

## RESEARCH ARTICLE

# Empowerment and disempowerment in climate assemblies: The French citizens' convention on climate

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## Abstract

Citizens' assemblies to address climate change have multiplied in recent years. Seen as a useful tool to provide solutions to the climate crisis, they have, however, struggled to impact public policy. Additionally, little is known about how citizens' proposals are diluted or rejected in climate assemblies. We explore this situation through a qualitative case study of the French Citizens' Convention on Climate. The French case is unique in that it involved the incorporation of assembly participants in the process of integrating assembly proposals into a new Law on Climate and Resilience. We use semi-structured interviews and analysis of secondary documentation to understand how citizens' views were finally excluded from draft legislation. Findings show remarkable citizen empowerment taking place during the Citizens' Convention, which nevertheless vanished during the joint elaboration of the law, allowing certain political and economic interests to impose their vision. We suggest that organisers of the process and social movements engaged in climate assemblies should be aware of such risks and try to control how decision-makers adopt citizen proposals for producing legislation in order to avoid exclusions and democracy deficits in democratic climate policy-making. We discuss and reflect on the potential and limits of deliberative and agonistic approaches to democracy and climate action.

## KEYWORDS

climate assemblies, climate policy, collaborative governance, democracy, French Citizens' convention on climate, participation

## 1 | INTRODUCTION

The scientific consensus on climate change is almost absolute. More than 90% of experts see humans as the primary cause of a problem that is likely to become irrevocable (IPCC, 2014). A continued rise in temperature would have and is already having catastrophic consequences for the world's natural and human systems. Faced with this situation, a rapid and effective transformation at all levels of society is needed. To ensure a habitable planet for our future generations and all other kinds of life, we undoubtedly need a 'revolutionary change of heart in individual

human beings' (Porrirt, 1984, p. 211) as much as a radical political and economic restructuring (Dobson, 2007). Indeed, several authors have claimed that there is an incompatibility between the representative form of current democracies and the climate emergency (Bergandi, 2014; Lafferty & Meadowcroft, 1996). In the same vein, many environmental collectives demand a real presence of citizens in climate decision-making (Extinction Rebellion, 2019; Gilets citoyens, 2019). As a result, some governments have sought to strengthen citizen participation with democratic innovations such as climate citizens' assemblies. In recent years, these have gained momentum in Europe: Ireland was the first country to

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propose this initiative at a national level in 2016, followed in 2019 by the UK and France; more recently, Spain has also completed such a process.

The French Citizens' Convention on Climate (CCC) emerged in a context of great tension intensified by Yellow Vests mobilisations and with protests against the government's environmental inaction organised by a climate movement which took on an almost unprecedented scale. In response, the President of the Republic, Emmanuel Macron, sought to reduce tensions through democratic innovations. The case of the CCC is particularly interesting because of the French leader's promise to adopt the assembly's proposals 'unfiltered' (Macron, 2019, p. 9). This 'quasi-legislative mandate' (Duvic-Paoli, 2022, p. 20) given to the assembly suggests, in principle, an almost unique process of 'participatory deliberative democracy' (Della Porta, 2013; Elstub, 2018) and implied a great change from previous experiences of citizens' assemblies, traditionally designed to have an advisory role (Elstub & Escobar, 2019). However, despite this the citizens' views contained in the final 149 CCC proposals (Denz, 2021) were finally watered down, with the great majority of them excluded from the bill that was supposed to integrate them (D'Allens, 2021).

For those reasons, we consider the case of CCC as an 'extreme' or 'unusual' case in the sense that it involves an event that differs from 'normal' events, which also justifies our selection of a single-case study research format (Yin, 2013). This is also important for theoretical reasons. Possibly as a consequence of the lack of climate assembly cases that have been promised a 'quasi legislative mandate', critical literature on climate citizens' assemblies has mainly focused on exclusion mechanisms of citizens' views *during* the deliberative process (Hammond, 2020). As a result, we know little about how, in climate citizens' assemblies that succeed in producing inclusive and transformative decisions, citizens' views end up being diluted or rejected from public policy. Additionally, research on CCC has focused mainly on procedure (structure and deliberation processes) (Courant, 2020; Giraudet et al., 2021) and less on substance (content and impact), with only one study (Denz, 2021) addressing this but without focusing its analysis on how citizens' proposals were rejected (the study explains what happened and not *how* it happened).

We ask the question: how do the decisions of deliberative climate citizens' assemblies get excluded from climate policy? In using the CCC case to answer that question, we locate our case within the policy-making approach of 'collaborative governance' (CG). This is justified by the post-Convention involvement of CCC participants in a joint elaboration of the Law on Climate and Resilience together with parliamentarians, ministers and economic actors (Vie Publique, 2021), which shows a process that fits the definition of collaborative governance, a process that brings together actors from the public, private and civil sectors to produce policies (Goffer, 2020, p. 54). We consider that the integration of CCC within a framework of collaborative governance represents a significant innovation in climate citizens' assemblies, and so explore potential challenges for that framework for advancing democratic climate policy-making.

In what follows, we begin by presenting collaborative governance and its capacity to include citizens' views in the elaboration of

climate policy. After presenting contemporary democratic innovations for public decision-making and the place of collaborative governance within them, we move into literature that discusses the transformative capacities of climate citizens' assemblies and considers the inclusive potential of environmental CG procedures. This is followed by a section dedicated to the study's methodology and a presentation of the case, after which we present our findings by separating the deliberative process from the CG phase. We conclude with a discussion of study findings vis the literature on inclusive and transformative capacities of CG and citizens' assemblies in the context of climate policy in an attempt to make analytical generalisations about CG and democracy through climate assemblies, as well as draw lessons for future climate citizens' Assemblies and research on them.

## 2 | COLLABORATIVE GOVERNANCE AND DEMOCRATIC ELABORATION OF CLIMATE POLICY

### 2.1 | New forms of democratic engagement as answers to a 'democratic malaise'

One could argue that 'we live in a time where the ideal of democracy is widely loved, but its practices are broadly criticised' (Elstub & Escobar, 2019, p. 1). The lack of trust in political representatives situates current governments in a global phenomenon of 'democratic recession' (Diamond, 2015) and 'democratic malaise' (Elstub & Escobar, 2019). In response to that, some ancient democratic ideals have significantly revived modern political theories and have served as inspiration for new governance initiatives.

Prominent among them, participatory democracy (PD), deliberative democracy (DD) and collaborative governance (CG) all of which share a critical view of the liberal form of democracy and call for bringing citizens closer to decision-making processes. But although they coincide in many aspects and are often combined, differences remain. PD advocates 'direct participation of citizens in the regulation of key institutions of society' (Held, 1996, p. 379), making direct action and exercise of power by citizens in political decisions one of its central pillars. DD theory sees virtue in public discussion dominated by 'the forceless force of the better argument' (Habermas, 1984) and leading to the common good, and 'revolves around the transformation rather than simply the aggregation of preferences' (Elster, 1998, p. 3). DD is based on the pillars of argumentation, dialogue and consensus (Bächtiger et al., 2018) and aims at connecting the exercise of power to the condition of public reasoning (Cini & Felicetti, 2018). This relationship between public reasoning and the exercise of power has, however, been a source of debate. For some authors, deliberation precedes decision-making (Florida, 2014) by having a role as an influence and/or pressure upon the exercise of power. Others consider that DD scholars 'have not sufficiently engaged with the radical changes required to (...) ensure meaningful opportunities for citizens to participate in deliberation that determines collective decisions' (Elstub, 2018, p. 8). In this way, some authors consider that DD should move closer to PD theory

by embracing more strongly the idea of citizen's decision-making, resulting in government by the people through deliberation (Della Porta, 2013; Elstub, 2018).

There are also significant similarities between the principles of DD and those of CG, with the latter seeking to 'get together stakeholders from the public, private, and civil sectors into collective forums of discussion to engage in a consensus-oriented deliberation, in the process of developing and implementing public policy' (Goffer, 2020, p. 54). However, despite the proximity between the two, CG differs from DD in four key respects: the place of the business sector, the role given to citizens, the purpose of the process, and the nature of deliberation (Table 1).

Regardless of differences, all three approaches agree on the importance of involving citizens in decision-making in order to operationalise and institutionalise more democratic approaches in the shaping of public policy. The key vehicle to achieve such involvement are mini-publics. By mini-publics we refer to 'forums in which lay citizens representing different viewpoints are gathered to deliberate on a particular issue in small groups' (Grönlund, 2016, as cited in Harris, 2019, p. 46). Citizens' assemblies are a form of mini-publics which differ from other formats (e.g., citizens' juries, or consensus conferences) in their size and duration: citizens' assemblies tend to be composed of anything between 100 and 160 citizens, and are the type of minipublics which last the longest (Harris, 2019).

The potential of mini-publics to put deliberation's virtues into practice has been long highlighted by several authors (e.g., Fishkin, 2009; Grönlund et al., 2010). However, these democratic innovations have struggled to achieve a genuine impact on public policy. On the one hand, Vrydagh and Caluwaerts (2020) have shown that mini-publics are likely to have limited effects on public policy when their proposals remain aligned with the initial preferences of policy-makers. Those authors highlight that a mini-public may exercise a continuous influence 'when it formulates a proposal in line with decision-makers' preferences' (p. 7). This implies that even if recommendations are adopted, they merely reinforce existing political practices in the sense that they propose policies that would be put in place even without the existence

of the mini-public. Similarly, Hammond (2020) points out that by being picked up and driven by authorities, mini-publics can become a tool at the disposal of authorities, instrumentalised and assimilated to the political system, ending up as system-reinforcing mechanisms. Even when mini-publics' proposals differ from the initial preferences of political representatives, oftentimes they are taken into account only recommendations that have to be validated by the political decision-makers themselves. What is more, fears that mini-publics may generate conflicts of legitimation between elected representatives and randomly selected citizens who engage with policy making exercises have been voiced. For example, and looking specifically at the CCC, Buge and Vandamme (2022) found indications that 'elected representatives may feel threatened in their legitimacy even when most randomly selected citizens do not see themselves as representative' (p. 1). Such tensions with elected representatives could curb the potential of mini-publics as democratic innovations.

Moreover, proposals produced by democratic innovations often become subject to cherry-picking, through which policymakers only keep those that fit their political agenda. Font et al. (2018) have shown that the administration's internal support for proposals is the strongest predictor of implementation. Setälä (2017) offers two interesting explanations for the cherry-picking phenomenon. First, she points to the lack of incentives to consider the proposals of mini-publics; as the mini-public represents the vision of a small group and not a majority of citizens, the implementation of their suggestions will not necessarily be favourable for electoral competition. Secondly, she explains that as it often remains obscure as to how, exactly, their advice is taken into account, decision-makers have the opportunity to be selective with recommendations. As a result, several scholars consider that little attention has been paid to challenges as regards ways of connecting micro-deliberations in mini-publics to actual political decision-making processes (Goodin, 2012; Schouten et al., 2012). This idea aligns with Elstub's (2018) critique concerning deliberative democracy difficulties in bringing about radical change and creating spaces for the meaningful participation of citizens, highlighting the need to link public discussion more closely to political decision-making along the lines of the concept of 'participatory deliberative democracy' (Della Porta, 2013; Elstub, 2018).

Nevertheless, not all authors agree that the value of deliberative democracy lies in its capacity to influence public decisions through its integration to, or its becoming part of the formal public policy decision-making processes. For example, Lafont (2015) is against the generalised use of mini-publics for political decision-making arguing that this actually diminishes instead of increasing the legitimacy of the deliberative system overall as it allows for a proxy of the public opinion to shape public policy. Instead, she favours the use of deliberative mini-publics for shaping and transforming *public opinions* and so influence policy. Closer to environmental issues, other authors adopt agonistic democracy positions, such as Amanda Machin's 'ecological agonism' (Machin, 2021), which advocates disagreement and dissent, and envisages minipublics as spaces for the expression of contest and resistance of powerful industrial interest and state institution influences. In that vision, deliberative mini-publics may sit outside the

**TABLE 1** Differences between CG and DD based on Goffer (2020).

	CG	DD
Participants	Representatives of all sectors with inclination toward the private sector	Representatives of all sectors, less inclined toward the private sector
Who is at the centre of the process?	Stakeholders	Lay citizens
Purpose and justification of the process	Efficient decision-making by the measures of the public administration	Reflective decision-making, responsive to the interest of the general public
Nature of the deliberation	Compromise in terms of negotiation	Consensus in terms of deliberation

formal decision-making process but engage with the state by forming part of an agonistic ecological state whose policy decisions they try to influence. In contrast to supporters of mini-publics integrated into decision-making, those approaches consider democratisation as emerging from the outside of and outside the control of formal governance (Hammond, 2022). Additionally, some of them celebrate democracy as dissent in its potential to disrupt an unsustainable status quo through alternatives contradictory rather than compatible to prevailing policy discourses (Machin, 2021).

## 2.2 | Democracy and the climate crisis

Several authors and social movements consider that the climate emergency is inextricably linked to contemporary societies' democratic recession and the deficiencies of liberal democracy. The representative form of democracy is seen as incompatible and inadequate to the situation's urgency (Bergandi, 2014; Lafferty & Meadowcroft, 1996). On the one hand, the pressure exerted by the urgency to take climate action is sometimes contrasted with a perception that genuinely democratic (e.g., in terms of inclusiveness) processes involve longer time-scales which we cannot afford. This can also stretch the limits of deliberative forms of democracy when applied for climate action in ways that could be different when it is applied for other issues of public concern that lack the urgency of taking action for ensuring species existence. On the other hand, some see solutions for the 'democratic malaise' to be even more critical in the context of a climate crisis that 'exposes and exacerbates existing vulnerabilities in democratic theory and practice, particularly in their currently dominant liberal form' (Di Paola & Jamieson, 2018, p. 369).

The virtues of more participatory forms of democracy in the context of the climate crisis can be summarised in three points: the capacity to help develop the ecological awareness of individuals as well as their environmental wisdom (Menegat, 2002); the potential to ensure that political decisions concerning the environment are made by citizens who are exemplified and committed to the climate cause and not by uncommitted actors unaware of the climate emergency (Mitchell, 2006); and, the potential to control particular interests of political and economic elites that could be contrary to the well-being of the planet (Bergandi, 2014). However, to reach the full potential of PD in the context of climate politics, some authors have noted the importance of including a deliberative dimension. Argumentation, discussion and reflection are seen as essential tools for educating citizens on the complexity of the subject (Dryzek, 1995), facilitating the representation of non-human agents (Niemeyer, 2013), drawing out the best solutions to debates that can be abstract and indeterminate (Jacobs, 1997), and for providing improved, deeper and more enduring solutions (Niemeyer, 2013). In this way, from a theoretical perspective: 'participatory-deliberative approaches have been prominent concerning environmental governance' (Denz, 2021, p. 8).

Beyond theoretical virtues of new democratic forms for environmental protection, several authors have criticised their possible instrumentalisation by government authorities (Mert, 2019), pointing out

that far from being transformative opportunities, they can become tools in the hands of the neoliberal political and economic system to reinforce an unsustainable status quo (Blühdorn, 2013). The instrumental use of climate citizens' assemblies can be observed mainly at two levels: in the content of the deliberation and in the impact of the assembly on climate policy. According to Hammond (2020), if the deliberative process is orchestrated by political authorities and not by social movements, citizen deliberation risks being limited to a sterile discourse and assimilated to the political system in which it is applied. Such a form of control was, for example, criticised by Extinction Rebellion activists in the Scottish Climate Citizens Assembly, where the government reportedly sought to maintain control over the content of the citizens' deliberation in order to keep the Assembly's discourse in line with its political agenda (Kenrick, 2020). As concerns impact, climate citizens' assemblies and their transformative capacity have usually been confronted with other common limitations of participatory processes and mini-publics in general, such as restriction to an advisory role, as in the case of the UK Climate Assembly in which citizens' proposals were simply perceived by political representatives as 'new data' to understand public preferences' (Duvic-Paoli, 2022, p. 19); and, situations where citizens' assemblies see their proposals 'cherry-picked' by policy makers, as in the Irish Citizens' Assembly where proposals such as reducing food waste and ending peat extraction were rejected (Duvic-Paoli, 2022). In this sense, President Macron's nofilter commitment seemed to have potential to overcome the limitations of previous experiments with climate assemblies by offering citizens an unprecedented quasi-legislative mandate (Duvic-Paoli, 2022). However, it suffered from a moment of 'democratic shortcutting' (Denz, 2021, p. 28), in a phase of joint elaboration of the law that came close to the idea of 'collaborative governance'.

When it comes to more 'collaborative' models of governance, the benefits of CG in the field of environmental and climate policy are said to lie in its potential to enhance the quality and innovation of decisions by using comprehensive information, incorporating a wide variety of knowledge and experience from different stakeholders, and help resolve conflicts among stakeholders with competing values and interests (Arai et al., 2021). However, in practice, GC processes have often proven unfavourable to environmental interests, being, in most cases, side-lined by economic interests (Brisbois & de Loë, 2016; McCloskey, 2000). As Goffer states (Goffer, 2020, p. 66):

Trustworthy representation gets more complicated when discussing stakeholders that represent public and social interests. For instance, representatives of environmental organisations usually rely on limited organisational capacities and cannot always make sure that their position is attuned to the public they are supposed to represent.

For several authors, a central aspect of exclusion in CG processes concerns power asymmetries. Ansell and Gash (2007) point out that power imbalances between stakeholders can lead to the imposition of specific positions and even manipulation by the more powerful actors.

In the same vein, Purdy (2012, p. 409) states that 'collaborative processes may bias decisions toward the participants with greater resources'. The author defines power as something that 'can be expanded, diminished, or transferred' (p. 410) and indicates three sources from which power can be obtained in collaborative processes: authority, defined as 'the socially acknowledged right to exercise judgement, make a decision, or take action' (p. 410); resources, which includes tangible (e.g., financial resources, people), and intangibles such as knowledge, culture, or capabilities; and, discursive legitimacy, the ability to represent a discourse or speak on behalf of the values or norms of a society. Power imbalances are, according to Purdy (2012), determining the inclusion or exclusion of participants in collaborative processes since they allow the most powerful to design the negotiation arena (e.g., participants involved, process design and content of the collaboration) and thus adapt process results to their interests.

### 3 | METHODS AND MATERIALS

To study how Climate CAs' proposals are excluded from public policy (RQ), we conducted a case study of the French CCC. Case-study research is useful for addressing explanatory questions, that is 'why' and 'how' questions (Yin, 2003). Furthermore, it is relevant when seeking to study a unique case that needs to be detailed, or understand a specific problem (Stake, 1995). In our case, both aspects are relevant: on the one hand, we study a unique case of citizens' assembly which includes a CG process in the translation of its proposals into climate legislation. On the other hand, we address a problem common to most Climate CAs: the exclusion of their proposals from public policy (Wells et al., 2021). More specifically, we identified the French case as a climate citizens' assembly with a transformative deliberative content (Denz, 2021) but a very limited impact on climate policy (D'Allens, 2021). In this way, two research sub-questions were explored: (i) What elements during the deliberative process facilitated the inclusion of citizens' views in the final CCC proposals, and how? (ii) What elements during the joint elaboration of the Law on Climate and Resilience limited the inclusion of citizens' views, and how?

We conducted five intensive (online) in-depth interviews (in French, and later translated into English) with citizens who participated in the deliberative process of the Convention and who were (or made an effort to be) actively involved in the legislative process. As the aim was to understand the levers and obstacles to citizen participation during the deliberation phase and during the joint elaboration of the law, citizens were selected through purposive sampling because of their active and consistent participation during the entire journey and their inside knowledge and commitment to the whole process. Our five interviewees were part of a small core group of citizens who remained very active after the deliberation process, taking part in most of the meetings with the government and/or making media appearances.

We considered obtaining the citizens' perspective as essential for identifying and understanding what facilitated participation during the CCC and what hindered it during the joint elaboration of the Law on

Climate and Resilience. This is because, firstly, citizens were the only 'stakeholder group' (e.g., when compared to policy-makers, researchers, experts, representatives of the corporate sphere, etc.) present during the whole journey (deliberation and law elaboration). Also, as the CCC was intended to be a process of citizen emancipation, we looked at the vision of those who were supposed to be at the centre of this democratic process, that is, citizens. Additionally, and in line with our literature review, our study has sought to understand how power imbalances and asymmetries materialised during the whole process at the expense of citizen participants and their priorities. To achieve this, our approach has been that it is necessary to adopt a situated knowledge approach that looks at the vision of those who have been the victims of power asymmetries and not those who have either benefitted from, or have not been affected by them. To that end, we aimed at assembly participants who had experienced this situation and had been critical of it, such as our five interviewees.

During the CCC, 30 researchers from various disciplines were invited by the organisers to follow a participatory observation of the process. The findings of this observation were published in a paper that highlighted the phenomenon of 'co-construction' between citizens and the CCC steering bodies (Giraudet et al., 2021). Our interviews with citizens were complemented by an interview with a key contributor to that article. The interview with this expert, as well as the findings of the research reported in that paper, were essential for a better understanding of the context of the citizens' assembly (Section 4), as well as the deliberative process and its empowerment elements for citizens (Sub-section 5.1).

In terms of secondary data, we researched relevant academic articles, and in particular, the article produced by the working group that followed the convention (Giraudet et al., 2021) which was very important for preparing and completing the interview with the expert. We also relied on press articles. In particular, the independent newspaper 'Reporterre' closely followed the whole process; their work was essential for understanding the framework and the place of citizens in both parts of the process. Coverage in more mainstream French newspapers was also important for understanding how the mainstream media treated the CCC's work after the proposals were published. A journalistic investigation by the 'Observatoire des multinationales' was also very important in understanding the role of the industrial sector in the rejection of the proposals that came out of the assembly (Observatoire des Multinationales, 2021).

The first part of data analysis sought to describe the French CCC from its origin to its drift into a CG process. The second part grouped data thematically, by editing raw case data through identifying and eliminating redundancies, collecting the different parts, and organising it topically to keep it 'complete but manageable' (Patton, 2001, p. 449). Specifically, we explored our two sub-questions by separating the deliberative process from the joint elaboration of the Law on Climate and Resilience and then identifying in each of the two phases the elements that facilitated or hindered citizen participation in decision-making and how those elements led to their inclusion or exclusion from the process.



Our approach has some limitations. Our study only focuses on the citizens' point of view; yet, and although we have explained the rationale of our situated knowledge approach, the perspective of other actors, such as assembly steering bodies, or members of social movements would also be relevant for a more comprehensive understanding of how citizen inclusion became possible during the deliberative process. An additional challenge has been that the literature on climate citizens' assemblies has mainly focused on the exclusion of citizens during the deliberation process, so there is no precise approach available, which called for an exploratory approach for studying the process of exclusion in the phase of translating proposals into public policy through identifying elements that facilitated citizens' participation and nonparticipation. The lack of previous studies on this phenomenon in other climate citizens' assemblies experiences has been a limitation but also an opportunity to expand knowledge on the exclusion of citizens' assemblies proposals from climate policy, since as Yin (2003) explains, case studies aim to provide analytic generalisations.

#### 4 | THE FRENCH CITIZENS' CONVENTION ON CLIMATE: FROM DELIBERATION TO 'CO-ELABORATION'

At the birth of the CCC in 2019, France was strongly affected by two social movements: the Yellow Vests protests and the Climate Movement. The first was born in response to a series of government measures unfavourable to the poorer classes and turned into an important political crisis. The second had been developing across Europe for several years but has had a notable impact in France since 2018. In response to this wave of protest, the government implemented two democratic innovations: the Grand National Debate with 18 regional citizen conferences with elements of participatory and deliberative democracy (Giraudet et al., 2021) and the CCC.

The CCC started in October 2019, following a letter from the Prime Minister mandating the CESE to organise an assembly of 150 citizens chosen by lot and representative of the whole French society. Its mission: provide structural measures to achieve a 40% reduction in national greenhouse gas emissions. These measures would then be forwarded to the President of the Republic, who promised to submit them 'unfiltered either to a parliamentary vote, referendum, or direct regulatory application' (Macron, 2019, p. 9). This letter also announced the creation of a governance committee responsible for 'steering the convention, supporting it in drawing up its work programme, supervising its implementation, and defining its rules of procedure and working methods' (p. 2), as well as a college of guarantors charged with the mission of ensuring good working conditions and the CCC's independence. Furthermore, citizens were accompanied by a group of 19 environmental experts who, in addition to external speakers convened by the Convention's participants, had the task of giving technical background and feedback on its proposals as well as a legal advisory group to help citizens turn their ideas into real legislative proposals (Giraudet et al., 2021).

The work of the Convention was divided into seven sessions between October 2019 and June 2020. From the first to the sixth, they

listened to, interviewed and debated with stakeholders from different sectors (CCC, 2020) and co-constructed policy proposals with experts, divided into five thematic groups (Giraudet et al., 2021). In the sixth session, each group presented these proposals to the rest of the Convention. Then the seventh session was devoted to a voting process to approve or reject the blocks of measures and decide whether to pass specific measures by referendum. For the first, all blocks except one were approved. For the second, only two constitutional reforms and the recognition of the crime of ecocide were agreed to go to referendum (Giraudet et al., 2021). The government applauded the work of the Convention; however, the 149 proposals began to be unravelled a week later in a speech by Emmanuel Macron, where he announced his decision to use three 'trump cards (*jokers*)' (Macron, 2020, p. 2) to reject three of the measures. Macron's speech on 29 June 2020 was also accompanied by the promise to 'fully' involve the Convention's participants in transforming their proposals into laws (Macron, 2020). A commitment that the Minister of Ecological Transition reinforced with the announcement of an 'unprecedented co-elaboration' (§ 5) of the draft Law on Climate and Resilience (D'Allens, 2020a). This 'co-elaboration' took place in the form of several meetings between members of the economic sector, parliamentarians, government ministers, and the CCC citizens. Ultimately, the President of the Republic convened the CCC on 14 December to report on the measures adopted by the government. This showed the growing discrepancy between the citizens and the President, who at the beginning of the month had declared that: 'Just because the citizens have written something doesn't mean it's the Bible' (Reporterre, 2020). This vision accompanied the government from the beginning in its elaboration of the bill, with measures progressively diluted or removed (D'Allens, 2020b).

Research on the CCC's outputs confirms this; only 10% of the proposals were taken up 'unfiltered', 37% were modified or watered down and 53% were rejected (D'Allens et al., 2021). In an exhaustive analysis of the CCC proposals Denz (2021), shows that the majority were aimed at structural change, targeting the private sector and the state. However, he also shows that it was precisely those measures that aimed at producing structural change that were rejected or watered down. For example, one of the measures targeting the private sector was to ban advertising for products that emit the most greenhouse gases. This was amended in the draft law with a symbolic ban on advertising for fossil fuels and not for other products (D'Allens et al., 2021). Also, almost all proposals affecting the airline sector, one of the pillars of the country's industry, were rejected (Observatoire des Multinationales, 2021). At the end, the result was a Bill disconnected from the essence of the CCC (D'Allens, 2021) and very limited in its objectives to reduce national greenhouse gas emissions (Haut Conseil pour le Climat, 2021).

#### 5 | EMPOWERMENT AND DISEMPOWERMENT IN THE FRENCH CITIZENS' CONVENTION ON CLIMATE

To understand how citizens' views were excluded from the Law on Climate and Resilience, we separated the CCC into two moments: the

deliberative process that framed the Convention between October 2019 and June 2020; and the collaborative process between government officials and representatives of the economic sector and participants of the CCC.

## 5.1 | Significant citizen power during the deliberative process

According to Giraudet et al. (2021), the CCC differs from other citizens' assemblies in that it has a unique dynamic of 'co-construction' in the deliberation and creation of proposals between the citizens and the steering bodies (the governance committee, the guarantors' college, the technical and legal advisory groups and the facilitators). However, even though their proposals were 'co-produced' by the citizens and these various stakeholders, 'the citizens retain full responsibility for the outcome' (p. 11). This was made possible by the power that the steering bodies themselves provided to the citizens throughout the deliberative phase. This power stems from four factors: the knowledge provided by the experts, the active role played by the citizens in planning the assembly, the 'shielding role' of bodies such as the governance committee or the guarantor's college, and the collective strength of the 150 citizens.

### 5.1.1 | Knowledge provided by the experts

Faced with a complex and technical subject such as global warming, the question of lay citizens' capacity to propose relevant policy measures is crucial. In the case of the CCC, there was extensive work by experts to inform and co-construct with citizens the final 149 proposals (Giraudet et al., 2021). This helped improve the quality of the final report and citizens' confidence in their role. Indeed, when asked about this, several interviewees noticed an evolution in their legitimacy perception by linking it directly to knowledge acquisition during the Convention. Confidence acquired through knowledge was notable in their meetings with parliamentarians during the CCC. As several stated, they had a better grasp of the subject than their political representatives. On this, one of the participants explained that:

The more we got into those meetings, the more legitimate we felt because we realised that we knew the subject much better than they did. It was pretty striking! And so legitimacy is also built through knowledge (CCC Participant 1).

Furthermore, knowledge was essential for protecting them from external influences allowing them to identify and filter out ill-intentioned information from external speakers. Thus, one participant noted that

As time went by, I knew how to sort things out. I learned how to take in information: I took in all the

information, but I knew how to filter it better and better (CCC Participant 3).

According to Giraudet et al. (2021), the role of the legal advisors was also essential during the drawing-up of the proposals. It is important to remember that, in principle, the CCC's mission was to come up with proposals that would be taken up 'unfiltered'. To do this, the measures arising from the assembly had to be readily implementable from a legal perspective, to avoid changes when it came to translating them into legislative language. The input from this steering body enabled citizens to transcribe the proposals into the language and form of political legislation (CCC, 2020).

### 5.1.2 | The 'shielding role' of the steering bodies

Deliberation and interaction with other stakeholders were structured to protect citizens' views. In meetings with industry and business actors who might try to influence or attack the citizen's work, they felt assured by the presence of a representative from another sector. For example, when they met with the president of a major car company, they also met with one of the leaders of the Yellow Vests protests. When they met with the head of the French national railway company (SNCF), they met with a representative of the road transport union. In this way, citizens were exposed to divergent opinions, which facilitated the construction of their independent vision and protected them from any 'offensive' coming from the outside. Occasionally, external experts took up too much space and wanted to impose their particular visions. Faced with this, facilitators had to intervene to make sure the citizens' views prevailed (Giraudet et al., 2021). The protection of steering bodies such as the governance committee, was essential to safeguard the power of citizens during the deliberative phase. For instance, one of the citizens from the Convention described the governance committee as having had a 'shielding role' (CCC Participant 5) in the face of external attacks, particularly from the media. As he explained:

Once we had submitted the report, we saw how violent media pressure could be [...] there; we realised that the governance committee's role had been to protect us during this CCC.

### 5.1.3 | Citizens' active role in designing the deliberative process

The steering bodies played a central role in the design of the deliberation, while leaving the citizens the possibility of making adjustments, for example, in the agenda-setting (Giraudet et al., 2021). A major example of this was the refusal to discuss the issue of the carbon tax increase, which had been proposed by the government and had been primarily responsible for the Yellow Vests movement. Despite the attempt by some speakers to bring the debate back into the



Convention, citizens were able to reject this issue. CCC Participant 3 explained during the interview that this could 'confuse' the public and let the assembly become instrumentalised. The citizens taking part in the deliberation rejected any hierarchical structure within the organisation, which was made possible by the steering bodies' desire to protect their voice and by flexible, sometimes even loose planning (Giraudet et al., 2021).

#### 5.1.4 | Collective force

Another critical aspect of citizen empowerment was collective work and a sense of 'collectivity'. The fact that they were 150 and there were always many of them at the meetings, and that external interventions allowed them to feel strengthened and protected throughout the.

CCC. One of the citizens noticed a 'collective energy' that 'absorbed' them (CCC Participant 1). Another participant recognised the group's self-protection by explaining that:

As we were in a group and before talking and after talking, it was very interesting because we managed to be on our guard (CCC Participant 2).

In addition, citizens established relationships that enabled them to help each other, for example, with the issue of vocabulary. This was sometimes complex, but by consulting other members of the group, they were able to follow the debates and be on an equal footing with the speakers:

Vocabulary was important. So it was important to have a bit of time between us to take back the information we had received and discuss it or explain something to someone who had not understood (CCC Participant 2).

#### 5.1.5 | Emancipated and empowered citizens

Those aspects enabled citizens to become critical players in constructing the assembly's proposals. Thus, the citizens agree that they never felt demeaned and could speak as equals. Their empowerment was remarkable in a meeting with the head of a major French company where, as one of the CCC participants explained:

At one point, one of the citizens thumped the table because the speech she heard from Mr. X did not correspond to reality; this completely destabilised him (CCC Participant 1).

In general, external support was a source of empowerment, as shown in sub-section 5.1.1. However, when citizens realised that their agency their creativity, and their freedom of choice could be at risk 'they challenged authority' (Giraudet et al., 2021, p. 11).

Another instance that demonstrates this empowerment involved the visits of parliamentarians in the early sessions of the CCC. Indeed, when political representatives saw that citizens were working on solid propositions, the participants noted that:

their attitude completely changed and they turned against us (CCC Participant 1).

Faced with this, citizens decided to meet with parliamentary groups.

We wanted to meet directly with the parliamentary groups to put things straight and make them understand that we were just there to provide feedback from citizens (CCC Participant 1).

This moment, but also how this citizen explains it, shows to what extent citizens were (and felt) in control of the situation. It is essential to note that this was made possible by how the CCC gave citizens the means to summon external actors to the Convention, meet with them outside, or reject speakers, and give them a certain amount of decision-making power over the Convention's agenda.

### 5.2 | Disempowerment: The vanishing of citizen power during the joint elaboration of legislation (law on climate and resilience)

Citizens' empowerment that during the deliberative phase allowed them to have the upper hand in their work at almost any time was diluted during the joint elaboration of the Law on Climate and Resilience. According to the government's promises, citizens should have been closely involved in the work that went into the project of drafting climate legislation. Still, this supposedly collaborative process became a moment of incredible frustration for citizens who saw their 9-month work vanish without them being able to impede this.

#### 5.2.1 | Removal of citizen empowerment elements

It is important to note that this collaborative phase was not planned from the beginning. On the contrary, this was initiated by several citizens who, once they had submitted the Convention's 149 proposals, decided to join in and asked to be present in the follow-up to the bill. The collaborative phase was therefore organised at the last moment, and took place outside the framework of the CCC, which had two significant consequences. First, citizens were no longer constituted as 150, reducing their collective strength and their feeling of legitimacy since, as one of the citizens explained:

The fact that we were legitimate because we were 150 and because we were different was no longer there (CCC Participant 4).



Second, citizens were no longer accompanied by the experts and the framework that instructed, protected, and allowed them to significantly control the CCC's agenda. One interviewee claimed that:

All these exchanges were outside the framework of the Convention, so we no longer had a governance committee, and we no longer had the guarantors of the Convention at our side... We needed to have this group of people who accompany us (CCC Participant 1).

The loss of those elements, which had been essential for the citizens' empowerment during the deliberative phase, led to an important imbalance during the CG process in favour of the political and business participants in the law elaboration phase.

### 5.2.2 | A hampered and limited citizens' participation during the meetings with the government

Citizens' disempowerment was visible during the working meetings with the government, which were organised in ways that were very unfavourable for them. Although notified in advance, it was very complicated for some citizens to reconcile their personal and professional lives with the meetings. For example, for some of the sessions in Paris, one participant explained that it was economically costly for her to travel to the capital and that her studies made it very difficult for her to participate. Other meetings had to be held through video conference because of the COVID-19 health crisis; one of the participants explained that:

It was through Zoom. And the time was 8–10 pm. These were meetings where the Minister for Ecological Transition was in her car because she was driving home... not very fit for the situation (CCC Participant 4).

Interviewed citizens did not have a very positive memory of those exchanges, which were

more [of] a feedback on the future of our proposals than a co-construction, clearly (CCC Participant 1).

Some even described it as a 'dialogue of the deaf' (CCC Participant 2), in meetings where there was very little exchange and the ministers limited themselves to presenting the CCC proposed measures that were to be removed from the climate law. This apparent banalisation of democracy by the French government only increased the sense of powerlessness and frustration of citizens who saw first-hand the undermining of their work.

### 5.2.3 | Turning democracy into a court

Citizens' disempowerment was even more explicit when they met with the industrial sector. In those meetings, they were subjected to

accusations such as attempting to break the economic system and undermine the freedom and life of French citizens. Several interviewees mentioned a meeting organised by the Ministry of Transport where about four citizens were confronted with 50 airline industry representatives who were just there to attack their proposals. For one interviewee:

citizens were being sent to the slaughterhouse (CCC Participant 5).

This experience was considered very violent and traumatic. Similarly, other meetings were also used by political and industrial actors to put CCC participants in the defendants' position and to develop an argument based on technical aspects that the citizens did not necessarily master. In those cases, faced with professionals with much more experience on industrial and economic matters, citizens found themselves disarmed because they were no longer accompanied by the group of experts who provided them with the necessary knowledge and protection during the CCC.

Attacks from industrial lobbies went beyond private meetings and were also deployed in the public arena. Following the same strategy, the business sector employed violent rhetoric loaded with accusations against CCC participants. Thus, they sought to show the CCC's proposals as extremist and capable of leading to the collapse of the country's economy. In a report aimed at exposing the boycott of industries at the work of the Citizens' Assembly, the Observatoire des Multinationales (2021), showed that the business sector successfully imposed their discourse in the public arena with all sorts of resources. Indeed, business rhetoric was very present in the media, where citizens received accusations such as wanting to return to: 'the economy of perpetual lockdown' (TF1 Info, 2020, § 2). Many economic experts also appeared on television, and social networks, where they continued the accusatory discourse. Some even claimed that the measures proposed by the CCC would 'transform France into Venezuela in two months' (Babeau, 2020). This reinforced the feeling of powerlessness in citizens who had to see how 'professional accusers well established in the media' (CCC Participant 5) insulted them, attacked them and destroyed their work.

## 6 | DISCUSSION

Putting those findings into conversation with Purdy's (2012) approach, we observe that the sources of power outlined by the author—that is, authority, resources and discursive legitimacy—strengthened citizens during the deliberative phase, but disappeared or turned against them in the GC process. The *authority* that during the CCC was in the hands of a group of facilitators who ensured the protection and participation of citizens was transferred to a government that downgraded their involvement in the negotiations and then threw them 'into a lion's den' where they had to face accusations from the business sector. The knowledge and collective strength that constituted the primary *resources* for citizens during the CCC were



removed, making them vulnerable to the imposition and attacks of hostile politicians and representatives of the economic sector. Then, the *discursive legitimacy* that they enjoyed for being diverse and representative of French society was also lost. In this way, the elements that facilitated their inclusion and empowerment during the deliberative process by allowing them to have a voice in the exercise of authority and integrate their views into the final proposals of the CCC, disappeared during the joint elaboration of the Law on Climate and Resilience.

As noted by several scholars, collaborative processes can facilitate the imposition of particular views if the power distribution among participants is not balanced (Ansell & Gash, 2007). This situation is accentuated in the context of climate policy, where environmental interests are often at a disadvantage compared to economic interests (Goffer, 2020). The case of the French CCC is indicative of both of those points. It shows how the shift from a climate citizens' assembly into a poorly, or unevenly regulated collaborative process allows members of the political/institutional and economic sectors to 'cherry-pick' less transformative proposals and exclude more transformative citizen views from final decision-making (legislation). Moreover, this case study demonstrates Arnstein's (Arnstein, 1969) view that: 'It is the redistribution of power that enables the have-not citizens, presently excluded from the political and economic processes, to be deliberately included in the future' (p. 219). Here, citizens were not given sufficient power to have their voice heeded by 'the powerful' during the GC process; instead, the design of the collaborative governance process helped reject their views under a façade of democratic inclusion.

However, power distributions cannot be understood without the question of who has ownership over the CA. Examining climate citizens' assemblies organised by authorities with a critical eye (Blühdorn, 2013), it looks challenging to imagine that they can allow for a real transfer of power from traditional power holders to citizens since 'those who have power normally want to hang on to it' (Arnstein, 1969, p. 222). According to Hammond (2020), if deliberative processes are re-imagined, not in the hands of governments but attached to disruptive protest movements, citizens can escape the control of traditional power holders. The French CCC was sponsored by the government, but it is important to note that the initiative was 'wrested from the government by the Gilets Citoyens' (Denz, 2021, p. 20). In this way, the negotiations and pressure of Gilets Citoyens—a collective created in the context of the Yellow Vests movement—were crucial for avoiding that the design of the assembly could end up being instrumentalised by the government. Unlike, for example, Scotland's Climate Assembly, where activists from Extinction Rebellion criticised the government's control over the deliberative process by diluting the issues addressed by the assembly (Kenrick, 2020), the configuration of the CCC was not exclusively in the hands of political representatives. This allowed citizens to have genuine participation and to propose authentically transformative measures (Denz, 2021). The pressure of social movements was very important for ensuring the proper functioning of a deliberative process that has been detached from political representatives. However, social movements and actors involved in the organisation did not manage to control the question of how authorities

would handle the citizens' proposals. As Setälä explains (Setälä, 2017, p. 853), 'minipublics often remain obscure as to how their advice is taken into account, allowing decisionmakers to be selective with respect to which pieces of advice they follow and which they do not'. Indeed, the uncertainty surrounding Emmanuel Macron's 'unfiltered' promise allowed the government to maintain control over the fate of the CCC's proposed measures by becoming the almost exclusive architects of a final joint elaboration process of the Law on Climate and Resilience that has taken power out of the hands of citizens.

This raises a problem that goes beyond climate citizens' assemblies and touches on the whole theory and practice of deliberative mini-publics, which has long been raised. Debates concerning their improvement tend to revolve around the deliberative process itself, but little discussion takes place on the question of how this can have a real impact on public policy (Goodin, 2012). Concerning this, O'Flynn (2019, p. 41) states that 'most people who write on democratic innovations have something like deliberative democracy in mind' and that 'this is a real shame since it hinders discussion about the larger goals and purposes democratic innovations are meant to serve'. Related to that, critical environmental politics scholars have argued that a central question about new forms of democratic governance for climate action (and in particular mini-publics) is to what extent they become part of structures that perpetuate an unsustainable status quo, or they can comprise the space where critique from outside of that system can be voiced and brought to bear on political change (Hammond, 2022). Our findings indicate that deliberative spaces that strengthen citizen knowledge and the sense of a collective force through caring work by facilitators can help produce those spaces. But removal of that support, and lack of transparent planning and citizen control on the translation of assembly proposals into legislation can pave the way for becoming part of unsustainable structures. Deliberation that empowers during the assembly is not enough on its own for avoiding the risk of instrumentalisation and co-optation.

Empowering citizens to construct transformative measures is undoubtedly necessary but is only the first step toward real change in climate policy. The case of the CCC indicates that some type of a formal commitment as to the role of climate assembly outcomes and proposals vis climate legislation and policy should be in place at the start of the process, including a clear functional division between elected democratic representation and random citizen representation (Buge & Vandamme, 2022). But it also indicates that control and distrust over the government should probably accompany citizens' assemblies, from the deliberative process to the translation of proposals into public policy. Initiatives such as the collaborative process that followed the CCC in the elaboration of public policy may, in theory, be favourable for the inclusion of citizen views and priorities as concerns climate action. However, this must be carefully configured to ensure the protection of citizen empowerment and the balance of power between citizens and the rest of stakeholders until the completion of legislative stages. More specifically, the deliberative phase of the CCC shows that elements such as steering bodies that protect citizen participation or the presence of a framework that ensures the participation of all citizens can be very favourable for the inclusion of the citizen's vision.

Maintaining these elements during the joint elaboration of the law phase could therefore encourage a more balanced collaborative governance process. Otherwise, collaborative governance risks becoming a manipulative political tool to legitimise the exclusion of transformative citizens' proposals for climate action.

A final reflection concerns debates about the role of citizen assemblies for democratising public decision-making on climate action. Clearly a major issue in the CCC case has been that participants expected that their conclusions and proposal would be adopted unfiltered, as this had been promised to them by the most powerful person in the land. So participant expectations—or perhaps one could even consider that the 'social contract' on the basis of which the assembly was held—were breached, with an ensuing disappointment about the process. But from an agonistic perspective, one could perhaps argue that the space that the assembly provided to express not only dissent, but also resistance to powerful industrial interests and state institutions, for example, through its proposals, has been beneficial in itself. The final set of the assembly's proposals gave visibility to the inroads that alternatives which are contradictory rather than compatible to prevailing policy discourses (Machin, 2021) can make within French society, that is, the citizenry of a major global North player with regards to climate impact and action to limit it. Still, and keeping in mind that President Macron's Fifth Republic tenure would probably not qualify as the model case of an ecological agonistic state, that disruptive potential seems to be more relevant if one adopts an understanding of democracy along Rancierian (rather than agonistic) lines, which consider democracy as a practice rather than a system (May, 2007), as the manifestation of the always disruptive and conflictive principle of equality which has no possible institutional translation, and can only be autonomous of the state agenda (O'Connor, 2015).

## 7 | CONCLUSION

This study shows that the question of power is essential in citizens' assemblies seeking to have a real and transformative impact on climate policy: in an emancipatory context, citizens have the capacity and opportunity to deliberate and propose potentially effective measures. However, it is in the absence of such an emancipatory framework during the transformation of proposals into climate laws that citizen-produced measures can be rejected by politicians and the business sector.

In the French CCC, the uncertainty in Emmanuel Macron's 'unfiltered' promises drifted into a CG process left to improvisation, which proved unfavourable to CCCs' priorities. Here, citizens lost those empowering elements that during the deliberative stage allowed them to become key players in making assembly decisions, which made them vulnerable and powerless in the face of opposition from government and economic sector priorities. Future experiences of climate citizens' assemblies risk suffering the same fate if greater attention is not paid to the issue and stage of translating citizens' proposals into public policy. Social movements, which at the beginning of the CCC were very present, must be aware of this situation and struggle from the outset of the process to ensure that proposals from climate citizens' assemblies will be integrated into public policy under terms controlled by the

assemblies. In this regard, it would be interesting to explore further the role that social movements had in shaping the deliberative process of the CCC. As we have seen, the whole structure of the CCC favoured citizens' empowerment; it would be important for future research to look at the role of social movements in the construction of this emancipatory structure. Finding out how it was possible to create an inclusive framework for citizens can be a tool for understanding what needs to be done to ensure that assembly outcomes remain protected also at the stage of translating citizen proposals into legislation.

This paper and its findings, open up opportunities for further developing the literature on climate citizens' assemblies in two other ways. First, it opens up the possibility of studying the exclusion of citizen proposals with a focus on power aspects in other climate assemblies. The empowering elements presented here, and their role in the inclusion or exclusion of citizen views in climate decision-making can be used to study other climate assembly experiences. Second, it opens up a way for exploring the potential of coupling citizen deliberation with collaborative climate policy-making processes. The CCC shows that if this process is not correctly framed, it can be detrimental to citizens' climate interests. However, further discussion, theorisation, and empirical work is needed on what elements are necessary in that phase in order to design it in such a way that fosters genuine citizen participation in joint decision-making. The integration into climate policy of assemblies' proposals remains a 'black box', so further theoretical reflection on the design of this post-collaborative process can serve future organisers and social movements engaged in climate citizens' Assemblies to enhance their impact and potential to democratically address the climate urgency.

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