Deliberating at a Meso Level: The Role of Public Hearings in a Deliberative System

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Abstract

Focus has more recently moved away from specific deliberative institutions due to the understanding that democratic norms should be located within deliberative systems (Parkinson and Manbridge, 2012). Through the sequencing of various institutions, and the interdependence of these components of the democratic process, we can hope to discover where each institution can best serve a purpose to ensure that all the norms of deliberative democracy are generated and appropriately connected in a political system (Goodin, 2005). Despite this shift of focus from particular institutions, the role of public hearings as a deliberative institution has remained unstudied and therefore their role within a deliberative system cannot, at present, be measured. The contention here is that public hearings could make a distinct contribution to a deliberative system by fulfilling a connecting role between centralised and decentralised political structures, as hearings are a ‘hybrid’ form of institution.

Public hearings can be considered a hybrid method in a number of ways, they combine representative democratic processes with participation; harness the capacity to embody deliberative characteristics within liberal decision-making; they bring representatives, experts, and lay citizens together into deliberation in the same space; and finally they can overcome issues of scale by being institutionalised at various levels of governance. I argue that public hearings can facilitate an exchange of ideas and information, within a hitherto overlooked sphere of deliberation - the ‘meso’ level - which narrows the field of discussion while making it more accessible for wider groups of people, enabling them to connect micro and macro level deliberation. Consequently, the argument here is that public hearings can encompass much of what deliberative democratic theorists have been striving for, and could therefore be considered to provide a unique function within a deliberative system.
**Introduction**

Deliberative democrats believe that the ‘give and take’ of rational argument should facilitate collective decision-making (Elstub, 2006: 302). This creates a decision-making process where citizens can communicate their own opinions, consider other peoples’ opinions and arrive upon collective judgments (Warren, 2002: 173). Citizens will therefore be challenged by conflicting perspectives and alternative opinions. Yet, critics of deliberative democracy have highlighted a lack of synthesis between theorists. Does everyone have to be included for it to be considered a legitimate decision-making process? How can informal discussion in the public sphere lead to informed decision-making at a formal level? How can consensus ever be achieved between a diverse and subjective society? Theorists have written on how the competing theories should be aligned in order to achieve deliberation at all levels. Hendriks (2006) suggests looking to our interpretation of civic society while Mansbridge et al (2012) highlight the use of deliberative systems to overcome lost communication. Similarly Goodin (2005) suggests sequencing various institutions in order to achieve various and diverse levels of deliberation at each level. Yet, despite systems or sequencing there is still a gap between micro and macro deliberation. I argue here that due to their hybrid characteristics, public hearings can accommodate a system that encompasses micro level deliberative fora with macro level inclusion and informal deliberation, which could create a ‘meso’ level of deliberation. Therefore hearings could fulfil a pertinent role by enabling a third level of deliberation ensuring a direct transition from micro and macro within a deliberative system by utilising the ‘hybrid’ capabilities of public hearings.

In the first section I will explain what a public hearing is, how they are depicted in the literature at present and where their main flaws lie. I will briefly discuss Smith's (2009a) democratic and institutional norms which I use to gauge the effectiveness of public hearings. These are popular control, inclusion, transparency and considered judgment, and the institutional goods he recommends are efficiency and transferability. The second section introduces the idea that public hearings are a hybrid institution; I will explain what a hybrid is and highlight why I think this creates a meso level of democracy. In the third and final section, I will highlight areas where I think UK public hearings should be adapted in order to maximise their potential.
What is a public hearing?

Public hearings are a self-selecting participatory process which welcomes a variety of actors to identify and focus on issues that require discussion. A hearing is used to discuss issues of public concern and designed to incorporate public participation into local level decision-making. At a higher level they incorporate public opinion into decision-making. They give the public an ‘opportunity to be heard’ by those that have the power to make decisions (Wraith and Lamb 1971, p. 159). In the majority of cases they take the form of a question and answer session between a selected panel and an audience. This includes a chance for the audience to respond to the panel once a question has been forwarded; the exchange is mediated by a chairperson. In its simplest form, a hearing is an ideal setting to bring a demographic together where they can ‘explore, develop and transform ideas and preferences together’ (Fung, 2006, p. 68). This is created by a broad range of people from the ‘common sense’ views of lay citizens, and ‘formal views’ of experts, representatives and government officials (Rodger, 1985, p. 210). Abels (2007, p. 108) describes them as having five normative functions: to inform affected citizens; to inform the administrator; to represent stakes; to legally protect the applicants and those who feel affected; and to increase the legitimacy of the final administrative design. Public hearings are particularly useful because they can be initiated by public pressure (Selman 1981, p. 150).

Where do they fit into deliberative literature?

Public hearings are a recognised part of liberal democratic institutions which have the capacity to engage different people with varying skills, which is a vital component of deliberative discussions. Yet, despite the increase of literature that focuses on deliberative and participatory political processes, hearings are notable by their absence. When hearings are referred to, it is more often than not under the title of ‘participatory process’ (Fung 2006, Innes and Booher 2004, Beierle and Cayford 2002), and rarely under that of deliberative. From the literature, we can note that hearings are often considered a featureless or anonymous part of the process. They are not viewed as a tool in themselves, which may be capable of exciting a level of empowerment, mobilisation and perhaps deliberation.

Public hearings have long been acknowledged to have an intrinsic role in initiating participation in administrative governance (in the European Union and North America (see Abels, 2007, Baker et al 2005, Beierle & Cayford 2002, Checkoway 1981) which are often
held by law (in the US) or at least have legal provisions (in the EU) or recommended procedural requirements (in the UK) (Baker et al 2005). Particularly in literature and research in the UK and the US there is an engrained disillusionment with the process (Innes and Booher 2007, Adams 2004). Hearings have been accused of ineffectual tokenism (Young 2000, Checkoway 1981) and as a facade designed to seek legality and legitimacy for pre-determined decisions (Adams 2004, p. 44, Baker et al 2005, p. 495). The assumption is that powerful individuals have already set the agenda and decisions are made in private before being aired to the public, leading to further accusations of ‘back door brokering’ (Young 2000, p. 54, Checkoway 1981, p. 571). It has also been questioned whether hearings really impact upon decisions that are made or have any influence over government decisions (Checkoway 1981, pp. 568-569).

Meadowcroft (2004, p. 17) comments that it is more usual than not for a hearing to descend into accusations and confrontations between opposing sides. Lando (2003, p. 76) agrees and states that the process itself intensifies bad feelings and ‘tends to produce or exaggerate conflict’. Hearings can arguably exacerbate polarised opinions and ostracise individuals as they can provoke confrontation. This is usually done by participants who strive to be heard and to get their point across (Innes & Booher, 2007, p. 419). Additionally, Adams (2004, p. 44) believes hearings can transcend into false claims and thinly veiled attacks on officials. The public can become ‘reactive and judgemental’ in an effort to ‘sabotage administrators’ (King et al, 1998, p. 320). This can mean that the quality of discussion is decidedly lessened. Hearings can be held at awkward times and in places which can be inaccessible for groups of people (those working or without transport) (Checkoway 1981, p. 567). Furthermore, it has been said that the attendees to not represent a true microcosm of wider society (Klinke 2009).

That being said, they have all the rudiments of an effective process. It has been noted that when hearings are not made available to citizens during a controversial planning or development project, people can become reactionary and resentful (MacIntosh 2012, p. 3). Klinke (2009 p. 353) tells us; ‘affected and interested people perceive the public hearings as one of the cornerstones in the public participation’. Hearings are looked to as a recognised institution by citizens, and citizens can ‘seek justice’ if this is not made available to them,
even if other consultation processes are in action¹. Yet, the literature tells us that although they have a bad reputation in the UK and the US (King et al 1998, Bloomfield et al 2001, Innes and Booher 2004), in Canada, Finland and Sweden (Bherer 2014, Schylter and Stjernquist 2010, Karjalainen 2014) public hearings have been an intrinsic part in achieving an inclusive and participatory decision-making process, especially in environmental decision-making (Karpowitz and Mansbridge 2005, Dryzek 2005, Schylter and Stjernquist 2010, Fournior et al 2011). The argument here is that public hearings could play a key role within a deliberative system alongside other deliberative processes.

It is important for this discussion to explain what I mean by ‘playing a role’. What constitutes not just playing a role, but playing an effective part in a deliberative system? For this, Smith’s (2009b) ‘goods based model’ will be used to provide a normative framework in order to ascertain if public hearing have the capacity to perform a deliberative democratic function. This model enables democratic innovations to be compared ecumenically using a simple, yet desirable, framework. The democratic goods that Smith sets out are central to the core of deliberative democratic theory: popular control, inclusion, transparency and considered judgement. He offers two institutional goods which are said to complement the democratic goods: transferability and efficiency. Smith (2009b, p. 3) says; ‘This allows us to better understand how variations in institutional design can affect the realisation of goods that are valued by deliberative democrats – and potentially how weaknesses in design might be ameliorated’. Therefore the realisation, or partial realisation, of these goods indicate that a democratic institution is of some worth. By considering whether hearings can enact any combination of the democratic norms enables us to gain insights on both theory and practice (Smith 2009b, p. 3).

First ‘popular control’ is an incumbent part of the decision-making process. For Smith (2009a, p. 22), this may not necessarily include conclusive outcomes, as not all processes will result in decisions. The control instead resides in the influence over the decision-making

¹ case in point is the local people of Edinburgh taking their grievance with Edinburgh Council over the environmental implication of the development of the Tram system to the UN when a public hearings was not held, Karpowitz and Mansbridge in their 2005 chapter on Disagreement and Consensus have report a similar outcome in their case study
process and the ability of citizens to operate alongside government officials and public authorities (Smith, 2009a, p. 24).

‘Inclusion’ within deliberative institution is fundamental for providing individuals with the chance to get involved and make sure no citizen is excluded. Inclusion, as Smith reminds us, must be considered in terms of presence and voice (Smith 2009a, pp. 20-1).

‘Transparency’ is key to ensuring that there is a degree of openness between participants throughout the decision-making process. This creates a deeper understanding of how conclusions are arrived upon and decisions made (Smith 2009a, p. 23). Smith (2009a, p.25) says transparency is vital for citizens for a number of reasons; so individuals understand how the issue being considered has been selected; who is organizing the proceeding and finally how the outcome of proceedings will effect political decisions.

Finally for the democratic goods, is 'considered judgement'. The legitimacy of decision-making is ensured through the ability of citizens to make reflective and considered judgements (Smith, 2009a, p.24). This is said to result from deliberation and can only be determined through the understanding of technical details by the relevant participating citizens (Elstub 2013, p. 12). Through collective and public debate a variety of perspectives are highlighted and discussed.

The institutional goods necessary for deliberative democracy to be achieved are ‘efficiency’ and ‘transferability’. Democratic innovations require individuals to participate in time consuming and costly political practices. The benefits of a system would have to significantly outweigh the costs in order for democratic innovations to succeed. For efficiency to be achieved Smith (2009a, p. 26) reminds us that we would have to be aware of the costs of not participating in these innovative political processes. However, the process and the outcome of deliberative processes can often be conflicting.

The final democratic norm that Smith (2009a, p.26) considers vital is ‘transferability’. If citizens are to participate in strategic level decision-making, it is crucial to understand the transferability of the designs used. It is necessary to decipher whether the effectiveness of the process is transferable and the democratic norms are achievable at a range of contexts (Elstub
2013, p. 13). If political procedures are unable to adapt to scale or be applied at various levels of the decision-making process then the effectiveness of the design is flawed.

It is inevitable that hearings would be unable to realise all six of these democratic norms, and yet it would seem to me that they could partially realise them all and as Smith (2009a, p. 20) says ‘institutions may realise these goods in different ways and in different combinations’. This is useful measurement which can indicate that public hearings are worth pursuing. In the next section I will discuss four ways in which hearings exhibit hybrid qualities and within those, they can demonstrate the capacity to fulfil the democratic norms, in various degrees and different combinations. First, however it is necessary to clarify what is meant by a hybrid institution and a meso level of deliberation.

**Public hearings as a hybrid institution**

To paraphrase Backstrand et al (2010, p.223):

‘*Hybrid institutions are designed to couple different rationalities and forms to achieve their combined strength; ideally accommodating deliberative ideals and effective policies which increase legitimacy and effectiveness in democracy’.*

And as Fung (2004, pp. 69-70) tells us, it is better to combine decentralised and centralised institutions as the differences of each institution can inform and lead to better decision-making. He says:

‘...a hybrid design, in which local autonomy requires centralised support and accountability and in which accomplishing broader aims requires street-level innovation and civic engagement, is more promising than either simple centralisation or decentralisation’.

I would therefore consider an institution or process to be hybrid when it is capable of bringing together seemingly opposing spheres or connecting areas which require connection. This may sound similar to Carolyn Hendriks’s (2006) integrated deliberative system – she talks about a ‘mixed discursive sphere’ where the informal actors enter a process which enables them to connect with the formal actors in the middle ground. In essence what I am saying is that a hybrid institution helps to connect micro and macro level deliberation by creating a third level of deliberative democracy, which Meadowcroft (2004) refers to as the meso level.
Meadowcroft (2004, p. 7) says the meso level involves; ‘deliberative interactions at the interface between state and society, where the personnel and structures of the state meet individuals and groups rooted in civil and commercial life’. Hendriks (2006) believes that micro and macro deliberative strategies must be combined in order to institutionalise deliberative democracy. Micro level deliberation can facilitate an understanding of feeling that surrounds issues; narrow the field of discussion and offer feedback or recommendations for political actors. They can also offer a clearer representation of a smaller area which will then feed into a wider area using representatives who have participated (Goodin, 2005). If micro and macro deliberative processes are implemented separately, micro deliberation tends to be ‘too elitist’ as it excludes participants, and while macro deliberative democracy tends to be more inclusive, it has been accused of being insufficient at empowering citizens and making them truly effective (Bachtiger et al, 2009, p. 8). Elstub (2008, p. 171) believes that in order to be properly institutionalised, macro deliberative democracy must endeavour to link collective deliberation with decision-making. The decisions reached or recommendation that result from the deliberative institution will be used to advice and guide policy making.

So are public hearings a hybrid institution? The next section will briefly discuss four areas which illustrate hearings’ flexibility and hybrid abilities but also where we can expect the democratic norms to be realised through the public hearing.

1) **Public hearings can accommodate the interaction of all key actors**

A fundamental aspect of deliberative participation is the combination of all affected voices (Young 2001, p. 672). Through this, the conflicting perspectives will be addressed and the surrounding discourses known to all. However, within deliberative processes, there is often an emphasis placed on citizen deliberation, rather than an interaction between the various levels of stakeholders and decision-makers. As Grimble and Chan (1995, p. 114) rightly state, stakeholders are; ‘all those who affect, and/or are affected by, the policies, decisions and actions of the system: they can be individuals, communities, social groups, or institutions of any size, aggregation or level in society’. Experts are often only there to provide information or evidence, not to take part in the deliberation (Fischer 2003, p. 210). Within a public hearings a multitude of actors engage with one another – representatives from interest groups, the media, government officials, council members, lay citizens and experts of a particular sort depending on the issue at hand. This encourages; ‘the cross-fertilisation of ideas across different kinds of actors, connecting broader public discourse to the conversations and
decisions of the political elite’ (Hendriks 2006, p. 501). This creates a different level of interaction and inclusiveness where the formal actors meet the more informal lay citizens which is conducive to actual decision-making where the decisions are legitimate.

Limiting deliberation to citizens may well diminish the deliberative process, and the collaboration of all would strengthen the process significantly. In order to create an inclusive process, it is necessary for all parties to participate. Deliberation which leads to actual decisions must include all stakeholders, which includes experts and government officials. Other aspects of a democratic norms are evident when we consider that hearing’s hybrid credentials could be used to bridge the gaps between populist and elitist forms of democracy. This creates a level of popular control, as hearing can bring the public face-to-face with decision-makers where they can cross over from a position of ‘lay citizen’ to a knowledgeable and worthy source of information on the issue (Fischer 1999, p. 299). Furthermore, citizens can also see experts as laypeople with similar aspirations to themselves in terms of ‘political goals and social judgements’ (Fischer 1999, p. 296). In addition, by bringing together this diverse group of people, hearing afford a level of transparency – decisions are discussed in public which enables a more open process.

At present there are aspects of UK public hearings which are not open and transparent, with information being held from the public or the actual decision process being held with no public in situ. These are aspects that can, and should, be easily overcome. As Fischer (1999, p. 299) tells us;

‘Experiences of participatory inquiry have emerged from such practical problems: the future of such activities depends in many ways on a more systematic development of cooperative relationships among citizens and experts more generally’.

Therefore not only could hearings offer a unique deliberative opportunity to the policy process but provide assistance here in offering a practical way to discuss issues by including a variety of actors who are all vital to the decision-making process. The various levels of decision-makers need to learn from one another and converse and be made more accountable to one another. Those that make decision, those that advise decision-making and those that are impacted upon by decisions made. Therefore the opportunity for all considered parties to speak in one process lends a distinctive attribute to the hearing (Abels 2007, p. 109).
2) Hearings have the ability to combine deliberative processes with liberal institutions

Deliberative processes can lend legitimacy and transparency to decisions made under liberal democracies, while educating the public and encouraging an inclusive process (Warren 2002, p. 195). Although, in order to initiate effective and efficient policy-making within deliberative democracy, they must be made in collaboration with representative and aggregative forms of democracy, which liberal democracy embodies (Rawls 1993, Cohen 1996). I would argue that the combination of deliberative methods and liberal processes cannot only be aligned, but that they can be combined within the *one* institution, a hybrid mechanism.

Public hearings have long been acknowledged to have a role in administrative governance and are institutionalised into most liberal democratic states (Beierle and Cayford 2002, Baber and Bartlett 2005). Beierle and Cayford (2002, p. 3) argue that, ‘A fundamental challenge for administrative governance is reconciling the need for expertise in managing administrative programs with the transparency and participation demanded by a democratic system’. And as Abels (2007, p. 108) notes; hearings are the only participatory model which links ‘public administration and decision-making’. Therefore hearings have the potential to facilitate administrative governance in an open and transparent setting by connecting decision-makers to their public.

Public hearings differ from purely deliberative forums in that there is a level of popular control and inclusion created by the very idea of a ‘public’ hearing. They can ensure that deliberation and, in turn the decision, of an issue is made in closer proximity to the local area. Public hearings can not only facilitate discourse between various actors from different levels but provide an arena where the public are able to demand accountability or justifications from these actors (Richardson 1993, pp. 171-2). Thus hearings can incorporate face-to-face interaction which can facilitate problem-solving and discussion. A decision is made on the back of the hearing, often with the panel voting and justifying their positions with the public participants present. They have been seen in Finland to have the most impact on policies (Karjalainen 2014, p. 13) than other deliberative processes currently being used. This may be because they are institutionalised in the land-planning legislation in many European countries and their function is to inform policy. Therefore, it can be said that hearings can offer a process that can provide an ‘end-point’ through some form of aggregation, which may better
reflect the popular will as the participants are invested in the issue. From this, it can be seen that public hearings can facilitate a realistic approach to merging deliberation, and all its benefits, in a liberal system.

3) **Hearings can combine representative democracy with participation**

Public hearings are first and foremost a participatory process. The point of a hearing is to give everyone the ‘opportunity to be heard’ (Klinke 2009) and the ‘right to inquiry’ (Bherer 2014). These are important aspects in terms of transparency and inclusion. Public hearings are open to all that wish to attend, thus often the quantity of attendees and the importance of information giving to a large number can be one of a hearings greatest functions (Karjalainen 2014, p. 10). Although self-selection, such as that used in hearings, is guilty of many disadvantages (see Few et al 2007, p. 50) it could, in this instance, provide an alternative in that citizens themselves are seeking knowledge, answers to questions and to be involved. As it has been said; ‘Are the views of a random sample more useful than those of active participants in a lengthy consultation? The public must judge’ (Spicer Commission 1991, cited Catt and Murphy 2003, p. 409). Self-selection may be in opposition to the ‘ideal’ deliberative vision but by adopting an ‘opt-in’ process more akin to liberal representative democracy, yet a different demographic from that selected to participate in mini-publics, is able to participate and become democratically active.

On the other hand, hearings are not solely participatory. Very often individuals are nominated to speak on behalf of a larger number of people, whether they are representing an interest group or a political group or even just some like-minded citizens. Representation needn’t come from a political party or political actor; instead citizens, religious groups and non-governmental organisations groups can be represented by their members, and if someone feels like their view is not being forwarded – they have the opportunity to put it forward themselves. There is a danger in this, however, as there is little legitimacy in this form of representation. It is unclear if these representatives have been somehow ‘elected’ into this position and little to ensure that they will forward the interest and perspectives of those they claim to represent (Catt and Murphy 2003, p. 412). Therefore the accountability of that individual can be questioned. Although simple tools can overcome this. Those that speak for others could collect a petition of signatures for those they speak for. In addition, time could
be given to put in an objection for those that feel they were unfairly represented following the hearing.

4) Public hearings can be utilised at different levels of governance.

What causes further complexities to proposals, is that if radical decentralisation occurs within a nation and all citizens become active in the political process – how then does this transcend on a wider scale, be that globally or transnationally? Academics have attempted to discover how deliberative democracy can be implemented at all levels of decision-making – local, national and international. However, no single deliberative method can be incorporated effectively throughout all levels, as Elstub (2013, p. 2) rightly proclaims ‘It is likely that no one institution can achieve all of the norms of deliberative democracy at the same time and in the same place’. This is because only certain institutional mechanisms will be compatible with democratic goods, and be able to adapt according to the complexities that arise at particular stages of the decision-making process, and at the varied levels of governance. As Elstub (2013, p. 15) explains;

‘The features of complexity...that determine the transferability of institutions to enact a deliberative interpretation of democratic principles vary across these levels of governance. With respect to the transnational and global levels of governance, language becomes a factor; pluralism is increased further, and the logistical problems of scale are intensified. As a result, inclusion becomes harder to achieve in non-territorially bound units as it is less likely that citizens will see each other as equals in determining collective decisions’

However, hearings can be held at any level – local, regional, federal and national; as well as transnationally and globally. And research has shown that not only can adjust to the different levels but that they can be effective. This is important as it means that hearings could play a role in overcoming issue of scale which deliberative processes have struggled with.

Public hearings have been effectively institutionalized at various levels of governance. They have been used as part of the Economic Commission for Europe to enable discussion to take place on overcoming transboundary environmental impacts and within the Great Lakes-regime between the USA and Canada (Klinke 2009). The UN uses hearings to tackle disputes with citizens at national level; the UN acts as an impartial adjudicator. They are also used as part of the Intergovernmental Panel on Climate Change (IPCC) as scientific body for the UN
Framework Convention on Climate Change. Furthermore, decisions made within hearings often transcend the level they are held at. For instance, a public hearing held at local level can impact on governance at national level (see Ford 2011, Richardson 1993 for examples). Moreover, hearings which are held on environmental or economic issues, undoubtedly impact at the level they are held and all the levels below too. Policy initiatives or EIA’s held at EU level impact on national governments and local councils. In terms of communicating with a wider and larger audience and ensuring transparency is upheld EU level and UN hearings are often streamed online. This accommodates the inclusion of a wider populace. It must be acknowledged that the level of considered judgment between the various levels of stakeholders will most likely be decidedly lessened. Yet, in an effort to apply that to a wider and broader contextualised level of governance; the 'ideal' method may be unsuitable for that level.

Hearings have also shown that as a model that can span the different stages of decision-making. Aforementioned, hearings can be brought on by public pressure meaning that they are not (or they do not have to be) just a top-down power2 (Bherer 2014). Public concerns can often heavily effect, if not set, the agenda in a public hearing (Wraith & Lamb, 1971, p.165). Conversely though, the agenda in a deliberative process can often be set by the organisers or those funding the process (Elstub 2010, p. 314). This is a matter of concern for deliberative theorists – whether organisers are (inadvertently) manipulating the process due to the control over this important stage of the process. An example of the effective use of public hearings in setting agendas is as part of the British Columbian deliberative forums (Fournier et al 2011). By controlling the setting of agendas, whether it be through discussion or by pressure, it can be said that hearings embody popular control within effective decision-making. As part of the Swedish environmental policy-making process hearings are a permanent fixture, enabling deliberation on hugely contentious issues (Schylter & Stjernquist 2010, p. 187). They have also empowered entire communities, resulting in decisions that led to real policies in Canada (Dryzek 2005, Parkins & Mitchell 2005). The Mackenzie Pipeline and Alberta-Pacific kraft pulp mill being just two examples of highly publicised hearings (Puxley 2002, Richardson 1993).

2 Current legislation in Canada, in accordance with Environmental Impact Assessment, means even if just one person calls for a hearing it must be held.
Arguably these various examples of public hearings as a hybrid institution leads to what I would describe as meso level deliberation. Effectively combining micro level decision-making with agendas and discussions set at the macro level setting. The meso level allows more flexibility in terms of the quality of discussion (which will not be as high as in other deliberative processes); the inclusion of different groups of actors; the transparency of the process and the level of popular control it affords. Hearings incorporate aspects that neither micro nor macro level institutions can at present. This means hearings can effectively connect micro and macro through one institution. As Klinke (2009, p. 353) tells us; ‘hearings improve the legitimacy of the political communication and decision making because they are associated with fair chances of access and articulation and thus the realization of the democratic principles of publicity and equality’. For these reasons I believe public hearings are being underused and underestimated within deliberative systems. However, adjustments must be made if they are to fulfil their potential in the UK.

**Recommendations for UK public hearings**

I have argued that public hearings are being undervalued, underestimated and underused in the UK. They are currently being utilised effectively in Finland, Sweden and Canada and much can be learned from the way they are implemented. A number of changes must be made to the way they are approached in the UK. First, the publicity that surrounds hearings must be improved. This may mean making more use of the media and social media. Extra care must be taken to reach those that are often excluded from the process (Checkoway 1981, p. 575). Publicity must include making all information which is relevant to the process readily available and actively updating participants if anything changes. This could be done through information programmes and meetings held prior to the hearing (Bherer et al 2014).

Second, make more use of online tools. This can be done in a number of ways. Creating online forums for those that do not want to attend, or those that cannot make it. This virtual space can be fed directly into the hearing (ie twitter). In addition making use of live streaming on all hearings being held will maximise transparency and include a far wider audience. This may even include more people to attend once they have witnessed and are familiar with proceedings; and makes the process more accessible to those that may face challenges to attend. Furthermore, every hearings should be recorded and transcribed. This
would make a better move to guarantee a transparent process than the minutes that currently constitute worthy documentation. The records should be made readily available online as soon as possible.

Third, and maybe most important it is imperative that the facilitators/chair are fair and effective (Baker et al 2005, p. 498). A fair and trustworthy facilitator that can properly adjudicate the hearings will increase trust in the process. Finally, the review stage of the process must be improved. This could be done merely by keeping communication open. After a number of weeks has passed take into account all those opinions of people who couldn’t attend or has got in touch with online discussion and ensure these opinions are taken into account.

**Conclusion**

This paper has argued that public hearings embody hybrid characteristics, which enables us to create a middle ground which connects micro and macro level deliberation. The meso level of deliberation connects the discussion and opinions, which rarely have a voice at a macro level, with actual decision-making ensuring that citizens have an element of influence over the outcomes. This argument does not support the idea that public hearings are better or more useful than other deliberative institutions but instead that they can also contribute to a deliberative democratic system alongside mini publics. However, a number of changes need to be implemented in order for them to reach their potential in the UK.
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