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Centre for British Studies

**A Mandate for Democratic Innovation: Making the Case for a
Permanent Climate Assembly in the UK**

Master Thesis

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List of abbreviations

AM: Assembly Member

BCCAER: British Columbia Citizens' Assembly on Electoral Reform

BEIS: Business, Energy and Industrial Strategy

CA: Citizens' Assembly

CAUK: Climate Assembly UK

CCC: Climate Change Committee

COP: Conference of the Parties

EU: European Union

FCCC: French Citizens' Convention for Climate

GFC: Global Financial Crisis

GHG: Greenhouse gas

HOC: House of Commons

HOL: House of Lords

I: Interviewer

ICA: Irish Citizens' Assembly

IPCC: Intergovernmental Panel on Climate Change

MP: Member of Parliament

NDC: Nationally Determined Contribution

PBD: Permanenter Bürgerdialog

PM: Prime Minister

PR: Public relations

UK: United Kingdom

UN: United Nations

UNFCCC: United Nations Framework Convention on Climate Change

US: United States

1 Introduction

“A crisis of legitimacy is a crisis of change, and therefore its roots, as a factor affecting the stability of democratic systems, must be sought in the character of change in modern society.” (Lipset 1959, 87)

“This is not the time nor the issue for scoring party political points” (“The path to net zero” 2020, 7). In the opening statement of the final report of CAUK, a deliberative body established to inform the work of Parliamentary Select Committees in scrutinising Government in their climate policy development, AMs demand clear leadership in countering climate change (ibid. 10; Carrick & Elstub 2023, 140). In June 2019, the UK committed to reaching net zero by 2050 by law. Under then PM Theresa May, the Climate Change Act 2008 was amended and the net zero emission target legally consolidated (UK Government 2019). Additionally, the UK Parliament announced plans to employ CAUK, the country’s first national CA on climate (Elstub et al. “The Scope of Climate Assemblies” 2021, 2). CAUK took up its work in January 2020 and concluded in May 2020 with a clear and consistent proposal on how the target of reducing GHG emissions to net zero by 2050 could be reached (ibid. 5; “The path to net zero” 2020, 11). But since the official handover of the assembly’s final report, governmental response has been inconsistent at best and dismissive at worst. Reports by the CCC continue to document delays and policy reversals, pointing to a broader incapacity of British representative institutions to follow through on both expert and citizen advice (“Progress in Reducing Emissions” 2024, 8; “The Seventh Carbon Budget” 2025, 33).¹ At the core of this decision paralysis seems to be precisely what AMs had urged political leaders to avoid in the first place: party-politics. This claim is further supported by the CCC’s annual report to Parliament, which calls on political decision-makers to adopt a united stance in responding to the climate crisis and to do so in the interest of the British public, who reportedly had “no appetite for climate division” (“Progress in reducing emissions” 2024, 14).

However, the persistence of partisan gridlock is not an isolated political failure. It is symptomatic of a broader structural issue of democratic governance, where individual preferences and partisan interests are placed at the core of political decision-making (Cohen 1998, 185; Miller 1992, 67). Aside from failing to deliver clear and consistent responses to climate change, the aggregation of individual preferences, closely tied to the liberal constitutional tradition, has long been criticised as being

¹ The CCC, established under the Climate Change Act 2008, advises the British Government on its emission reduction targets (“Progress in Reducing Emissions” 2024, 5).

“inadequate to the task of producing normatively binding political outcomes” (Knight & Johnson 1994, 277; Geissel 2012, 178; Held 2006, 65). This exposes a deeper normative deficit. As this paper contends, this deficit is amplified by the dominance of the neoliberal narrative, which has historically shaped institutional structures and continues to frame state rationales in UK climate policy (Cahill & Konings 2017, 27). Recent contributions in climate ethics raise a similar concern, pointing to the relative absence of normative considerations in climate policy despite their actual significance (Cripps 2022, 15; Voisard & Wallimann-Helmer 2024, 333). These critiques call into question the legitimacy of climate decision-making that rests on aggregative theories of democracy and call for a radical re-conception of the moral grounds on which policy decisions are made. Taken together, these factors give rise to a legitimacy dilemma in UK climate governance: the ethical demands advanced by climate ethicists stand in tension with the justificatory principles and narratives that underpin political authority and decision-making. Given the increasingly severe and irreversible effects of climate change on communities and global ecosystems, the legitimacy dilemma demands immediate attention (IPCC *Climate Change 2023: Synthesis Report* 2023, 68). Coupled with the policy challenges ahead, it risks unfolding into a broader legitimacy crisis for the UK political system as a whole.

This paper argues that the legitimacy dilemma must be addressed through institutional reform. While the British political system has remained relatively immune to groundbreaking reform, the existential threat of climate change reinforces the urgency of developing new pathways for democratic innovation (Cairney et al. 2024, 837; Flinders 2010, 41). Acknowledging that times of crisis and democratic failure open possibilities for “[i]nnovative democratic challengers” (Saward 2008, 408), and confident in the potential of deliberative democracy to drive such change, this paper proposes a mandate for institutionalising a permanent climate assembly to resolve the legitimacy dilemma and avert a broader legitimacy crisis within the UK system of government. This thesis employs a cross-sectional case study approach to assess the deliberative legitimacy of CAUK. The underlying premise is that deliberative democracy can

contribute to the legitimacy of the political system as a whole, if it reflects the principles of legitimacy in its own process. (Caluwaerts & Reuchamps 2016, 13)

Based on this premise, the study combines two qualitative methods: expert interviews and a content analysis of key documents, including the assembly’s final and evaluation reports. By using these primary sources and drawing on the framework established by Caluwaerts and Reuchamps for measuring the legitimacy of deliberative mini-publics,

CAUK is assessed against selected criteria of representativeness, agenda-setting and political uptake (ibid.).² The empirical assessment seeks to give an insight into the strengths and weaknesses of CAUK and thereby explore how the deliberative instrument must be deployed to resolve the legitimacy dilemma in climate governance and secure the legitimacy of the British political system as a whole. Finally, the investigation shall support this paper's mandate for a permanent and institutionalised climate assembly in the UK.

In addition, the limitations to such a proposal are to be explored. It shall be discussed how the regulative ideals and narratives of legitimisation underpinning political authority and decision-making in the UK might conflict with the idea of innovative democratic change. This paper is convinced that a normative-theoretical approach to the concept of legitimacy as such, and the thorough deconstruction of the "normative dimensions of power relations" (Beetham 2013, x), must complement the purely empirical approach of measuring the deliberative legitimacy of CAUK. Inspired by New Critical Theory and the reconstructionist theories of Dewey and Habermas, the methodological framework of this thesis is therefore designed to embed a normative critique in empirical social reality. This combined approach further responds to recent calls from climate ethicists to strengthen normative foundations in climate governance. Finally, the core motivation of this thesis is to show that the rules set up to justify and deem the power acquired and exercised in a democratic system "rightful or legitimate" (Beetham 1991, 3), can be modified and changed through discursive practice among the citizenry at large. Besides aiming to inspire further research on deliberative innovations, this paper seeks to highlight the necessity of integrating normative considerations into empirical analyses and understanding political change not only as a change of institutional practice but also, more holistically, as a fundamental change of the moral principles underpinning legitimate power.

This thesis is divided into eight sections. Following the introduction chapter, the literature review consists of two successive and interrelated parts. These parts contain a theoretical and a critical review. The theoretical review engages with the contested nature of legitimacy. Besides the historical rivalry between normative-theoretical and practical-empirical approaches to legitimacy, this section will shed light on more

² This paper uses the terms 'CA' and 'mini-public' synonymously. In other contexts, 'mini-public' is used as an umbrella term to describe all kinds of deliberative formats where "small groups of people deliberate together" (Goodin & Dryzek 2006, 221), such as planning cells, citizens' juries, deliberative polls and more (ibid. 220; Niemeyer 2011, 103).

recent attempts to reconcile the two. This is followed by a brief theoretical description of the political narrative. A subsequent outline of selected democratic principles – majoritarian, liberal, participatory and deliberative – addresses competing claims to democratic legitimacy. This aims to show how different legitimising principles entail distinct normative ideals, a distinction deemed crucial for this paper’s efforts to redesign the British democratic institutions according to the deliberative ideal (Miller 1992, 54). The second chapter concludes with an outline of the deliberative principle. Besides its normative foundations, it explores how deliberative democracy emerged in response to the limitations of liberal and aggregative democratic theories, and reviews real-world cases of deliberative innovations. The third chapter provides an overview of legal frameworks and global trends in climate policy before exploring the legitimacy dilemma in UK climate governance in greater detail. This chapter serves to underscore the moral duty of political leaders to involve citizens in climate decision-making and to set examples for global orientation and realignment with climate goals. The methodology and case study analysis are presented in chapters four and five. The latter concludes with a critical reflection on both the limitations of the proposal for institutionalisation and the limitations of this study. The last three chapters entail the conclusion, bibliography and appendix, which contains interview consent forms, questionnaire and full interview transcripts.

2 Conceptualising legitimacy in democratic governance

2.1 Legitimacy: A contested concept

The conceptual meaning of legitimacy is widely contested (Wiesner & Harfst 2022, 2). Due to its close connection to the exercise of power in a society, legitimacy reflects a central concern across various academic disciplines, such as law, political philosophy and the social sciences (Beetham 1991, 3). On this basis, it is appropriate to begin with a general and value-neutral definition of ‘power’. Power is described as

the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability rests. (Weber 1978, 53)

Through the lens of legitimacy, legal professionals would be concerned with the question whether power is exercised in accordance with the established legal and constitutional norms of a polity (Beetham 1991, 16). In the legal context, then, a normative value is attached to the concept of legitimacy: legal validity (ibid. 20). Political or moral philosophers would examine whether power is morally justifiable and corresponding to universal, “rationally defensible normative principles” (ibid. 4-

5). Social scientists would be concerned with the question whether power is *perceived* as legitimate within a society (ibid. 6). Data gathered from citizens' surveys would be indicative of perceived legitimacy, for instance (Wiesner & Harfst 2022, 2). Unlike philosophers, who assess legitimacy from a normative-theoretical perspective, social scientists derive measures of legitimacy from empirical-descriptive analysis. Hence, the social scientists' concern is not to judge whether a power relationship *ought* to be legitimate, but whether it *is* legitimate on the bare grounds of people's belief in it (Beetham 1991, 8). While these initial findings suggest that the conceptualisation of the term varies according to the academic field in which it is discussed, we shall see that legitimacy can only be understood when considered beyond the boundaries of individual disciplines.

Tracing controversies around legitimacy through time helps deepen the understanding of contextual influences on attempts of conceptualisation. Whereas the normative-theoretical approach of the moral philosopher dominated legitimacy research throughout the nineteenth century, the 1950s marked an "empirical turn" (Macridis & Cox 1953, 641; Wiesner & Harfst 2022, 3). With the emergence of Western European governments and authoritarian regimes after the Second World War, scholars turned to descriptive methods to understand and analyse power relationships (Macridis & Cox 1953, 641). This led to the widespread reception of the ideas of Weber. According to Weber, legitimacy is reflected by the belief ('Legitimitätsglaube') in an authority or the command of an institution (Beetham 2013, 8; Weber 1978, 37; Weßels 2016, 236). If political authority is *perceived* as legitimate by those who are ruled, the rationale goes, it can be rendered stable and effective.³ In *Economy and Society*, originally published in 1921 and 1922, Weber proposes three ideal or 'pure' types of legitimate authority (1978, 215). Accordingly, claims to legitimacy may be justified on rational-legal, traditional, or charismatic grounds (ibid. 37; Rothschild 1977, 488). The first type of legitimate authority is concerned with legality. Following Weber, rational-legal legitimacy is derived from an established system of rules, laws and procedures, as well as from the authority of those who are empowered to create and enforce these rules (1978, 215). The second type of legitimate authority, as proposed by Weber, is tradition. It holds that an authority,

³ Weber uses the terms of 'political authority' and 'domination' ('Herrschaft') interchangeably (1978, 54; ibid. 215). Political authority reflects the probability that a given group of people will obey "a command with a given specific content" (ibid. 53). In addition, the term presupposes that an order is successfully executed, usually with the aid of an administration or 'ruling organisation' ('Herrschaftsverband') (ibid.).

along with the political or social order, may be perceived as legitimate when it has existed for a long time (ibid. 215). With its roots in longstanding customs and continuity, traditional authority is to some degree also “oriented to rules” (ibid. 244). As opposed to rational-legal authority, those rules are ultimately accepted as ‘natural’ or ‘rightful’ due to their longevity, instead of their legality. Traditional authority, described as the earliest and most pervasive form of legitimacy, can be less easily overcome. According to Weber, that is due to the human psychological disposition to reject any form of change to what one is accustomed, on the one hand, and the “manifold vested interests” (ibid. 37) of those in power to maintain traditional systems, on the other hand. Preserving the status quo lies in the interest of powerful groups. To reap the benefits of existing structures and sustain their powers, as Weber reveals, rulers “tend to favor conformity with an established order [and therefore] help to perpetuate it” (ibid.). Thirdly, people may respond to a charismatic leader and therefore deem an authority legitimate. The third type implies that personal charisma alone is enough to be seen as a legitimate ruler. Weber considers the legal-rational style to be the most common form of authority (ibid. 37). Today, power exercised through laws and constitutional procedures is still considered key for effective and legitimate governance (Rothschild 1977, 488; Weßels 2016, 236).

Although Weber’s ideas remain relevant to the studies of power relationships, critics are concerned about their actuality and timeliness. It is argued that the Weberian typology has become “anachronistic” (Dogan 2009, 195) because ‘pure’ forms of traditional and charismatic legitimacy are only scarcely found in post-industrial societies. Rothschild holds modern states to be “too advanced and developed” (1977, 488). Quite radically, also Beetham rejects the notion of ‘purity’ and completeness assigned to each type. It is argued that self-contained ‘types’ of authority, which suggest a single source of legitimacy, overlook the fact that legitimacy arises from a complex interplay of elements that must not be viewed in isolation, but in their entirety (Beetham 1991, 25). Apart from having caused “a sense of unease” (ibid.) and confusion among later scholars, Beetham blames Weber’s three-fold typology for having led to a widespread misconception of “the relationship between legitimacy and the beliefs that provide the justificatory basis for rules and power” (ibid. 23). Weberian scholars tend to focus their analyses more on people’s belief in an authority and less on the moral grounds which underpin their justification (ibid. 10).

In the late 1950s, the study of political systems increasingly focussed on economic development and its consequences for *democracy*. Situating the debate on legitimacy

within the economic context at the time, Lipset argues that national wealth and income levels had a direct effect on the “receptivity to democratic political tolerance norms” (1959, 84). Lipset links modernisation and economic development to the gradual embedding of democratic norms and values, a process he refers to as the “historic institutionalization of the values of legitimacy and tolerance” (ibid. 98). Economic effectiveness and legitimacy are depicted as congruent structural characteristics that “interact organically” and determine the stability of democratic systems (Rothschild 1977, 488; Lipset 1959, 71). Lipset’s observation that legitimacy supports the stability of a political system, alongside its effectiveness and economic success, reinforced the general agreement in academic circles that legitimacy should be investigated by means of empirical methods (Wiesner & Harfst 2022, 4).

However, in the context of economic crises and widespread student protest against existing social and political structures towards the end of the 1970s, critics began to challenge purely practical-empirical approaches to legitimacy (ibid.). Academic debates began to focus on the task of grounding normative critique in empirical social reality. This combined approach to legitimacy stems from New Critical Theory, which developed throughout the 1960s and had its heyday in the 1990s (Seidman & Alexander 2008, 31). Theoretical discussions revolved around the question how a

pluralistic, multicultural society [could] come to a mutual understanding of legitimate and illegitimate conduct or consider the philosophical implications of social movements that demand not only economic resources but legal recognition. (Ibid.)

German sociologist and philosopher Habermas is one of the core representatives of New Critical Theory (Renn et al. 1995, xiv). His work *The Theory of Communicative Action*, published in 1981, developed from an initially neo-Marxist perspective, born in the Frankfurt School, to a critical liberal theory on the “emancipatory possibilities of legally regulated political democracy” (Seidman & Alexander 2008, 4; Honneth & Joas 1991, 1). Instead of breaking radically with the democratic project and turning towards Marx and socialism, Habermas proposes progressive change within the democratic framework. Habermas’s work explicitly builds on the ideas of American philosopher Rawls. A decade earlier, Rawls reintroduced the normative conception to the academic debate (Seidman & Alexander 2008, 9). His writings were devoted to the question how democratic institutions can account for justice in the face of “opposing and irreconcilable religious, philosophical, and moral doctrines” (Rawls 2008, 123). Rawls understood that there was a need for new philosophical foundations which accommodated reasonable pluralism. With the introduction of the concept of ‘public reasoning’, he sought to contribute to “a well ordered constitutional democratic

society” (Rawls 1997, 765; Seidman & Alexander 2008, 10; Robert 2022, 41). His concept of reason is ‘public’, first, because it ought to emerge from public debate among free and equal citizens that “view themselves as ideal legislators” (Rawls 1997, 769). And second, because it ought to be oriented towards a shared notion of the public good (ibid. 767). Democratic legitimacy, in Rawls’ ideal theory, ought to rest on reasons that all citizens can accept (ibid.).

In seeking answers to nothing less than the question of modernity, Habermas builds on the Rawlsian philosophical foundation. With reference to the horrors of the Holocaust at the beginning of his 1992 essay “Contributions to a Discourse Theory of Law and Democracy”, he points to the serious consequences of “existing unreason” and emphasises the need for a “moral-practical self-understanding of modernity” (2008, 34). According to Habermas, a moral-practical self-understanding is threatened by the normative and universalist claims to truth propagated by the liberal doctrine of the constitutional state (ibid.; Chambers “Dialogue, Deliberation, and Discourse” 2003, 88).⁴ Advocating an approach to legitimacy that links normative critique to the empirical conditions of modern society, Habermas develops a discourse ethics which states that rational claims are legitimate only if they are the product of reasoned argument among citizens engaged in the process of reaching a collective agreement (Chambers “Dialogue, Deliberation, and Discourse” 2003, 88; Renn et al. 1995, xviii). ‘Rationality’ here means offering justifications that others can accept as reasons (Held 2006, 236). The process, also referred to as *deliberation*, enables citizens to discover a sense of mutual understanding and collective purpose and, as Habermas particularly stresses, to mobilise the key normative resource of “communicative power” (qtd. in Cohen 1998, 186). By the same token, it can be noted that deliberation translates the ideas of Habermas’s discourse ethics into democratic practice. Most importantly, Habermas implies that the creation of shared meanings through intersubjective communication – itself described as an empirical process “there for all to see” (Alexander 1991, 51) – provides an immanent normative basis from which the status quo can be critiqued and transcended (ibid.). The intersubjective normative basis lies at the heart of Habermas’s critical theory (Dotts 2016, 112). As is the goal of any critical theory, it is designed to “advance or emancipate individuals from systems of power” (ibid. 113). On that front, Somek describes Habermas’s critical theory as a

⁴ Section 2.2.2 contains a more detailed account of liberalism.

legal philosophy that entails “a disturbing reversal of the democratically legitimate *cycle of power*” (2015, 75).

2.1.1 Legitimacy as a power resource

So far, the moral aspect underpinning legitimate power has shown to be particularly crucial. As confirmed by Buchanan, the political legitimacy of an entity that holds political power is given “if and only if it is morally justified” (2002, 689). Bringing the central matter of moral justification into sharp focus, Beetham defines legitimate power as “power that is rightful, because it meets certain normative criteria about how those in power have obtained their power and how they exercise it (2013, x). These criteria grant those in power a certain degree of moral authority and credibility. This means, for power to be considered legitimate, it must align with normative standards or moral criteria that people use to judge whether power is exercised ‘rightfully’. Under these arrangements, citizens become “moral agents” (Beetham 1991, 33). If a government is perceived as morally legitimate, people believe it has the right to exercise power over them, even if coercion or force is applied to maintain the predominant order (ibid.; Macridis & Cox 1953, 649). The more the afore mentioned moral obligations are reflected in the attitudes and conduct of citizens, the more orderly and effectively they can be governed, and the less force and coercion must be applied (Beetham 1991, 33). In this context, Rothschild underlines the central role of normative legitimating principles to “[elicit] sustained, voluntary obedience to political authority” (1977, 490).

Clearly, the terms of political legitimacy and political authority are deeply intertwined, but they need to be distinguished to understand how legitimacy operates. Political authority refers to the actual power and control exercised by a government, or “ruling organization” (Weber 1978, 53). This may involve the ability to make and unmake laws and to command obedience to those laws. It assumes that those governed within a political system will recognise the authority of the prevailing order (ibid.). Political legitimacy differs from political authority in the sense that it reflects the *moral foundations* that justify government authority. In other words, political legitimacy evaluates whether political power exercised is morally justified (Buchanan 2002, 689). A growing mismatch between the formal structures of authority, which also involve laws and institutions, and the normative criteria that people use to judge whether power exercised over them is rightful, can delegitimize systems of power (Beetham 1991, 23). Conversely, this implies that rulers are bound to treat any kind of challenge to the

justificatory principles that their rule is underpinned by seriously and, in fact, “more serious than other kinds of challenge” (Rothschild 1977, 490; Beetham 1991, 36). Ruling elites would take immediate action to maintain their legitimacy to rule, usually at the expense of effective governance (Gilley 2006, 499; Lipset 1959, 84). In the face of legitimacy crisis, Gilley illustrates, “doubts about legitimacy undermine self-esteem [within the ruling elite], which creates splits that accelerate this process” (2006, 499). In order to halt the process of legitimacy erosion, power is wielded in ways that secure its continuation. In short, political legitimacy is shaped by wielding, preserving and defending power. It can be created under numerous conditions and serve different purposes some of which might be far from reflecting “a genuine or ideal political community” (Buchanan 2002, 690). Buchanan provides the example of government under military occupation. While the exercise of power by the ruling military apparatus can be morally justified, the conditions under which political legitimacy operates, or that it aims to achieve, may be far from ideal (ibid. 691).

This unveils the limitations of descriptive approaches to legitimacy. In fact, the Weberian appeal to legitimacy bears some implicit problems because even an autocratic regime may be judged as ‘legitimate’ by its people and would therefore “be classified as a legitimate system” (Wiesner & Harfst 2022, 3). Here, the necessity of assessing power relations “against independent, external standards or criteria” (Beetham 1991, 23) becomes evident. Normative-theoretical reflections in the vein of the political or moral philosopher enable one to apply such external criteria. They allow one to distinguish legitimacy, in the sense of power that is accepted because of people’s belief in it, from normative legitimacy, in the sense of power that is justifiable on moral grounds. Beyond the practical-empirical criterion of mere acceptance, the normative-theoretical approach can deep dive into a power relationship while still holding an outside perspective and staying aware of the fact that morally justified authority must not be confused with an ideal political community. As it assesses legitimacy against external criteria, the normative-theoretical approach reflects not only a powerful tool to expose unjust power, or integrate ethical reflections, it can also illuminate the causes of legitimacy crisis (ibid.). Even beyond the conceptual perspective, legitimacy is highly contested. Politics itself can be described as a battleground for legitimacy (Wiesner & Harfst 2022, 4). For a system of rule to be stable and effective, it must be deemed legitimate. Macridis and Cox summarise:

political processes are the struggles among power aspiration and policy aspiration groups competing for the status of legitimacy; the outcome of such struggles is determined by the

society's structure of effective power; and the end state, legitimacy, is the political reflection of its general value system. (1953, 649)

Apparently, the struggle to wield, maintain and defend authority is reflected in the realm of policy as well. This furthermore unveils the shortcomings of merely descriptive approaches to legitimacy from which any possibility of rational grounding for normative concepts or underlying value systems tends to be dismissed. If at all, it would be referred to “‘myths’, ‘prejudices’ or ‘ideologies’” (Beetham 1991, 8). According to Beetham, this sort of labelling distracts from the constant acquisition and systematic reproduction of legitimating beliefs (ibid.; ibid. 23). It dismisses the actual purpose of politics within the larger social system, that is to “provide society with social decisions having the force and status of legitimacy” (Macridis & Cox 1953, 648). As we shall see in the following chapter, the way legitimacy is *narrated* may also vary and further serve to protect legitimacy claims and the normative principles underpinning them from challenge.

2.1.2 Political narratives as a mode of democratic legitimisation

With the aid of a political narrative, power can be legitimised and further sustained. According to Price, political narratives represent “the highest-level justifications for states and regimes” (2012, 11). Narratives of legitimacy can take on different shapes. They can be framed on the basis of tradition, past accomplishments and historical entitlement, or rest on political or religious doctrines that purport the idea of a divine and unchallengeable right to rule (Held 2006, 58; Price 2012, 11). A justificatory narrative may also be economic in nature and seek to strengthen liberal and free-market principles (Price 2012, 12). The list is long, but what they all have in common is at least two aspects: first, they reflect strategic narratives of power, and second, their construction draws on layers of myth (ibid. 10-11). Often, there is international consensus around political narratives of legitimacy (ibid. 16). Yet again, the political narrative is sustained by certain moral codes that authorise political rule and mediate public obedience to established rules (Klosko 2007, 73). Public obedience then means compliance with normative principles underpinning political rule, either by means of conformity or by use of force or other forms of coercion. Again, it must be reminded that these principles may be far from reflecting “a genuine or ideal political community” (Buchanan 2002, 690). At times, political narratives may appear so deeply entrenched that one hardly sees a chance to overcome them (Price 2012, 9). Even though they might seem “solid and eternal”, lessons learnt from history suggest that they also are “fragile and ephemeral, that they can vanish in a day” (ibid.).

Through political and social paradigm shifts, whether triggered by crises or changes of global values, established political narratives can be transcended (ibid. 11).

In summary, the academic contributions to the conceptual debate around legitimacy between the 1970s and early 2000s marked a shift from mere descriptions of power relations back to their underlying structures and modes of justification. At present, legitimacy should be viewed less as a theoretically elaborated concept and more as an actual problem that arises in the relationship between rulers and the ruled. Ultimately, it concerns the ongoing reproduction of legitimating beliefs necessary to sustain political power over subordinates in both democratic and non-democratic systems (Beetham 1991, 23; Heins 1990, 9). At a point where a paradigm shift is required, this conception is increasingly strained. In democratic systems – as this paper is most concerned about – the “democratically legitimate *cycle of power*” (Somek 2015, 75) can no longer be accepted as normatively sufficient. With its external judgement, the normative-theoretical approach recognises this problem and becomes what Beetham refers to as an “immanent *critique*” (1991, 23). Grounding such critique in empirical social reality is one of the key objectives of this paper, which explores democratic innovation as a tool to challenge outdated legitimacy claims. For this purpose, Habermas’s critical theory is central. The argument that political power is legitimate only when it can be justified through public reasoning among free and equal citizens can be interpreted as an attempt to re-conceptualise democratic legitimacy as the outcome of deliberative processes. “New types of democracy require new conceptualisations of democratic legitimacy” (2016, 14), as further specified by Caluwaerts and Reuchamps. Through deliberation, as will become even clearer at the end of this chapter, Habermas’s discourse ethics can be put into democratic practice.

2.2 Capturing different visions of democracy

In a democratic system, power needs to be vested in its people. Recent interpretations of the word ‘democracy’, whose etymology traces back to ancient Greece, define it as the “forceful predominance of the [...] ‘assembly’ [...] over the community, including office-holders [...] and political leaders” (Cammack 2022, 465; Held 2006, 1). Other notions similarly reflect that the people ought to be both “the authors *and* subjects of the law [my emphasis]” (Anderson 2021, 134). In a similar fashion, Beetham describes the democratic ideal, which is meant to be attained, as a

mode of decision-making about collectively binding rules and policies over which the people exercise control. (1992, 40)

In a democracy, people are, or at least ought to be, the ultimate source of political authority. To reflect that principle, democratic institutions must ensure “[b]inding collective decision making” (Cohen 1998, 185; Bellamy et al. 2018, 565). This basic principle also distinguishes democracies from other systems of government, such as monarchies and aristocracies (Held 2006, 1). However, both the degree to which the democratic ideal of ‘the people’ as the ultimate source of political authority is fulfilled, and the way public preferences are channelled into collective decisions, depend on the actual democratic practices of the system in question (Anderson 2021, 134). As mentioned previously, democracy is not only about systemic features and procedures. It is also about normative values and moral justifications underpinning these systems. What becomes apparent is that, yet again, there is this field of tension between normative-theoretical conceptions and the practical-empirical realities of ‘democracy’ as the perhaps most “archetypal” (Coppedge et al. 2020, 27) and contested concept in political science.

In an attempt of conceptualisation, Coppedge et al. developed a theoretical framework that accounts for seven principles of democracy: electoral, liberal, egalitarian, majoritarian, consensual, participatory and deliberative. Each principle is underpinned by a set of normative values ranging from electoral, liberal, egalitarian, majoritarian and consensual to participatory and deliberative ideals (ibid. 28). Representing different visions of democracy respectively, each principle entails different normative or regulative ideals a polity could or *should* promote (ibid. 27; Miller 1992, 54). This already implies that each principle also has its own source of democratic legitimacy at its disposal (Knight & Johnson 1994, 281). A closer look at these democratic principles allows one to break down and understand the key pillars of democratic systems. Like pieces of a Lego set, they may be used to assess the most prevalent characteristics of a given polity (Coppedge et al. 2020, 42). Coppedge et al. place the electoral principle at the centre of their theoretical framework. The core idea of the electoral principle is that those in power remain responsive and accountable to citizens through regular elections and electoral competitiveness (ibid. 29; ibid. 30). The centrality of the electoral model is further emphasised by Flinders who depicts the electoral formula as the pillar of a polity’s constitutional arrangements (2010, 41). Regarding electoral legitimacy, Dogan highlights “the formal rules regulating the replacement of one set of office-holders by another” (2009, 207), as the mechanisms through which government authority is rendered legitimate. According to Coppedge et al., the remaining democratic principles function as additional ‘components’ (2020,

40). The combination of the liberal component with the core electoral principle, for instance, is fundamental to popular understandings of liberal democracy (ibid.). A similar notion is echoed by Saward who illustrates that citizens in liberal democracies are traditionally “[found] and [seen] in the voting booth” (2008, 408). Focussing on those most relevant to this paper’s investigation of democratic innovation in the British political system, the majoritarian, liberal, participatory and deliberative principles are explored below.

2.2.1 The majoritarian principle

The majoritarian component advocates for majority rule. True to the motto “the many prevail over the few” (Coppedge et al. 2020, 34), it is held to make democratic governance and decision-making more effective. Coppedge et al. explain that

majoritarian systems are more efficient in that the government is empowered to pass whatever legislation it deems appropriate in order to fulfil its electoral mandate. It enjoys considerable autonomy to manage the policy agenda, within the scope of the country’s constitutional framework. Out-parties are reduced to the role of critics, which means that the risk of policy gridlock is small. (ibid. 35)

Because governing parties can legislate with minimal opposition, policies can be decided and implemented more effectively. Hence, policy delay or complete deadlock can be substantially reduced in majoritarian systems. Prioritising efficiency over broad inclusion of the population, the majoritarian model strikingly contrasts the consensual conception with values of power-sharing and equal representation at its core (ibid. 29). Majoritarian rule in representative democracies usually refers to the “prevailing majority of legislative and executive bodies elected by the political community” (Nyirkos 2018, 2). The British Westminster system is regarded as one of the “majoritarian prototypes” (Lijphart 2012, 10). In the HOC, it is traditionally expected that “a single, disciplined political party will form a majority-government” (Russell & Gover 2017, 89). This contrasts with consensual approaches to democracy in which decision-making power is dispersed, often shared among a coalition or minority government (Coppedge et al. 2020, 36; Russell & Gover 2017, 89).

Moreover, consensual and majoritarian systems differ in their approach to policy influence and scrutiny. In consensual legislatures, shared decision-making power allows for a plurality of views. The number one rule in consensual leadership is that “[a]ll voices, or at least all voices with a stake in a particular policy area, should be heard” (Coppedge et al. 2020, 36). In such a pluralistic setting, a wide range of critical voices, including those of the opposition party, are included (ibid.). This can benefit the policy process, not least because the political opposition remains “motivated to

[negotiate policy changes]” (Russell & Gover 2017, 89). Majoritarian legislatures, by contrast, tend to take “little heed of contrary views or consultations” (Rhodes et al. 2009, 40). Opposition parties in majoritarian settings tend to be more concerned with securing political office, and less with shaping and negotiating policy outcomes. Russell and Gover exemplify that in systems, such as the UK, “the opposition’s primary strategy will be office-seeking rather than policy-seeking” (2017, 89). While in liberal democracies, the rule of law places essential checks on government power, majoritarian political systems are characterised by executive dominance and centralised power (Coppedge et al. 2020, 34; *ibid.* 40). This hints at a potential source of conflict between majoritarian and liberal ideals.

2.2.2 The liberal principle

Within the liberal tradition, representative democracy is intrinsically linked to capitalist structures. This link is based on the premise that capitalism imposes necessary constraints on centralised power and “enables [the state] to be democratically controlled” (Beetham 2016, 350). For grasping the foundational ideas behind the liberal model of democracy, historical context is crucial. This view is supported by Held, who places particular emphasis on the interrelationship between

the emergence of the liberal tradition – and the question it raised about the nature of sovereignty, state power, individual rights and mechanisms of representation. (2006, 59-60)

As a political philosophy, liberalism emerged throughout the seventeenth and eighteenth centuries, also known as the ‘Age of Reason’ or the ‘Enlightenment’ (Seidman & Alexander 2008, 10). It was in response to clerical dominance and absolutist rule that the notion of an “impersonal and sovereign political order” (Held 2006, 58) began to flourish (*ibid.* 59). In this regard, liberalism sought to free the polity from religious authority and protect civil liberties from political interference (*ibid.* 66).

The separation of powers, considered as the “centerpiece of modern constitutionalism” (Holmes 1995, 164), was particularly shaped by classical liberals Locke and Montesquieu (Coppedge et al. 2020, 33). Locke pictured a representative regime that takes the role of protecting individual rights and liberties and must therefore be “restricted in scope and constrained in practice” (Held 2006, 65). As an advocate of English Constitutionalism after 1688, and the rights and liberties it granted the individual, Montesquieu devoted himself to the separation of state powers (*ibid.* 65; Holmes 1995, 19). Until today, checks and balances have remained crucial to the liberal tradition (Coppedge et al. 2020, 40). Cautioning that executive power is “most prone to abuse”, the liberal conception runs counter to the majoritarian principle and

assigns the legislature and judiciary a central role in “providing checks against arbitrary and excessive executive authority (ibid. 33). Besides restraining government power to the rule of law, the protection of civil liberties has remained crucial (ibid. 34). Whilst early thinkers of liberalism defended property rights as part of individual liberty, market relations took on a central role in nineteenth-century democratisation.⁵

Gradually, liberalism became associated with the doctrine that individuals should be free to pursue their own preferences in religious, economic and political affairs. (Held 2006, 59)

With expanding suffrage and the rise of political parties, liberal democracy became institutionally embedded in various countries of nineteenth-century Europe and North America (ibid). In its real-world application, the liberal doctrine has taken on different forms. But the emphasis on constitutionalism and competitive markets based on private property rights has remained at its core (ibid.). In combination with the ‘core’ electoral principle, it enjoys great popularity in contemporary Western democracies (Coppedge et al. 2020, 40; Saward 2008, 408). Till this day, liberal democracy has been closely intertwined with capitalism and the free-market economy, as indicated at the beginning of this chapter (Held 2006, 66; Holmes 1995, 14). Although the liberal conception is ought to safeguard individual rights and freedoms, these rights are not always applied equally. Bellamy et al. warn that majorities or dominant cultural groups still tend to shape the system in ways which exclude others (2018, 572). Increasing economic and social inequalities in liberal democracies, particularly evident since the 2008 GFC, further raise the question whether liberal ideals, grounded in market principles, lay legitimate foundations for the governance framework (Preston 2016, 37). The prominence of liberal democracies today suggests that liberal values are deeply entrenched in the institutional and normative foundations of democratic systems. This gives rise to the suspicion of liberal bias in both institutional and social structures of society and further reinforces the need for innovative approaches. It is vital to remember that democracy, as put by Held, “has remained, and probably always will remain, unsettled” (2006 2). With further reference to the dynamic, if not transformative, quality of democracies, Miller advises to always distinguish between the democratic institution and the normative ideals it represents. Only by drawing this distinction, institutions may be “reshap[ed] [...] in the light of a different regulative ideal” (Miller 1992, 54). Though, in search of alternatives to liberal democratic principles, Miller would not recommend “wholesale abolition” (ibid.) of liberal structures. Instead, he endorses the normative paradigm of deliberative democracy.

⁵ It should be emphasised that these ideas were framed around the male, property-owning individual, leaving the dominance of men in public and private life unquestioned (Held 2006, 66).

This paper shares the view that embedding the deliberative component in the institutional framework can help to challenge outdated legitimacy claims and redesign democratic institutions “in the light of a different regulative ideal from that which [...] [is] prevalent now” (ibid.).

2.2.3 The participatory principle

The participatory principle of democracy, with its roots in ancient Greece, places emphasis on active and direct citizen involvement in politics (Coppedge et al. 2020, 37; Good 2014, 4). Based on the idea that the legitimacy of the political process can be increased by “a sense of ownership over [it]” (Coppedge et al. 2020, 37), participatory democracy reflects a tool to enhance the legitimacy of democratic decision-making. Participatory democracy goes beyond casting a vote in parliamentary elections and may happen at local, regional, national or supranational level (Dienel “Public Participation Procedures in Germany” 2009, 139). While it does not reject electoral and liberal models of democracy, it highlights their limitations and stresses the need for mechanisms which go beyond voting in elections (ibid.; Gherghina & Geissel 2020, 4). Clearly, the extension of universal voting rights reflects a milestone in the history of representative democracy and, along with it, the democratic institutions tied to electoral and liberal traditions (Coppedge et al. 2020, 37). However, actual election turnouts reveal that people tend to not always make use of their right to vote (ibid.). It is due to the long-standing “dissatisfaction with institutions of representative democracy” (2020, 4), as put by Gherghina and Geissel, that demands for alternative models of democracy become louder. In line with Miller’s view, they argue that participatory mechanisms, such as deliberation, should be incorporated into existing systems (ibid.; Miller 1992, 54).

2.3 The deliberative principle in theory and practice

2.3.1 Democracy beyond the ballot: From aggregation to deliberation

After deliberative democracy was established as a theoretical framework in the 1980s, it received increasing attention across academic disciplines throughout the 1990s and early 2000s (Gherghina & Geissel 2020, 1; Coppedge et al. 2020, 38; Dryzek 2000, 1). Grounded in the idea that political decisions aimed at the public good should emerge from “respectful and reason-based dialogue” (Coppedge et al. 2020, 37), the deliberative principle offered a response to the “perceived pathologies” of democracy at the time, such as personalised politics, self-serving biases in legislation, intolerance

of differing views, partisan emotional appeals and an “unreflective pursuit of preferences” (ibid. 38). In short, deliberative theory was found to have potential to outweigh the limitations of liberal and aggregate models of democracy.⁶ To reiterate, democratic institutions take the role of “binding collective decision making” (Cohen 1998, 185; Bellamy et al. 2018, 565). The aggregative model understands collective decision-making as a process where the interests and needs of everyone affected by a decision are taken into consideration. Here, ‘binding collective decision’ means equally responding to and balancing out the individual interests and concerns of everyone (Cohen 1998, 186). Popular voting is an example of this kind of preference aggregation (Geissel 2012, 178). Exercising one’s right to vote may be reflected in regular elections or in forms of direct democracy, such as referenda, in which the entire electorate is eligible to participate (ibid.). Miller adds that the very idea of “each person [being] entitled to express whatever preferences he chooses” (1992, 60) is rooted in the liberal conception. With due respect for the individuality of all community members, their individual preferences are regarded as “sacrosanct” (ibid. 67) and must be considered. When liberal democracies in Western Europe faced a legitimacy crisis in the early 1990s, deliberative democracy gained momentum (Caluwaerts & Reuchamps 2015, 152). Inspired by the early works of Dewey and the more recent works of Habermas, a group of international scholars realised that “a vibrant democracy [ought to be] more than the aggregate of its individual citizens” (ibid.). Electoral instability and declining public trust in government created an “excellent breeding ground for critical reflection on the role and shape of democracy in modern societies” (ibid.). The wide reception of deliberative democracy in the 1990s is also referred to as the “deliberative turn” (Dryzek 2000, 1) in democratic theory.

As early as 1927, long before the deliberative turn, American philosopher Dewey criticised the dominant aggregative logic of majority rule. “Majority rule”, he contends, “just as majority rule, is as foolish as its critics charge it with being” (Dewey 2012, 154). Dewey suggests that attention needs to be shifted from the mere act of voting to the stage preceding it: “the counting of heads compels prior recourse to methods of discussion, consultation and persuasion [...]” (ibid.). As insufficient methods of public debate are identified as “*the problem of the public*” (ibid. 155), the need for a plurality of voices and viewpoints to be heard and considered in the process

⁶ As mentioned earlier, liberal values have remained embedded in the institutional and social fabrics of Western democracies. This claim is further illustrated by the pathologies of democratic systems of the 1980s and 90s, fettered by entrenched liberal values of competition and individualism (Held 2006, 59; MacIntyre 2008, 132).

of reaching a collective agreement is particularly stressed. To advance the quality of public debate, the encounter of “competing philosophies” (qtd. in Dotts 2016, 114) is deemed crucial. In Dewey’s writings, public deliberation and “reflective and ongoing communication” (Dotts 2016, 123) are recognised as core components of a functioning democracy. This notion draws on the potential of intersubjective communication to challenge “individualism and the basis for moral authority in democracy”, an idea which anticipates the concerns of Habermas and his *Theory of Communicative Action* (ibid. 111). In his approach to moral authority in democratic governance, Dewey looks at democracy not just as a political ruling system, but as a system which carries ethical weight as well.

In their respective theories, both Dewey and Habermas rely on an “intersubjective normative basis” (ibid. 112). In response to the aggregative model, both propose critical reflections on the quality of democratic decision-making and how decision-making processes can be improved through deliberative practice (Caluwaerts & Reuchamps 2015, 152). Amidst widespread democratic crisis of the early 1990s, these innovative ideas were met with appraisal on the part of the international research community. In particular prior to forthcoming elections, they promised potential to substantially enrich the “quality of the public debate” (ibid.). The communicative emphasis gives way to a more radical critique of liberal democratic structures and strikingly surpasses established views of political theorists who, in the Weberian vein, look at democracy first and foremost as a system of governance (Dotts 2016, 112). Dryzek similarly insists that

a defensible theory of democracy must be critical in its orientation to established power structures, including those that operate beneath the constitutional surface of the liberal state, and so insurgent in relation to established institutions. (2000, 2)

Following Dryzek, democracy must be capable of resisting elite capture. Whereas liberal democracy is founded on moral, religious and political doctrines, the deliberative conception views democracy as an intersubjective and participatory process. On that front, it is considered a highly innovative and independent political ideal (Held 2006, 238). It does not deny the existence of multiple truths in a pluralist society but allows citizens to engage in a process of respectful dialogue and come to “a mutual understanding of legitimate and illegitimate conduct” (Seidman & Alexander 2008, 31). In more practical terms, deliberative democracy offers an approach to critically interrogate “the quality, substance, and rationality of the arguments and reasons brought to defend policy and law” (Chambers 2003, 309).

2.3.2 Normative foundations of deliberative democracy

According to the deliberative conception, a collective decision is legitimate if it emerges from a process of public reasoning that takes place among free and equal citizens and is further oriented towards the common good (Cohen 1998, 193; *ibid.* 186; Coppedge 2020, 38). In deliberation, citizens give reasons for their individual preferences, which may be heard, considered and further discussed among the group. Hence, before reaching a decision that can be accepted as reasonable by all, deliberative democracy provides a ground for citizens to engage in open and respectful discussions (Cohen 1998, 186; Coppedge et al. 2020, 38).

In the deliberative conception, then, citizens treat one another as equals not by giving equal consideration to interests [...] but by offering them justifications for the exercise of collective power framed in terms of consideration that can, roughly speaking, be acknowledged by all as reasons. (Cohen 1998, 186)

In direct contrast to preference-aggregating procedures tied to the liberal conception, deliberation enables the harmonisation of different points of preference, while acknowledging that people may have legitimate disagreements (Bellamy et al. 2018, 566). Even in situations where “no resolution of competition can be deemed objectively right” (Miller 1992, 56), it offers different ways to negotiate collective agreement. The first option is for citizens to agree on a fundamental norm against which a given topic shall be assessed (*ibid.*). The second way is to adopt a procedure in which the merits of potential beneficiaries are to be carefully weighed and assessed against certain principles. When discussing the equal distribution of resources, for instance, the different principles applied could be the actual ‘need’ of one person or the ‘productive use’ of another (*ibid.*). Alternatively, the group may decide to equally divide resources among all stakeholders, or else, by tossing a coin (*ibid.* 57). In any case, the aim is to reach a collective decision which “all the parties involved may feel to be reasonable” (*ibid.*). “[T]o come to some kind of final decision” (Caluwaerts & Reuchamps 2015, 155), aggregative mechanisms in the form of voting or opinion polling complement the deliberative processes. Although “aggregation [may cross] the argumentative process” (*ibid.*), the quality of decision-making in deliberation is best upheld when this only happens on occasion. “[T]he power of the majority”, as a rule of thumb, should not “[weigh] more on the process than with simply a final vote at the end of the event” (*ibid.*).

Evidently, the procedural dimension is central to the deliberative conception. Emphasis is put not merely on the outcome, but the process by which individuals reach legitimate decisions (Cohen 1998, 186; Coppedge et al. 2020, 38). In a CA, as one example of deliberative democracy in practice, a range of expert witnesses are

typically invited to inform citizens on a given topic and to answer their questions throughout the process (Elstub et al. “The Scope of Climate Assemblies” 2021, 2).⁷ In deliberation, the role of moderation is of paramount importance. As explained by Elstub et al., the aim of facilitated discussion is to “promot[e] deliberative norms, such as inclusion, respect, and reason-giving” (“The Scope of Climate Assemblies” 2021, 2). This approach is designed to empower citizens to engage with the information given and to further “engage [...] with their own views” (ibid.). The consideration of opinions, other than one’s own, ultimately informs one’s own judgement and may provoke the transformation of initial preferences (Miller 1992, 60). As Chambers sums up, the deliberative process essentially involves

debate and discussion aimed at producing reasonable, well-informed opinions in which participants are willing to revise preferences in light of discussion, new information, and claims made by fellow participants. (“Deliberative Democratic Theory” 2003, 309)

Held highlights “the transformation of private preferences [...] into positions that can withstand public scrutiny and test” (2006, 237) as the core objective of the deliberative process. Miller complements this perspective, describing the transformation of individual preferences into “ethically grounded judgements about matters of common concern” (1992, 66) as a distinctive feature of deliberative democracy.

Miller gives three reasons why the transformation of preferences might occur in a process of deliberation. That is, first, because participants in deliberation might realise that their initial preferences were actually “based on false empirical beliefs” (Miller 1992, 61). In preference-aggregating procedures, such as popular voting, individual choices tend to be made without careful reflection and oftentimes based on limited and inadequate information (Geissel 2012, 178). Miller illustrates this point with an example from energy policy. A person may genuinely believe that coal should be used before oil and gas, and they may have valid reasons for holding this opinion. After all, climate decisions require weighing up different values, interests, and trade-offs. On the one hand, coal reduces economic costs, but it causes greater environmental harm. Gas, though more expensive, is considered to be more environmentally sound, on the other hand (Miller 1992, 63). Oil, positioned between the two, represents a “trade-off” (ibid.). In preference-aggregating procedures, the electorate is likely to split into distinct groups with individuals prioritising either economic or environmental concerns. In the context of the climate crisis, however, policy efforts should focus on

⁷ On a side note, balanced information and perspectives are key to “epistemic completeness” (Caluwaerts & Reuchamps 2016, 14) and, therewith, high-quality deliberation. It must be cross-checked who is invited to provide their expert input, not least to prevent bias (ibid.).

transitioning *away* from fossil fuels *towards* cleaner energy sources. Climate scientists, as well as ethicists, demand a shift away from high-emission fossil fuels such as coal and oil towards zero-, or at least, lower-emission alternatives such as gas (Gardiner 2021, 92; “Progress in reducing emissions” 2024, 95). In this context, then, the belief that coal must be used before oil and gas is empirically flawed (Miller 1992, 61). Preference aggregation does not offer a solution to deal with such “false empirical beliefs” (ibid.). Instead of deriving the group choice from preference aggregation, which cannot be verified against external benchmarks, the deliberative conception aims to derive the group choice from a process of informed deliberation.

Second, participants in deliberation might revise their initial preferences due to their incompatibility with the moral beliefs of society. Certain preferences may be held in private but still be considered morally unacceptable to be publicly articulated and, consequently, advanced in institutionalised settings such as Parliament (ibid.). Third and finally, the process of deliberation might provoke a shift from individual opinion and “narrowly self-regarding” preferences to “public-oriented ones” (ibid.). In all three cases, the “moralizing effect of public discussion” (ibid. 60) is central. As participants engage in the process of public reasoning among equals, established norms may be activated but also “create[d] [...] by inducing participants to think of themselves as forming a certain kind of group” (ibid. 62). In sum, one can conclude that deliberation aims to channel individual preferences into collectively justifiable judgements. The overall process enables citizens to discover a sense of collective purpose and as particularly emphasised by Habermas, the key normative resource of “communicative power” (qtd. in Cohen 1998, 186). Cohen further elaborates that, besides binding and legitimising collective decisions, the idealised procedure of discursive practice among free and equal citizens generates “an institutionalized impact of that [public] will and opinion on the exercise of political power” (1998, 186-187). With regards to the ongoing reproduction of legitimating beliefs necessary to sustain political power in democratic systems, as outlined in section 2.1.1, Habermas’s discourse ethics reflects “a disturbing reversal of the democratically legitimate *cycle of power*” (Somek 2015, 75). Rational claims are valid only if they are the product of reasoned argument among citizens engaged in the process of reaching a collective agreement. This “moral-practical imperative” (Seidman & Alexander 2008, 4) offers potential for challenging and transcending normative claims to truth – particularly those propagated by the liberal doctrine of the constitutional state (Beetham 1991, 23; Dryzek 2001, 658; Heins 1990, 9). As summarised by Chambers,

[d]emocratic theorists of deliberation accept the fact that the political world can no longer be ruled directly by a specific political morality. In other words, morality and knowledge of transcendental truths can no longer serve as the foundation for politics. (“Dialogue, Deliberation, and Discourse” 2003, 88)

It should be noted that the collective decision reached by citizens need not contain “any transcendent standard of justice or rightness” (Miller 1992, 57). What matters, rather, is that in deliberation, “principles for political action [...] [can be guided] *dialectically* through intersubjective communication [my emphasis]” (Chambers “Dialogue, Deliberation, and Discourse” 2003, 88). Because “religious, expressive, and moral liberties” ought to be reconciled with fundamental democratic values of “political equality [...] and an egalitarian account of the common good” (Cohen 1998, 187), deliberative democracy holds the potential to interrogate and negotiate normative claims to truth and their underlying value systems, and to ultimately transcend them.⁸ As similarly envisioned in Habermas’s early theoretical writings, the integration of deliberative democracy *into* existing liberal institutional frameworks is recommended by later scholars (Gherghina and Geissel 2020, 4; Miller 1992, 54).

2.3.3 Legitimacy challenges in practice

Since the deliberative turn of the 1990s, a wide variety of practical formats based on the principle of deliberative democracy have been trialled (Dienel “Citizens’ Juries and Planning Cells” 2009, 167; Smith 2009, 76). But the extent to which the deliberative ideal and its foundational values of freedom, equality and reason can be upheld in real-world deliberation is questionable (Cohen 1998, 193). After all, the procedure of public reasoning among equals at the core of the deliberative conception is highly “idealized” and rather offers a kind of “model characterization” (Cohen 1998, 193). Also Dryzek is critical of its ability to establish democratic legitimacy in real-world deliberation. One of his arguments concerns the issue of representativeness. Dryzek argues that

[t]he essence of deliberation is generally taken to be that claims for or against collective decisions need to be justified to those subject to these decisions in terms that, given the chance to reflect, these individuals can accept. But in real-world deliberations, all or even very many of those affected do not appear to participate, thus rendering deliberative democracy vulnerable to demolition of its legitimacy claims. (2001, 651)

According to the deliberative ideal, public debate should take place among all people affected by a decision. However, in practice, this goal seems unachievable as the number of participants is limited by both the venue and the ability to facilitate

⁸ The ‘egalitarian thesis’ of political equality can be viewed as “a kind of plateau in political argument” (Dworkin 1983, 25). It holds that the interests of community members are equally relevant (ibid. 24).

meaningful deliberation among a large group. In order to ensure the representativeness of the wider population in deliberative mini-publics, deliberators are recruited through a stratified random selection procedure, also referred to as ‘sortition’ (Elstub et al. “The Scope of Climate Assemblies” 2021, 2).⁹ Most commonly, citizens are selected according to demographic parameters (ibid.). These criteria typically encompass factors such as age, gender, educational level and geographical location. Depending on the topic of deliberation, further parameters, such as attitudinal criteria, may be included (Carrick & Elstub 2023, 140; Elstub et al. “The Scope of Climate Assemblies” 2021, 2). As Dryzek explains, the random selection of deliberators eventually provides “a simulation of what the population as a whole would decide if everyone were allowed to deliberate” (2001, 654). It is worth noting that participation in CAs is voluntary. If an individual refuses to take part, another one with similar social attributes will be selected in their place to maintain representativeness and inclusiveness (Elstub 2014, 174). This approach guarantees “[t]he inclusion of the authentic preferences of all affected” (Caluwaerts & Reuchamps 2016, 14) as a guiding principle. Deliberators are typically remunerated, with expenses related to travel and accommodation covered (ibid.; Elstub et al. “The Scope of Climate Assemblies” 2021, 2). A common issue is that response rates tend to be between three to five percent of the population, which heightens the risk of self-selection and underrepresentation, especially among socially and politically marginalised groups (Caluwaerts & Reuchamps 2016, 14; Elstub 2014, 174; Talpin 2016, 95-96). The targeted recruitment of such groups helps to address this problem (Talpin 2016, 96).

Still, Dryzek’s objections about legitimacy remain justified. At the end of the day, CAs consist of a small fraction of the public (Carrick & Elstub 2023, 140). The use of additional forms of direct democracy, such as referenda in which the entire electorate can participate, may counterbalance this legitimization problem (Geissel 2012, 178). By combining deliberative and direct democracy, Geissel explains, “some of the weaknesses of each innovation [can be mitigated]” (ibid.). CAs typically culminate with a set of directives, also referred to as “recommendations about public policies” (Courant 2021, 1), that are handed back to the commissioning body. In the ICA, which consisted of 99 randomly selected citizens and took place between 2016 and 2018, one of the final recommendations included a pledge for holding a referendum, which the

⁹ The process of sortition is rooted in ancient democratic practice, where selection by lot was used “to allocate positions of political authority” (Smith 2009, 29). This would give citizens within one polity an equal chance of being selected and furthermore help “check elite power” (Good 2014, 12; Talpin 2016, 95).

Irish Government eventually accepted (Courant 2021, 2; Farrell et al. 2019, 113). The referendum was held in 2018 and led to the legalisation of abortion and, therewith, fundamental constitutional change (Courant 2021, 2). Handing down the decision to all citizens helped legitimate the decision among those who did not take part in deliberation, also referred to as the “maxi-public” (Suiter et al. 2016, 35). In this way, a contentious policy issue could be resolved in an inclusive and effective manner. Further techniques to engage the maxi-public were employed by the Irish Constitutional Convention. Designed to discuss constitutional amendments on a range of issues, the Convention held four consecutive CAs between 2012 and 2014 and additionally invited all Irish citizens to submit their views on each of the topics discussed (Courant 2021, 1; Farrell et al. 2019, 113).¹⁰ The role of the media was furthermore crucial in fostering public engagement (Suiter et al. 2016, 35).

Besides representativeness, the legitimacy claims of a CA may be undermined by an agenda driven by the commissioning body. As highlighted in chapter 2.3.2, in deliberation, primary emphasis is placed on the process by which individuals reach a legitimate decision. A thematically fixed agenda that does not provide citizens with the opportunity to examine a problem from different angles or even question it, is considered less legitimate than an open agenda that is set within an “open-ended process” (Caluwaerts and Reuchamps 2016, 15). An open agenda allows citizens “to approach [an issue] more holistically” (ibid.). To use the words of Dryzek, it enables them to make a “reflective choice *across* discourses [my emphasis]” (2001, 658). In deliberation, an open agenda complies with the “underlying principles of discourse ethics which in effect provides power to the public [...] and consequent resolution towards electoral recommendations” (Mc Govern & Thorne 2021, 215). On these grounds, an open agenda embodies the normative core of deliberative democracy. The same applies to the information participants receive to support their arguments. “[I]t is generally agreed”, Roberts et al. explain, “that the greater the agency of the jurors in selecting the witnesses, the better” (2020, 7). In deliberative mini-publics, a selection of experts is commonly invited to inform AMs on a given topic (Elstub et al. “The Scope of Climate Assemblies” 2021, 2). Since each speaker typically introduces a distinct perspective and area of expertise, the choice of experts also represents a form of agenda-setting (ibid. 4). Balanced information and perspectives are considered key to “epistemic completeness” (Caluwaerts & Reuchamps 2016, 14). To prevent bias, it

¹⁰ This kind of citizen involvement was inspired by its international forerunners, the BCCAER and the Dutch citizens’ forum (Suiter et al. 2016, 35).

is essential to cross-check who is invited to provide evidence (ibid.; Junius 2025, 419). But maintaining these cross-checks can be challenging. In deliberative practice, experts are usually selected by the facilitating organisation under the oversight of the commissioning body and, where applicable, a steering or stewarding group (Roberts et al. 2020, 7).¹¹

Following Habermas, discursive and communicative power is ought to challenge dominant narratives and legitimacy claims. As Dryzek further specifies, it should alter “the terms of political discourse in ways that come to change the understandings of state actors” (2001, 659). However, if state actors set up a CA and exert disproportionate influence over the agenda and the information provided to participants, how can dominant political discourses be contested? Recalling Dryzek, democracy must be able to withstand elite capture (2000, 2). In his study of deliberative innovations, Junius identifies agenda-setting as a “capture threat” (2025, 418). The value judgements of citizens may be illegitimately framed by the design choices of powerful groups who set the agenda for their own gain, or at last with the intention “to advantage some interests over others” (Dietz & Stern 2008, 35; Junius 2025, 418; Pfeffer 2024, 843). The 2019 FCCC illustrates the power of agenda-setting and points to the challenges posed by framing and elite capture. With a budget of 6.7 million euros and a time span of nine months, the FCCC is the “largest-scale experiment” (Giraudet et al. 2022, 2) in deliberation to date. It gained considerable public attention, not least because it was initiated by the French President Emmanuel Macron (ibid.). 150 randomly selected citizens were formally invited by the French PM Edouard Philippe by letter, asking them to engage in an “innovative procedure for co-construction of solutions” (ibid.). The aim of the assembly was to develop pathways to reduce carbon emissions “in a spirit of social justice” (ibid.). Jacoby and Ochs describe the term ‘co-construction’ as a rather vague concept,

deliberatively leaving one in the dark as to who (or what) might be acting in concert and what exactly is being jointly created. (1995, 171)

In the FCCC, this vagueness became problematic because the French Government provided neither specifications on what ‘co-construction’ implied nor guidance on how the ‘social justice imperative’ should be implemented. Following Giraudet et al., this left considerable room for the Government to “[exert] significant framing effects on the citizens’ deliberation” (2022, 2). This point is further substantiated by the lack

¹¹ A stewarding group is composed of expert leads from private, public or charity organisations, and academia. It is tasked with overseeing and reacting to the agenda and the content provided (Elstub et al. *Evaluation* 2021, 25; Roberts et al. 2020, 15).

of transparency in the selection of experts by the governance committee, which was itself appointed by Government (ibid. 8). What is particularly interesting about the French case is that the subtle framing of the deliberative process seems to have gone unnoticed by participants. This is reflected in “a strange situation in which the citizens express[ed] ex post satisfaction with the process, but not with the outcome” (ibid. 13). In retrospect, the ‘public moment’ embodied by the French PM’s invitation to co-construction resembles a PR strategy rather than a genuine power-sharing agreement. This is further supported by the fact that the French Government hardly followed up on the 149 final recommendations (ibid.). Considering this shortcoming, Giraudet et al. argue that the Government needs a clearer and more explicit commitment to how it will respond to citizens’ proposals (ibid. 14).

The institutional design of the permanent PBD is a prominent example of how to tackle problems of elite capture and framing. In 2019, the Parliament of the autonomous and German-speaking community in East Belgium passed a decree to formalise the use of deliberation as an additive democratic instrument (Junius 2025, 420; Macq & Jacquet 2023, 161). The legal framework stipulates that the PBD is composed of three bodies: the Permanent Secretariat, the Citizens’ Council and the CAs (Junius 2025, 420). A small number of civil servants in the Secretariat perform administrative and organisational tasks. Though financed by the East Belgian Parliament, the Secretariat is “overseen by the Citizens’ Council” (ibid. 420). The permanent Citizens’ Council, consisting of 24 citizens who serve for 18 months, is the perhaps most striking feature of the PBD because it is tasked with monitoring the entire proceedings of the CAs (ibid. 420-421; “Permanent citizens’ assembly in Aachen” 2022). The only requirement to become a randomly selected member of that Council is to be an experienced AM of former CAs of the PBD (Macq & Jacquet 2023, 161). To warrant an open-agenda process, the Citizens’ Council draws on proposals either submitted by at least two of its members, an MP, the Government or by at least 100 citizens (ibid.). Eventually, the Citizens’ Council decides over the topic and agenda of the upcoming and ad-hoc CAs, the questions to be discussed as well as the experts to be invited (Junius 2025, 421; Macq & Jacquet 2023, 161). In this way, the risk of political elites to capture the deliberative process to their advantage is minimised.

The legitimacy of a CA may further be undermined by limited political uptake of its final output. Though the ICA is regarded as a “trail-blazer in the use of deliberative methods in the process of constitutional review” (Farrell et al. 2019, 113), particularly with respect to the groundbreaking constitutional change on abortion laws, the Irish

Government has also been criticised for their limited response to further topics explored in the ICA, such as referenda or fixed-term parliaments (ibid. 115; McGovern & Thorne 2021, 215). After all, the Government is neither legally obliged to engage with the CA's recommendations, nor is there an institutional framework in place to ensure regular constitutional review (Farrell et al. 2019, 120). When it comes to accountability mechanisms, the PBD is one step ahead. Although the law-making authority rests with the traditional representative institutions of East Belgium and the PBD is only consultative in nature, its permanent institutional design provides mechanisms to hold Parliament accountable (Junius 2025, 421).¹² If Parliament chooses not to implement the CA's recommendations, it is legally required to provide reasons to the Citizens' Council (ibid.). In addition, it must report back to the Citizens' Council on the progress of implementation on an annual basis (ibid.). These monitoring and control mechanisms ensure both parliamentary accountability and ongoing collaboration between Parliament and the PBD. On a concluding note, Junius highlights that "multiple bodies balancing each other through a separation of powers" (ibid. 428) significantly increase the PBD's resilience to illegitimate elite capture. The success of the PBD suggests that deliberative mini-publics can enhance democratic legitimacy when supported by a clear mandate. Checks and balances between multiple bodies, along with established links to formal decision-making, appear to be key to preventing the erosion of legitimacy claims. In addition to representative and inclusive recruitment, an open-ended agenda-setting process has proven to be crucial. Overall, this brief depiction of selected practical cases suggests the need for deliberative mini-publics to become less of a one-off experiment, and more of a sustained commitment. Only then can the deliberative ideal be upheld and its potential to challenge outdated political narratives and legitimacy claims be fully realised.

3 The legitimacy dilemma in UK climate governance

3.1 Global framework and the deliberative case for climate justice

During the period between 2011 and 2020, global surface temperatures reached approximately 1.1 degrees above pre-industrial levels (IPCC "Summary for Policymakers" 2023, 4).¹³ It is scientifically proven that global warming is caused by human-generated GHG emissions. These again result from consumerist lifestyle

¹² The authority over legislation is reserved for the East Belgian Parliament and Government according to Article 33 of the Belgian federal constitution (ibid.).

¹³ The pre-industrial period is typically defined as 1850-1900 (ibid.).

patters, unsustainable production, and excessive land and energy use (ibid.). According to the UN, 90 percent of carbon dioxide emissions worldwide are caused by fossil fuels (“Causes and Effects of Climate Change” 2025). The burning of coal, oil and gas is responsible for more than 75 percent of global GHG emissions, which “blanket the Earth” and “trap the sun’s heat” (ibid.). As a result, the earth’s temperature is rising and the global climate is changing. The impact of climate change is extremely serious and comes with irreversible effects on communities and the global ecosystem (IPCC *Climate Change 2023: Synthesis Report 2023*, 68). According to reports, it has already led to extensive damages and permanent losses in land, water and coastal ecosystems (ibid. 46). To prevent further loss and damage, and reduce the rise in extreme, life-threatening weather events such as heatwaves and floodings, dramatic cuts in GHG emissions are crucial (ibid. 72). However, current economic priorities seem not to reflect this urgency. Apparently, “[p]ublic and private finance flows for fossil fuels are still greater than those for climate adaption and mitigation” (ibid. 26). Due to continuously high levels of carbon dioxide emissions, which constitute a major component of GHG emissions, temperatures are expected to rise further in the following decades. The IPCC cautions that surpassing the 1.5-degree threshold compared with pre-industrial levels will provoke more frequent heavy rainfalls and droughts worldwide (ibid. 98). As a global response to the threat of climate change, international treaties such as the Paris Agreement were signed.

3.1.1 The Paris Agreement

The Paris Agreement is a legally binding international treaty and global response to the threat of climate change. It was adopted by 195 parties at the UN Climate Change Conference, also referred to as COP21, in Paris on 12 December 2015 and entered into force on 4 November 2016 (Paris Agreement). Under the UNFCCC, the Paris Agreement sets the collective goal of keeping global warming well below a 2-degree threshold compared with pre-industrial levels (Paris Agreement, Art. 2.1a; Voigt & Young 2025, 48). To avoid the disastrous consequences of global warming, which further intensify with rising temperatures, signees are encouraged to “[pursue] efforts to limit the temperature increase to 1.5 [degrees]” (Paris Agreement, Art. 2.1a). Closely linked to this objective, the Paris Agreement provides a legal framework for policy development and implementation (IPCC *Climate Change 2023: Synthesis Report 2023*, 52; Voigt & Young 2025, 49).

However, it must be noted that the Paris Agreement has a hybrid legal nature, blending binding elements with non-binding, if not to say voluntary commitments. Legally binding components are reflected in “mainly administrative, procedural obligations” (Voigt 2016, 161). The NDCs represent one such procedural requirement (Voigt & Young 2025, 51). Every five years, each party must submit its NDCs (ibid.). Those should include climate mitigation measures and targets and further reflect a party’s “highest possible ambition” in the light of its national circumstances (Paris Agreement, Art. 4.3). Article 13 of the Paris Agreement is designed to hold parties accountable to their NDCs. All members are required to monitor progress on implementation (Paris Agreement Art. 13.1). These regular reporting and reviewing mechanisms aim to establish transparency and consistency in climate policy development and implementation (Voigt & Young 2025, 51). These procedural obligations are binding in form, but flexible in content. Whilst parties must legally follow the process, the actual scale and ambition of emission reductions is left “to the discretion of parties” (Voigt 2016, 161). Along these lines, Voigt and Young remind that the Paris Agreement does not set binding targets for individual states but instead relies on an interplay of “individual pledges[,] [...] international guidance, reporting and review” (2025, 48). On the one hand, the hybrid legal nature of the Paris Agreement can be regarded as a strength. While it imposes binding procedural obligations, such as regularly submitting and reporting on NDCs, it leaves the actual substance of the matter to individual parties. This flexibility allows a heterogeneous group of states to develop and revise their NDCs in accordance with their specific national requirements and has arguably facilitated the worldwide adoption of the Paris Agreement. As Voigt points out, “the stringency of the obligation and the level of ambition can be detrimental to broad participation” (2016, 161). Accordingly, strict regulations run the risk of diminishing returns. If climate goals are too ambitious, countries may be less likely to commit (ibid. 162). On the other hand, flexible and non-binding components tend to weaken the implementation of climate objectives. Indeed, the policies in place by 2020 were projected to fall short of the 2030 targets for GHG emission reductions (IPCC *Climate Change 2023: Synthesis Report 2023*, 57).

The legal nature of the Paris Agreement reveals an inherent tension. Like a double-edged sword, its non-binding components facilitate participation but at the same time weaken national ambitions and the reliable enforcement of progressive climate policies. In view of these trade-offs, Voigt notes that the multilateral instrument had to find “a careful balance between broad participation and a level of commitment that

mattered in the fight against climate change” (2016, 161). This demonstrates the complexities of a universal global climate agreement and further suggests that trade-offs represent an indispensable part of collective action and international cooperation (ibid.). Yet, it must be stressed that the consequences resulting from failure to act on climate change are severe, irreversible, and ultimately uncompromising. The IPCC warns that, “without the strengthening of policies, emissions are projected to rise” (IPCC *Climate Change 2023: Synthesis Report 2023*, 57) far beyond current targets. If this trend continues, global temperatures are expected to reach a median global warming of 2.2 to 3.5 degrees by 2100 (ibid.). The scientific evidence underscores that failing to address climate change will accelerate ecological and societal catastrophes globally. Such predictions call for both bold climate action and strict mechanisms to hold decision-makers accountable for inaction. With the participation of nearly all countries in the world, the Paris Agreement represents a key instrument for coordinating diverse national strategies and policies towards a shared objective. The international treaty has already encouraged climate policy development and implementation “at multiple levels of governance” and reportedly contributed, over time, to “rising levels of national ambition” (IPCC *Climate Change 2023: Synthesis Report 2023*, 52). However, recent trends indicate that keeping global warming below the 1.5-degree threshold may no longer be achievable. The IPCC warns that this threshold will most likely be exceeded over the course of this century, “if no additional commitments are made or actions taken” (ibid. 57). The prospect that surpassing 1.5 degrees could trigger tipping effects that make exceeding 2 degrees even more likely is particularly alarming (ibid.). Recent developments, such as the US announcing its withdrawal from the Paris Agreement despite being a major emitter, are equally alarming (Noor 2025).¹⁴ Taken together, these trends underscore the need for political leaders to act decisively on climate change.

3.1.2 The deliberative imperative in the pursuit of climate justice

The climate crisis is at a critical point. Global warming is already causing more frequent and intense extreme weather events, and these are expected to intensify further. The IPCC confirms that the “extent and magnitude of climate change impacts are larger than estimated in previous assessments” (IPCC *Climate Change 2023: Synthesis Report 2023*, 46). This raises two fundamental questions: who bears the

¹⁴ President Trump signed an executive order to withdraw the US from the Paris Agreement on his first day in office on 20 January 2025 (ibid.).

responsibility to act? And who bears the burden of climate inaction? A meaningful discussion must begin with those who carry the greatest burden of climate change. Despite having historically contributed the least to climate change, evidence suggests that vulnerable groups disproportionately suffer its consequences (ibid. 42; ibid. 50). As explained in the IPCC report, “[h]uman and ecosystem vulnerability are interdependent” (ibid. 51). With regards to political inaction on climate change, climate ethicists, such as Cripps, accuse political decision-makers of a “systematic disregard for many human lives” and further point to the “radical discrepancy between those who have a say and those who feel the pain” (2022, 12-13)”. It goes without saying that the young generations have contributed comparatively little to the carbon emissions of the last decades. And yet, they are the ones increasingly experiencing the direct consequences of extreme weather conditions, such as fires and floodings (IPCC *Climate Change 2023: Synthesis Report 2023*, 72). It must be re-emphasised that the 1.5-degree threshold is currently projected to be exceeded. While evidence suggests that rising global temperatures accelerate the disastrous consequences of climate change, it is the most vulnerable that “losses and damages [will be] strongly concentrated among” (ibid. 42; ibid. 57). To reduce the dramatic and adverse effects of climate change, the IPCC urges the international community to ensure “effective and equitable adaptation and mitigation actions” (ibid. 92). This unveils climate change as a matter of equity and responsibility.

When it comes to the responsibility to act, the structural drivers of climate change need to be identified and held accountable. Instead of blaming or moving the burden of environmental harm on the average consumer, political decision-makers must be held accountable for the “institutionalized dependence on fossil fuels” (Cripps 2022, 12). Alongside the defence and relentless pursuit of vested interests, Cripps adds that “political side-taking” (ibid.) and political polarisation regarding the issue of climate change constitute a threat to human rights and climate justice. Current legal developments point in a similar direction. Through climate change framework laws and climate litigation, the UN Human Rights Committee seeks to hold states accountable for their inaction on climate change. Various climate litigation cases target governments’ failure to implement climate adaptation measures and, by doing so, promote environmental justice and the protection of human rights (Setzer & Higham 2023, 5). In relation to these developments, figures show an overall increase of human rights arguments in climate matters. As of June 2024, approximately 45 percent of international climate cases and complaints were handled before international human

rights courts and tribunals (ibid. 15). There has also been a surge in advisory opinions and in the use of human rights arguments. Advisory proceedings before the International Court of Justice received 91 written statements in 2023, reportedly the largest number ever recorded (ibid.). Despite the non-binding nature of advisory opinions, they carry “substantial legal and moral weight, potentially spurring governments towards more ambitious climate action” (ibid.; Sthoeger 2023, 292). Climate litigation and lawsuits have become an increasingly important tool for enforcing the obligations of the Paris Agreement on national level (Setzer & Higham 2025, 4). But even in climate litigation, sources suggest a reversing trend. Despite encouraging developments in previous years, the number of pro-climate litigation cases filed has declined since 2024. In fact, 27 percent of filed cases have called into question climate change mitigation (ibid. 7). Under the current Trump administration in the US, so-called “[n]on-climate-aligned cases” and anti-climate arguments – predominantly filed by powerful industries and Republican states – have become prevalent (ibid. 43; ibid. 12). These backlash cases against climate action further illustrate the growing complexity of the legal landscape. They unveil the vulnerability of multilateral instruments like the Paris Agreement, which lack clear, legally binding obligations, and further exemplify how politicians and industry lobbyists can exert disproportional influence over climate decision-making. In reaction to such developments, Fisher et al. highlight the critical role of legal institutions to effectively

confront, respond, and perhaps even evolve [...] beyond the application and incremental development of existing rules and doctrines. (2017, 174)

Standing on the brink of a backwards trend in environmental policy, the world needs countries and actors to set examples for global orientation and realignment with climate goals. More than that, it needs a radical break with the prevailing moral and political doctrines that inform climate decisions.

What remains, besides uncertainty around political and legal backlash, is a radical discrepancy between those in power and those who do not have a say in climate decision-making. The involvement of citizens in climate policy development is essential in overcoming this discrepancy. It is important to engage the people affected by the climate crisis, not least to generate public legitimacy for climate decisions (Renn et al. 1995, xiii). The Rio Declaration, which was adopted at the UN Conference on Environment and Development in 1992, already states that “[e]nvironmental issues are best handled with the participation of all concerned citizens, at the relevant level” (“Report of the United Nations Conference on Environment and Development” 1992; Durán Medina & Sánchez González 2025, 106). Furthermore, the inclusion of local

communities and the voices of vulnerable and politically underrepresented groups in environmental decision-making was emphasised at the UN Conference on Sustainable Development twenty years later, in 2012 (“The Future We Want” 2012, 11; Durán Medina & González 2025, 102). This need is reinforced by current evidence that vulnerable groups, despite having historically contributed the least to climate change, disproportionately suffer its consequences. Not least to relieve the “discrepancy between those who have a say and those who feel the pain” (Cripps 2022, 12-13), it is the responsibility of political decision-makers to embed participatory mechanisms in the decision-making apparatus. This claim finds further support in the field of climate ethics, where “collective inquiry is [considered] [...] key to understanding ethical conflicts” (Voisard & Wallimann-Helmer 2024, 334). Fisher et al. furthermore emphasise that, without ethical interrogation, the values guiding policy decisions will continue to be determined by the authority of an entrenched elite invested in “the continuity of existing legal practices and doctrinal ‘business as usual’” (2017, 174; Ober 1996, 5). Deliberative democracy reflects a tool to contest the values entrenched in the institutional and social structures of Western liberal democracies. As claimed by Cripps, it has the potential to challenge the dominant political paradigm and bring the “ecological community” (2022, 15) into existence.

Evidently, the climate crisis poses an existential threat to global ecosystems and communities. At the same time, a growing number of lawsuits, notably in the US, seek to roll back environmental protection measures. Investments from both the public and private sectors continue to favour fossil fuels, as highlighted in the IPCC report. These trends threaten to undermine the progress achieved in international climate diplomacy. But climate change will not wait. Exceeding the 1.5-degree threshold is likely to occur this century and, bringing with it, extreme weather events as well as large-scale damage and losses. All of this underlines the moral duty of political decision-makers to act now and to act decisively. A legal dimension is added to this moral duty through international climate litigation, which seeks to hold states accountable for failing to fulfil their climate obligations – obligations whose effective enforcement has been thwarted by the non-binding nature of the Paris Agreement. Finally, it is the moral duty of politicians to involve citizens in climate decision-making. Climate governance ought to be deliberative and inclusive, guided by collective and public-oriented values (Voisard & Wallimann-Helmer 2024, 343). Along these lines, climate ethicists demand “a credible moral pluralism” (ibid.) that goes beyond the narrow concerns of efficiency and economic gain. Because it combines inclusive citizen participation with

the ethical reflections required to evaluate and guide climate decisions, the democratic instrument of deliberative democracy has the capacity to drive this change. In the pursuit of climate and environmental justice, it is therefore imperative for political decision-makers to take responsibility and design institutional frameworks that facilitate inclusive and reasoned public deliberation.

3.2 Britain on the long road to net zero

3.2.1 The politics of decision paralysis

3.2.1.1 *Ambiguity and reversal in climate policy*

In June 2019, the UK Parliament legally committed to reaching net zero GHG emissions by 2050 (Gudde et al. 2021, 3; “The path to net zero” 2020, 4; UK Government 2019). As part of this legal framework, the UK set its own NDC in 2020, which requires a 68 percent reduction in GHG emissions by 2030 compared to 1990 levels (“Progress in reducing emissions” 2024, 8). On the road to net zero, the CCC plays a key role. As an independent advisory body, it delivers advice and regular reports to the British Government. In their annual “Progress in reducing emissions” report, issued in July 2024, the CCC criticises that, at the time of publication, only a third of the emission reductions needed to hit the UK’s 2030 interim target were actually “covered by credible plans” (ibid. 12). The statutory report criticises the overall lack of coherence in climate policy decision-making. It reveals confusion and inconsistency around key policy objectives, such as the UK’s plans of phasing out the use of fossil-based energy (ibid.). Former Conservative PM Rishi Sunak reconsidered essential policy decisions, framing the argumentation around questions of equity and social justice. It was argued that especially impoverished families would benefit from postponing the ban on fossil fuelled vehicles from 2030 to 2035 (“How will climate policy impact the British public and what factors underpin support for climate action?” 2024). In their report to Parliament, the CCC criticise this line of argumentation and accuse the former Conservative Government of stating to act on behalf of the country and its citizens, without delivering adequate proof that “dialling back ambition would reduce costs to citizens” (“Progress in reducing emissions” 2024, 8). As a matter of fact, Sunak’s claim that poor families would benefit from a prolonged use of fossil fuels, such as oil and gas, is empirically flawed. When the Conservatives pledged to build new gas plants and create further incentives for private investment in the North Sea in their 2024 election manifesto, also Greenpeace countered this would only result in “higher bills, more energy price shocks and an increase in climate-wrecking

emissions” (“Election 2024” 2025; The Conservative Party 2024, 48). While the financial concerns of citizens must be taken seriously, instrumentalising their fears to justify a U-turn on net zero ambitions cannot be the answer. The scientific evidence is clear: gas combustion worldwide must be halved and burning fossil fuels like coal and oil must be capped by 80 and 30 percent respectively to avoid exceeding the 2-degree threshold (IPCC *Climate Change 2023: Synthesis Report 2023*, 58). To keep global warming under the 1.5-degree threshold, even more reserves must remain untapped. As previously mentioned, there is a responsibility to act and cut fossil fuels, not only to reach the net zero target, but to uphold principles of equity (Paris Agreement, Art. 4). Cloaked in rhetoric that claims to serve the people, Sunak’s words reveal the British state’s continued allegiance to fossil capital instead. As a result of this allegiance, 20 percent of households were exempted from original plans to terminate fossil-fuel boilers by 2035 (“Progress in reducing emissions” 2024, 13). In addition, the heating decarbonisation programme was postponed by one year only a few weeks before it was scheduled to start (ibid.). In its interim evaluation, the CCC points to the ambiguity of such decisions. With respect to overall progress towards the net zero objective more generally, the report identifies a lack of transparency. The Government is urged to offer clear and accessible reporting for closer public scrutiny (ibid. 82). Not least to warrant legitimacy, state action must remain accountable to the public (Higham et al. 2021, 2). However, despite having the data and tools to monitor progress towards net zero, the former Government refrained from addressing these transparency requirements and even dismantled a former statistics portal originally created to “provide a centralised and accessible resource for the monitoring of Net Zero” (“Progress in reducing emissions” 2024, 82). This overall lack of transparency and accountability, combined with delays and reversals of key climate policies, raises questions about the Government’s commitment to climate action and the potential role of vested interests. While all of this remains rather obscure, the impact is evident: achieving the interim target of reducing GHG emissions by 68 percent by 2030 appears increasingly unlikely (ibid. 12). In this view, the CCC stresses the responsibility of the new Labour Government, elected in July 2024, “to act fast to hit the country’s commitments” (ibid. 8).

The Labour Party has demonstrated a relative constructive commitment to net zero. In the 2024 general election campaign, both Conservatives and Labour pledged to maintain the target of achieving net zero GHG emissions by 2050. In terms of environmental protection, a Greenpeace analysis revealed that Labour’s pledges on

climate scored four times higher than those of the Conservatives (“Election 2024” 2025). In accordance with their 2024 election manifesto, the Labour Party publicised their own mission: “Clean power by 2030” (Hodgkin 2024, 4; The Labour Party 2024, 48). Labour’s plans to heavily invest in the green economy to reach clean power by 2030 have been condemned by the Conservative opposition, parts of the media and even trade unions (Harvey 2025). Former Labour chef Blair openly predicted the party’s plans of discontinuing fossil energy use in the short future as “doomed to fail” (ibid.), though his statement was revised briefly after to express his full support to Labour’s commitments. These developments confirm that climate change has become an increasingly divisive issue. In 2025, six years after the UK committed to reaching net zero by law, BBC’s correspondent Catt concludes: “the consensus at Westminster has shattered and reaching net zero is fast becoming a political dividing line” (2025). Since Labour took office in July 2024, moderate progress has been made on climate policy development (“Progress in reducing emissions” 2025, 16-17). The removal of “planning barriers in areas such as onshore wind and heat pumps” (ibid. 10), but also the Clean Power 2030 Action Plan and the 2030 ban on new fossil fuel vehicles are mentioned as major achievements in climate adaptation (ibid. 16). Yet, to meet the country’s 2030 NDC under the legally binding Paris Agreement, the country still has a long way to go. The latest statutory report to Parliament, issued in July 2025, reveals that 38 percent of the emission reductions required to achieve the 2030 NDC are supported by credible plans (ibid. 17). Compared with the 2024 report, this represents an improvement of at least five percent. However, around 43 percent are associated with significant or moderate risks, while 14 percent remain insufficient (ibid. 17). In June of this year, Chancellor Rachel Reeves announced a substantial capital expenditure package of 60 billion pounds on the economy and an additional 22 billion pounds for research and development (Harvey & Horton 2025). Reflecting intra-party divisions, the budget was finalised only after months of uncertainty and extensive review of funding for low-carbon projects, partly due to pressure from backbench MPs and media criticism (ibid.).

3.2.1.2 *Institutional self-preservation and inertia*

As discussed above, current efforts of the British Government to combat climate change remain insufficient. That is not least because of conflicting standpoints in Parliament (“Progress in reducing emissions” 2024, 14). Along these lines, the CCC urges Parliament to rebuild consensus around the Climate Change Act 2008 (ibid.).

Particularly in the UK, parliamentary debates are crucial for “shaping and legitimatizing policy, as well as scrutinizing the government” (Nisbett et al. 2024, 3). However, in the context of climate change, there is more substantial evidence that both cross-party and intra-party divisions have slowed progress or even led to decision paralysis over key policies (ibid. 1). In their study of UK parliamentary debates between 2017 and 2022, Nisbett et al. reveal an internal divide within the Conservative Party, with some MPs advocating for pro-climate action and others favouring delay or denial in the course of the period studied (ibid. 10).¹⁵ Pro-climate stances were broadly represented in the Labour Party, but arguments for delay persisted at times, as the study shows (ibid.). The surge of climate protests in the late 2010s appears to have advanced pro-climate stances in Parliament, reflecting what Nisbett et al. describe as a “synergy effect” (ibid.) between public demands and shifts in climate governance. Although government sources state that the amendment of the Climate Change Act 2008 followed the advice of the CCC, the study by Nisbett et al. suggests that the net zero legislation was also passed in response to environmental protests (ibid. 10; UK Government 2019). The outbreak of the Covid-19 pandemic, which brought an end to physical climate protests on the streets, apparently led to a decrease in pro-climate stances in Parliament from 2020 onwards (Nisbett et al. 2020, 2; ibid. 6). Although COP26 briefly fostered more pro-active attitudes in 2021, evidence shows that this surge was followed by “an increasing trend for delay arguments” (ibid. 8). This pattern reveals a correlation between public sentiment and parliamentary action. While Labour generally supported pro-climate policies, they were also found to adjust their stance in response to “perceived shifts in the public mood” (ibid. 11). Nisbett et al. conclude that effective climate decision-making depends on the presence of a compelling narrative that justifies political intervention at a given moment (2024, 1). Cairney et al. put the matter more plainly characterising Westminster-style democracy as

a narrow form of [...] accountability that skews policy attention and resources to short-term and centralized approaches. (2024, 838)

Short-term and centralised approaches to decision-making help explain why in both Labour and Conservative camps “no clear linear trends [could] be established” (Nisbett et al. 2020, 10). Besides apparently exhibiting a core characteristic of the Westminster tradition, this narrow form of accountability reflects the logic of

¹⁵ In the study by Nisbett et al., pro-climate stances are characterised by a normative, pro-active attitude on climate change and climate protection policies, stemming from morally underpinned normative ethics that determine right and wrong conduct (ibid. 1). Delay and denial, by contrast, entail so-called “climate obstruction narratives” (ibid. 3), which are usually underpinned by economic and technical arguments (ibid. 1).

aggregative democracy, where individual preferences and partisan interests are placed at the core of political decision-making (Cohen 1998, 185; Miller 1992, 67). To win or defend an electoral mandate, political representatives tend to engage in strategic and short-time calculations (Lipset 1959, 84; MacIntyre 2008, 131). Thus, sustained and long-term policy solutions are effectively undermined. According to Dryzek, this dynamic is especially common in parliamentary debates of liberal democracies, where substantive discussion is often “subordinated to strategy in the interests of winning” (2001, 653-654). In the majoritarian Westminster system, traditionally dominated by the Conservative and Labour parties, the pressure of electoral competition is further strengthened by a confrontational two-party rivalry (Lijphart 2012, 13; Russell & Gover 2017, 89). This again reinforces the pitfalls of partisan politics and strategic calculations. Another factor is that majoritarian governments in the UK, as Rhodes et al. observe, “take little heed of contrary views or consultations” (2009, 40; Lijphart 2012, 14). Strohmeier argues that a more consensual conception of democracy was adopted by the Labour Government and the Liberal-Conservative coalition, when they came into power in 1997 and 2010 respectively (2015, 303). Although the majoritarian Westminster system may have been modified over the years, Flinders argues that this resulted less from consensual persuasions. Instead, this rather tentative approach to reform is described as “strategic maneuvering by political elites to prevent and facilitate change” (Flinders 2010, 41). Evidently, majoritarian and highly centralised governance has produced rigid power structures that serve to protect the existing system. In theory, majoritarian systems are understood to make democratic governance and decision-making more effective. Following Coppedge et al., “the risk of policy gridlock is small” (2020, 35). However, findings reveal that cross-party and intra-party divisions over the issue of climate change have slowed progress or even led to decision paralysis over key policies in British Parliament. But the climate crisis makes no concessions. Political parties can no longer subordinate the climate emergency to their own interests. As further discussed in chapter 3.1.2, the defence of vested interests and persistent political polarisation – particularly when pro-climate stances are actively targeted by the opposition – must be understood as a threat to human rights and climate justice (Cripps 2022, 12).

3.2.2 The neoliberal narrative as a mode of democratic legitimisation

Whilst ethical deliberation offers a normative compass for climate governance, the prevailing structuring legitimacy claims in the UK in recent decades remain neoliberal

in character. The following section traces how this logic took root and continues to shape state rationales for climate policy.

3.2.2.1 *The rise and reach of the neoliberal narrative*

As emphasised in section 2.1.1, the legitimacy of political authority is underpinned by a set of moral or normative principles (Buchanan 2002, 689). These principles justify and *legitimise* state power. Some of these principles which serve to legitimise state authority in modern day Britain are rooted in the neoliberal narrative. Neoliberalism took hold in the UK in the late 1970s under then PM Margaret Thatcher. In direct response to increasing unrest across the country in the face of economic crisis and high unemployment, Thatcher put an end to postwar Keynesianism and economic stagnation (Carrie, 1983, 85; Cahill & Konings 2017, 36; Heywood 2013, 36). Under Thatcher's rule, policies were strategically implemented, and the socialist welfare state rapidly reverted into a new political regime based on principles of the free market, individualism and entrepreneurship (Carrie 1983, 80; Cahill & Konings 2017, 28; Hadley and Ho 2010, 6). Entering Downing Street on 4 May 1979, Thatcher famously announced: “[w]here there is error, may we bring truth” (Skidelsky 2013). Quoting from a prayer of Italian friar Saint Francis of Assisi, Thatcher invoked a deeply moralistic, almost evangelical framing of politics.

Clearly, Thatcher's radical re-arrangement of economic principles can be understood as a critique of the moral and economic order that had previously prevailed. The policy response to economic decline was characterised by extensive cuts to business and income taxes “in the expectation that this would unleash [...] entrepreneurial talents” (Hickson & Williams 2022, 74; Clark 2018, 46). These tax cuts paired with loose monetary policy and deregulation fostered strong incentives for economic development and wealth creation (Clark 2018, 46; Heppell 2020, 19; Heywood 2013, 35). The spirit of individual liberty and responsibility promoted by this form of ‘laissez-faire’ economics revived and radicalised classical liberal ideas and, with them, the meritocratic principle as their “general institutional and societal [logic]” (Rickards et al. 2014, 762). Although the promise of long-term wealth and prosperity garnered public support for capital market liberalisation, it should be stressed that Thatcher's policies were met with acclaim on the side of the bourgeoisie, simply because they were most beneficial to them. Harvey remarks that it was most notably the middle-class of British society that “relished the joys of home ownership, private property, individualism, and the liberation of entrepreneurial opportunities”

(2020, 61). The economic and social transformation at the time was further strengthened by policies of deindustrialisation and the opening of the British market to foreign investment and global competition. This led to the thorough destruction of native shipbuilding and automobile industries and, strikingly, also their strong unions (ibid. 59). By 1984, the unemployment rate had risen to 12 percent of the labour force (Skidelsky 2013). Without a doubt, these developments had a lasting impact on working-class identities, particularly in the north of the country (Harvey 2020, 59). In view of this, Thatcherism constituted a break with previous institutional and social structures (Nunn 2014, 304).

Certainly, the success of Thatcher's "neoliberal turn" (Harvey 2020, 40) is to be found in the very process of "narrating" the economic troubles in a way that public support for Thatcher's "reforming and authoritarian government" (Nunn 2014, 305) could be generated. In other words, the economic crisis was *framed* in a compelling narrative that made a large part of the population conform to radical reform policies and authoritarian leadership. It should also be emphasised that this change in political and economic thinking was not unique to the UK. While US President Reagan aligned forces with Thatcher in driving the neoliberal turn, the growing trend of economic and financial globalisation further contributed to a powerful legacy that political successors found difficult to reverse (Cahill & Konings 2017, 35; Harvey 2020, 62). After Thatcher resigned from her leadership position in November 1990, John Major was elected as PM and followed in her footsteps (Heffernan 2000, 49). Successive governments were likewise bound to accept the legacy of the new neoliberal settlement (Harvey 2020, 62). This legacy even led to 'New Labour' leaving "old Labour, with its silly fantasies" (Lloyd 1996) behind, as was cynically written in the *New Statesman* in July 1996. Although New Labour continued to support redistributive policy and taxation, the economic legacy of Thatcherism, but also increasingly competitive conditions of a globalised marketplace, posed a challenge to the socialist project (Hickson & Williams 2022, 74).

Finally, it should be stressed that neoliberalism emerged in the context of the political, social and economic tensions of the 1960s, some of which were briefly outlined above. Hence, it was the outcome of a "series of institutionally situated contestations" (Cahill & Konings 2017, 26-27). In a similar vein, Nunn states that "crisis and decline were the backdrop to Thatcher's political and economic narrative" (2014, 313). Although the neoliberal project was inspired by this spirit of political and economic renewal, it was also the result of "experimentation and institutionalized

compromises in the context of crisis” (Cahill & Konings 2017, 35). Cahill and Konings caution against viewing the continuing prevalence of neoliberalism solely through rationalist criteria of legitimacy. Accordingly, it must also be viewed through the lens of ideology – a resilient force that flourishes amidst crisis, “confusion and political disarray” (ibid. 146). Evidently, the quest for democratic legitimacy in the late twentieth and early twenty-first centuries has been profoundly shaped by the neoliberal turn. In the years since, market-based logics become even more firmly anchored in the British democratic institutions. This can be seen in the Thatcherite approach to government reclaimed by the Conservative Party after the GFC of 2008 (Clark 2018, 47). When the Conservatives entered the coalition with the Liberal-Democrats in 2010, the following years were marked by austerity and severe cuts in public spending to relieve the financial deficit (ibid.). Hence, it is vital to understand the neoliberal turn not only as a set of economically restructuring policies that emerged in the context of crisis, but as a phenomenon and driver of profound social change, whose “distinctive rationalities” (Cahill & Konings 2017, 27) have significantly informed both institutional structures until the present day.

3.2.2.2 *Contesting the neoliberal logic of the net zero transition*

At COP26, the UK set the goal to become a pioneering “net zero aligned financial centre” (HM Treasury 2021). As part of the country’s broader climate strategy, former PM Sunak mentioned the crucial role of financial services in driving the transition to net zero and expressed the urgent need to “rewire the entire global financial system [for this purpose]” (ibid.). This statement already reflects the neoliberal logic of the net zero transition. Cahill and Konings confirm that “finance occupies a central place in the making and logic of neoliberalism” (2017, 21). Now, the governing Labour Party displays a strong commitment to net zero. That is reflected in PM Starmer’s statement that net zero was “in the DNA of [his] government”, which attracted attention, but also much criticism (Harvey & Ambrose 2025; Harvey & Horton 2025). Despite the use of powerful imagery, its meaning remains vague. Only recently, Starmer exclaimed:

This government is acting now, with a muscular industrial policy, to seize the opportunities [in low-carbon technology] to boost investment, build new industries, drive UK competitiveness, and unlock export opportunities. That is the change we need. We won’t wait – we will accelerate. (Harvey & Ambrose 2025)

What is particularly striking about Starmer’s statement is that climate action is framed around values of economic competitiveness, accelerated investment and building new

industries (ibid.). This line of argumentation again feeds into the political discourse which has underpinned the UK's state legitimacy for decades: neoliberalism. With their promise of a fourfold increase in offshore energy use and the tripling of solar power installations by 2030, Labour relies heavily on cooperation with the private sector (The Labour Party 2024, 51). To the dismay of environmentalists, Labour also guarantees "long-term security" for the nuclear energy sector (ibid. 52; Harvey & Horton 2025). This commitment is reflected in the UK Government's commissioning of the Sizewell C nuclear power station on the Suffolk coast, at a cost of 15 billion pounds (Harvey & Horton 2025). The Labour Party is also in favour of the construction of Hinkley Point C in Somerset, a new nuclear power plant expected to be completed four years late in 2031, at an additional cost of 2.3 billion pounds (ibid. 53; Lawson 2024). Aside from the state-led investment and the creation of 'Great British Energy', a state-owned energy company welcomed in particular by Greenpeace, there is evidence that UK climate policy continues to be shaped by neoliberal assumptions ("Election 2024" 2025). This framing reflects a broader trend in which neoliberal logic no longer rejects state intervention but instead legitimises it as a means of securing market stability and competitiveness in the energy transition. This trend is echoed by von der Leyen, President of the European Commission, who remarked that

'[r]eliable and affordable energy is the lifeblood of our economies, it underpins our national security, and it sustains our industrial and economic competitiveness' [...]. (Harvey & Ambrose 2025)

Evidently, market-based logics remain deeply entrenched within Western democratic states. As outlined previously, the quest for democratic legitimacy in the late twentieth and early twenty-first centuries has been profoundly shaped by the neoliberal turn of the 1970s. Since Thatcher, however, this orientation appears to have shifted from limiting the state to actively using it to secure market order. The statements of former PM Sunak, current PM Starmer and EU President von der Leyen illustrate how climate policy is increasingly framed through the lens of economic and financial development. In line with Price, this demonstrates an international consensus on the role of the neoliberal narrative in legitimising and sustaining state power (2012, 16). Although the ecological crisis urgently calls for a reconsideration of economic priorities in favour of more ethically grounded decision-making, political leaders continue to sideline substantive commitments to environmental justice. Against the backdrop of the climate emergency, the grounds on which policy decisions are made must be substantially changed. The IPCC report underlines this further:

[s]ocietal choices and actions implemented in this decade determine the extent to which [...] higher or lower climate resilient development [will be delivered] [...]. (IPCC *Climate Change 2023: Synthesis Report* 2023, 92)

The IPCC's call for determined societal choices and actions implies the need for clear and consistent political responses, which, as this chapter has shown, British institutions have thus far failed to provide. It also underscores that climate change is not a mere technical issue to be solved, despite how frequently it is framed as such by political leaders. Rather, it involves complex policy decisions that must be informed not only by technical and market-oriented considerations, but increasingly also by normative-ethical ones (Voisard & Wallimann-Helmer 2024, 333). This is not an isolated view among climate ethicists. Moral philosophers, such as Cripps, similarly emphasise the need for “[moral arguments] to judge political compromises against” (2022, 15). As highlighted in chapter 3.1.2, climate governance should be deliberative and inclusive, primarily aligned with collective and public-oriented values, rather than striving for mere efficiency or economic gain.

Indeed, attempts have been made to develop a core ethical framework to guide climate-related decision-making. Principlism is a method borrowed from health care ethics, based on a set of guiding principles was formulated by Beauchamps and Childress as early as 1975 to incorporate concerns of social justice into what had traditionally been more beneficent-focussed approaches to biomedical ethics (Beauchamps 2007, 3; Voisard & Wallimann-Helmer 2024, 339). An ethical principle, applicable to various contexts “form[s] the basis of moral reasoning” (Beauchamps 2007, 3) and serves to inform successive moral judgements. In climate change governance, the ‘polluter-pays’ principle can be applied as a guiding ethical principle. The principle states that responsibility for addressing climate change should fall on actors in proportion to the harm they have caused (Voisard & Wallimann-Helmer 2024, 337-8). The issue of equity and responsibility is also reflected in the Paris Agreement, which establishes a link between “sustainable development and efforts to eradicate poverty” (Paris Agreement, Art. 4). Article 4 of the Paris Agreement affirms that developed countries and major emitters hold greater responsibility to act decisively. In line with the procedural obligation set out in Article 4.2, parties are required to “communicate and maintain successive nationally determined contributions that [they intend] to achieve” (Paris Agreement, Art. 4.2; Voigt & Young 2025, 49). Historically, the UK is one of the biggest contributors to carbon dioxide emissions. With approximately 89,100 megatonnes, it accounts for two percent of the global total (“United Kingdom’s Historic Contribution to Global Warming Since

1850” 2025). Relative to its population, the historic emissions of the UK are “extremely high [...], underscoring a significant historical responsibility for today’s warming” (ibid.). Therefore, the country has a major responsibility to act on climate change.

Right now, it looks as though the UK will not be able to fulfil this responsibility. The prevalence of political doctrines that conflict with the climate agenda seem to have created institutional barriers that either undermine the climate decision-making process or frame it in a technical and market-oriented, but ethically inadequate, way. In this regard, the British political institutions, whose legitimacy is underpinned by such doctrines, face a legitimacy dilemma. In view of climate change and the policy challenges ahead, it risks unfolding into a broader legitimacy crisis for the UK political system as a whole. At this stage it is worth recalling that times of crises also create windows of opportunity for “[i]nnovative democratic challengers” (Saward 2008, 408). This paper argues that deliberative democracy can provide a solution to this dilemma. As a democratic instrument, it has the capacity to reframe dominant narratives and long outdated legitimacy claims and replace them with new visions that reflect the ethical demands advanced by climate ethicists.

4 Methodology

This study combined two qualitative methods, expert interviews and content analysis, to conduct a cross-sectional case study analysis of CAUK. Two-semi-structured interviews were conducted with experts in the field of deliberative democracy and, most specifically, CAUK. The cross-sectional design of this study was furthermore reflected in the content analysis of official reporting and evaluation documents of CAUK, which primarily included “The path to net zero” (2020) final report and the *Evaluation of Climate Assembly UK* (2021) report. Based on these sources, the deliberative legitimacy of CAUK was assessed against selected criteria for measuring deliberative legitimacy, further specified below. The qualitative research method enabled a “flexible and dynamic” (Clark et al. 2021, 425) as well as “intensive [...] [and] detailed examination” (Bryman 2016, 61) of the case in question. Interviewees were selected on the basis of their expertise. In line with ethical practice in academic research, they were asked to sign consent forms prior to the meetings (ibid. 131). The signed consent forms for de-anonymisation can be found in sections 8.1.1 and 8.1.2 of the appendix. Because respondents were based in the UK, interviews were held online via Zoom. The hybrid format combined aspects of face-to-face interaction with a

standard telephone interview (ibid. 204). As indicated earlier, interviews were semi-structured. Although questionnaires were broadly identical, the sequence of 20 questions was varied and flexible. This approach gave respondents substantial “leeway in how to reply” (ibid. 468). It also enabled the interviewer to follow up on individual issues raised by respondents without losing focus on the overall research subject. To keep the flow and structure of the interviews, questions were “grouped into sections” (ibid. 210). At the beginning, respondents were asked to provide details about their professional background and experience. Subsequent questions focussed on the three selected criteria to assess deliberative legitimacy: *representativeness*, *agenda-setting* and *political uptake*. Additional questions sought to explore the challenges of institutionalising a permanent climate assembly in the UK. A standardised version of the questionnaire can be found in section 8.2 of the appendix. Semi-structured interviews, which contained a mix of closed- and open-ended questions, allowed respondents to give precise information but to also raise further issues they felt were salient (ibid. 244). Most strikingly, this method provided an insight into comparable international cases, which were used as an additional benchmark to abstractly assess the deliberative legitimacy of CAUK against. With the agreement of respondents, interview data was recorded and de-anonymised. Thanks to recordings, replies could be documented “as exactly as possible” (ibid. 208) and potential distortions prevented.

Given that both “research design and the collection of data [were] guided by specific research questions that derive[d] from theoretical concerns” (ibid. 62), the investigation was carried out deductively. Besides this paper’s mandate for institutionalising a permanent climate assembly to resolve the legitimacy dilemma and avert a broader legitimacy crisis within the UK system of government, the research design was guided by the idea that

deliberative democracy can only contribute to the legitimacy of the political system as a whole, if it reflects the principles of legitimacy in its own process. (Caluwaerts & Reuchamps 2016, 13)

The analysis of both interviews and official reporting documents was based on the following coding criteria for measuring deliberative legitimacy, developed by Caluwaerts and Reuchamps. The coding framework distinguishes between two legitimising mechanisms: input and output legitimacy.¹⁶ Each category contains additional subsets of criteria. Input legitimacy is particularly reflected in the principle of “inclusion of the authentic preferences of all affected” (Caluwaerts & Reuchamps

¹⁶ The two categories were originally developed by Scharpf to assess democratic legitimacy (Scharpf 1999, 6).

2016, 14). To assess input-oriented legitimacy, two coding criteria were selected from the broader framework: *quality of representation* and *agenda-setting* (ibid. 15). For assessment of the former, Caluwaerts and Reuchamps propose the following criteria from lowest to highest quality of representation: *representative inbreeding*, *representative bias* and *representative inclusion* (ibid. 14). Representative inbreeding is to be distinguished from representative bias in the sense that there is a high degree of self-selection and drop out among *all* social groups, instead of ‘only’ vulnerable groups whose response rates tend to be lower in the standardised approach that excludes targeted recruitment (ibid.; Verba 2003, 667). The latter, agenda-setting, includes the following codes: *closed agenda*, *semi-open agenda*, and *open agenda*. A thematically closed agenda is considered less legitimate than an open agenda, which, ideally “set [...] in an open-ended process” (Caluwaerts & Reuchamps 2016, 15), provides for a more holistic policy approach. Epistemic completeness was excluded. Although this input-oriented criterion remains relevant, especially in relation to how issues are framed, including it as a coding criterion would have exceeded the scope of this paper. Rather than analysing epistemic completeness separately, this investigation relied on agenda-setting as a broad indicator of how issues were selected and framed. Output legitimacy is concerned with the responsiveness and accountability of decision-makers to the citizens’ demands (Caluwaerts & Reuchamps, 2015, 164). In the coding framework, it is measured by the degree of *political uptake*. Listed in ascending order, the subset of criteria to measure political uptake are *no uptake*, *political agenda setting*, and *political uptake* (Caluwaerts & Reuchamps 2016, 15). Output legitimacy scores highest when the final recommendations of the CA are either implemented or handed to the maxi-public by means of a referendum (ibid.). By assessing the deliberative legitimacy of CAUK against selected criteria of representativeness, agenda-setting, and political uptake, this paper sought to identify the assembly’s strengths and weaknesses. To include potential arguments which may not fit into the coding groups mentioned above, both *strengths* and *weaknesses* made up an additional coding category of their own. The qualitative case study analysis of CAUK is followed by a discussion of the lessons learned. Finally, conclusions are drawn on how the climate assembly ought to be designed to enhance the democratic legitimacy of climate decision-making.

There were limitations to this research method. Though this paper is deeply concerned with questions of equality and justice, interview respondents were both white males. For better comparison of opinions on CAUK along with this paper’s

claims for institutionalisation, including respondents from different professional backgrounds would have been preferred. Unfortunately, though, policy experts and Government representatives were not responsive to interview requests. Due to the limited scope of this paper, the qualitative analyses of interviews and key documents had to be strictly limited to selected criteria of representativeness, agenda-setting and political uptake. Therefore, it should be noted that both materials could not be assessed in full depth. Throughput legitimacy, considered as a “necessary accompaniment to output and input legitimacy” (Schmidt 2020, 25), could have been included in the measurement of deliberative legitimacy. However, the investigation was based on the framework developed by Caluwaerts and Reuchamps, who chose not to include throughput legitimacy in their measurement of deliberative legitimacy.

5 Making the case for a permanent climate assembly in the UK

5.1 Testing alternatives: The Climate Assembly UK

In 2019, the UK legally committed to reaching net zero carbon emissions by 2050 (UK Government 2019). As part of this legislative and political shift, a deliberative body had been commissioned by six Select Committees from the HOC: CAUK (Carrick & Elstub 2023, 140).¹⁷ In Britain, CAUK was the first national climate assembly of its kind (Elstub et al. “The Scope of Climate Assemblies” 2021, 2). Composed of a cross section of society, with 108 participants selected at random, it operated over six weekends between late January and mid-May 2020 (ibid. 5). The aim of the assembly was clearly formulated. Its primary goal was to inform the work of Parliamentary Select Committees in scrutinising the UK Government’s progress and policies on the road to net zero (“The path to net zero” 2020, 10). To fulfil their scrutiny function, Select Committees formally inquire specific subjects of the day by assembling and inspecting evidence on a particular cause, which, in this case, was climate change (Carrick & Elstub 2023, 140). The ‘evidence’ was primarily reflected in the attitudes of citizens towards climate policy. As formulated by the BEIS Committee, CAUK was

designed to harness the attitudes of an informed public, through a citizens’ assembly, to help both Parliament and the Government gauge public opinion on a wide range of climate change policies and proposals. (Business, Energy and Industrial Strategy Committee “Climate Assembly UK: where are we now?” 2021, 3)

¹⁷ CAUK was commissioned by the following six Select Committees: Business, Energy and Industrial Strategy; Housing, Communities and Local Government; Science and Technology; Transport; Treasury; and Environmental Audit (ibid.).

By assembling evidence from citizens, the commissioning Select Committees sought consultation but also acknowledged the implications of the net zero target and related decision-making on “many aspects of people’s lives” (“The path to net zero” 2020, 35). Equipped with expert information, a representative sample of the British public was given the opportunity to deliberate over the following overarching question: “How should the UK meet its target of net zero greenhouse gas emissions by 2050? [Emphasis removed]” (ibid.). CAUK completed with a clear proposal on how the goal of reaching net zero GHG emissions by 2050 could be realised. 130 recommendations in total set out an “internally consistent and coherent vision, [...] designed to be considered as a whole” (ibid. 11; Business, Energy and Industrial Strategy Committee “Climate Assembly UK: where are we now?” 2021, 11).

To assess the input and output legitimacy of CAUK, as part of this case study analysis, key documents have been reviewed and interviews conducted with two experts in the field of deliberative democracy.¹⁸ David Farrell holds a professorship of politics at University College Dublin, where he developed a particular research interest in electoral systems and party politics. Stephen Elstub, professor of politics at Newcastle University, stated to be specialised in innovative democracy with a particular focus on citizen participation and deliberation. For several years, respondents have been involved in deliberative mini-publics as academic practitioners and evaluators. Elstub evaluated predominantly British cases, such as the CA on Social Care, the CA of Scotland, the Scottish Climate Assembly and, finally, CAUK. Meanwhile, Farrell was involved in the evaluation of CAUK, but also contributed to the ICA and other international cases, such as the BCCAER in 2004 or the permanent and institutionalised PBD in East Belgium.

CAUK had a total budget of 560,000 pounds (“Climate Assembly UK (CAUK)”). In the first stage of the recruitment process, invitation letters were sent to 30,000 UK residents above the age of 16 (“The path to net zero” 2020, 38). 80 percent of recipients were randomly selected from the Royal Mail’s Postcode Address, while another 20 percent were drawn from specifically deprived areas within that same file (ibid.). This targeted recruitment strategy was applied to ensure representativeness of vulnerable groups, whose response rates tend to be lower (Elstub et al. *Evaluation* 2021, 18; Verba 2003, 667). Responses in comparable cases account for only three to five percent of the population, as outlined in section 2.3.3. Therefore, CAUK’s overall response rate

¹⁸ The full interview transcripts can be found in the appendix, in sections 8.2.1 and 8.2.2 respectively.

of 5.8 percent was relatively high (“The path to net zero” 2020, 38). Recipients who registered to take part had to answer additional demographic and attitudinal questions (ibid.). Stage two involved the random stratified selection, where registered citizens were drawn by lot according to the following sampling criteria: age, sex, ethnicity, regional location, urban or rural residence, education, and attitudes on climate change (Elstub et al. *Evaluation* 2021, 37). In the final phase of recruitment, selected citizens were asked to confirm their participation (ibid. 19). For taking part, AMs received a financial compensation of 150 pounds per weekend (“The path to net zero” 2020, 43). Additional expenses, including travel, accommodation, childcare, and assistance for participants with special requirements were covered (ibid.).

Respondents identified the recruitment process as a core strength of CAUK. Emphasis was put on the inclusion of attitudinal sampling, which apparently “set [CAUK] apart from a lot of assemblies at the time” (Elstub). Whereas the British assembly included both pro-climate and denial perspectives, the preceding FCCC had not sampled according to attitudes towards climate change and had therefore been subject to attitudinal biases, as Elstub remembered. A similar situation was to be found in the 2016 ICA on abortion, where the absence of attitudinal sampling led to the predominance of 'pro-abortion' over 'anti-abortion' attitudes, according to Farrell. “Had they stratified on attitude”, Farrell emphasised, “they would have been able to weed that out and produce [...] a better mix of people”. Like respondents, the evaluation report indicates that the sortition process ensured representation across most indicators. However, small disparities persisted in terms of educational background and urban-rural distribution. Compared to the UK population, 3.3 percent more AMs held higher-level qualifications and 5.2 percent more lived in rural areas (Elstub et al. *Evaluation* 2021, 37). An anonymous survey conducted during the first weekend further revealed distortions in the distribution of party affiliation among AMs (ibid.). The survey found that, relative to the percentage of votes received in the 2019 general elections, the Green Party was overrepresented in CAUK (ibid. 38). Out of all AMs, 77 percent stated to be affiliated to a political party (ibid.). Among them, 18.3 percent expressed support for the Greens, which was in striking contrast to 1.8 percent of the total vote shares the Greens had received in the 2019 general elections (ibid.). At the same time, voters of the Conservative and Labour Party were underrepresented (ibid.). While acknowledging that “a high degree of self-selection” was inevitable, Elstub confirmed that political distortions “compromise[d] the process”. For this reason, he recommended the integration of party affiliation as an additional sampling

criterion in future assemblies. While also Farrell admitted that "the recruitment process [was] never going to be perfect", he stressed that any perceptions of a biased process should be avoided, not least to increase output legitimacy. Aside from these minor shortcomings, the overall recruitment process of CAUK was described as "strong" (Elstub) and as having resulted in "very good [...] representation" (Farrell). In sum, the first criterion of representative quality suggests a relatively high score of input legitimacy.

Agenda-setting, as a second criterion, challenges these initial indications of high input legitimacy. Because the agenda was determined by the six commissioning Select Committees, respondents described it as "closed" and "top-down" (Farrell; Elstub). Although Parliament hired an experienced and independent facilitating organisation to organise the process, thematic guidelines were provided. Prior to the start of the assembly, Select Committees specified thematic topic areas and agenda-setting questions, all of which "covered [their] interests on climate change and Net Zero" (Elstub et al. *Evaluation* 2021, 17). For further guidance, Parliament engaged a group of Expert Leads selected "on the basis of their clear expertise in addressing climate change" ("The path to net zero" 2020, 48). The role of Expert Leads was to collaborate closely with all stakeholders to ensure balance, comprehensiveness and accuracy of the content provided on climate change, without losing focus of the overarching question of "how to get to net zero by 2050" (ibid.). On top of that, an Advisory Panel of experts and stakeholders was constituted (ibid. 49). The function of the Advisory Panel was to feedback Expert Leads on the content that was to be provided to participants (ibid.). Although panelists were drawn from a range of political and ideological standpoints, their selection was based on their expertise in specific emission reduction areas that Parliament and Expert Leads had previously identified as priorities (ibid.).

The agenda of CAUK reflects that some solutions for reaching net zero were indeed prioritised over others. What is peculiar about the emission reduction areas, is that emphasis was put on personal and lifestyle-related emissions. With respect to thematic areas summarised under headings such as "How we travel on land", "How we travel by air", or "What we buy" (ibid. 1) in the final report, Elstub commented that

[they] all came from Parliament and that's what they wanted to hear feedback from. So, you know, for example, like on 'how we travel', it was all pretty much, you know, the travel of [...] the public. You know, [...] commercial travel wasn't even included in the remit there.

Apart from the fact that thematic areas were set by Parliament in a top-down manner, Elstub noted that the agenda concentrated on individual behaviours, such as how

people travelled or heated their homes, rather than on industrial sector emissions. Further proof that considerable weight was put on individual and lifestyle-related emissions can be found in the final report, where it is explicitly stated that topic areas of land and air travel focussed on personal travel (“The path to net zero” 2020, 14; *ibid.* 16). To the disappointment of some AMs, freight transport was not taken into consideration “follow[ing] guidance from Parliament about where to focus if there was not time to consider all aspects of [...] travel” (*ibid.* 14; *ibid.* 16; *ibid.* 157). Apart from that, AMs noted unexplored areas in the agenda. Besides freight transport, carbon neutral fuels or new technologies such as wave and tidal stream generators were perceived to be omitted, though the evaluation report suggests that the latter had been briefly touched upon at the onset of the assembly (Elstub et al. *Evaluation* 2021, 46). These findings confirm respondents’ initial observations of a closed agenda. Elstub put it succinctly: “the [...] agenda was too [...] constrained and too dictated by [...] Parliament”. In view of agenda-setting as a second criterion to assess the input legitimacy of deliberative mini-publics, these initial findings suggest a low score.

But there is further proof to substantiate this claim. As explained in the methodological section, this study focusses on agenda-setting as a broader proxy to capture epistemic concerns, at least to the extent of which issues were selected and framed. Aside from previous observations that emphasis was shifted from industrial to individual emissions, there is evidence that the agenda prioritised technical and market-oriented solutions over ethical concerns. Elstub remembered that expert presentations on climate ethics were included on the first weekend of CAUK. Although this might suggest that ethical reflections had been used to “interrogate different actual, specific policy recommendations”, Elstub said this “[did not] [...] really [happen]”. Quite the contrary, ethical considerations had become increasingly irrelevant throughout the process. This was apparently because the ethical aspect had “just [...] not [been] featured strongly enough for [AMs] to capture it” (Elstub). This strongly suggests that the value judgements of AMs were illegitimately framed. These framing effects also had an impact on the assembly’s final recommendations. Given the “policy-focussed technical style” of the material provided, it was not surprising to Elstub that also the final recommendations were “more [...] technically orientated than they were [...] ethically based”. Upon closer inspection, it even appears that the epistemic orientations most prominently embedded in the agenda, and furthermore reflected in the final output, were neoliberal in character. Several proposals suggest that the topic of net zero was assessed against principles of the free market, individual

responsibility and competition. “Changes to energy market rules to allow more companies to compete”, supported by 86 percent, or the call for “government investment (80%), [...] individual responsibility (80%) and market innovation (80%)” (“The path to net zero” 2020, 19) were supported by over 80 percent, while the enforcement of strict market rules and regulations received only minor support, or was not considered at all (ibid. 65). In the final report, “[s]tay[ing] competitive and protect[ing] the market economy” (ibid. 16) is listed as a key priority. Although Government and Parliament are asked to “[c]heck and be careful about side effects, including moral, ethical and environmental implications” (ibid. 14), the final report lacks more detailed explanations. Across its 554 pages, the word ‘moral’ appears only four times and ‘ethical’ six times. In some instances, moral reasoning is explicitly sidelined on grounds of inefficiency (ibid. 400). Redistributive policies, such as higher income taxes or reduced working hours, are dismissed as “ineffective or impractical” (ibid. 307). Still, the report entails demands for a just transition that would not “disproportionately affect the less well off” (ibid. 20). 68 percent of AMs show to be in favour of governmental support to poorer households (ibid. 19). Most strikingly, the report features the polluter-pays principle as a potential normative criterion against which to assess climate policy decisions. However, it seems that the ethical principle is applied solely at the individual level. In the thematic area of air travel, the solutions considered by CAUK range from ideas such as „[f]requent fliers and those that fly more distance should pay more” (ibid. 124) to the introduction of a carbon tax per passenger (ibid. 139). Even though air travel emissions for the transportation of goods were comparatively high at the time, sectoral emitters are only marginally held to account (ibid. 14; ibid. 17). In the thematic area of surface transport, the idea of targeting companies with the greatest negative impact on the environment is at least raised. But the report indicates that this idea was supported by only 36 percent of participants and therefore not further considered (ibid 65). With regards to the predominance of technical and market-oriented solutions over ethical consideration, Elstub concluded that the agenda had been “set up in order to lead to that” (Elstub). This confirms previous observations that the overall process design of CAUK had been deliberately designed to lead to a certain outcome. Even AMs raised concerns with respect to the specifications and guidelines they had to conform with (“The Scope of Climate Assemblies” 2021, 14). One participant gave rise to their suspicion of bias in the process:

‘I’m increasingly hearing from other people that we’re just being steered in directions with the information we’re being given.’ (Elstub et al. *Evaluation* 2021, 51)

The evaluation report suggests that the utterance might have come from a climate change denier (ibid.). After all, 74.5 percent of AMs agreed in a survey distributed at the end of the process, that the information given could be trusted “[v]ery much” or “[q]uite a lot” (ibid. 52). However, one of the expert witnesses, who was interviewed for the evaluation report, shared this view of a biased process. The person poignantly expressed:

‘I felt the whole thing was rather compressed. Some sectors were not covered ... Ideally, the members should have more time and ability to call for additional speakers.’ (Ibid. 46)

Limited information, but also time constraints, were raised as a considerable weakness of CAUK. Although the evaluation report states that efforts were made to provide balanced information, also by engaging Expert Leads and Advisory Panelists, the narrow agenda and priorities set by the commissioning body suggest that more weight had been given to some inputs and epistemological assumptions, and less to others (ibid. 16). These assumptions, reflecting the policy interests of Parliament, have shown to be market-oriented and neoliberal in character. It is only fitting, therefore, that another expert demanded “less emphasis on getting stakeholders with specific interest/bias, and more time for disinterested input” (ibid. 52). When confronted with the apprehension of bias in the process, facilitators argued that the short time frame did not allow for more extensive evidence provision (ibid. 46). In the evaluation report, it is furthermore noted that deliberative processes usually involve “trade-offs [...] between depth and scope of evidence” (ibid.).

Despite criticism, it must be acknowledged that there were collaborative efforts to manage the tight process. With respect to deliberative quality, Farrell appreciated that CAUK was commissioned by Parliament and not by Government. This marks a striking contrast to the ICA, where the overall agenda and deliberative process were “captured by government” (Farrell). In the Irish case, as Farrell remembered, the whole process was run by a civil servant who, working in service of the Irish Government, “[would make] sure that the process [was] run in a way that [would not] embarrass the government”. The six commissioning Committees of CAUK, by contrast, provided some leeway to facilitating organisations and deliberative practitioners. Especially during the first weekend, Farrell witnessed a high degree of trust and “collaborative spirit” between Committee Chairs or other senior administrators and external stakeholders. In the British case, the commissioning body did not refrain from asking deliberative experts “how good facilitation should be done”, or to tell them about “the latest tricks” (Farrell). Farrell recalled that Parliament even asked facilitators to

guide [them] on how best to do those presentations so that they [were] done in a way that [would support] but [...] [not] dominate the proceedings in too much of a top-down fashion. (Farrell)

Instead of exerting control over the entire process, like the Irish Government, the British Parliament placed trust in the expertise of deliberative practitioners. Another collaborative element was integrated on the final weekend of CAUK, when participants were given the opportunity to formulate additional recommendations “on any aspect of the path to net zero” (“The path to net zero” 2020, 30). These additions were supposed to be formulated independently of any expert input or tight agenda (ibid.). Eventually, thirty-nine additional proposals were submitted (ibid.). Out of these additions, the following recommendation received the most support with 96 percent of votes: “[t]he transition to net zero should be a cross-political issue, and not a partisan one” (ibid.). The call for cross-political consensus was closely followed by the demand for “[m]ore transparency in the relationship between big energy companies and government” (ibid.). Because of the outbreak of the Covid-19 pandemic halfway through CAUK, the effects of Covid-19 on climate policy development were furthermore considered. “The topic was introduced in response to feedback from the AMs and in the context of the unfolding pandemic”, as stated in the evaluation report (Elstub et al. *Evaluation* 2021, 23). These collaborative efforts notwithstanding, it is criticised that AMs should have been “empowered to refine the scope of the assembly and the types of information they receive themselves” (ibid. 7). Elstub similarly highlighted that participants should have had “more say over the process [...] to make it more legitimate but actually more effective [...] as well”. To Farrell, the process was by no means “perfect”, but [...] certainly really impressive compared to [...] what [he had] seen in Ireland”. These findings reconfirm the notion of Elstub that recruitment was “one of the strongest parts of the process”, while the narrow agenda was “one of the weakest elements”.

Limited time and budget represented a considerable weakness of CAUK. Whereas the FCCC, which spanned nine months, had a budget of 6.7 million euros, CAUK operated over only five months with a total budget of 560,000 pounds. In comparison, the budget of CAUK was limited. Given the breadth of the subject of climate and decarbonisation, it becomes evident that covering it within only six weekends involved several trade-offs (Elstub et al. *Evaluation* 2021, 7). Farrell agreed that “some tight control” of the agenda was to be expected. Moreover, AMs were split into three thematic topic groups. For “logistical reasons” (ibid. 83), they were divided according to the above sampling criteria to ensure the representative quality of each group (Elstub

et al. “The Scope of Climate Assemblies” 2021, 6). And yet, the decision compromised input legitimacy. First, that is because AMs were not equally engaged in the process of deliberation. Although three-minute presentations were held in the attempt to inform everyone on what was discussed in respective groups, this happened “just before dinner when [AMs] were likely to be tired and hungry” (Elstub et al. *Evaluation* 2021, 46). Second, AMs were not equally and fully equipped with all the information. Although expert presentations were livestreamed, facilitators decided to exclude AMs from voting on the final recommendations of topic groups other than their own (ibid. 46). Organisers explained that

[they] just felt that the people who looked at [their respective topic] in detail [...] would potentially have gone on quite a journey of learning and changing their opinions and learning from each other [...] (Ibid. 73)

Even if members had been able to watch the livestreams, which they apparently were not, they would still have missed the deliberation itself and would therefore not have been in a position to make a fully informed choice (ibid.). Despite all efforts to maintain deliberative standards, dividing the assembly into topic groups compromised input legitimacy. AMs lacked an equal basis for making informed choices and were excluded from the final vote. But the impression that the final recommendations were not actually representative of all 108 members also reduced chances for political uptake, as confirmed by respondents and parliamentary officials. Committee Members explained that, when only about 30 AMs had voted on a given topic, “it [was] hard to ... convince [ministers] of the weight of it” (ibid.). According to Elstub, their respective statements implied that final proposals should have reflected the will of “the *whole* assembly [...] to have power [my emphasis]”. This demonstrates how the trade-offs imposed by budgetary and time constraints set off a chain reaction that first compromised input legitimacy and ultimately also output legitimacy.

Since CAUK concluded its work in May 2020, the UK Government’s response to the assembly’s recommendations has been limited. Although the BEIS Select Committee launched a “high-level inquiry into the findings of this groundbreaking report” (Jones 2020), their follow-up report, published on 8 July 2021, ends on a sobering note. The report acknowledges that the UK Government provided written evidence indicating that some proposals had been incorporated into climate policy decisions, such as the “ban on the sale of new petrol and diesel cars and increasing capacity for renewable energy” (Business, Energy and Industrial Strategy Committee “Climate Assembly UK: where are we now?” 2021, 11). However, 91 out of 130 recommendations were left uncommented (ibid.). The follow-up report states that

policy announcements even contradicted the demands of citizens. While CAUK advised decision-makers against the use of nuclear and fossil fuel energy, for instance, the Government advanced policies supporting both (HM Government 2020; “The path to net zero” 2020, 359). In view of these findings, the report urges the Government to provide a “point-by point response to the Climate Assembly UK’s recommendations” (Business, Energy and Industrial Strategy Committee “Climate Assembly UK: where are we now?” 2021, 14). In the official reply to the BEIS Committee’s follow-up report, the Government acknowledges the work of CAUK and points to the Net Zero Strategy, whose development had apparently been informed by CAUK “alongside other research to develop policies for reaching net zero that [was] feasible and equitable” (Business, Energy and Industrial Strategy Committee “Climate Assembly UK: where are we now? Government Response” 2021, 3; *ibid.* 5). Such vague references fall short of committed engagement, however.

Another central point of criticism raised by Farrell is that the 2019 general election took place halfway through the commissioning and delivery of CAUK. After Parliament was dissolved in November 2019 and a new Government elected in December 2019, Committee Chairs were re-distributed with the effect that those who had commissioned CAUK were no longer in charge (“General Election 2019” 2019). Farrell had the impression that newly elected Committee Chairs were, though “very polite”, not deeply invested in CAUK. Hence, the lack of a formal commitment structure was further compounded by the reshuffling of Committee Members. This is held to have posed a significant constraint on the assembly’s output legitimacy. In addition, Brexit and the outbreak of the Covid-19 pandemic were held to have weakened the output legitimacy of CAUK, as policy priorities shifted away from climate issues (Elstub). Apparently, the UK Government explicitly said that they were not responding to the CAUK’s recommendations because of “its lack of publicity” (Elstub). An explanation for this lack is to be found in the absence of a public engagement strategy. Following Farrell, public engagement remains rather low in most assemblies, except for those that revolve around a so-called “capstone event” (Farrell). Here, Elstub drew a parallel to the FCCC. Although the FCCC’s final recommendations lacked public support, as has already been outlined in section 2.3.3, Elstub acknowledged that public awareness of the French climate assembly had been high, and certainly higher than of its British counterpart. Apparently, this was because the FCCC was announced by the French President. By framing the FCCC “like a personal project of Macron, who [was] obviously a very high-profile political figure

in France”, Elstub explained, the French Government provided a ‘promise of impact’ and fostered public engagement. CAUK was lacking such an event. It was neither publicly announced by a PM nor accompanied by a referendum both of which could have created a “a big public moment” (Farrell) and caught considerable public and media attention. In the ICA, the topic of abortion attracted this kind of media attention. Especially the announcement of a referendum on the issue had led to increased media interest and, subsequently, “a lot of awareness of the deliberative mini-public among the maxi public” (Farrell). Although the media coverage of CAUK was “largely positive” (Elstub et al. *Evaluation* 2021, 6), especially at its onset, attention decreased with the outbreak of the Covid-19 pandemic halfway through the process, as Farrell recalled. Certainly, a strong media strategy would have enhanced greater public engagement and heightened the chances for political uptake of the assembly’s final recommendations. Elstub remarked that,

if this had been a process with high levels of public support, [politicians] would have felt under much more pressure to respond.

Because of this lack of publicity, “it [was] just too easy for government to ignore [CAUK] basically. So [...] they did”, Elstub concluded. Aside from this, Elstub suggested that distortions in party affiliation might have curtailed the output legitimacy of CAUK. Because AMs were “more aligned with one party than with others”, it could easily be dismissed as “a biased process” (Elstub). Finally, the length and breadth of the final report diminished the output legitimacy of CAUK. This view is shared by respondents as well as parliamentary staff. Following the evaluation report, one of the clerks admitted that the report’s length of 554 pages would have made policymakers more likely to select only those recommendations that suited their political agenda (Elstub et al. *Evaluation* 2021, 83). Farrell claimed that the long list of recommendations did not even shape the political agenda. That is because “far too many recommendations” incentivised political decision-makers to “cherry-[pick]” (Farrell) those which they had included in their political agenda anyways. Following Farrell, one could also see it the other way round: if political decision-makers had wanted to circumvent certain policy recommendations that would *not* fit their political agenda, they could have just said “look, we followed through on some of your recommendations” (Farrell). Here, Farrell hinted at possible political calculations. Elstub agreed that “the more recommendations you have” the greater the risk that the CA is instrumentalised for the political gain and vested interests of political decision-makers. Despite minor indications in the Government’s official reply to the BEIS Committee’s follow-up report that certain proposals were implemented, these

instances could have just as well been selective or, to say it in Farrell's terms, "cherry-pick[ed]". Overall, the evidence is clear: the UK Government showed little to no interest in responding to the deliberative outcomes of CAUK. Consequently, output legitimacy scores low. In sum, the deliberative legitimacy of CAUK scores low to moderate. Although representative quality, as a first criterion to assess input legitimacy scores relatively high, the second criterion of agenda-setting scores low. Output legitimacy, which "increases when the effective impact of the deliberative decisions on real world politics is high" (Caluwaerts & Reuchamps 2016, 15), scores low due to a lack of transparency and political commitment to the deliberative outputs of CAUK.

5.2 Lessons from the Climate Assembly UK

As outlined above, the representative quality of the CAUK as a first criterion to assess input legitimacy scores high across most indicators. Exceptions were minor imbalances in the selection criteria of education and urban-rural distribution, as well as minor distortions in party affiliation. Just as Elstub deemed self-selection "inevitable", the literature likewise confirms that minor differences in the final sample are common (Caluwaerts & Reuchamps 2016, 14; Elstub 2014, 174). It was held that sampling according to party affiliation can prevent perceptions of a "biased process" (Elstub), which should be avoided, not least to increase output legitimacy. Because party membership represents a sensitive issue that "[some people might not] necessarily want to share" (Elstub), there should be an option to disclose this kind of information, such as a free-entry field. In any case, attitudinal sampling is recommended. In contrast to the FCCC and the ICA, CAUK employed attitude-based sampling, which minimised self-selection and attitudinal biases towards climate change. Attitudinal sampling marked a strength that increased representativeness. Targeted recruitment of marginalised groups was used as an additional tool to foster inclusion and minimise self-selection. In addition, the honorarium and coverage of additional costs, such as childcare, lowered the barriers for participation. These measures ensured accessibility and inclusiveness. In sum, a high degree of input legitimacy was reflected in random, stratified and attitudinal sampling which provided all citizens with an equal chance of being selected for participation (Caluwaerts & Reuchamps 2016, 14; O'Flynn & Sood 2014, 42).

In the context of climate justice, "[t]he inclusion of the authentic preferences of all affected" (Caluwaerts & Reuchamps 2016, 14) as a guiding principle of the deliberative conception requires particular attention. As outlined in section 3.1.2,

including vulnerable and politically underrepresented groups in decision-making is essential in the pursuit of environmental justice. But it should also be remembered that the carbon footprint of younger generations is comparatively low, especially when contrasted with the carbon emissions of older generations. And yet, the younger generations and their descendants will experience the increased frequency and intensity of extreme weather events, accelerated by climate change, such as heatwaves, droughts, fires and floodings, to a disproportionate extent (Gardiner 2021, 92; IPCC *Climate Change 2023: Synthesis Report 2023*, 72). For the sake of intergenerational climate justice, this paper argues that, alongside vulnerable groups, the inclusion of young people in climate decision-making should be a basic requirement. After all, it is their future that needs to be secured in the face of severe destructions of global ecosystems and communities. With an age threshold of 16, CAUK gave young people a voice, unlike the national voting system, which excludes those under 18 (Loughran et al. 2022, 297). To address the underrepresentation of young people in formal decision-making, which is further compounded by the growing demographic bias towards older generations, a quota for young people should have been included to truly account for “[t]he inclusion of [...] all *affected* [my emphasis]” (Caluwaerts & Reuchamps 2016, 14; “The UK’s changing population” 2024). Although sortition represents a highly democratic tool to enhance the representativeness of the CA, one must recall Dryzek’s argument that engaging all citizens affected by political decisions in real-world deliberation remains impossible (2001, 651). Most strikingly, Dryzek’s argument reinforces the need for the permanent institutionalisation of the CA. Its institutional ties and permanence would ensure continuous and long-term engagement with citizens. Selection criteria and quotas could be adapted flexibly to meet future demands and challenges, while ensuring that representativeness and inclusiveness are secured in the service of environmental and intergenerational justice. Ideally, its permanence would enhance political and public awareness of deliberative innovations and inspire further practice across the country and on different levels of governance.

Although representativeness performs strongly, the above findings revealed a weak performance in agenda-setting, the second dimension of input legitimacy. Throughout the process, AMs had little to no agency in shaping the agenda or selecting experts. Evidence shows that the narrow agenda centred on individual and lifestyle-related emissions. Although GHG emissions are directly linked to both consumerist lifestyle patterns *and* unsustainable production as outlined in section 3.1, emission reduction areas prioritised by Parliament predominantly focussed on individual lifestyle patterns,

such as travel, heating the home, diet and consumption habits (IPCC “Summary for Policymakers” 2023, 4). Structural or sectoral – not to say *systemic* – sources of carbon emissions, were neglected. This prioritisation remains questionable, especially considering that personal surface transport accounted for 15 percent of the UK’s GHG emissions at the time, while freight contributed a substantial share of 12 to 14 percent of emissions in the aviation sector alone, as calculated by one of the expert speakers from the University of Leeds (“The path to net zero” 2020, 63; *ibid.* 122-123). Still, it must be acknowledged that the emphasis on individual responsibility is by no means uncommon. Evidence shows that individuals are often advised to “help prevent climate change [by focussing] on reductions in personal emissions” (Booth 2012, 398). But the fact that other emission reduction areas, such as commercial travel, were only peripherally reflected in the agenda, if at all, implies that the responsibility of industrial emitters was deliberately left unquestioned by the commissioning body. If ethical principles such as the polluter-pays principle were discussed, they were only applied on the individual, not the systemic level. This points to a biased process in which the responsibility for emission reductions was disproportionately shifted onto individuals. Instead of blaming or moving the burden of environmental harm on the average consumer, the structural drivers of climate change need to be held accountable (Cripps 2022, 12). The narrow agenda of CAUK, which appears to have deliberately excluded structural deficiencies, may be interpreted as a form of political side-taking that, following Cripps, poses a threat to human rights and environmental justice (*ibid.*).

A key distinction between the Irish and the British cases discussed is the degree of institutional trust in external facilitators and experts. In comparison to the ICA, Farrell observed a good quality of deliberation in CAUK. Elstub, however, dispelled Farrell’s notion of “good deliberative practice”, arguing that AMs might have engaged in dialogue to “[get] a better understanding of people’s positions”, but they did not engage in authentic deliberation through which “these differences [could have been reconciled]”. According to the deliberative conception, collective decisions are legitimate if they result from critical reflection and reasoned argument among free and equal citizens, also referred to as “authentic deliberation” (Dryzek 2001, 651). In deliberation, individual preferences should be collectively transformed toward a shared understanding of the common good before being channelled into a collectively binding agreement (Bellamy et al. 2018, 566). In this way, deliberative democracy aspires to unite “religious, expressive, and moral liberties, political equality, and an egalitarian account of the common good” (Cohen 1998, 187). While this moral

pluralism recognises multiple valid yet competing moral claims, it also creates space to interrogate and negotiate established norms and values that, in the face of the climate crisis, have long become obsolete. In the context of policymaking, Miller highlights that deliberation has the potential to

transform initial policy preferences (which may be based on private interest, sectional interest, prejudice, and so on) into ethical judgements [...] and [that] this will sharply curtail the set of rankings of policy outcomes with which the final decision procedure has to deal. [My emphasis] (1992, 62)

Although collective agreement is reflected in the final report of the CAUK handed to Parliament, its length suggests that individual preferences were far from being “sharply curtail[ed]” (ibid. 62) and transformed. In fact, the narrow agenda of CAUK, paired with limited evidence provision that included mainly technical and market-oriented solutions, did not give AMs an opportunity to engage in a process of public reasoning. It did not provide room for citizens to engage in normative-ethical reflections and collectively “[formulate and debate] interests and conceptions of the common good” (Bellamy et al. 2018, 566). Because of this lack of normative criteria to assess whether “the quality, substance, and rationality of the arguments and reasons brought to defend policy and law” (Chambers 2003, 309) continued to be justifiable in the face of climate emergency, the harmonisation of individual preferences was discouraged and the potential of deliberation to interrogate, negotiate and transcend long outdated legitimacy claims left untouched.

Regarding the length and breadth of the final report, Elstub noted that, in the somewhat constrained conception of ‘reason’ applied to CAUK, “what everyone wanted, went forward” (Elstub). According to the theory provided in section 2.3.2, the quality of decision-making in deliberation is best upheld when “aggregation crosses the argumentative process” (Caluwaerts & Reuchamps 2015, 155) only occasionally. Whether online via app or offline via secret ballot, the aggregative mechanism of voting was used throughout CAUK (Elstub et al. *Evaluation* 2021, 16). One of the AMs reported that, at one point, they had even refused to vote because they felt disowned from the process (ibid. 73). Another participant complained that they were “asked to vote on items while unclear on the items’ origins”, or that they were

suddenly presented with alternatives that [they] personally didn’t buy into because [they] hadn’t been party to how [the assembly] got there. (ibid. 72)

These are clear signs that “the power of the majority weigh[ed] [...] on the process” (Caluwaerts & Reuchamps 2015, 155). The fact that voting results often remained disclosed until the following weekends further impaired the quality of deliberative decision-making as AMs lost track of their votes (Elstub et al. *Evaluation* 2021, 74).

According to the evaluation report, this eventually “reduced the opportunity for coordinating and harmonising their recommendations” (ibid.). These findings suggest that aggregative mechanisms were used less to conclude the deliberative process, as is commonly assumed in deliberative theory, and more to steer its course.

The lack of authentic deliberation further explains why, in a voluntary survey at the end of CAUK, 95 percent of AMs agreed that small group discussions provided sufficient opportunities to speak and express their views on the topic at hand (“The path to net zero” 2020, 32). At first sight, these findings correspond with Farrell’s perceptions of high deliberative quality. Interestingly though, only 78 percent ‘strongly agreed’ or ‘agreed’ to the fact that the information received had been “fair and balanced between different view points [sic]” (ibid.). This is in striking contrast to 96 percent who agreed that CAUK “ha[d] helped them clarify [their] views about how to reach net zero” (ibid.). This discrepancy indicates that the overarching question of “how to get to net zero by 2050” (ibid. 48) was framed in predominantly technical terms, leaving limited room for normative contestation or alternative viewpoints. It confirms that the design of the process, though it might have appeared objective to some, implicitly relied on assumptions about which kinds of policies were preferable. The frame was set by Parliament beforehand, which furthermore explains why a high degree of institutional trust could be placed in external facilitators and experts. At first glance, the collaborative spirit between all stakeholders implies that Parliament was open to the views and ideas of citizens. In this way, any impressions that the assembly was run in a “top-down fashion” (Farrell) could be concealed. Upon closer inspection, however, the fundamental concept of ‘public reason’ underpinning authentic deliberation was constrained by the narrow agenda, technical and market-oriented information and an extensive use of aggregative mechanisms.

5.2.1 Neoliberal framing and ‘cherry-picking’

The overall investigation revealed that the epistemic orientations most prominently embedded in the agenda, and consequently reflected in the final output, were neoliberal in character. Yet, there is evidence that policymakers were incentivised to ‘cherry-pick’ the proposals that posed the least risk to their own party-political and vested interests. As indicated by one of the parliamentary clerks, the report’s extensive scope made policymakers more likely to select only those recommendations that suited their political agenda (Elstub et al. *Evaluation* 2021, 83). Regarding the length of the report, the lack of authentic deliberation played a role. Because individual preferences

were not channelled into collectively justifiable judgements, the final recommendations far from challenged dominant policy paradigms. This made it easier for political elites to selectively adopt those recommendations that aligned with prevailing institutional logics. Additional recommendations calling for on-going engagement with citizens, such as regular CAs or an independent monitoring body to assess the progress made on net zero, which would have required deeper structural or normative change, were not addressed (“The path to net zero” 31; *ibid.* 538). Several policies announced by the former Government even contradicted the assembly’s proposals, including the continued use of nuclear and fossil fuel energy plants. Despite costly delays and the concerns of environmentalists, the new Labour Government continues to protect the nuclear energy sector, as outlined in section 3.2.1.1 (Harvey & Horton 2025; Lawson 2024). This, however, reveals not only the vulnerability of CAs without formal embedding in the political system or an established monitoring body, however. It furthermore reveals an institutional bias of the British political system that directly feeds into the political discourse which has underpinned the UK’s state legitimacy for decades: neoliberalism. The prioritisation of these institutional logics became furthermore apparent in the process design of CAUK. It was evident in the prioritisation of individual over sectoral or *systemic* emission reduction areas, in the prioritisation of market-oriented over ethical considerations, in the overreliance on aggregative mechanisms, which would undermine authentic deliberation, and in the Government’s continued dependence on nuclear and fossil fuel energy, contrary to the advice of CAUK, climate experts and ethicists (Gardiner 2021, 92; HM Government 2020; “The path to net zero” 2020, 359). Even in the context of climate emergency, neoliberal rationalities continue to define the institutional foundations of state legitimacy and, in line with the foregoing argument, continue to shape UK climate governance. In the quest for democratic legitimacy, neoliberalism has proven itself a resilient justificatory narrative since the 1970s, both in the UK and internationally (Cahill & Konings 2017, 146; Price 2012, 12). It has prevailed as a source of institutional legitimation across borders and has paradoxically now become the very framework through which the climate crisis is addressed.

5.2.2 Reorienting climate policy towards ethical deliberation

The climate emergency calls into question the democratic legitimacy of a political order that is more self-referential and concerned with self-legitimation and self-preservation than with public accountability. In the pursuit of challenging or

transforming these institutional logics, normative-theoretical reflections have shown to be indispensable. Climate governance should be deliberative and inclusive, primarily aligned with collective and public-oriented values, rather than striving for mere efficiency or economic gain. This sentiment is reflected in the concerns of climate ethicists who demand “a credible moral pluralism that goes beyond the dominant conception of unlimited economic growth and the whims of those in power” (Voisard & Wallimann-Helmer 2024, 343). The moral pluralism underlying authentic deliberation holds the potential to interrogate and negotiate established norms and values that, in the face of climate emergency, have long become obsolete. Voisard and Wallimann-Helmer point to the potential of inclusive deliberative processes (ibid. 342). In their understanding, deliberation is a prerequisite for ethical climate decision-making and an antidote to “an ethics driven by economic and political powers or other vested interests” (ibid.).

As explained in chapter 2.1.2 and 3.2.1.2 respectively, policymakers require a compelling narrative that connects their political actions to broader societal concerns and thereby legitimises political intervention. The rise of the neoliberal narrative under Thatcher exemplified how the troubles of crisis can be framed in a compelling narrative that changes the fabrics of institutional and social structures of established Western democracies. Against the backdrop of the climate crisis, the prevailing narrative of neoliberalism is long outdated, however. The study by Nisbett et al. confirmed that also climate-decision making requires a narrative that justifies political intervention at a given moment (2024, 1). As a highly innovative and independent democratic ideal, the deliberative conception of democracy has potential to re-frame the multiple crises of our times in a compelling narrative (Held 2006, 238). In the context of climate emergency, it is imperative that “morality or knowledge of transcendental truths [...] no longer serve as the foundation for politics” (Chambers “Dialogue, Deliberation, and Discourse” 2003, 87). In the vein of Habermas, they are to be replaced by intersubjective communication that, from then on, “guid[es] principles for political action [...] dialectically” (ibid. 88). On these grounds, deliberative innovation provides space for new philosophical foundations which accommodate reasonable pluralism and a critical evaluation of competing claims to legitimacy. The underlying concept of public reasoning can generate new visions that align with the normative demands of climate and environmental justice.

Despite associated risks and social harms, climate policy continues to be framed primarily through the lens of economic and financial development. Instead of a

“muscular industrial policy” (Harvey & Ambrose 2025), however, there is a need for external normative criteria against which climate policy decisions can be assessed. In Fisher et al.’s terms, “doctrinal ‘business as usual’” (2017, 174) must be cast aside. Because deliberative democracy offers recourse to normative-ethical reflections to guide climate decisions, it can provide a pathway for addressing the policy challenges ahead and resolving the legitimacy dilemma that risks unfolding into a wider legitimacy crisis for the UK political system as a whole. However, in the present case study, institutional constraints rendered the highly innovative and independent political ideal of the deliberative conception of democracy “vulnerable to demolition of its legitimacy claims” (Dryzek 2001, 651). To safeguard the legitimacy of deliberative innovation and ultimately enable progressive change within the British institutional framework, this paper proposes a mandate for establishing a permanent and institutionalised climate assembly with the following traits.

5.3 The institutional design of a permanent climate assembly in the UK

When it comes to institutionalisation, it is essential to focus on the “*detail* [my emphasis]” (Farrell) that determines whether an innovation can succeed in its specific institutional setting. As Farrell noted, numerous versions of mini-publics have emerged over the years, and each innovation should be understood on its own terms and evaluated in light of the democratic systems and governance structures from which it emerges. At the same time, one innovation can influence the development of another. Farrell, who helped design the permanent and institutionalised PBD in East Belgium, described how the shortcomings of the Irish model informed the administrative design of the East Belgian model. This demonstrates that administrators must remain “one remove from government” (Farrell) to avoid elite capture. The permanent climate assembly in the UK should therefore be institutionalised but operate outside parliamentary structures. A Permanent Secretariat, similar to that of the PBD, should be established. Recurring funding is of vital importance. The case study analysis reveals how the trade-offs imposed by budgetary and time constraints can trigger a chain reaction that first reduces input legitimacy and ultimately also output legitimacy. Thus, the permanent and institutionalised climate assembly must be designed to mitigate these adverse effects. Its permanence should allow for an extended deliberative timeline, while its formal embedding should secure recurring funding and institutional support. Along these lines, Elstub argues,

if [a citizens' assembly] is institutionalised, you can have rules on when it happens, guaranteed source of funding for it to happen, [...] which can't just be cut.

Sufficient time and budget would give the assembly more leeway to encompass the complexity of climate change and to equally involve AMs in deliberative and voting procedures. Elstub highlighted that, especially in times of multiple crises when “budgets are massively under strain”, a regulatory framework should secure the assembly’s temporal and financial stability. Otherwise, such initiatives tend to “[go] down the priority list” (Elstub). In this view, Elstub stressed that formally embedded structures should safeguard the work of CAs from short-term political or financial fluctuations and instead ensure their continuity. In view of the scale and impact of climate change, the importance of consistent and long-term political responses cannot be overemphasised. The ambiguities and inconsistencies around key climate decisions in British Parliament, as examined in section 3.2.1.1, reinforce the need for a climate assembly as a *consistent* part of the policy process. To effectively counterbalance the structural deficiencies of the British political system, the administrative body linked to the CA should be funded by the Government but not be controlled by it. According to Farrell, it is vital that the Secretariat operates “independently of political influence”. Despite being funded by the East Belgian Parliament, the administrative branch of the PBD is effectively controlled by a Citizens’ Council (Junius 2025, 420). An independent body of randomly selected citizens, like the Citizens’ Council in the PBD, also occupies a central role in the British model. Former experience in a CA, either at the local or national level, should be a requirement for a one-year membership. To define the Council’s tasks and its relationship with Parliament, a solid legal basis must be established. For high levels of input legitimacy, the Council must provide for an open agenda-setting process free from elite capture. Like in the PBD, legally consolidated institutional ties should allow the British model to “discuss an interesting policy agenda and then send it to the Parliament” (Farrell). Its institutional design should include mechanisms to further engage the maxi-public, inspired by the Irish Constitutional Convention’s call for written submissions and the ICA’s combination of deliberative and direct democratic elements. Making the entire electorate eligible to participate, whether by proposing topics and questions for upcoming CAs or by voting in referenda, is an effective way to increase both public and media attention and ultimately heighten pressure on political decision-makers to act on the assembly’s final output. As in the FCCC, an official announcement by a “high-profile political figure” could serve as an additional “capstone event” (Farrell). All of this should be supported by a strong media strategy. A legal framework that stipulates monitoring and control

mechanisms is imperative, especially with regards to the issue of executive dominance. Besides holding Government accountable to respond to the CA's final output and ensuring ongoing collaboration between the CA and Parliament, these mechanisms should address the transparency gaps which have arisen since the former Government dismantled tools for monitoring progress on net zero (Higham et al. 2021, 2; "Progress in reducing emissions" 2024, 82). To avoid disruptions by an election and the subsequent reshuffling of Committee Members, the permanent CA should be synchronised with the electoral cycle so that its mandate begins when a new Parliament takes office.

5.3.1 The path to institutionalisation

As regards the next steps, respondents agreed that advancing both research and practical experimentation in deliberation is essential. Both indicated that they are currently involved in academic projects on the matter of institutionalisation. Elstub especially highlighted the need for deliberative practice, no matter whether permanent or ad-hoc. Only through repeated experience, Elstub argued, will citizens come to recognise deliberative processes as "a good thing" and, ideally, ultimately demand "more of that", potentially calling for them to become "permanent [...] and [...] less ad hoc". Chapter 5.2 reaches similar conclusions: further deliberation is required, not least to foster awareness of the democratic merits of sortition within traditional representative institutions. Elstub also stressed the importance of civic engagement and campaigning: "in terms of bringing political change, [...] you need people who are going to campaign for this". While public campaigning matters, it is equally important to hold political leaders accountable for their responsibilities and their duties as democratic representatives. Along with continued citizen engagement "through mechanisms like regular citizens' assemblies" ("The path to net zero" 2020, 538), a striking 82 percent of CAUK participants demanded more accountability from the UK Government on the road to net zero. In response to international backlash against climate action, it is furthermore crucial for legal institutions to effectively

confront, respond, and [...] *evolve* [...] beyond the application and incremental development of existing rules and doctrines [my emphasis]. (Fisher et al. 2017, 174)

What is required, as Fisher et al. describe, is radical restructuring and a "break" in the continuity of existing legal practices and doctrinal "business as usual" (ibid.). On the brink of a backwards trend, the world needs countries and actors to set clear examples for global orientation and realignment with climate goals. More than that, it needs a radical break with the prevailing moral and political doctrines that inform climate

decisions. While, in recent years, the UK's role as a pioneer of international climate diplomacy has "begun to fray" ("Progress in reducing emissions" 2024, 14), the country now has the chance to set an international example. Climate change does not "respect state boundaries" (Butt 2017, 51), but the UK can pave the way and persuade other countries to follow the path to climate and environmental justice. Surely, the road to institutionalisation is still a long one. In Farrell's words, "Britain is far, far away from any step towards [...] institutionalisation". Meanwhile, Elstub confirmed that the UK Parliament were, though only "at the talking stage", at least considering the idea. In these talks, politicians should be reminded that the UK, as one of the biggest contributors to carbon dioxide emissions, has a historical responsibility to act on climate change (Paris Agreement, Art. 4).

5.3.2 Challenges and limitations

When formally embedded in the British institutional framework, the permanent climate assembly may reflect an innovative tool that allows for the continuous integration of citizens into the decision-making process. Because randomly selected citizens neither need to win nor defend an electoral mandate, their involvement as deliberators may serve to counter the threat of partisan interests and strategic calculations under the pressure of electoral competition. However, one cannot turn a blind eye to the problem of lobbyism and corruption. According to Elstub, corruption is likely to emerge as a core issue in any institutionalised format. It is seemingly impossible to entirely protect AMs from the influence of political and economic elites. As this paper has shown, a permanent and institutionalised climate assembly can serve as a counterbalance to the deficiencies of the British representative system. However, it may also reduce the direct influence of politicians, whose policies might be challenged, scrutinised and eventually overturned by the assembly. Politicians may be pushed to reconsider existing legal practices. But they may also be reluctant. After all, the legitimacy and authority of their positions of power as elected MPs would be at risk or at least become subject to debate. Elstub confirmed that politicians in Westminster could be less open to innovative change "in terms of systems, if not within policy", and in favour of sustaining the status quo more generally, because of the "self-interest and self-preservation built into the system" (Elstub). Regarding the question of whether government officials could be rather reluctant to open subject and agenda-setting process, Elstub responded that this might "take them into territory where they are not particularly comfortable". Elstub added that this did not only seem

to be a particular “UK sort of dimension”. The notion of the powerful having an interest in preserving the status quo corresponds with Weber’s early works. Although it must be re-emphasised that his ‘pure’ type of traditional authority is outdated and not applicable in its purest sense, “favor[ing] conformity with an established order [and therefore helping] to perpetuate it” (Weber 1978, 37) seems to reflect a surprisingly current interest. Clearly, the British political establishment benefits from preserving the status quo. Institutionalising a permanent climate assembly would yield more power to participatory democratic instruments and potentially pose a threat to established systems of power. When making the case for deliberative innovation, the dominance of the executive in the British Parliament adds yet another layer of complexity. Farrell agreed that

a lot of the challenge will be the pushback, will be the unwillingness on the part of the political class to surrender [...] a degree of autonomy [...] to this other body, or at least be put up in a competition with that other body.

At this point, it must be re-emphasised that this paper opts for integrating and embedding deliberative practice *into* the democratic system, instead of abolishing and replacing it. Embedding a stronger deliberative component into the British institutional framework means to complement and inform existing democratic practices. It can be understood as an investment in the vulnerabilities of the system, which is currently unfit to meet the challenges ahead. Run independently of political influence, deliberative processes would provide the ethical reflections urgently required in climate policy (Voisard & Wallimann-Helmer 2024, 333). While both political inaction and the adherence to the neoliberal narrative suggest that political elites currently prefer to maintain outdated legitimacy claims on the costs of effective climate governance, this paper shows a way out of the legitimacy dilemma. It remains to be questioned whether the permanent and institutionalised climate assembly can effectively challenge what Nunn refers to as “the imposition of neoliberal discipline” (2014, 303).

This leads on to the challenges and limitations of this study. Article 2.1c of the Paris Agreement states that “finance flows [must be made] consistent with a pathway towards low greenhouse gas emissions and climate-resilient development” (“Paris Agreement” 2016). Evidently, the international agreement considers economic stability and financial security as prerequisites for effective climate action. Recalling that “finance occupies a central place in the making and logic of neoliberalism” (Cahill & Konings 2017, 21), one can assume that the neoliberal logic is embedded within the net zero legislation. Due to the limited scope of this paper, a more critical examination

of the Paris Agreement and the net zero legislation as such was beyond reach. Further research into how international climate policy development, itself shaped by neoliberalism, can be aligned with the normative demands of climate and environmental justice, is strongly recommended. Had time and scope permitted, I would have discussed in greater depth the institutional and legal framework required to embed a citizens' assembly as a permanent legislative body within the British political system. In particular, the role of Select Committees, which tend to be overshadowed by the executive in the British Westminster system, could have been explored further. Although the role of Select Committees in overseeing and scrutinising the executive is considered crucial and, in fact, highly influential, their work is oftentimes politically structured, often along party lines and discipline, or electoral incentives (Benton & Russell 2012, 773). Despite Select Committees being constituted by cross-party groups, party balance remains proportionate to the electoral seats in Parliament (Carrick & Elstub 2023, 140; Geddes 2018, 286). The same applies to Committee Chairs (Geddes 2018, 286). This raises the question whether their task of executive oversight can be fulfilled in a responsible manner or is still dominated by the standpoints of the governing party. Finally, focus could have been put on reformist ideas, such as replacing the HoL by a 'House of Citizens', or else the potential for CAs to be institutionally embedded in the devolved legislatures. Further examination and analysis of these questions in future research is recommended.

6 Conclusion

In sum, the deliberative legitimacy of CAUK scored low to moderate. Although its representative quality scored relatively high, both agenda-setting and political uptake scored low. While top-down control over the agenda and selective evidence provision were deemed inevitable given CAUK's limited duration and budget, there were indications that bias in the process was intentional rather than incidental (Elstub et al. *Evaluation* 2021, 46; Farrell). Findings revealed that the agenda, as the normative core of deliberative democracy, was constrained by Parliament. AMs had little to no agency in shaping the agenda or selecting experts. This compromised the fundamental concept of 'public reason' underpinning authentic deliberation and prevented citizens from interrogating, negotiating and transcending established moral claims and value systems. Because of the extensive use of aggregative mechanisms throughout the process, the harmonisation of individual preferences was discouraged. The narrow agenda of CAUK, which showed to have deliberately excluded the structural drivers

of climate change and disproportionately shifted responsibility for saving emissions on individuals, could further be interpreted as a form of political side-taking. Despite mounting calls from climate ethicists for normative perspectives in climate policy, and despite deliberation being widely considered as a means of broadening such perspectives, the design of CAUK largely reproduced the neoliberal narrative and its entrenched legitimacy claims, privileging technical and market-oriented solutions over ethical concerns and subordinating environmental justice to economic interests. The establishment of CAUK as the first national climate assembly, undeniably, reflects a considerable milestone. Especially in the majoritarian Westminster system, where “the policy process is run by government”, as asserted by Farrell, the use of an innovative deliberative instrument to inform parliamentary scrutiny must be viewed as “courageous” and “inspiring” (Farrell). However, this paper’s case study analysis revealed that the overall process of CAUK was not designed to break with the prevailing moral and political doctrines that inform climate decisions. Because it mostly replicated the status quo, CAUK rather resembled a miniature version of the broader political system than an “[i]nnovative democratic [challenger]” (Saward 2008, 408).

In this respect, it has been found that top-down framing also occurred to protect prevalent systems of power. In accordance with established theory, Parliament would have risked a legitimacy crisis if CAUK had not reflected the moral obligations that political authority in the UK is justified and ultimately legitimised by. And yet, findings revealed an overall lack of political commitment to the deliberative outputs of CAUK. Among other factors, the lack of sustained commitment appeared to stem from short-term and centralised approaches to decision-making (Cairney et al. 2024, 838). In the majoritarian Westminster system, the pressures of electoral competition and the resulting strategic, short-time calculations to defend an electoral mandate, were found to be reinforced by the confrontational two-party rivalry. This was found to have contributed to slowed progress and decision paralysis over key policies in British Parliament. While both political inaction and continued adherence to the neoliberal narrative suggest that political elites currently prefer to uphold outdated legitimacy claims at the expense of effective climate governance, this paper outlines a way forward. A permanent and institutionalised climate assembly can help remedy these legitimisation problems. It has the potential to re-introduce normative considerations into climate policy decision-making and to align institutional conduct with an

egalitarian account of the common good. However, the way in which such an assembly is designed is crucial.

To enhance representativeness, citizens should be selected through random, stratified and attitudinal sampling. Targeted recruitment of politically marginalised groups, as well as a quota ensuring the inclusion of young people's voices is strongly recommended in the pursuit of environmental justice. To effectively counterbalance the structural deficiencies of the British political system, the permanent climate assembly should be institutionalised yet operate outside parliamentary structures. This can be achieved by an administrative body that operates independently of the Government, despite being funded by it, and a Citizens' Council composed of randomly selected citizens with prior experience in mini-publics. The Council should be tasked with administrative oversight and, most importantly, open agenda-setting free from elite capture. To ensure all of this, the establishment of a solid legal basis is imperative. Formally embedded structures should safeguard the work of the climate assembly from short-term political or financial fluctuations and ensure continuity, also in the face of electoral turnover. The legal framework should include monitoring and control mechanisms that hold the Government accountable for responding to the assembly's final output and ensure ongoing collaboration between citizens and Parliament. A public engagement strategy should accompany the deliberative process. In addition to a media strategy, a toolset for engaging the public through referenda or written submissions on preferable topics is also recommended. Supported by a clear mandate, the permanent and institutionalised climate assembly can enhance transparency and consistency in climate policy development. Only through democratic innovation and institutional reform can the legitimacy dilemma be resolved and a broader legitimacy crisis within the UK system of government averted.

Overall, the normative-theoretical reflections throughout this study, combined with the empirical case study approach, call into question the democratic legitimacy of a political order that is more self-referential and concerned with self-legitimation and self-preservation than with public accountability. Climate governance should be deliberative and inclusive, primarily oriented towards collective and public-oriented values, rather than mere economic or political gain. A permanent and institutionalised climate assembly, designed to uphold the deliberative ideal and its foundational values of freedom, equality and reason, allows citizens to modify and change the rules set up to justify and deem the power acquired and exercised in the British democratic system "rightful or legitimate" (Beetham 1991, 3; Cohen 1998, 193) through discursive

practice among equals and with a focus on the common good. As it stands, the British political system is ill-equipped to address the urgent policy challenges posed by the climate emergency. Embedding a stronger deliberative component into the British institutional framework provides a means to complement and inform existing democratic practices. Operating independently of political influence, a permanent and institutionalised climate assembly can provide the ethical reflection urgently required in climate policy. Most importantly, climate change has been revealed as a matter of equity and responsibility. As one of the largest historical contributors to carbon dioxide emissions, the UK bears a significant responsibility to act. By establishing a permanent and institutionalised climate assembly, British democratic institutions would be better equipped to avert a broader legitimacy crisis and effectively respond to the multiple policy challenges of today and tomorrow. By pursuing democratic reform forward and changing their political line with a clear focus on the common good, the UK can take on a pioneering role and demonstrate to democracies worldwide that, to remain stable and effective, they must continue to evolve.

7 Bibliography

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8 Appendix

8.1 Interview consent forms

Informed consent was obtained from both respondents. A copy of the consent form is provided below.

8.1.1 Farrell

HUMBOLDT-UNIVERSITÄT ZU BERLIN
Großbritannien-Zentrum · Centre for British Studies



Interview Consent Form

Title of the study: A Mandate for Democratic Innovation: Making the Case for a Permanent Climate Assembly in the UK

Researcher: Isabel Förster

Supervisor: Dr. Paolo Chiocchetti

Description of the study:

This study seeks to unlock the potential of a climate assembly as a permanent body in the British institutional framework. By measuring the input and output legitimacy of the Climate Assembly UK as a case study, this paper seeks to explore how the deliberative instrument must be deployed to enhance the democratic legitimacy of climate decision-making in the UK. The challenges and limitations which may hinder democratic innovation and institutional change will be taken into particular account.

Questions or complaints: _____

I hereby acknowledge that:

- the interview will last a maximum of 60 minutes;
- participation in this interview is voluntary;
- the interview will be stored, processed and published in a non-anonymised form, meaning that my name and identifiable information may be disclosed;
- the content of the interview (e.g. transcript, citations) will be used exclusively for the purpose of this specific study;
- my consent can be withdrawn at any time prior to publication.

I hereby consent to the non-anonymised recording, storage, processing, and publication of my interview, for the scientific purposes of this specific study.

Participant: Professor David Farrell

Date: 19 February 2026

Signature

8.1.2 Elstub

HUMBOLDT-UNIVERSITÄT ZU BERLIN
Großbritannien-Zentrum · Centre for British Studies



Interview Consent Form

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- the interview will last a maximum of 60 minutes;
- participation in this interview is voluntary;
- the interview will be stored, processed and published in a non-anonymised form, meaning that my name and identifiable information may be disclosed;
- the content of the interview (e.g. transcript, citations) will be used exclusively for the purpose of this specific study;
- my consent can be withdrawn at any time prior to publication.

I hereby consent to the non-anonymised recording, storage, processing, and publication of my interview, for the scientific purposes of this specific study.

Participant: Professor Stephen Elstub

Date: 19 February 2026

8.2 Interview questionnaire

1. To begin with, I would like to ask you to please introduce yourself. What do you do and what excites you the most about deliberative democracy?
2. To what extent did the recruitment strategy, based on random and stratified selection, provide for socio-demographic representation?

3. Was there any representative bias involved?
4. In the evaluation report, it is suggested that assembly members should have decided over the scope and information they receive themselves. How did this conclusion come about? Was the agenda closed or too narrowly defined, or the information in some way biased?
5. In East Belgium, the agenda for citizens' assemblies is determined by a Citizens' Council. This seems like an innovative approach that empowers citizens to set the agenda themselves. Despite innovative approaches elsewhere, why do you think the British Government might be reluctant to such openness to subject and agenda-setting?
6. Was there a tendency in CAUK to prioritise technical and market-oriented solutions above ethical concerns?
7. If the agenda was closed or too narrowly defined, and the information provided in some way biased, did this pose limitations to the deliberative ideal?
8. 89 percent of participants voted in favour of an independent monitoring body to trace political uptake. Was there any kind of framework in place to enhance the political commitment to CAUK's final recommendations?
9. In your view, what are the major drawbacks of the absence of a formal framework?
10. I found that the agenda of the inquiry report that is to be handed to the respective government department, is set by the respective Select Committees themselves.
11. Instead of directly handing the final recommendations of CAUK to the respective Government department, I found that the final output is processed in an inquiry report by the Select Committees. Would this give additional agenda-setting power to Select Committees?
12. Did CAUK have a direct impact on climate policy decisions, or inform the political agenda?
13. Did CAUK have a media strategy to enhance public engagement and increase pressure on political-decision makers to implement the assembly's final recommendations?
14. Halfway through CAUK, there was the outbreak of the Covid-19 pandemic. Apparently, this led to a shift in priorities in UK policy away from climate concerns. If the climate assembly had been embedded as a permanent body in the institutional framework, do you think that the recommendations of CAUK would have gained more consideration in Parliament and been less easily 'pushed' from the political agenda?
15. What institutional changes do you believe would be necessary to transition the climate assembly into a permanent body?

16. What could be the main institutional challenges and how could these be overcome?
17. In Brussels, each Committee that a policy issue falls under is formally required to set up a 'Special Committee', which then sets up a short-term citizens' panel. The panel deliberates over the policy issue in question and develops proposals that Parliament is obliged to engage with. What are the chances for a similar mechanism to be embedded in the Select Committees of the UK political system?
18. What do you make of the Extinction Rebellion's suggestion to replace the House of Lords by a House of Citizens?
19. If the citizens' assembly was permanent and institutionalised, do you believe that the political elites of Westminster and Whitehall would perceive it as a challenge to their authority?
20. Which lessons can be drawn from CAUK, not least with a view to future citizens' assemblies?

8.3 Interview transcripts

8.3.1 Farrell

00:03:01:00 - 00:03:06:00

I

Hello, David. Thank you.

00:03:10:00 - 00:03:15:00

Farrell

Hi, Isabel. How are you?

00:03:20:00 - 00:03:46:00

I

Hi. I'm very good. Thank you. I'm very excited and pleased to be conducting this interview with you, actually. And, um. Yeah, that you're taking the time, first of all.

Um. How are you?

00:03:52:00 - 00:04:07:07

Farrell

And you're welcome. No problem. Nice of you. I'm very good. I've just done another interview actually, just by coincidence, on more or less the same topic, so.

00:04:07:09 - 00:04:09:04

I

No way. Also with a master's student?

00:04:09:16 - 00:04:22:02

Farrell

No, it's a research team based at, uh, Exeter University in the UK. And it sounds like it's a project that is comparing the British and the French climate assemblies.

00:04:22:03 - 00:04:46:00

I

Okay, cool. I like this comparative approach as well. I'm really excited. Um, should I start the recording already?

00:04:46:09 - 00:04:46:16

Farrell

Yeah.

00:04:46:16 - 00:05:13:15

I

Thank you so much. Let me see. Ah, okay. It's already recording, actually. All right. Um, so to begin with, um, I would like to ask you to please introduce yourself. What do you do? What excites you the most about deliberative democracy?

00:05:15:00 - 00:05:59:19

Farrell

So, um, my name is David Farrell. I'm a professor of politics at University College Dublin. And, um, I used to work in the, well, I still work in the area of electoral systems representation and party politics, but I sort of accidentally fell into, um, working on and now researching also on deliberative mini-publics about 15 years or so ago. And I think what excites me is that it's, I think, a really good example of how democracies are evolving. And I think it shows that people who are concerned about democratic crisis need to also pay attention to the potential for democratic innovation.

00:06:00:09 - 00:06:22:10

I

Thank you very much. Beautifully put. Um, well then, moving right inside the Climate Assembly, UK, um, did the recruitment strategy based on random and stratified selection provide for socio-demographic representation? And, um, or was there any representative bias involved?

00:06:23:23 - 00:07:14:20

Farrell

So my sense is that there was very good, um, representation. It has been a few years ago, so I don't remember an awful lot of the details, but as you probably know, we wrote an evaluation, uh, report, and a lot of the data are in the report. My sense is that the stratified random selection was done, you know, to industrial industry standards. It was as good as you get for most deliberative processes. When they ran the sortition, they ran it according to the usual specification. I think the interesting dimension of the British case, which is common, I think, to many of the British examples of um, deliberative mini-publics, is that they stratified also on attitude. And that means that they were able to ensure that they had some climate deniers in the mix, uh, which I think was important given the topic.

00:07:15:11 - 00:07:35:02

I

Thank you. Yeah. What I found particularly striking as well was that, um, there were some questions on party affiliation as well, um, throughout the Assembly and that the Green Party was dominating. Um, in a sense, do you think this had an impact on the overall outcome of the assembly?

00:07:36:06 - 00:09:07:12

Farrell

I don't know, I don't know. I mean, just for me, it was a strength rather than a weakness that they were aware of this. And because they had asked the party politics question, because that's not common to many other deliberative many publics. As you know, the usual thing is to stratify on demographics. And I think that can produce, uh, you know, quite skewed, um, distorted samples. Just to give you an example, when the Citizens' Assembly in Ireland was discussing abortion, um, we know from our data as people who were surveying it that there was a very strong, uh, pro-abortion, uh, or on, you know, undecided on abortion, uh, group. And there were only a tiny number of pro-life people in the sample. Had they stratified on attitude, they would have been able to weed that out and produce a, you know, a better mix of people. And I think, as I said, this is a strength. I think it's kind of obvious that you would get a good representation of people who support the Green Party, because

that's the nature of the topic that was being discussed and we know there's a high degree of self-selection. You know, the recruitment process is never going to be perfect, and not unless you can force people to accept the invitation. And we're nowhere near that. So, you're always going to get a distortion. But I think everything that they could do to minimise that was done. And so, I would be quite confident that that was done well.

00:09:08:10 - 00:09:42:18

I

Nice. Yeah. I think with the um, with regards to the other criteria, there was a good proportional representation. And in fact, the evaluation showed that, um. Great. So, um, then perhaps moving on, um, in the evaluation report, it is suggested that assembly members should be empowered to refine the scope of the assembly and the types of information they receive themselves. How did this conclusion come about, and was the agenda closed or too narrowly defined and the information provided in some way biased?

00:09:43:23 - 00:11:41:02

Farrell

So I don't remember enough of the details, but one aspect that would be relevant to this question is, um, another difference between the British case and the Irish cases that I know more about. In Ireland, they copied the way it was done in the first Citizens' Assembly, the British Columbia in Canada. Um, and it was actually my suggestion that they did this. They established a, a sort of steering group. Um, and they've always had this steering group, which consists of the people who are running the citizens' assembly, but also a small group of citizens, of participants who are part of that steering group. And they can then, uh, you know, they discuss the agenda for the next weekend. And it's possible for the steering group members to say, you know, can we do a bit of this or a bit of that? So, for example, um, when they were discussing abortion, it was the steering group members who said, we haven't, we're not going to be hearing from women. And so, we need to hear the voices of women who have had abortions or haven't had abortions. And so, in the light of that, they added an extra weekend and they set up a whole weekend listening to the voices of women. It was quite an exceptional example, but it was an important example of where members could influence things. They didn't have this in the British case, and, uh, I'm pretty sure they didn't because I was involved in the Scottish one around the same time. And I think on that one, they did follow that idea. I'm pretty sure in the British case they didn't. So, I could well imagine that as this unfolds, the, you know, as we have the next meeting and the next meeting and particularly online doesn't help, I suppose, um, that there must have been some members who expressed a view that they would have liked some control. And I'm guessing that somewhere in our data from the evaluation, we must have seen some dissatisfaction on that on that dimension. And that's what made the suggestion that we made, I see.

00:11:41:10 - 00:11:48:17

I

Um, so you would say, um, it was a semi closed agenda or, um.

00:11:49:04 - 00:12:31:20

Farrell

I think, I think for the agenda, then if the agenda is only being established by the people who are organising it, uh, the people who have, um, commissioned it and the people who are organising it, then it's in a sense it is closed, it's top-down. And it might be for good reason because they have, uh, an agenda that they must complete. They have limited time and a limited budget. So, you can expect that they're going to want some tight control. Um, and there might be other ways of doing this, but I think

one way to try and push back against a bit of that is through the use of a steering group. Um, so in that sense, the short answer to your question is yes. I think it was, um, whatever the phrase was that you used, but certainly top-down or closed.

00:12:31:20 - 00:13:12:15

I

Closed agenda. Okay. Um, so tying into the idea of the steering groups that you just shared, um, in the example of East Belgium is also interesting because there the topics are discussed in the upcoming year, uh, for the upcoming year, um, and determined by the Citizens' Council that meets annually. Evidently, this is an innovative approach to empowering citizens to set the agenda themselves. Um, and possibly comparable to the steering groups you just mentioned. Um, despite innovative approaches elsewhere, why do you think the British Government could be reluctant to such openness to subject and agenda setting?

00:13:13:11 - 00:15:48:13

Farrell

I mean, so there's a few things there. The, um, I was one of the people involved in the design of the Belgian model. So, it was um, there was a bunch of us who were invited to open to, um, you know, draw up some proposals, and then the, uh, the parliament accepted the proposals. Um, and that was a revolutionary design. Um, the steering group I was talking about is minimal, is very minor in comparison, because all the steering group can do is sort of try to influence, um, you know, the itinerary of the meetings, you know, is there a dimension that we're not considering? But the agenda in the Irish case is set by government. Um, and so, you know, the East Belgian model, which, as you probably are aware, is now using versions of it that have been followed in a growing number of other cases. We're hearing about new cases all the time, and I think speaks to that agenda about the institutionalisation or the anchoring, uh, as some of us put it, of deliberative practices into representative systems of government. And for that reason, I think it's a really important international example when we talk about this particular case in Britain. Of course, what we mustn't forget is that this was a citizens' assembly that was set up by the Select Committees of the House of Commons. So, it was set up by Parliament and as I'm sure you're aware, um, Parliament in the German system is, is, you know, is never going to be quite as strong as the executive. The legislature, even in Germany, is not as strong as the executive in Britain. That's even worse, because we're dealing with a Westminster majoritarian system. And the agenda for the policy process is run by Government. So, you know, it was very courageous. It was very inspiring of that, that these Select Committees in the British House of Commons and the British Parliament decided to establish this process because nobody in the executive was prepared to do this sort of thing. And so, for that reason, that was really good that they did it. But, uh, it just shows that Britain is far, far away from any step towards, um, the institutionalisation of citizens' assemblies and deliberative mini-publics, because, you know, there's great practice going on at municipal level and a council level, and particularly in the Scottish examples, there's very good practice developing there and the potential of institutionalisation in Scotland. And but in Britain, nationally, UK, nationally it's one of the weakest examples.

00:15:50:16 - 00:16:14:07

I

Thank you. Yeah I'm actually also focussing on this impact of the Westminster system. And that's why I'm also trying to make the case for permanent climate assembly. What's your view on this, do you think, um, the idea of a permanent, institutionalised climate assembly is also regarded as a threat to the authority of Westminster and Whitehall?

00:16:14:08 - 00:17:46:13

Farrell

I'm sure it is. I mean, because politicians the world over will, the majority of them will have the view that, uh, the parliament that they are members of is the citizens' assembly. I hear it all the time. And so, you know, in most countries, all the the view of politicians is we don't need these things. We already have our citizens' assembly. We have a particular situation here in Ireland that might be relevant to this, that our very first process in 2012, the convention on the constitution, was a hybrid, deliberative mini-public because a third of the members were members of parliament. And that was a deliberate design on the part of the politicians at that time, that's the way they wanted to do it. So, two thirds were regular citizens by sortition and one third were members of parliament. But the result of that is that to this day we have members of our parliament who have been participants in that first process. Some of them are now leaders of political parties. Some of them were ministers at one point or another. And so we've got a very positive vibe, a very positive view among the political class generally in Ireland in favour of these processes because of the personal familiarity they have with it. That hasn't happened in the UK. It hasn't happened. In Germany it hasn't happened in almost any other country. And so. it's no wonder that you find, um, a resistance to anything along these lines, because it's a resistance, mostly out of ignorance, frankly. They don't know about it, so why should they feel supportive of it?

00:17:48:17 - 00:18:42:05

I

I also have a question with regards to the, um, climate assembly being commissioned by, uh, the six Select Committees and the Government, if you can say that. Um, so do you think this posed limitations to the deliberative ideal? Could participants really engage in the process of public reasoning among equals? And did they succeed in transforming individual preferences to public orientated ones with a focus on the common good? Um, or did the agenda setting or even the short time frame perhaps influence the quality of deliberation, um, posing um, for example, more, um, emphasis on economic and technical solutions rather than ethical considerations. Can you see there were some limitations to the deliberative ideal there?

00:18:42:19 - 00:22:39:08

Farrell

I don't think there were. To be honest. I mean, there were always going to be some limitations because in any deliberative process there's going to be budgetary and time limitations. So there's always going to have to be some shortcuts and some top-down decision-making. There's never going to be a way to get around that. And we've already just been discussing the weaknesses of this case, not least the fact that it was set up by Parliament, not by Government, but actually in a sense, that was also its strength. And this was for me, this was instructive when we were discussing the open model, the, um, the Belgian model, um, and trying to come up with a system to ensure that the model wasn't, uh, going to be captured by government because that's what's happened in Ireland. The Irish model of citizens' assemblies has been captured by governments, so it's a government that sets the agenda. It then appoints the chair and it finds a senior civil servant to run the process. And that civil servant makes sure that the process is run in a way that won't embarrass the government. So it's been captured by the governmental system. So, when we're discussing the Belgian model, we were focussing on the administration of this permanent citizens' assembly and what we wrote into the proposal, which is what they adopted, was that that administrator – because it's a small system, it's one person. but you can imagine in a bigger system it would be a full office – that that administrator should be not a

civil servant 'working to government' should be the phrase we used. It should be somebody who or an organization that is one remove from government and therefore is not thinking of the, you know, not doing the bidding of the government. And and so, you know, the example we gave was like an ombudsman's office in every country there's an office for the ombudsman, um, which is an office that is funded by the state, by the taxpayer, but is not controlled by government. If they are given an independent budget and they run their service independently of political influence, and that's effectively what you have in the Belgium model. And so, when we think about the British case by default, because this was set up by Parliament, it was senior clerks for the Select Committees, senior administrators for the Select Committees who were in control, in the driving seat. They were given the go ahead and the budget to run this by their Committee Chairs. And then they were told, now go and do it. And what they did, which I found so impressive as an observer of this as an evaluator, which they then said, okay, who are the best organizations that we can get to do this, Involve? And I think it was democracy. I can't remember all of them, but they got the best that they could get. And they said to them, now you guys do it. And what I witnessed, you know, I was there particularly for the first weekend, was this high degree of a collaborative spirit between the the senior administrators, the clerks who were doing the bidding of their of their political masters, the Committee Chairs, and working really well with these experts from involved in domestic and all the others. And, and uh, so in that sense, what you get as an outcome is, I think, good deliberative practice because they're using they're not trying to restrict things. They're sort of saying to the experts, you, you show us how good facilitation should be done, what are the latest tricks? And you guide us on how much small table discussion there should be compared to presentations. You guide us on how best to do those presentations so that they are done in a way that supports but doesn't dominate the proceedings in too much of a top-down fashion. And I won't for a minute suggest that it was perfect, but it was certainly really impressive compared to the experience of what I've seen in Ireland.

00:22:40:04 - 00:23:33:13

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Great. I think this already shows the potential actually, that there is, um, using, um, such a process. Um, and um, well, this study also holds that meaningful participation, um, requires a clearly defined framework. And, um, this framework is supposed to maintain the transparency, the accountability, and the general commitment to how outcomes of the assembly will be handled. Um, in the Climate Assembly UK, 89% of participants, for example, voted in favour of an independent monitoring body to trace political uptake. Um, was there any such framework in place which would have warranted this kind of transparency, accountability and commitment to political uptake? And in your view, what are the major drawbacks of the absence of a formal framework?

00:23:34:15 - 00:25:40:24

Farrell

I think this is where the weaknesses in the terms of who had commissioned it. Um, and this was always going to be a problem because we are dealing with the Westminster model of democracy. So, the Parliament can do all at once. It can shout as loudly as it wants. But, um, if it wants to, uh, but it's the Government who's going to decide things. But then, more importantly, the people in the driving seat in Parliament are going to be more likely, um, supporters of the government party. Um, so, you know, one of the, one of the complications of what we experienced in the, uh, in this UK case, as you know, is there was a general election midway through so that by the end of the process the Committee Chairs were not the same. Committee

Chairs who had commissioned the, um uh, climate assembly. And I remember when I was interviewing them after the process, they were very polite to me, but I never really got much of an impression that they were really bought into this. Um, and so this is what I was discussing with these other colleagues only a short while ago in the previous interview. The, um. It's impossible. Ultimately, it's really almost impossible to know to what extent the recommendations of the citizens' assembly ever came to produce policy outcomes. It's almost impossible to join the dots. When I was doing the interviews with the Committee Chairs, um, this was only a few months after the citizens' assembly, so it was really too early, but our budget was about to run out, so we had to do the interviews then, and I haven't followed it since. So I don't know for certain. But, you know, the recommendation that there should be an independent monitoring process, I don't think it it was ever going to get anywhere because, um, if there was to be such an independent monitoring process, it would need a Government commitment to establish such a process and give it a budget and resource it appropriately so that it could carry out its its tasks. The Parliament wouldn't have a role in, as far as I'm aware, in a way, in the British case, in being able to do that, it would need Government to buy in and that was never going to happen.

00:25:41:10 - 00:25:46:17

I

And you're also pessimistic with the outlook that this could ever happen.

00:25:47:05 - 00:26:12:00

Farrell

So yeah, and it's just simply because of who commissioned it. You know, for all its weaknesses, at least in the French case, it was the French Government, it was the French president. And, you know, I know the measures vary, but there is some evidence to suggest that a certain number of the recommendations of the of the French climate assembly were followed through on. Um, I don't think you can say that about this British case.

00:26:12:01 - 00:26:27:00

I

So you can't really say if the recommendations had a direct impact. Um, but can you say that the political agenda was informed and shaped by the recommendations?

00:26:27:14 - 00:28:09:04

Farrell

I'm not sure it was. And again, for that reason, um, but there were, I think other reasons. I think there was a weakness in the outcome in the in the final report of the citizens' assembly. One big weakness, which is not unique to this case is there were far too many recommendations. And, you know, I always say that the more recommendations you have, the greater the opportunity for cherry-picking. Uh, because it's very easy to sort of pick the easy cherries and say, yeah, we'll do that because we're probably going to do it anyway. And the more difficult ones, well, we don't do them, but we can still say, look, we followed through on some of your recommendations. So I think the fact that there were so many recommendations was already a problem. But I think the second one and this, this, I think if I remember this was one of our recommendations in our evaluation, was that the the communication of the, uh, report wasn't targeted enough to the commissioning authorities because these were six Select Committees. Mhm. So logically, you you would think that you'd have this citizens' assembly would produce a report that in some part would be covering the whole debate about climate change, but hopefully would be zeroing in on the agendas of those six Committees and that the report should really map onto the committees much more directly. So, my vague memory of the interviews I was

doing was I sort of had a sense that there was a bit of frustration on the part of some of the Chairs, the Committee Chairs, that, um, there was too many recommendations. And it's very hard for me to make sense of, you know, where this fits in terms of my agenda. So I think there was a weakness in the process in that regard.

00:28:09:19 - 00:28:47:01

I

This leads me up to two questions. One is when? Um. Well, isn't this actually an argument for a permanent climate assembly? Because, um, a permanent climate assembly would always be there, and, um, kind of the topic could be spread out over several assemblies even, or several weeks and months. Um, and then the um, connection to the committees could be improved over time and over the experience of the processes. Um, don't you think this is a very striking argument for the permanent institutionalisation of a climate assembly in the UK?

00:28:47:24 - 00:31:51:13

Farrell

So I don't think I would be a supporter, frankly, of, um, a permanent climate assembly. I'd be a supporter of the idea of a permanent citizens' assembly, sort of like the Australian model that could incorporate climate change as one of its agenda topics. But, you know, it wouldn't always be on agenda. And I think one of the reasons why I would be pushing back on the idea of a permanent climate assembly is because that would really get the backup. That would really annoy the political class. You know, after all, it's a representative democracy. We elect our government. We elect our politicians, and we elect them on the basis, at least theoretically, of their promises, that when we give them a mandate to carry through on what they said they would do. And if you now build into this a a permanent deliberative process on one agenda topic, of course, a really important agenda topic and a very broad one, we know now you have this, this tension being built into the system that I think would be would at least be difficult to work out how to do properly. I think one of the merits of the Belgium model is, um, they might discuss a climate related topic this year, and then next year they might discuss something very different. So they're moving around and not interfering in one big policy domain all the time. but even that one is difficult. And I think this this is something to be thinking about, is I remember talking to a Belgian colleague, um, I never pronounce his surname very well. His first name is Eve. I want to say Deja Gaye or some such name like that. He's a very prominent. He's the head of Fide, and he was also part of the Belgian model and has also influenced, uh, the design of the Paris, uh, permanent process, for example. So he's he's certainly somebody who's good in this space. I had a coffee with him a few years ago and, well, yeah, a few years ago. And I was sort of reflecting on the Belgian model that was now up and running for a few years. And I was saying to, to Eve, I was saying, you know, it seems great from what I can see that they're producing these policies and they're going to the Parliament in the way we want it. And he said, yeah, David. But the thing is, what we found is that there's a bit of a tension now because the Parliament quite reasonably is saying to the citizens' assembly, you're giving us topics that we have already discussed, or you're giving us a topic that we don't have the the space to discuss now, because this is the agenda we've already wanted to to deal with. And so I don't know if they've resolved it, but I remember Eve saying to me, one of the things they're going to try and do is if they could have some degree of coordination so that they could be saying to the permanent council, you know, before you decide, could you maybe ask us if this is going to be appropriate now, or maybe delay that by six months and run a citizens' assembly on a different topic? Do you see what I mean? That there is there's a coordination problem. And I think if you create the permanent citizens' assembly

that you're talking about, I think there could be an even stronger coordination problem there. So, I wouldn't be I wouldn't be sure about it.

00:31:51:14 - 00:33:06:05

I

Interesting. Yeah. My my point of argumentation is more that the climate, um, issue does touch upon so many other policy parts. So basically just arguing from that other perspective. Um, so that's just why I've found, um, well, um, it does still touch on the other policies. So, so I would call it the climate assembly, but, um, possibly it's doing more or less the same than the East Belgian one. Yeah. So this is just an idea. Um, when you mentioned the cherry picking, I was intrigued to pose this question. Um, already, um, because I found when it comes to transferring the results of the final report, uh, to the respective Government departments, um, I found that the Select Committees set the agenda of their inquiry report individually. Um, do I do I understand this correctly? And, um, doesn't this basically mean that the Committees are free to choose and determine the points they want to have included in the final inquiry report that is handed to Government? And and doesn't this leave them with an agenda setting power. Again, that is difficult to justify. Also, before the assembly members or the British public.

00:33:07:07 - 00:34:40:09

Farrell

You could be right. I mean, there would be colleagues who would be more, um, um, informed about British parliamentary practice. And I am to know for certain whether what you say is correct, but it sounds it sounds right. I think, though, the, the the thing that perhaps would be a feature here is, as I was saying, the general election has happened and now you have these new Committee Chairs and the majority of those Committee Chairs, I don't remember, but I imagine I'm right here. The majority of them would be from the Conservative Party that had won that election, because that's the feature of the Westminster system. And so that, you know, the allocation of chairs. I know there's a degree of proportionality, but in a two-party system, the bigger party is always going to have more chairs than the, the, the opposition parties. Um, and so even if, even if it is the case that the, uh, Select Committees have a degree of autonomy in deciding on which kind of reports they want to really focus on. I'm sure that is the case. There still would be the real politics of whether the leadership of the Committees are prepared to really take that agenda, or whether they're going to try and use their influence to say, no, we'll focus on this rather than that. And so I think in a, in a more consensual political system such as yours or, you know, the, the, the better known examples in northern Europe, I think then the role of a citizens' assembly that had been set up by Parliament might have had more influence than I think we, we seem to be seeing here in the British case.

00:34:41:08 - 00:35:07:23

I

Thank you. Um, well, then, moving on again. Um, members of the climate assembly also spoke in favor of a strong media strategy to improve the chances for political uptake. Um, what role, if you can recall, did the media have um did Climate Assembly UK have a media strategy, um, to enhance public involvement um, or even to increase the pressure on political decision-makers?

00:35:08:05 - 00:38:10

Farrell

Um, I think in short, I think they really did have a good strategy by the looks of it. What I witnessed in the first weekend was really impressive. Um, they had the best people that they could get from their parliamentary service. They were very hands on. The hotel that we were in in Birmingham was had lots of media people, and they

were bringing in politicians. They'd lined them up. They were setting up a documentary of the members. They had the big moment on that first weekend, as you probably know, we had David Attenborough speak to the members, and the room was full of journalists and everything. Everyone was very excited because it was David Attenborough. Um, and I think if Covid hadn't happened, uh, I could imagine they would have tried to roll out that sort of strategy in each successive weekend. But I suspect I don't know, but I suspect Covid would have ruined that because there was no longer an event around which the media could focus. So I think but for the Covid experience, we could have had a much better strategy. But having said that, um, as you've probably seen in our evaluation report, we surveyed, uh, citizens all the way in the, the maxi public all the way through to try and get a sense of an awareness of what was going on in this mini-public. And there was virtually no awareness, even after that first weekend with David Attenborough and all the media in the room and everything. And it never got above a small number of, I think, about ten percent of citizens. And that's not unique to the UK case. That's the norm in any of the other cases I'm aware of, and I've written bits on this in the past. I'm working on something right now on it, and I think if you're looking for evidence that the media are really going to focus on a deliberative mini-public, and that therefore, the citizens in the maxi public are going to be aware of it. You need to look at capstone events, as we call them. I don't know if you know that the phrase the capstone event, a big public moment and the obvious one is a referendum. So, we know that because of media interest in our abortion and, and gay marriage referendums, that there was a lot of awareness of the deliberative mini-public among the maxi public because of that capstone moment. And unfortunately, there was never going to be a referendum outcome from the UK Climate Assembly that could have been won. In the French case, but Macron blocked it. Um, but were you to have that, then that's the moment in which you could expect a maxi-public engagement and, you know. So, in short, I think there was a very well designed, from what I could see, from what I observed, media strategy, I could well see that, that could have played out if Covid hadn't interrupted. But even despite that, I think without a big moment at the end of it, a big capstone event, they were never going to really be the breakthrough in the way we've seen in these few other examples.

00:38:11:07 - 00:38:48:17ema

I

Thank you. I wonder also if the media is actually more trained to focus on, um, divisive policy and politics issues. Um, what's going on in the parties? Um, what are the conflicting viewpoints like, more divisive and, and, um, this is kind of, yeah, just very opposite to the course of the assembly, right, which is a focus on consensus. And perhaps the media just also isn't used to really dealing with this kind of topic. I mean, I don't want to put this on. Absolutely. Completely agree.

00:38:49:11 - 00:41:07:11

Farrell

I think I've always said is, you know, and others say it as well, the media are the weakest link. Um, because media logic, exactly as you just outlined, it doesn't lend itself to a process like this. I can remember it's possible to find it on Google somewhere. I was involved in a big public event in Edinburgh in Scotland before the first citizens' assembly in Scotland, because I was going to be on the steering group of the, it was the citizens' assembly on the future of Scotland. And um, this was a few weeks before it was about to start. They had this big public event one evening in Edinburgh, a big hall, and it was full of people, including journalists. And there were a bunch of us up on the stage. And, uh, at a certain point, the discussion went into, are the media going to cover this important process that's discussing the future of

Scotland? And, um, um, a journalist put his hand up and asked to speak and he said, you know, with all due respect, he said to all of you, you know, at least I'm here. I'm in the room. So, I'm making the effort to turn up to this event to try and educate myself on it. But, he said, I know that my media organisation will keep watching what you're doing. And at the end, if you produce something worthwhile, uh, we'll cover it. And so I then asked to speak, and I said to him, uh, you see, what you've just outlined is exactly the point that many of us would make, that you're missing the point. And the point is that you're focussed on the outcome and you're not focussing on the process. And in order to really understand the significance of a deliberate process like this, you need to observe the deliberation happening. You need to understand, uh, how the citizens produced the output that they produced, you know, and there was big applause and everyone saying, yeah, that's you know, you get that journalist doesn't know what he's talking about. But of course, the journalist did exactly what he did, and he gave minimal coverage to the whole event. And that's the story across the world. Uh, the only time the media pay attention really is at the end. And, in particular, if you have this capstone referendum type of moment, that's when they focus on it.

00:41:07:23 - 00:41:55:19

I

Interesting. Thank you for sharing that. Um, you briefly touched upon the Covid 19 pandemic. Um, I also, um, have a bit of a question touching on this is, um, just crisis in general are, of course, shaping the political agenda. And, um, I wonder if the climate assembly had been embedded as a permanent body. Um, do you think that the recommendations would have gained more consideration in Parliament, um, despite the outbreak of the pandemic and been less easily pushed from the political agenda? Um, talking also about perhaps, um, short term and long term policy making. Um, wouldn't the permanent framework support this focus on the long term policy decisions that need to be taken to reach net zero?

00:41:56:20 - 00:43:39:13

Farrell

I think a lot depends on the detail. Um, I think it a lot depends on how this permanent structure will be created. I mean, the merit of the, uh, US Belgian model and indeed the Brussels Mixed Committee model. They, they share this element in, in, in together is this thing about what happens with the output. Um, this idea of a dialogue, um, between the recipient of the report, the parliament or the parliamentary committee and the producer of the report, the the citizens' assembly, in the form of some members of that citizens' assembly, actually sitting down and discussing it directly with the relevant parliamentarians. Um, and that this is a respectful dialogue where the politicians are not forced to accept the recommendations, but they are required to explain why they disagree with recommendations and that there then is a follow through process. It's not just a single meeting. I can't remember the details, but as I recall, there's a meeting I think a year later or something like that where they can again review progress in terms of addressing the recommendations of that citizen's assembly. If you had something like that in your permanent climate assembly in the UK Parliament, where the permanent citizens' assembly has produced a report and it's now gone to the Select Committees, if that detail is built into it, so that the relevant Select Committee now has to sit down with a group of the citizen members and discuss things with them. I think that would have helped. Actually, now I've reminded. Going back to one of your earlier questions, I've now remembered a detail that's relevant. As you probably know, because of the limitations on budget and the complexity of the agenda, they broke the group into subgroups.

00:43:40:07 - 00:43:41:06

I

And Mhm.

00:43:41:07 - 00:44:00:11

Farrell

And you know that was never going to be ideal. And of course that came up very strongly when I was, uh, interviewing the Committee Chairs afterwards. I can remember quite a few of them saying, well, you know, this recommendation was really derived from 15 people or whatever it was. How can we stand over the importance of that recommendation?

00:44:01:12 - 00:45:03:16

I

Okay. Um, right. I think that's, uh, another, well, argument for institutionalising the assembly, isn't it? Because then you don't have to divide the topics among the people, because you'd have more space and more, um, more opportunity, um, to, to go into the discursive practice. Um, and with all of the citizens' assembly. Um, well, I think it's interesting maybe to now look forward and, um. Yeah, just just here. What would you reckon could be the next steps to push for bottom-up process of political and constitutional reform? Um, so in a way that I'll try to make the case if the permanent climate assembly or maybe since you're also, um, critical about that, maybe a different approach to, um, institutionalising a citizens' assembly. Um.

00:45:04:13 - 00:48:18:08

Farrell

Yeah. You know, it's interesting. Um. I'm working. I'm terrible at pronouncing names, as you've probably gathered. I'm working with, uh, Claudia Schwarz, who's a she's the head of New Democracy. If you Google them, if you haven't come across them, they're really interesting in this space. Because Claudia was also part of our Belgian, uh, discussions. She was part of the same task force, and she works very closely with other colleagues, like Fide in driving an agenda for the institutionalisation of deliberative mini-publics. And and she she. So she works very closely with David van der Brook, David van Reybrouck, David Van Reybrouck, you know, David Van Reybrouck, the Belgian intellectual who was leading on all of this Belgian stuff. So, he was the one who invited all of us together. And he wrote the book *Against Elections*. And David and Claudia and all these people are sort of saying the future of democracy is deliberative democracy, and representative democracy is dying. And we just have to recognise that. And I don't agree. Uh, for me, democracy is representative democracy, and we should look for ways in which these deliberative processes can be embedded in a way that supports but doesn't replace the representative system. So, to get to your question, um, Claudia and myself and another colleague are trying to edit a book. We've only just started. We've just lined up our chapters. We had a one-day workshop in Dublin last August, and we're now assigned to trying to get a publisher. And the phrase that the book is looking at is this theme of institutionalisation, embedding and all of that. But for now, the working description that we're using is anchoring because you can have something that's institutionalised but not embedded. And so, it's formally recognised, but it largely is. You know, you can imagine it's anchored or it doesn't get its way. You can have something that's de facto institutionalised, but there's no legal structure around it. And that's sort of what we had in Ireland, although now it's beginning to look like citizens' assemblies may not have a future here, but we seemed to be involving something that had a degree of institutionalisation, but there was no legal basis to it. In Belgium, they're trying to establish a legal basis to citizens' assemblies. So, they're trying to come up with something that's, uh, you know, built in, in a

formal way to the structures. So, what we're trying to say is by anchoring, we're allowing for all sorts of different hybridisation, all sorts of different hybrid models. It's, some may involve some legal structure, may not may be permanent and operating all the time or may just be occasional. So, they're sort of sitting in the background and be used when they when they might need to be. And we, none of us really know where this is going to end. Um, but we sort of various different versions of this evolving in a growing number of cases. And, and this gets again, to the point I was saying earlier on about what matters is the detail. And if this anchoring is going to work, that detail needs to be thought through very carefully.

00:48:19:04 - 00:49:02:14

I

I see. Um, perhaps, um, Brussels would be another interesting example because, uh, there, um, every Committee that the policy issue falls under is formally required to set up a Special Committee, and the Special Committee then sets up a short-term citizens' panel. Um. The citizens' assembly then deliberates over the policy issue, and um develops proposals that Parliament is obliged to, um, respectfully engage with. Um, would that be, uh, an interesting way or a mechanism, um, that could be, um, adopted, uh, among Select Committees in the UK, in your view?

00:49:02:24 - 00:50:46:21

Farrell

Yeah, I think it is. It's a really interesting model. It sort of follows Irish practice because I can't remember if I said this already. Forgive me. I've got the two interviews a bit confused now, but the very first Irish process, which was a mix of politicians and citizen members, the one of it was a Belgian colleague who came and witnessed that, who then took that idea home. Um, and he was the one who had a big role, I think, in, in influencing the Brussels Parliament to set up these mixed Committees. So because, as you I'm sure you know, the the deliberative process that is established is not just of citizens. It's a it's, I think, two thirds random selection of citizens and one third of members of that Committee, and they deliberate together and then their report is considered by the Committee itself and then considered by the plenary of the Parliament. And and I think it's a really nice example, but it's just another example of the hybrid. You know, I think the citizens' panels that the Commission, the European Commission is using is, is is another interesting example, because now you're using a deliberative process to try and influence the agenda of what the Commission might be sending to the Parliament and Council. And so there are all sorts of different ways in which you can imagine these deliberative processes can be anchored into our representative system of politics. But but I but as I keep saying, what really matters is the detail of how that happens. Because, you know, in the in, in the, in the example that you're suggesting here, where the UK Select Committees might follow the Brussels Parliament, then we'd need to see are they going to follow that exact model, in which case that sounds really good, or are they going to do it in a way that weakens the model and then doesn't really work properly?

00:50:47:22 - 00:50:58:20

I

So the Special Committee, as you said, is also not only the, um, this the random selected citizens, but it's like some proportionate, um.

00:50:58:20 - 00:52:01:23

Farrell

Yeah, it's I think the details are up on various sites, but I think from memory it's, uh, I don't know, it's going to be a Committee on education, let's say. And it's and so there's been a the process starts with a petition by citizens saying, we want these

topics considered in this way. And then there is somebody within the Parliament that says, okay, we've we agree with that one. Let's say it's education, and now we'll do it with this process. And so a small group of members of the Education Committee are brought out of the room and put into another room with a group of citizens who are randomly selected from across Brussels. But it's I think it's a two-third, one-third mix. They produce a report, and that report then is debated in the Committee and debated with representatives from that deliberative process and and then again in the plenary session. So it's a very careful way of trying to ensure that the deliberative process is not forgotten, that at least it's dealt with, its report is dealt with respectfully.

00:52:03:05 - 00:52:36:10

I

Okay. Thank you. So, um, just a couple of questions left. If you still have a bit of energy. Um, so what do you think could be the main institutional challenges? Um, political will, funding coordination with Parliament? Um, and how could these be overcome? Um, when you want to, um, transition the climate assembly into a permanent body, what would you say are the the the key challenges that we have to be aware of?

00:52:36:22 - 00:53:35:01

Farrell

I mean, I think the key, a lot of it I've already probably covered. I mean, I think, you know, a lot of the challenge will be the pushback, will be the unwillingness on the part of the political class to surrender as they see it surrender a degree of autonomy, a degree of control over agenda-setting to this other body, or at least be put up in a competition with that other body. I could imagine a lot of resistance. So, you know, if something like this was ever going to happen, I suspect it would have to be in a moment of crisis. You know, that we hit 2%. The, you know, becomes obvious to everybody, including climate deniers, that we now really are in a moment of climate crisis. And now we need to be inventive in how we try to address that, said something along those lines is probably the, um, the only way it would work. There was something else I was going to say, but it's gone out of my head now. But I think that would be the that would be the main point.

00:53:35:06 - 00:54:31:06

I

Mhm. Okay. And um, um, I'm just thinking because also with the crisis question is something that I did consider, um, and I think it might even be too late at the point of complete, um, apocalypse, um, to, to do something about that. So that's why I think it's even more important to bring to the fore this innovative idea, um, of a permanent climate assembly or a citizens' assembly. Um, but, um, well, I think it's, um, not really easy to get this dialogue with the Government or Parliament there, They're probably because they wouldn't want to give their authority, like make sacrifices to that, for example, as you say, right.

00:54:31:14 - 00:56:10:20

Farrell

I think, I think a lot of it is also the case that we're looking at, which is the British case. You know, it's there's a there's no there's an unwritten constitution. It's an uncodified constitution. And there isn't, the sovereignty is in Parliament, not in the citizens. Um, there isn't a direct democracy of any kind. It's just occasional at the whim of a politician, like on Brexit. But it's not built into their into their structure in a way that it is in so many other countries. I think if it was any other country, um, you could imagine some way in which it could be built in, because as I was discussing earlier on, there are so many different ways you could anchor these

processes. You know, the the Oregon Citizen Initiative review is another example, again, where you you have the process, too, of a deliberate deliberation in advance of the referendum vote to try and inform the public about what the public think about the topic they're going to vote on. And you know, that would be another example again. So, I think, if you were talking about a system like, um, Italy or or Switzerland or Ireland where, you know, you got your written constitution, you've got a degree of, of mixed democracy because it's not just representative. There's also an element of direct democracy. Um, and that and that allows various, you know, additional ways in which you could anchor in a deliberative democracy element to it. I think then the sort of idea that you're getting at probably would work, I think, in the UK, for the reasons to do with the way in which its democracy is designed. It's always going to be a very difficult case for this.

00:56:12:03 - 00:56:26:05

I

Um, this brings me to a rather radical approach of the Extinction Rebellion that argue for a replacement of the House of Lords? Yes. Um, and what do you make of this kind of idea? Um, yeah. To to introduce a House of Citizens.

00:56:26:18 - 01:00:22:04

Farrell

Yes. I mean, I'm not a big fan of that. That's, as you may know, is, um, at the heart of David Van Reybrouck's book "Against Elections". That's his recommendation that the, uh, the Senate, the upper house, should be converted into a permanent citizens' assembly. And I'm not I'm not a great fan of that. But, you know, it's it's an interesting idea. And and there's significant normative theorists like Ellen Landemore and, um, you know, others whose names I can't remember right now who are talking about variants of that permanent citizens' assemblies, either as an upper house or as a replacement to the Parliament. And I think there are all sorts of problems with that. And, you know, um, in terms of the bigger question about whether you replace representative democracy with a sortition, aleatory democracy, whatever you might call it. Um, I think there the problem is that you're you're now breaking your there's you're breaking the potential for citizens to influence the policy process in a, some sort of structured way. Because you're removing elections, there are no elections anymore. So, you know, and there's more that we can go there. But in terms of the specific agenda that you're raising here about where you replace one House of Parliament with a a permanent structure, there are reasons I'd raise. I mean, one of the reasons is against that is how do you how do you make sure that you have a structure there that doesn't allow too much agenda control by the administrative supports for that upper chamber? Because now you're you're setting up a structure where a bunch of citizens have just arrived in the chamber, and the experts running the process are saying, well, this is how we do it. And which is very different from the chemistry you get from elected mandated politicians arriving in a chamber where they'll push back and they'll disagree and they'll, you know, they'll get their way. And, you know, so you have a more equal relationship. I think that's one of the problems. I think the other one is the self-selection problem that is common to all deliberative processes. But I think will be on a much greater scale if you suddenly are saying to somebody, hey, you've just been selected to be a member of the House of Lords for the next X number of months or whatever it is. Um, you know, a lot of people will say, sorry, no, I got my job here. I don't want to give that up, so I won't take it. And so now you get into a smaller and smaller number of people who say they can give up their time to do it. I could go on, but I think there are too many problems with it. It sounds nice in theory, but I think in practice it probably wouldn't work very well. And that's why I'm more, what I like about the Belgian model is that,

you know, David was invited to bring a bunch of us to open to have this discussion and then present a report to the speaker of the Parliament who had asked him to do this, and the speaker of the Parliament was talking about creating a permanent citizens' assembly along the lines of it being like an upper chamber. That's sort of what his vision was. And he had obviously read David's work, and this was what influenced him and what we went back to them at the end of our four, I think it was three or four days we were deliberating, we went back to them and said, no, the better model for this permanent citizens' assembly is that it should be outside of the parliamentary structure. I think the Scottish used the phrase, what's the phrase they used without, outwith, outwith? There's a particular Scottish version of language there it should be related to but outside of the parliamentary structure. So the East Belgian model is there to discuss an interesting policy agenda and then send it to the Parliament. But it's not part of the Parliament. And then there is this respectful dialogue and all of that. And I think that instinctively to me is a better model than a sortition chamber.

01:00:23:04 - 01:00:45:08

I

I see okay. That's interesting. Thank you for sharing this with you. Um, so I uh yeah. Just wondered also about your main learnings of Climate Assembly UK. Could you perhaps name three of them? Um, which would have to be taken into consideration in future citizens' assemblies, whether permanent or not permanent?

01:00:47:07 - 01:02:04:16

Farrell

Um, I think one learning I had was that it was a as a deliberative process. It was, I thought, very well run. And what I personally learned from that influenced my views about the Irish citizens' assemblies. And I became quite critical of the Irish citizens' assemblies, for reasons I've already gone into this sort of sense that it was becoming controlled by government. So, I really rather liked that. And I think that a second learning is, uh, sort of related to that is because it was run from the Parliament rather than from Government. Um, I think that allowed for greater scope for it being a well run, deliberative process. Um, I don't know. Were there any other learnings? I think part of the problem it had was the accident of timing and Covid. I think, honestly, it would have been a much better process, um, if they had been able to continue in person all the way through. I could, you know, from what I witnessed the first weekend, gave me a real sense of this is that these guys are serious. They really want this to work, and they're putting everything they got into it, and they remain serious all the way through. But they were so constrained in terms of what they could achieve. I think once everything went online.

01:02:05:00 - 01:02:16:09

I

Um, okay. So perhaps if if the Covid pandemic didn't happen, it might have had a stronger impact. Even the deaths, which is what you're saying, right?

01:02:16:16 - 01:02:56:08

Farrell

It might have. I mean, if they got David Attenborough to come to Birmingham late in the evening and talk to a bunch of people, you know, man in his 90s, I think already. Then in the first weekend, it for me, it really gave in a sense that these guys knew what they needed to do. And I don't know, I've never spoken to any of them about it. I didn't get to know them particularly well because of Covid. I only met them once. Um, what their plans would have been for the remaining weekends. But if they had Attenborough at the beginning, goodness knows who else what other kind of tricks

they might have used to drive media attention and public attention to what they were doing.

01:02:58:10 - 01:04:06:13

I

Um, I was just thinking and be mindful of the time as well. But perhaps one last question for you. I'm so grateful for for you all of your answers you gave already. Thank you so much. Um, so I would I see I see that, uh, tracing political uptake, um, posed a bit of a challenge. So you can't really say whether there was political uptake of the recommendations or not. Um, or whether it shaped the political agenda. Um, to an extent, but still, um, I think there's a problem there that I can't really understand. So why what was the main motivation behind setting up the Climate Assembly UK? Um, when the political uptake is not really visible or can't really be assessed, perhaps, um, did the parliament, um, just want to, uh, solve a legitimacy deficit or was it more or less of a PR trick to to run this assembly, Or would you not agree with that at all?

01:04:07:07 - 01:06:45:19

Farrell

Yeah. So I mean, it's an important question. I don't know honestly, because I don't know enough about the background to it. I sort of found myself brought in, you know, almost by accident. I'd written a critical piece that was published in The Guardian at the invitation of somebody else, um, relating to the Extinction Rebellion agenda on on citizens' assemblies. I can't, I can't even remember what was in the piece. But you can find it on Google and but I think that put me on the radar of one of the clerks who then invited me to join Stephen Elstub and be a co evaluator. And Stephen and I had only met once or twice before. So we were sort of put into a forced marriage and it worked really well. You know, we became good friends. And so I don't I don't honestly know. My sense is that the Extinction Rebellion, um, agenda was very dynamic and very active, particularly then. And they were beginning to really people were starting to really pay attention to them. I mean, it sort of seems to have gone now, but at that stage there was a lot of excitement around what they were doing and excitement in the positive and negative sense. I think also there had been frustration, you know, high degrees of frustration on the part of academics and practitioners in this space in the UK at the lack of engagement by senior politicians in the Conservative Party with citizens' assemblies generally. And this has been going on for a number of years. You know, the sense one had is had um, had the Gordon Brown government, had Gordon Brown been elected, re-elected as Prime Minister. That was that moment when the Liberal Democrat leader had to decide which way he was going to go. And he went with the conservatives. He went with David Cameron. There was a sort of sense that if he had gone with Gordon Brown and there had been a Labour Liberal Democrat government, that people in Gordon Brown's office were showing um or we're signalling a degree of interest in the idea of deliberative processes. Generally, this was not on climate, but in a space like that, you could, you could have imagined how a, you know, a citizens' assembly might have been established by a British Government and that could have led to a potential citizens' assembly on climate. That wasn't happening because the Conservatives just were not interested and not engaging in it. And so, my suspicion is that it was senior officials within a number of Select Committees who just sort of said, look, Extinction Rebellion are making all these noises. The British Government aren't prepared to do anything. We can get the resources and we can do it ourselves. Why don't we do it? And so it was an attempt, I think, a very genuine attempt to try and make some noise in this space.

01:06:46:03 - 01:06:57:08

I

Okay. Thank you. Well, that's great. I think that's already the end of the interview. I might just stop the recording here.

01:06:57:09 - 01:06:58:16

I

Recording stopped.

8.3.2 Elstub

00:00:47:09 - 00:00:51:18

I

Hi. How are you doing? Good to see you.

00:00:52:03 - 00:00:57:02

Elstub

I'm sorry. I thought the lighting was a bit better there. So you can see me. Yeah, I'm doing alright. How are you?

00:00:57:05 - 00:01:02:18

I

Yeah, I can see you. All right. Um. Seems to be sunny and bright, uh, at your place?

00:01:03:03 - 00:01:06:09

Elstub

Yeah. We've been having some nice spring weather recently.

00:01:06:17 - 00:01:11:13

I

Oh, that's really cool. We also just had, like, 27 degrees, I think, yesterday.

00:01:11:14 - 00:01:12:00

Elstub

Oh, wow.

00:01:12:03 - 00:01:28:08

I

Thank you so much for taking the time really to speak to me today. Um, I'm very excited and pleased. So, um, maybe I'm just quickly introducing myself.

00:01:28:09 - 00:01:29:10

Elstub

Um, yeah. That's great.

00:01:29:20 - 00:01:54:01

I

I'm Isabel and I'm a master's student at the Centre for British Studies. I'm currently writing my thesis, and, um, also, I'm working as a student assistant in, like, an institution researching deliberative practice. We've been implementing some citizens' assemblies as well, like the Citizens' Assembly on Nutrition.

00:01:54:02 - 00:01:55:07

Elstub

Oh, that one. Yeah.

00:01:56:07 - 00:02:11:15

I

Yeah. So that's how I kind of, um, got into this field. Um, and, well, if you don't mind me asking, maybe you could also introduce yourself briefly and, um, tell me what excites you the most about deliberative democracy?

00:02:13:03 - 00:03:17:19

Elstub

Yeah. Okay. So, yeah, I'm, um, [Elstub]. I'm a professor of democratic politics at

Newcastle University in the UK with a research interest in deliberative and participatory democracy and democratic innovations, including citizens' assemblies. And I've sort of been involved in research evaluation of some of the high-profile cases in the UK, such as um, Citizens' Assembly on Social Care, Climate Assembly, UK Citizens' Assembly of Scotland, Scotland's Climate Assembly. So, what excites me about deliberative democracy? Firstly, I don't equate deliberative democracy and citizens' assemblies or mini-publics as being one and the same thing. They're just one potential tool to try and promote, um, deliberative democracy in the democratic system. So, what excites me most about deliberative democracy as the broader project, which is what I'm interested in, you know, for me, it's just a fundamental aspect of democratic legitimacy. And without it, legitimacy is severely compromised.

00:03:20:03 - 00:03:36:16

I

Great. Thanks for sharing that. That's exactly what my thesis is about as well. Also looking behind the legitimacy claims, um, of the body setting up citizens' assemblies. Perhaps I'll just start with the first question, if that's all right.

00:03:36:17 - 00:03:37:11

Elstub

Yeah, great.

00:03:38:02 - 00:03:42:10

I

As you might have noticed, I started the recording already, so. Yeah, I hope that's fine for you.

00:03:42:11 - 00:03:43:01

Elstub

That's fine.

00:03:43:15 - 00:04:03:09

I

Thank you. So, um, moving right inside the Climate Assembly UK. To what extent did the recruitment strategy based on random and stratified selection, provide for socio-demographic representation, or was there any representative bias involved?

00:04:05 - 00:05:50:19

Elstub

I think on the recruitment side of things, it was quite a strong process. So, I think, you know, with the demographics it was quite balanced. And, you know, with the geographical aspects of the UK, it was quite balanced. But, actually, what set it apart from a lot of assemblies at the time was that they also, um, sampled for attitudes to climate, um, which is really important, you know, and the French case, which is also sort of like a well-known case and has some fantastic aspects to it, um, didn't do that. And I think, you know, that's actually quite crucial because, I think, otherwise you're going to get people who are more concerned about climate and therefore they're not perhaps representative of the population. What was really great about Climate Assembly UK is you had people really concerned about climate. People are actually climate change deniers and kind of a range of perspectives in between that as well. Working together, deliberating together on this issue. And I thought that that was of great value. So, the fact that they also brought in the attitudes, um, was important. In the evaluation report, I think, one of the things we flag is that they didn't, um, sample for party affiliation. Um, and as a result, it was perhaps skewed against like the Conservative Party. There were less people who voted for the Conservative Party than we would expect, um, within the public as well. So, we suggested that that might be something that they want to consider in the future.

00:05:51:06 - 00:06:06:10

I

Thank you. Um, so, I also read in the evaluation report that the Green Party voters were dominating. Um, do you think this had an impact on the input legitimacy or the representativeness? Um, that it was biased to some extent, perhaps.

00:06:06:13 - 00:07:39:05

Elstub

Yes. Yeah. So green. I wouldn't say dominating wouldn't be the word, but they were overrepresented. I think it's kind of inevitable with that, unless you bring it in as a selection criterion, you know, uh, who you voted for. But people are finding that quite, I'm understanding a lot of people do find that quite a personal question that they don't necessarily want to share. So, you know, you would want similarly to put people off putting themselves forward to be in the assembly. So I think it will have affected the process a little bit, but not massively. It was more just a recommendation going forward. If you do take in account for party, then, um, you know you're going to get a better process. I mean, we did speak to different politicians from different political parties about what they thought about Climate Assembly UK. And that wasn't coming up that, you know, people saw it as, oh, it was just, you know, some Green Party thing or anything like that or so. Um, and that's really important. But I think, you know, there is that danger that actually the politicians will see it as, um, a biased process if the participants are more aligned with one party than with others. So, it's definitely something that did compromise the process. But overall I think recruitment, that was where this assembly was strong because for the reasons I mentioned previously.

00:07:39:09 - 00:08:04:05

I

Okay. Great. Thank you. Um, then um, also in the evaluation report, it is suggested that assembly members should be empowered to refine the scope of the assembly and the types of information they receive themselves. How did this conclusion come about, and was the agenda closed or too narrowly defined? Perhaps even the information provided in some way biased?

00:08:05:21 - 00:10:59:19

Elstub

Yeah. So where, so where does this conclusion come from? I mean, one, it just comes from sort of a normative perspective that what citizens' assemblies are for and I think they're there to empower, you know, a portion of the public, um, to have a, you know, a say in, in policy and public affairs now, and therefore, in order to empower them, they they should have some control over the process. Um, you know, I think with this, if you're asking the public, oh, you know, what do you think about this, but you haven't given them any saying what this is, then it's it's less of an authentic expression of their view because they may give like come work on it and give you a collective opinion on that. But, um, if it's not, what but you know, if they're saying but actually it's this over here that we're interested in, not what you've asked us about, then it's not really capturing, you know, informed public opinion, which is what it's attempting to do. In addition to that, we found the assembly members when we surveyed and interviewed them, a number of them were sort of very frustrated with sort of how they'd been led down a certain, not led, this is, I'm stating it wrong because it's, I'm over stating that, so they're not that they've been led down a certain way that's too much, but that they hadn't had more of a say over, you know, exactly what they were going to be making decisions about. And I do think that the, um, agenda was too, too constrained and too dictated by, um, Parliament, actually. So this was an assembly commissioned by Parliament and the six Select

Committees. And as far as I could see, they had very little involvement over how that assembly was going to be designed and run. They commissioned that out, and we're letting that provider 'Involve' get on with it. But what they absolutely did want input on was the agenda. So not only the remit that was given to the assembly, but then the different priorities like 'how we travel', 'how we farm', those, those different streams that all came from Parliament and that's what they wanted to hear feedback from. So, you know, for example, like on 'how we travel', it was all pretty much, you know, the travel of, of the public. You know, it wasn't like commercial travel wasn't even included in the remit there. So, um, yeah, I think it was overly the agenda was overly constrained. So, we've gone from, you know, the recruitment of the participants, which I think was one of the strongest parts of the process to the agenda of the process, which I think was one of the weakest elements of this process.

00:11:00:00 - 00:11:47:07

I

Great. Thank you for sharing this. Um, yeah, it's very interesting actually, because I've also been looking at the report and also the wording just of the headings, you know, how we travel on land, how we use. Um, yeah. And um, the home. And I was just also having an impression that the responsibility was put on the individuals more than perhaps the actual, um, well, drivers of climate change in a way. And, um, this is also kind of what I try to, to look at. Um, so more or less the, um, normative claims, um, of the political authority, um, that are also kind of embedded in a liberal, uh, understanding market-oriented policies. Um, and yeah, I think that's interesting that you're also raising this, uh, in in a way.

00:11:47:08 - 00:13:14:19

Elstub

This was definitely you touching on another sort of significant limitation, but perhaps an inevitable one in that, um, they didn't, you know, these more systemic issues around what's driving, you know, the, the, uh, the damage to the climate in the first place. And whether, you know, what's the role of the state and what's the role of the economy in this? Um, those more systemic sort of issues weren't touched upon really at all in the Assembly. At the same time, I do think that that's perhaps slightly inevitable, given that this was an assembly commissioned by by Parliament. They're not going to want to encourage the participants to engage within those issues. So I think if we want citizens' assemblies to take that more sort of critical perspective, that's going to have to come from, you know, bottom up organized assemblies. And even then that's not inevitable. Like there's one in Sweden last year that did that and did that really, really well. But like the Global Assembly was also organized by civil society and wanted to include systemic approach, but ultimately didn't really do that. So it's not a guarantee that if it's civil society, it will do that. But I do think it's perhaps a necessary condition. You know, the governments and parliaments are not going to encourage people to look at them and start criticizing them, basically. And there are.

00:13:15:01 - 00:14:12:10

I

Um, well, I'm, I'm, I'm wondering because, uh, there are other examples, for example, East Belgium, um, there. Um, for example, the assembly is allowed to um, yeah, determine, um, the agenda, um, for the assembly coming up the next year. And there's a Citizens' Council established that meets annually to discuss the agenda that they want to deal with and this is, for example, an innovative approach, right, to empowering citizens to set the scope and the agenda themselves. And I'm also wondering, since you also touched upon this, government would not want, or the UK Government would not want citizens to interfere there. Um, why do you think,

though, would they be reluctant to such openness and subject and agenda setting? Is this like a system-protection tendency or, um, why? I mean, there's other examples, I guess, that are more, um, progressive in this in this case, um, do you think the British case is exceptional?

00:14:13:19 - 00:15:35:21

Elstub

I mean, definitely not. Um, so just on Belgium, I do think that's a really interesting, innovative case, but actually it's still not the citizens. Uh, it's a, it's a group of citizens deciding the agenda for another group of citizens. I don't understand why the group of citizens cannot decide the agenda for themselves. That's my proposal anyway.

Um, it's still just still, like, controlling the agenda. Even if it's another group of citizens doing it. Not politicians. Also, I don't know whether they've come up with any radical agendas through that process either. So, it does. Why would why would in the UK politicians not be overly in favour of citizens determining the agenda?

Well, you know, because then they can take them into territory where they are not particularly comfortable, that they don't want people talking and thinking about. I don't see this as being a UK sort of dimension. I think this is, you know, something, you know, there's obviously self-interest and self-preservation built into the system that we have. And politicians are sort of like bought into that, that they're trying to overall – there's exceptions of course – but overall are trying to sort of like maintain the status quo, at least in terms of systems, if not within policy.

00:15:36:12 - 00:16:17:13

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Absolutely. Um, all right. So then, um, maybe coming back to the, um, deliberative process in the Climate Assembly UK, um, did the recommendations, um, or the process of climate Assembly UK more generally entail ethical considerations, um, of climate and environmental justice. Um or were technical and economic or market-oriented concerns prioritised? We perhaps already kind of touched upon this. I saw there was, um, some presentation on, um, the ethical side of things, but I think the recommendations did not really reflect that. But, well, what is your opinion on that?

00:16:17:14 - 00:18:19:22

Elstub

That they did have early on in the process? I am having to cast my memory back now. And it's um, you know, obviously it's a few years ago. Um, but I do remember, early on in the process, that they did, the assembly members did have some presentations about different ethical perspectives. And I think early on in the process, they also then tried to come up with some sort of an agreement around that. But I don't think that that sort of really resonated with the assembly members and was something that they took with them, which is kind of what it was meant to, I guess it was like, here's these different sort of ethical approaches that you consider, and you can use these to interrogate different actual, specific policy recommendations as, as we move through the process. But I don't think that really happened. And I think perhaps it just was not featured strongly enough for them to capture it. Or maybe they needed it, you know, to be reminded of it or or what? I don't I don't know, but that wasn't there. And I think he probably, you know, I'm not I'm a proceduralist around deliberative democracy. I'm not, um, a climate change, um, expert at all, although I have an interest in in the topic. Um, but I, you know, I so I, I can't evaluate the actual recommendations themselves, but more the process through which they were formed. But I think I think you're right. I think in general that they were the recommendations that came out were more sort of technically orientated than they were sort of more ethically based, I think. Absolutely. The case, and I think in part that is to do with that's how the process was designed. It was set up in order to

lead to that. This was the type of primarily, apart from the exception I've just mentioned, this was primarily the type of information that they were getting. They were getting sort of like policy-focussed technical style, um, information. So, it was unsurprising that that's the was the flavour of the recommendations as well.

00:18:20:17 - 00:18:57:06

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I see. So there's again, the impact of the narrowly defined agenda. And yeah, I'm also wondering if this doesn't actually leave an ethical void in the climate decision-making after all. Um, but that's just something I'll, I'll discuss in my paper. Um, then perhaps moving on to the next question. Um, when describing the deliberative process in the evaluation report, uh, you wrote that demands were made infrequently by assembly members on page five. Um, what kind of demands were you referring to, if you can recall? And, um, why do you think citizens refrain from making demands?

00:18:59:06 - 00:21:45:00

Elstub

Yeah. So this is, um, this is a really good point. So this was in terms of assessing, um, yeah, the deliberative quality. So we used a sort of a version of the discourse quality Index, which has been was originally used to assess deliberative quality in parliaments. And, and we weren't the first to do this, but we've adapted it. And to look at how it that. Um, this so but I think this this is more now this is in part a design feature but also a facilitation feature. So it's it's also just a in what I found in, in my own research, but also following others. It's a recurring feature. So actually, you know, when we compare just members of the public and their deliberation with professional politicians, there's many aspects of deliberation that the public are better at. They're more respectful, more willing to reflect upon their opinion in light of what other people are saying, etc., etc. that that that politicians are the bit that they find the hardest though is justifying. So it's not making demands and justifying. And that's what politicians are, are stronger. So there's that element anyway that people just find this hard. It's not something that I think that we don't have a deliberative culture where we sort people have encouraged to do this, you know, in, in life in general to, to justify themselves. But it's also, um, a key feature of the way this process was designed and facilitated. You know, they weren't encouraged to try and reason together and to make these trade-offs. I'm generalizing. There were there were cases where that did happen. But as a general feature, um, I don't think that this was happening enough. So, for example, um, the way it was working was like, you know, say we're assembly members and you wanted option A, and I wanted option B, what what should be happening to my mind is that we should be encouraged to, you know, justify those. See if you can persuade me around to option A, or I can persuade you around to option B, or perhaps we can find an option C that perhaps accommodates a bit of both of what we want or. But that wasn't happening. It was, um. This is, and this is why we ended up with such a long list of recommendations. You want option A, I want option B. They both went forward. We both vote for them because then I'll vote for option A. You vote. So there was never that encouragement to try and reconcile those differences where, you know, the justification of demands is, is required.

00:21:45:10 - 00:22:10:09

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That's interesting because it shows some deficit to the deliberative ideal as well, right, which basically reflects the transformation of individual preference and judgment to an agreed collective judgment with focus on the common good, which

was perhaps as a matter of agenda and facilitation, um, already restrained in a way. Is that what you're trying to say as well?

00:22:10:10 - 00:23:17:17

Elstub

Yeah. So, I think the way if you were sort of familiar with the different, um, terms to describe different types of communication, rather than this being deliberation. I think it was dialogue, which is important and it's valuable, but it's just not deliberation. So, the way I see the difference is dialogue is inclusive. That's great. So, they were with the facilitator making sure, making efforts to make sure everyone was included.

Everybody had a say – great. And dialogue helps improve understanding. So, they were getting a better understanding of different people's positions. What they weren't then doing is the next stage where deliberate dialogue turns to deliberation, where it's 'let's reason together', you know, 'let's try and decide what is to be done'. 'Let's try and reconcile these differences that we have through reason', so that they understood the differences they had better than they did before. It was an inclusive process, but they didn't go further and try and reconcile those differences. And this is why you end up with a very long list of recommendations at the end. Because within reason, what everyone wanted, went forward.

00:23:18:05 - 00:23:51:18

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Yeah. And I guess this also again had an impact on the political uptake. Um, because it was a very long list. Um, and um, also I guess the fact that the groups were kind of divided to discuss several issues, um, separately, um, kind of reduced the input legitimacy. And it's interesting to see how this might have had an impact on the output legitimacy of Climate Assembly UK, all of those influences, right?

00:23:52:01 - 00:25:28:19

Elstub

No. Exactly. So, um, yeah. So I think having the the long list of recommendations, it's then much harder to hold politicians to account when there's, you know, uh, whereas if there's a few focus ones, you know, like these are our top ten priorities of what we should be doing about climate right now or over the next, you know, two few years. Next Parliament or whatever. Then it's like really much easier to say, look, are you doing these ten things? But when it's a hundred things, it's, you know, it's easy for them to get away. And yes, the splitting into groups, it compromised both, you know, input and output legitimacy. So, input legitimacy in the sense that, you know, the assembly members only learn about the topic for the stream that they were in. They didn't learn about the other things. And also they, as a result, didn't vote or endorse the recommendations that came from those groups. So, when we spoke to civil servants, um, working in the Government, uh, about this and, you know, they were sort of saying, you know, yeah, it definitely compromised the impact when they were discussing it with like, the relevant Government minister. The minister would say, right. So, you know, 100 people Representative of the public have recommended this. And they were like, well, not quite, because they were split into groups. It was more like 20 out of 30 people in that group I suggest. And then they just because it needs to, it needs to come from the whole assembly to have that that power anyway, was the implication.

00:25:29:19 - 00:26:17:16

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That's interesting. Um, do you think this was a reasonable, um, approach of the politicians to say that, like, um, I mean, of course, but was there not any I mean, there wasn't also a framework, right? For more transparency, accountability and commitment to political uptake, for example. So I feel like it's easy to say, okay, this

is because, uh, it didn't really have an impact, whereas there didn't seem much effort also to be transparent and more accountable to taking up the recommendations, uh, from the Government itself or Parliament. Um, yeah. I think it's interesting that they're raising this to explain themselves, but at the same time not making themselves accountable more to, to to design this in a better way.

00:26:18:03 - 00:27:32:23

Elstub

Um, no, I, I completely agree. And on that. So this was because this was an assembly commissioned by Parliamentary Committees. It was always going to struggle to have impact over Government. That was always going to be the case. And the Government, you know, didn't respond much. Parliament itself could have done more with it. They hadn't sort of planned ahead about, you know, what they were going to do with these assembly recommendations when they got them and until they got them. And, um, the other reason, other main reason why the Government said that they weren't going to be responding to this assembly was its lack of publicity. So it's the lack of public awareness of it. So if this had again, this is speaking to the civil service. They had said that, you know, if this had been a process with high levels of public support, they would have felt under much more pressure to respond and do something and to implement some of the things. But because people weren't aware of it, that the opportunity for the Government to ignore it without there being any repercussions just meant they. That's exactly what they did see.

00:27:32:24 - 00:27:45:11

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So, um, possibly, um, the Covid-19 pandemic had a bit of an impact also on the media. Um, um, covering, uh, the assembly, um, what do you.

00:27:45:13 - 00:27:48:18

Elstub

And, and Covid and Brexit. There were two.

00:27:48:18 - 00:30:14:03

Elstub

Yeah, yeah, there were two big stories going on, um, at the time, which would have definitely had an effect. But I think it's, it's it goes more than that. I mean, this is an under-researched, um, area. You know, what is what makes a good communication strategy for a citizens' assembly where it will cut through. But I do think in part it's like, so let's compare it with the French one where there's high public awareness of this. Now the differences are it's you've got it was like a personal project of Macron, who's obviously a very high-profile political figure in France, but was and that helps get the publicity, that helps get the public awareness. But also he promised to implement the um. Uh, recommendations without filter. Now we know that didn't happen. But nonetheless, that promise that that was what was going to happen, got journalists, got the public interested. Okay, something's going to change here. This is going to mean something. It's not just going to be a focus group or a talking shop. This is actually going to be a policy-making forum them basically. And so I think that that kind of thing is, is essential. And it comes back to, you know, so I don't know if, um, uh, you've read the chapter on from the, um, Matt Ryan, um, book on, um, the impact of Democratic Innovations, the chapter I've done on Climate Assembly UK in there. But basically we talk about this dilemma for, you know, climate assemblies citizens' assemblies is that in order for, um, you know, journalists to be interested in order for the public to be interested, these things need to be making a difference. But in order for, um, those people to be aware of it and journalists and similarly, then that's what will make the, the, the Government willing to listen. But it already has to have an impact for the public and journalists to be

interested. So you've got this dilemma about what's going to come come first, but it does. I think the French case that shows that just even the promise of impact can be enough without the impact itself.

00:30:15:11 - 00:30:21:18

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Interesting. Okay. Um, what case again are you referring to exactly? In France? Um.

00:30:21:22 - 00:30:38:20

Elstub

Um, so it's, um, the French climate assembly. It's called, you know, Citoyenne. I can't, I can't remember how it's pronounced in French, but, you know, the the national French climate assembly that they had almost exactly at the same time as Climate Assembly UK.

00:30:39:05 - 00:31:55:09

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So perhaps this also inspired the setting up of the Paris Climate Assembly in institutionalised, uh, version. Who knows? But it's interesting how you're also connecting the dots. Like how one effect is, um, inspiring another one, and how this is all like a chain reaction, kind of. Um, so the media would, um, play a big role and perhaps also holding, um, the government. Um. Well, for example, a referendum or something where you can tie in the public, uh, with, with, uh, the promise of impact. Um, so this would be some, some ways to, to achieve that. Um, but also, I think the Climate Assembly UK members spoke in favor of, uh, an independent monitoring body, um, to trace political uptake. And evidently there wasn't any such framework in place. Um, but, um. Yeah. Do you think this there's an option to to install something like this? Um, for example, there's this, um, the committees, uh, in. I'll just have to check further down in my notes, actually. One second. Um.

00:32:01:01 - 00:32:40:15

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Yeah. In Brussels, I think it was. Exactly. Um, so there each committee, um, that the policy issue falls under is formally required to set up a special committee. And this then sets up the short-term citizens' panel, uh, on citizen and the citizens' assembly deliberates over the policy issue in question and develops proposals that Parliament is obliged to engage with. Um, so a mechanism like this that's kind of institutionalised or embedded, um, what are the chances to, for something like this to be, uh, embedded among Select Committees in the UK, for example, like just in improve the output legitimacy?

00:32:41:01 - 00:34:03:20

Elstub

Um, I I, I something like that is a good idea or something like that is definitely possible, but it's also not going to happen anytime soon. It would. It's going to take a long time to work towards that. So, what we're seeing, for example, in the Scottish Parliament, is that they have had quite a few mini-publics, much sort of like more sort of citizens' jury style processes and citizens' assemblies. Then they have trialed about five or six of these, and now they're now looking into sort of embedding these, institutionalising them into the parliamentary committee system, where then we're much more likely to see something like you describe about in terms of assessing their sort of impact. The UK Parliament are talking about doing something like that as well. But at the moment, now at the talking stage. So, if something like that starts to happen, then something like that could come along. But it's going to take it's going to take time, it's going to take, you know, people campaigning and pushing for this. Um, and obviously the as kind of going back to the sort of thing that we were talking about before, politicians are not in favour of things. That means that they have less

power. So, um, it will. The, um, and and so there will be opposition towards something like that, I think.

00:34:04:09 - 00:35:06:11

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Yeah. That's interesting. I also read something in one of your articles about the work of the Select Committees. And um, there I understood that when it comes to transferring the results of the climate assembly, um, report, um, to the respective Government department. Um, each Select Committee sets the agenda of their inquiry report themselves. And individually. And first of all, do I understand this correctly? And doesn't this leave the Select Committees, um, with a lot of agenda-setting power. Um, so basically that they are free to choose and determine the points that they wish to have included in the final inquiry, final inquiry report to Government. Um, Um. How can this be justified? Also, before the members of the Climate Assembly and the British public because, um, well, there's, there's a void, again, for biased judgments and vested interests perhaps there. I found it very interesting that you were touching upon this in one of your articles.

00:35:07:09 - 00:36:54:08

Elstub

So because this is so this is about, you know, government scrutiny. Um, so the Committees in, uh, are set up and they, they mirror the Government departments, which change themselves depending on the Government, depending on what's going on. So there's, there's a Committee that follows a Government department. Now they can't you know, governments do a lot of stuff. They can't follow every single piece of legislation, every single policy that's uh, each Government department is producing. So they have to be selective. They, they need to decide that their agenda. But those, um, those Select Committees then are cross-party. So, they're made up of different political parties. Some people will be in the party from the Government as well. Um, so they do determine the topic of their of the inquiries and um, yeah, obviously there's ways it perhaps there should be ways to consider to sort of reduce that control. But um, uh, but that's, that's the process as it stands. And then the Government has to respond to the, the, uh, inquiry report. So this is what the Business, Energy and Industrial Strategy Committee, which is one of the main one leading Committees behind Climate Assembly UK, did. They then had an inquiry on what should the Government response be to Climate Assembly UK, which meant the Government actually had to provide an official account. So that was quite a clever idea. Um, uh, yeah. But those Government responses can sometimes be a little notional, but, um, yeah, they, they do at least have to provide it.

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All right. Um, so maybe just one last question on the political uptake, um, section. Um, considering, uh, limited, uh, and non-transparent political uptake, um, this is, um, the hypothesis I make now, uh, what do you think were the actual main motivations behind setting up Climate Assembly UK? So legitimacy deficit, uh, PR trick. What was it?

00:37:21:04 - 00:39:35:21

Elstub

I, I great question. So, I think there's a number of different reasons why it happened. So, the first one is to do with trust in Parliament. You know, trust in Parliament in the UK is low and declining. And, uh, MPs are aware of this and realise that they need to do something about it and that, you know, politics, politics as usual just isn't going to address that problem. So, a few years prior to Climate Assembly UK. They have had the um the Citizens' Assembly on Social Care, which again was two

Committees from the UK Parliament that had um commissioned this and um Parliament or many in Parliament saw that as a very successful process. And if you look at the, so that was a part of an inquiry on adult social care funding, which is a massive issue and ongoing issue in, in the UK. Um, just to give you some context, but that's the citizens' assembly then had a massive influence on that, that, that uh, joint Committee report, um, and potentially in down the road on, on Government as well. Um, so that was seen as a big success. Then it was like, well, let's, we're going to do another citizens' assembly. So then why climate? Well, it's a big issue, obviously. Um, like the issue of, of our time. Um, but it's also the government had set this target of net zero. Um, and then it was Parliament wanted to say, well, look, what are you actually really actually doing to, to achieve this legally binding target that you've, you've set yourself, um. And, and the, the, the I think there was, as you often need it to get these things over the line. There were people internally within Parliament who are keen on this being the topic for their next citizens' assembly. And you also had, you know, Extinction Rebellion campaigning for there to be a citizens' assembly on climate. So, I think a combination of all those measures meant that that's why this happened.

00:39:36:19 - 00:40:16:06

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Thank you for sharing this. So, moving on to the idea of institutionalising the permanent climate assembly. Um, crises are generally found to shape the political agenda. And you could see that, well, you also mentioned Brexit. But I also think with the Covid 19 pandemic, um, if the climate assembly had been embedded as a permanent body, um, in the institutional framework, don't you think, or would you agree that the recommendations would have gained more consideration in Parliament and been less easily pushed from the political agenda in the context of other crises?

00:40:16:22 - 00:42:39:06

Elstub

I do think that I mean, basically, I'm a big fan of institutionalising these processes, and I've sort of written a little bit on this, but this is sort of like my main research agenda over the next few years that I've got coming is, is how can they be institutionalised? So, for me, two of the biggest criticisms of of citizens' assemblies and mini-publics more generally is that they can be too easily manipulated by politicians. And we spoke a bit about that in terms of the agenda, but there can be too easily marginalised as well. We've spoken a bit about how, you know, it's just too easy for government to to ignore this one basically. So they so they did. Now, I think for me, institutionalisation means that there's sort of rules in place about when we have a citizens' assembly, um, how it's governed, how it's funded and what happens to the follow up, what happens to the recommendations after the process as well? Now, those rules are unlikely to completely remove all discretion and influence from politicians over what happens, but I think it would reduce it massively. So I think it would, you know. Reduce the the opportunity for manipulation. And then if there's also rules around how they must respond. I'm not going to say what those rules should be. That's to be decided through a process, but that they I just that there should be some um, and so there's a something that the, the politicians have to do at the end of the process, whether that means in a debate in Parliament, they have to do a formal response, a combination of all of that, whatever. Um, I think it will then raise the status of it, and therefore it will be less easily to marginalize it as well. I like to think of the processes would get more publicity, um, and, and therefore be more how great a public consciousness and awareness of them as well. There is I'm aware of, of the counter to that which is that, you know, if something becomes institutionalised, it becomes routinised. It's not new, and if it's not new, it's not going

to be in the news. So I could see it going the other way as well. But in general, I'm, I have optimism that institutionalisation would, would definitely improve uptake of of processes. Mhm.

00:42:40:17 - 00:43:35:11

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Um, would you also, uh, agree that a permanent climate assembly could um, inform and transform preference aggregating procedures and foster consensus on long term climate decisions in Parliament? Because I read some criticism. Right. Um, first of all, the report said, um, the transition to net zero should not be a cross political issue. It should be an should be a cross political issue, not a partisan one. Um, then the Climate Change Committee's report on reducing emissions from last year said, and there's no appetite for climate division. The Parliament should have a united stance on climate policy matters. Um, wouldn't perhaps a permanent climate assembly also have this impact on the way that politics are done in terms of aggregating preferences and yet really to find consensus? Um, with this fact of being bound, um, or. Aw, yeah.

00:43:35:20 - 00:45:22:00

Elstub

What's the, I mean, wow, wouldn't that be lovely? But, um, what's, are you thinking that because the power of it being coming from the public would be that politicians couldn't sort of criticize it, or possibly. But. So, for a while, we had a kind of consensus on, on climate action here in the UK. So, all the main parties had signed up to this net zero. They were all making in their manifestos pledges about how they would go about doing that, but that that comes and none of them would say that they were going to do enough to actually achieve that net zero, by the way. Um, so, um, but still, there was it was better than where we are now because more recently that consensus has started to break up. Break apart. Um, so firstly, within the Conservative Party, when they were in Government, you had fractions within that party sort of coming out on a really quite anti-climate action agenda. You've now got the sort of increasing popularity of, um, parties, like new parties like reform UK, who are again, very anti sort of, uh, any climate action. So, and they are getting votes so that unfortunately that, that brief consensus that we had where everybody was at least promising to do something, um, even if they weren't necessarily going to do enough, is kind of breaking up. And I cannot see now a climate assembly resolving that, that polarisation that's starting to happen on the issue. But I would obviously it would be it would be great for that to happen. I just, I just don't see it.

00:45:22:10 - 00:46:25:00

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I think it's a bit of a dilemma, right. Also in terms of or in the context of the other crises. And I also read that, um, actually, um, the commitment to net zero also came in the context of certain climate protests. Um, so there's also this connection. And then, um, the Government of the last, um, years kind of also reduced coercive, um, practice against, for example, um, Extinction Rebellion members. So I think there's this whole um, again, system protection tendencies. Um, also, yeah, going against this development of public, um, protests and, and more awareness that it would then drive, um, institutional change, possibly, or at least, um, yeah, more radical climate decision-making. So I think, yeah, it's a bit of a dilemma. And I just wonder what institutional changes would be necessary, um, to establish a permanent climate assembly. Um, how can this legislative support, the funding of the governance structures be achieved? Um.

00:46:25:08 - 00:46:43

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The question, of course, is very, very big. Um, but there's obviously challenges to that. And what what would be the perhaps on your in your view the next steps to to achieve such a goal to kind of. Yeah. Solve the dilemma I just described.

00:46:43:09 - 00:49:39:20

Elstub

Yeah. Um, so the first thing is we've seen permanent climate assembly's established in, in like in Brussels and in the, the Basque in Spain and in Milan. So we need to study those processes. What were the conditions under which that happened? And, you know, were there similar conditions in those cases etcetera, etcetera. So firstly, we need to like empirical research on the very small number of cases that we do have. Secondly, in terms of the UK this happening, the first the first step is we need more citizens' assemblies or more climate assemblies, even ad hoc ones that work and become well known and that have some influence. Because if that can happen, then people will start saying, well, actually, that was a good thing, isn't it? Why don't we have more of that? And then people might be more, both politicians and the public open to the suggestion of actually this should be become a permanent feature and be less ad hoc. So I think that that's that, that that's the first step that that's required. And as always, you know, with in terms of bringing political change, especially systems change, you know, you need people who are going to campaign for this, um, and mobilise around the idea. Now in Scotland, they went furthest along these lines. Um, so they had the Citizens' Assembly of Scotland and the Scottish Climate Assembly. Um, and then they came, got a group together. I was one of this group to come up with a proposal about how they could institutionalise citizens' assemblies into the Scottish system and that report is publicly available, if you are interested. The Government then provided the response to that report saying yes, it's going to do this and sort of like what its next steps on this journey were going to be. Now, none of that has happened. Um, so part of that has been, you know, like the recent sort of financial crisis, the cost-of-living crisis. Like, budgets are massively under strain. And so this has gone down the priority list. But this is again another argument why we need these processes institutionalised. Because if they are institutionalised, you know, just because you've got a reduced budget doesn't mean that that's going to be then the first thing to go, because you're going to have if it is institutionalised, you can have rules on when it happens, guaranteed source of funding for it to happen, etc., which can't just be cut. So that's where we're at with Scotland. And now that wasn't going to be specifically institutionalised in the climate assembly, but that could have then led to something like that if they had institutionalised citizens' assemblies. The Scottish Government is still saying they're going to do this, but they're not doing anything to show that they are. So, um, it's kind of still 'watch this space' kind of scenario.

00:49:41:17 - 00:50:10:11

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Okay. So, um, general more, um, practise, um, more experience needs to be collected. Um, and then hopefully there will be, uh, a bright case to, to refer back on. And that gets attention in the public and media perhaps as well to then drive this change even further. Um, so yeah, I think it's interesting also to look at the Extinction Rebellion's, um, suggestions, for example, replacing the House of Lords by a House of Citizens. What do you make of this idea?

00:50:11:13 - 00:52:54:22

Elstub

Yes, that's there's also the Sortition Foundation. They've been campaigning for that for, um, a long time. So my first bit point would be I'm absolutely in favor of House

of Lords reform. Um, it's it's not a good system that we have at at the moment. Um, and I'm not against, I guess, the making it a sortition sort of chamber. My concern around that is, I guess, twofold in that what is it what is it reasonable to expect that somebody, a member of the public who's been randomly selected, what is it reasonably can we reasonably expect them to do? So, this House of Citizens idea to replace the House of Lords would require somebody to give up a minimum a year of their life from their work, from their family, from their hobbies, their commitments, you know, and completely change their life for at least a year. Some people are saying that, you know, you should be selected for longer. But even if it was one year, which is, and if it was any less than that, then it's I don't I think it comes sort of like pointless. I'm just not sure. You know, in order to improve democracy, we need civic virtue among the public. I get that, and we need people who are willing to contribute. But there still should be limits on what we're expecting people to do. And I just think that might be asking too much. The other issue I have is that the idea of sampling the sortition processes, that you end up with a group of people that are broadly like the public at large. Um, now, once you've been in this, you know, the new House of Lords, the House of Citizens for a year, I'm wondering how much like 'the public' you will be anymore and you sort of, like, might become a bit of a professionalised, um, politician yourself, along which the third thing my concern about is whether they would be more or less susceptible to lobbying than in the current system or an alternative. So, they will be lobbied. Absolutely. And anybody who thinks otherwise is being very naive. Anyone who's ever had any influence or power in policy gets lobbied. Um, so they will be lobbied. And, um, and just as the current House, the peers in the House of Lords are lobbied. So, who's more susceptible to lobbying? It's an open question. I don't know the answer to it, but I am concerned it might be the members of the public selected through sortition.

00:52:54:23 - 00:53:02:02

I

That's very interesting insights there as well. Um. Thank you. Um, yeah. Perhaps just two last questions and.

00:53:02:04 - 00:53:02:19

Elstub

Yeah, sure.

00:53:03:04 - 00:53:49:05

I

Yeah. Just very happy how this goes. Thank you so much. Um, well, we already touched upon this. Um, the political elites of Westminster and Whitehall might perceive a permanent climate assembly as a challenge to their authority. Um, do you think this would be stronger and minimize, uh, the actual, um, well, potential of this idea of an institutionalised citizens' assembly? Do you think the the strength of the political elites will eventually outlaw this idea? Um, along with the, you know, lobbying, as you've mentioned, all of the the interests there. Um, I think, yeah. Would be interesting to to hear your opinion on that.

00:53:49:14 - 00:53:50:12

Elstub

Yeah. So.

00:53:54:20 - 00:55:54:17

Elstub

As we spoke about before, you know, one of the one of the causes of why we're seeing not just in the UK but elsewhere as well, more citizens' assemblies and, and mini-publics is because of this, the trust issue in politics and politicians. Now that same trust issue, and low levels of trust are also being exploited by populists who are

rising to power in a number of countries, as we've seen. And then once in power, doing bad things for democracies as the way that I see it and, and the more mainstream politicians see that as well. So I think they are increasingly learning that, you know, politics done as usual is, is one. The populists are getting good at election campaigns, exploiting this low level of trust and, and um, and, and therefore also that, you know, they need to do start doing politics differently. And it's just this, oh, you know, I've got elected, I've got a mandate. It's just not going to cut it anymore. So because of that and because, you know, ad hoc citizens assemblies are not going to transform public opinion towards politics. Maybe politicians, mainstream politicians, will be persuaded that actually institutionalising citizens' assemblies is a way forward. So we've seen it happen in some countries, um, more on the local level. Um, so whether a country is going to I mean, it's not imminently going to happen in the UK, I can tell you that right now, and there'll be huge opposition towards it. But what I'm just trying to outline a path forward about why it's not an impossibility, and why politicians might actually agree to give up a little bit of their power to a citizens' assembly, because they see it as better as giving up a lot of their power to populists.

00:55:56:06 - 00:56:15:07

I

Okay. So, then the final question coming back to the Climate Assembly UK, just to round things up. Um, what were the key main learnings perhaps three uh, that, um, you would take into consideration um, to also inform future citizens' assemblies of the Climate Assembly UK.

00:56:16:09 - 00:56:17:22

Elstub

So the key learnings.

00:56:18:15 - 00:56:18:20

I

Yeah.

00:56:19:14 - 00:57:22:05

Elstub

I mean they're all kind of captured in in the report. So, I'll just try and pick out what I see as, as the big one. So, I guess there's I'll take three I think, which is one that, you know, the assembly members need to have more say over the process. This is to make it more legitimate but actually more effective process as well. Um, so democratising future assemblies. So, the actual the assembly members control some, some of the features. The other element is institutionalisation. We've talked at length about that, you know, and by which I mean there's rules about when they happen, about rules about how they are governed and funded and rules about what happens at the end. I think that will raise their status. I think that will give them more power and influence in the political system. So that's a priority. And the third one is that they need to be addressing more systemic issues. I think point one, given the assembly members more say, can help with that.

00:57:25:23 - 00:57:32:12

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And potentially the civil organizations also having a bit of a commissioning function perhaps.

00:57:32:15 - 00:58:01:17

Elstub

I think we need both, you know. So the if civil society are, you know, initiating them, then they I think there's more chance that they will consider systemic issues. No guarantee the they the problem is there. It's much harder for them to have policy impact. Yeah. If they're organized by parliaments and governments, then the

opportunity for impact is greater, but they are less likely to want to include these systemic issues. So I think we kind of need we kind of need a bit of both going on.
00:58:01:18 - 00:58:07:07

I

Okay. Thank you so much. Well then that's the end of the interview. I'll just stop the recording.