the Open Estonia Foundation and the e-Governance Academy. In addition, the team comprised of representatives of the four parliamentary parties and the Office of the President of the Republic of Estonia as well as several IT and communication professionals.

A website was created in January 2013 around five pre-determined issues. Every proposal had to fall under one of the fixed topics: the electoral system, the functioning of political parties, the financing of political parties, public participation in political decision-making, and the politicization of public offices. Those topics that did not fit into one of the categories were placed under the "varia" category and were left out from the further discussion. The online platform also provided an opportunity to comment, support or criticize the submitted proposals. This step of the Assembly process was open to everybody, including politicians. The main requirement for citizens to be able to engage on the website was to log in with an electronic ID so as to make the identity of the participants public.

Liia Hänni, the programme director of the e-Governance Academy commented on the importance of the crowdsourcing initiative by saying that "Raising issues that are relevant for general society is no longer the monopoly of the government, political parties and politicians, but each and every one of us".³ Within three weeks, the webpage had 60,000 visitors; nearly 2000 registered users posted a total of 6,000 original proposals and comments on those proposals.

After the collection of the online proposals, a group of analysts from the Praxis Centre for Policy Studies tied the citizens' proposals into 59 issue-bundles: each of the five main topics was divided into a number of subtopics. The work of the Praxis Centre consisted of synthesizing and systematizing the proposals, working them through and drawing up written summaries. The bundling was followed by an analysis of the gathered ideas by experts from various fields. Around 30 experts contributed with their professional knowledge by giving an impact assessment of citizens' policy proposals regarding what implementation of the proposals would bring.

The work of the experts served to provide necessary knowledge for the participants of deliberative seminars that took place throughout one week in March 2013. During the five seminars that were held, political representatives, experts, and citizens who had contributed to the original proposals in the crowdsourcing process deliberated upon the submitted ideas. The overall aim of the thematic seminars was to single out which of the ideas put forward on the online platform could best solve the problems that led to the creation of the Assembly initiative. As a result, 18 most important issues were selected for the deliberation day - "The Citizen Assembly Day" - held on 6 April, 2013.

A stratified random sample from different subsets of the population were selected to participate in the deliberation day. The selection took into account characterization such as place of residence, age and sex to have a representative body of Estonian society. Of the 550 people who were invited, 314 citizens actually chose to participate. The socio-demographic characteristics of the actual participants were represented in the same proportion as their

³ Three proposals of People's Assemble became laws this year. NENO, 6. April 2014. <http://www.ngo.ee/ngo/247/article/8586>

shares are among the voting population. Nevertheless, the participants had slightly higher levels of education than the Estonian population on average.

The 18 proposals were discussed in the tables of approximately 10 people. Every table was hosted by a moderator to assist the deliberation process. The participants were handed briefing materials regarding each proposal, including the assessments of the experts. The citizens discussed the competing sides of the issues to form their opinions upon the proposals. Every table's preferences were eventually aggregated into a group preference via voting. As a result, 15 out of 18 proposals were selected to be sent to the Estonian parliament, the *Riigikogu*, for legislative amendments.

At the end of the deliberation day, the participants were asked to evaluate the deliberation day on a written feedback paper.⁴ The feedback indicated that people found the discussions to be interesting, the topics comprehensible and the participation opportunities to be sufficient. In line with the experience of similar public deliberation projects⁵, the participants claimed to have acquired new knowledge of political matters in general and the topics of the day in particular, and great majority said that they became more interested in the discussed topics and politics. Every second participant asserted that at least some of their earlier opinions on the best course of action were changed as a result of the discussions. These results indicate that Peoples' Assembly was capable of increasing civic competence and creating more interest in the general public.

Outcomes of deliberation process

As for the Summer 2014, three proposals out of the 15 that were sent to the parliament have actually become laws. In addition, four proposals have been partly implemented or re-defined as commitments in the government coalition programme. For one thing, the parliament agreed to lower the number of members required for the establishment of a party from 1000 to 500. To further boost the competition on political landscape, the *Riigikogu* decided to reduce the candidate deposit that is required for entering national elections by half and increase the financing of parties that fail to meet the election threshold. The promise to balance the requirements for obtaining a district mandates at *Riigikogu* elections between political parties and independent candidates was included into the coalition agreement of the new government in spring 2014. As for the demands of making the financing of political parties more transparent and accountable, a monetary fine was established for accepting prohibited donations and the powers of the Political Party Financing Supervision Committee were expanded. To further the citizens' opportunities for participating in democratic decision-making, legal amendments were adopted that require the parliament to start official procedures based on public petitions that receive at least 1,000 supporting signatures.

Reflections on the effects of Rahvakogu

Due to the fact that only a fraction of the originally submitted proposals were actually turned into legislative regulations, the People's Assembly has been later criticized for failing to meet its' initial goals of reforming the political system. As the Parliament had the final say to

⁴ Tagasiside [Feedback], NENO 8. April 2013. <http://www.ngo.ee/node/5387>

⁵ Fishkin, James and Bruce Ackermann (2004). Deliberation day. http://qrixqln.yalebooks.com/yupbooks/excerpts/ackerman_deliberation.pdf

decide whether, and to which extent these proposals were to become laws, steps on many of the key issues fell short of what the People's Assembly recommended. Proponents of direct democracy argue that crowdsourced proposals should have become laws as they were decided upon, and the *Riigikogu* should have acted simply as the executive body of the People's Assembly.

Regardless of the points of criticism regarding the results, People's Assembly represents a unique attempt to practice the principles of open and inclusive democracy in Estonia. For one thing, it proved that if enabling opportunities have been created, people have the will and the knowledge to participate in the public policy making. By pooling diverse ideas and experience, the process benefited the society by bringing new perspectives into the political system, by helping to better understand the essence of the existing problems and by forming a common understanding of the possible solutions. The Assembly opened up channels for collective voice and action to address the problems in public sphere, thus strengthening the perception of the people that they have the right and means to be included in the discussion. Approximately three thousand people participated in the process of the People's Assembly that lasted 14 weeks.

The most uncontroversial conclusion was possibly stated by the president Ilves, who asserted that although "People's Assembly is not an alternative decision-making organ to the Riigikogu. It is an additional opportunity in our developing democratic state that seeks new solutions in order to give real meaning to popular concepts such as "participation" and "involvement".⁶

⁶ The political statement of President Toomas Hendrik Ilves at the Riigikogu, 8. April 2013. <http://www.president.ee/en/official-duties/speeches/8846-the-political-statement-of-president-toomas-hendrik-ilves-at-the-riigikogu-9-april-2013/index.html>