

Citizens' Assembly – Research Synthesis

1. We are in a climate and ecological emergency situation that requires quick and substantial changes in all domains of policy. Scientists across the board highlight that massive changes to the workings of our social and economic system are necessary in order to protect citizens' lives in the Netherlands and globally!

We are undoubtedly in a climate and ecological crisis. Species are dying at unprecedented rates¹. Our planet has warmed up 1.1 degrees Celsius above pre-industrial levels². The closer we approach the 1.5 degrees Celsius threshold, the more we risk irreversible runaway climate change³. Irreversible runaway climate change means that feedback loops in the ecosystem interact, so that our planet could heat up more than 5 degrees Celsius within a matter of decades. It means that 75% of the people on this planet would be exposed to severe heat stress⁴. It means that billions of people would lose their lives due to extreme weather events, a lack of food and water, as well as political instability and war. Any further warming is therefore to be prevented by all means!

In order to limit global warming to 1.5 degrees Celsius the United Nations Intergovernmental Panel on Climate Change (IPCC) recommends 'rapid and far-reaching transitions in energy, land, urban and infrastructure (including transport and buildings) and industrial systems'⁵. The IPCC highlights that the necessary transformations are 'unprecedented in terms of scale'⁶. Similarly, the UN Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) emphasizes that "a fundamental, system-wide reorganization across technological, economic and social factors, including paradigms, goals and values" is needed⁷. A 'key element' to this reorganization, the IPBES writes, is the 'steering away from the current limited paradigm of economic growth'⁸. Weaning society from its dependency on economic growth requires massive changes to the workings of our global social and economic system. This system change is not a choice but a necessity to save current and future lives on this planet. Scientists around the world have highlighted that 'incremental linear changes to the present socio-economic system are not enough to stabilise the Earth System' anymore⁹. What is needed, instead, are quick and substantial changes across the board!

2. The parliamentary democracy of the Netherlands is extremely unlikely to resolve the rapid and far-reaching policies that are indispensable to limit global warming to 1.5 degrees Celsius and preserve the life-supporting ecosystems we rely on.

A: History shows that, despite better knowledge, the Dutch government has failed to tackle climate change: Since the 1990s, it has failed to reduce its CO2 emissions. It has the third-highest CO2 emissions in Europe and doubles the world average. It has the second-lowest renewable energy share in Europe. In contrast, however, it subsidizes the fossil fuel industry with on average €7.6 billion per year. Last but not least, it refuses to comply with the Dutch Courts' 2015 and 2018 Urgenda rulings to reduce CO2 emissions by 25% by 2020 (in one year!). The responsibility to protect

citizens' lives from ecological collapse can no longer be left solely to the hands of a government who has been failing to do so for 30 years!

The first assessment report of the IPCC was completed in 1990. Since then, global CO2 emissions have increased by more than 60%¹⁰. In 2018, global CO2 emissions have risen by 2.7%¹¹, and the tendency is rising. The Netherlands are not excluded from this trend. The Netherlands rank 3rd in the EU for CO2 per capita emissions¹², and they double the world average¹³. The Netherlands have the second-lowest renewable energy share in Europe¹⁴. At the same time, the Dutch government keeps on subsidizing the fossil fuel industry with an average €7.6 billion per year¹⁵. In addition to that, individuals, companies and organizations in the Netherlands contribute to other countries' (such as China's) emissions and ecological footprints by consuming goods and services from these countries. For example, the consumption of products (such as clothes, tech gadgets, meat or palm oil) the Netherlands indirectly contributes to greenhouse gas emissions in countries such as China and to rainforest deforestation in countries such as Brazil. This is unaccounted for in the current emissions statistics. As the IPCC states, in order to limit global warming to 1.5 degrees Celsius, global CO2 emissions would need to be reduced by 45% below the levels of 2010 by 2030 (and to net zero by 2050). This is in 11 years! Nonetheless, CO2 emissions in the Netherlands have not diminished since the 1990s¹⁶. This means that the Netherlands are failing to meet their emissions targets. Beyond that, the Dutch government has appealed twice against the Dutch Courts' Urgenda rulings (District Court of The Hague in & Hague Court of Appeal in 2018) which require the government to reduce CO2 emissions in the Netherlands by 25% in 2020 (next year!). The Courts ruled that the State had 'a legal duty to ensure the protection of the life and family life of citizens'¹⁷. This indicates that government is refusing to listen not only to science, but also its own legislative! We cannot any longer leave the responsibility to substantially reduce emissions, and protect the lives of citizens in the Netherlands, with a parliament that has been failing to do so for 30 years!

B: Corporate interests play heavily into political decision making on the climate crisis on both national and EU level. The seemingly inclusive polder model of the Netherlands that is meant to allow for broad citizen participation favours economic issue-framings and empowers industries rather than civil society. The government allowed Shell a seat at the table of the klimaattafels although it has been shown that for decades the company actively mislead society on the existence of climate change and stalled policy-responses to reduce greenhouse gas emissions in the US and the EU.

Proven impact of lobbying campaigns

Royal Dutch Shell engages in direct lobbying activities, engaging with politicians and policy makers and uses sophisticated media campaigns to shape public opinion^{18 19 20}. Especially on EU level, Shell and the trade associations it is part of successfully opposed renewable energy legislation²¹. In 2018, for example, Shell lobbied the EU Commission to include natural gas in the future energy mix of the Union²². Shell is also a member of the trade associations API, the AFPM and FuelsEurope, that effectively lobby against the electrification of the European transport sector²³.

The Dutch polder model and the klimaattafels

Shell was granted a seat at the *klimaattafels* although it openly refuses to act in a way that is in line with limiting global warming to 2°C. Shell developed the “Sky scenario” that outlines how the company could transition to a carbon neutral business model by 2070. The company argues that such actions would be in line with the Paris Agreement²⁴. This is misleading in at least three ways: First, if global emissions would reach net-zero by 2070, we would not limit global warming to 2°C. Second, the scenario heavily relies on the use of controversial and unproven carbon capture methods that would allow the company to continue polluting the atmosphere with its emissions. These capture mechanisms such as reforestation are highly controversial and have negative side-effects. Thirdly, the fact that even though high-level institutions endorse the Sky Scenario as a step in the right direction, Shell itself advised its shareholders against the adoption of the scenario as a policy for its business. In short: The scenario is purely descriptive, it doesn't have any implications for Shell's business model and even if it did, it would not make Shell transition fast enough to prevent climate breakdown²⁵.

Fossil fuel companies including Shell were aware of the existence of human-induced climate change caused by CO₂-emissions by 1980 at the latest²⁶. Already at that time they were aware of the likely consequences of global warming like sea-level rise and more frequent and intense storms; they were aware of uncertainties in the exact time spans in which warming would occur and its impacts on ecosystems and societies. Nevertheless, they also concluded that at the time when greater certainty would exist it would probably be too late to take sufficient action. Despite having had that knowledge, these companies conducted and funded research and campaigns to spread uncertainty in the public about the existence of climate change and the need for coordinated action to face it. These companies that had built high expertise in climatology were better able than any other group in society to shape public discourse and spread uncertainty on the existence of climate change. While making use of their knowledge to protect their industrial facilities from the impacts of climate change [24], they did not warn society about the threats of it.

Since oil companies knew about the potential impacts of their business models on the climate; since they used that knowledge to protect their facilities from the impacts of climate change; and since they funded campaigns to spread uncertainty and stall policy responses and therefore mislead the public, these companies, including Shell, committed fraud, which is a crime. Court cases have been launched to hold these companies accountable for these wrongs. Nevertheless, the Dutch government granted Shell a seat at the table of the *klimaattafels* to discuss how the people of the Netherlands should adapt to the challenges of the climate crisis. This is highly irrational.

Lobbying EU institutions

Industries also exerted heavy influence on the Dutch presidency to the EU Council in 2006 to promote the introduction of the innovation principle, a quasi-legal principle that would require EU legislators to consider the impact of legislation on future innovations. The goal of the introduction of this principle is to provide a counter-weight to the treaty-based precautionary principle that is an important save-guard to environmental degradation, as it requires legislators to pay high attention to potential environmental risks of e.g. corporate production processes. The Dutch corporate representation vno-ncw, played a central role in these lobbying activities.

No industry trade association active on EU level expressed support for a net-zero emission target for 2050. Associations for the chemicals, cement, steel, and metals sectors emphasised the existence of increasing economic risks in relation to increasingly ambitious emission reduction targets. BusinessEurope, a cross-industry association, advocated the abolishment of renewable energy subsidies. A common argument advanced by trade associations such as FuelsEurope is that no unilateral actions should be taken, because this could lead to competitive disadvantages against other economies.

“Industry spent more than €100m in 2016 according to the voluntary transparency register, and deployed over 1000 lobbyists plus an army of PR and lobby consultancies, who helped to organise events in the European Parliament, secure high level meetings with the Climate and Energy Commissioners, follow policy and, among other things, push the myth that gas is a 'clean' fuel to partner renewable energy.”²⁷ Natural gas is known to be a non-viable option if we want to limit global warming sufficiently to stay within planetary boundaries²⁸. Investments in large-scale gas infrastructure either locks society into unviable emission pathways or will require shutting down these infrastructures before investments pay off²⁹.

C: The electoral representative system of the Netherlands is inclusive for some and inaccessible for many. Especially the interests of people with lower educational background are poorly represented in parliament. New (populist) parties respond to the need for more inclusivity by advocating crude democratic innovations such as referenda. Since many decisions in the Netherlands are made in informal consultations (polder-model) it is important to note that people with lower educational background are underrepresented and disadvantaged in these fora.^{30 31}

Elected representatives have to 80% a higher education background. With the jobs that they had, and the culture they practice they are unable to relate to the three quarters of society that have a lower-educational background. Among people with lower education, 20% are non-voters (2006), in contrast to 4% among people with higher education. But the Dutch democratic system is also known for its many and diverse channels of participation (also known as the polder model), such as “burgerinspraken”, consultations, processes like the klimaattafels or events like “We Make The City” in Amsterdam. However, these channels of engagement are much more accessible for people with higher education.

It is not surprising that many people feel alienated from politics and their own representatives. Politics is perceived as an “elite” project somewhere “up there” far removed from the normal life. It is not surprising that demands for democratic innovations, most notably for direct democracy and referenda are getting louder. New parties, mainly Forum voor Democratie, proposing forms of direct democracy such as Referenda (note: Citizen Assemblies are different) have grown rapidly in the past years.

D: Parliamentary representatives in the Netherlands find themselves in a 5-year electoral cycle, after which they want to be re-elected. This prevents them from making the rapid and substantial, yet potentially unpopular, decisions that are indispensable to tackle this climate and ecological crisis, and protect citizens in the long-term.

In order to limit global warming to 1.5 degrees Celsius, the government will have to resolve certain policies that are essential, yet potentially unpopular and/or unfamiliar among the

population. These policies are indispensable, because their alternative would be ecological and - as a result - societal collapse! For example, it may be necessary to limit meat consumption and flying through policies of taxing and/or rationing. Politicians tend to refrain from resolving such policies, because they do not want to lose voters, and because the benefit of such policies fall outside of their 5-year cycle of governance, after which they aim to be re-elected. In terms of political career considerations, parliamentary representatives thus do not have any incentive to resolve the rapid and far-reaching, yet potentially unpopular, policies that the tackling of this climate and ecological crisis requires. And, *even if* politicians bring themselves to resolve such policies (e.g. for moral incentives), their policy decisions are likely to receive public backlash. This is because the decisions coming from parliament are perceived as the decisions of an elite, who does not understand enough about the everyday lives and the problems of the people they decide for. We have seen this tendency of a public backlash in France in 2018 with the yellow vests, reacting to top-down fuel tax increases. If politicians want to receive less backlash on climate change policies that require difficult trade-offs, then they should empower the population to decide on such policies for themselves, through processes of informed deliberation among citizens.

3. A Citizens' Assembly (CA) is better-suited to live up to the challenge of implementing rapid and substantial policy changes, because it is more independent and inclusive. CAs have proven to produce high-quality decisions in situations of civic controversy. Moreover, CAs are set up to take into account the needs of all citizens in the Netherlands. A CA is thus ideally positioned to ensure a fair and just transition towards carbon neutrality in the Netherlands, and the halting of biodiversity loss.

What are CAs?

CAs are institutions in which randomly selected citizens deliberate on public policy or law³². The participants of a CA are chosen via *sortition*. Sortition is a process of randomly selecting citizens from the population. To ensure that the composition of the CA (age, gender, location of habitat, etc.) mirrors that of the entire population, sortition relies on demographic quotas (stratified sampling). The underlying idea is that deliberation within the CA should approximate what deliberation would look like among the entire population of a country. This is why CAs have also been called 'mini-publics'. CAs are instruments of *deliberative democracy*, which emphasizes face-to-face debate and consensus finding. They are not to be confused with *direct* democracy. While direct democracy stipulates that the entire population decides on a specific question (e.g. via a referendum), deliberative democracy stipulates that a cross-section of the population first goes through a process of information gathering and deliberation, and then comes to an informed and considered judgement. To that end, CAs usually combine elements of self-directed training and expert consultation (participants are allowed to cross-examine experts) with phases of face-to-face deliberation and voting. CAs have been used successfully in countries such as Australia, Canada, Iceland, India, Ireland, Poland, the UK in order to find solutions to problems of long-standing controversy. Citizens Assemblies have proven to foster cohesion and public participation in situations of societal polarisation and democratic fatigue. Beyond that, they are ideal tools to find socially just solutions to problems that require unprecedented pathways and potentially

difficult trade-offs. Importantly, CAs are also good tools to take decision-making processes out of the realm of corporate/interest-group lobbying and to avoid that political power games compromise the democratic solution-finding process. CAs are thus ideally positioned to find the far-reaching and transformative policies needed to tackle our current climate and ecological crisis.

Arguments for CAs

A: The climate crisis creates and will continue to create pressures on society. Changes in the environment like droughts, storms, and floods, will lead to crop-failures, losses of livelihoods, migration, and poverty. The rapid transition we need and demand to prevent climate breakdown will in itself create extreme pressures on social systems. Industries and associated jobs will change or disappear. Investments in infrastructure and fossil-fuel industries will lose their value. Active measures must be taken to enhance social cohesion and prevent further polarisation and inequality. Participatory, inclusive, and transparent decision making can lead to more just decisions that gain support by large parts of society.

We need everyone on board to face up to the challenges of the ecological crisis. Lifestyles and every sector of society and economy will undergo rapid and systemic transformations. To build the necessary consensus for these transformations in society, people have to trust in the processes that create the necessary laws. To gain this trust, these processes must be inclusive, just, and transparent. A Citizen Assembly meets these characteristics much better than the current representative and polder model.

People are willing to accept sacrificial measures if they were developed in Citizen Assemblies or comparable deliberative processes. In the case of the Irish Citizen Assembly on climate change, 80% of the CA members expressed their willingness to accept higher taxes on carbon intensive activities. In a global deliberative process carried out by the Danish Technology Board, citizens of Majority World countries (Global South) surprisingly demanded from their governments to do much more against the climate crisis. They did so despite the frequently advanced argument that the governments of these countries would first have to tackle the challenges of poverty and should therefore not have to do as much against climate change^{33 34}.

Citizen Assemblies are able to produce decisions on highly controversial and polarised topics. In Ireland, a national Citizen Assembly produced progressive recommendations on abortion laws and same-sex marriage, two highly controversial topics in the predominantly catholic country. The deliberative processes not only created a high level of consent among the participants of the CA (64% agreement that a termination of pregnancy should be lawful) but also convinced the broader public to agree with the recommendations (66% voted in favour of constitutional change allowing in principle for the termination of pregnancies in a nation-wide referendum). Consent on these two topics would have been unthinkable before the CA took place.

B: CAs, if properly organised, can protect decision making from excessive interference by organised (economic) interest groups. However, interest groups and the government can exert influence. Such interference can happen in three phases:

definition of the mandate; facilitation of the processes including selection of consulted experts; further use of the outcome produced by the CA.

Compared to legislative processes in parliamentary democracies, Citizen Assemblies are much better protected from interference through organised interest groups such as large corporations and industry associations. In contrast to the klimaattafel process, experts and stakeholders (i.e. interest groups) would only have a consultative role. The decisions, however, would be made by independent citizens. The larger the number of randomly selected citizens, the larger the likelihood that particular individual interests do not play too heavily into the final decision(s) of the CA.

Attention must be paid to three processes in the CA that offer leverage points to influence the outcome from the deliberation. The framing of the issue the CA will deliberate about will determine the range of possible outcomes. The facilitation of the process and especially the consultation of experts and stakeholders, will strongly influence the issues participating citizens will consider as relevant. It is recommendable to let citizens (partly) decide themselves whom to consult and how. Lastly, it must be clear how the outcome from the process will feed into further political processes. The outcome must neither be a dead document that does not have an impact on political processes, nor a too abstract document that gives too much interpretive room for standard political bodies such as Parliament or the government.

C: CAs are mini-publics that represent a cross-section of the population, rather than a political elite. This predisposes them to make decisions that take into account the needs of all. CAs are therefore well-positioned to ensure that the rapid- and far-reaching transformations needed to tackle this climate and ecological crisis happen in a fair and socially just manner.

The composition of a CA relies on sortition. Sortition ensures that the participants of a CA represent - in adequate percentages - all groups within a society, such as age groups, income groups, inhabitants of different regions, et cetera. A CA stipulates that these different groups face each other and discuss ('deliberate') with each other. This allows CA participants to get a sense of each others' diverse needs. CA participants are supposed to be considerate of these different needs when seeking solutions to a given issue. With regard to the current climate and ecological crisis, this is indispensable. It needs to be avoided, by all means, that the tackling of this crisis disproportionately disadvantages certain social groups (as happened, for example, in response to the 2008 financial crisis). Value added taxes, for example, have the tendency to disproportionately disadvantage the poor. A socially just policy of tackling this climate and ecological crisis needs to ensure this does not happen. This could, for example, work through concomitant policies of redistribution (e.g. the income from taxes could be used to support poorer households). CAs are well positioned to find fair and socially just policy solutions because every social group is represented in a CA, and because people of diverse backgrounds talk and listen to each other within a CA. Beyond that, CAs are likely to find unprecedented 'creative' solutions to a problem, because (unlike politicians) they look at a problem with fresh eyes. All in all, CAs are good means to produce what the political science scholar Graham Smith describes as 'considered judgements'³⁵. Considered judgement, for Smith, 'does not simply require citizens to learn more "facts" about the issue under consideration, although such technical knowledge is

crucial. It also requires them to appreciate the views of other citizens with quite different social perspectives and experiences³⁶.

D: CA participants do not strive for re-election. This makes them independent from political power games and political career considerations. It empowers them to make the rapid- and far-reaching, yet potentially unpopular, decisions that tackling this climate and ecological crisis undoubtedly requires.

The current climate and ecological crisis is an issue 'too hot to handle' for politicians because it requires difficult trade-offs and decisions that are potentially unpopular and/or unfamiliar among the population. Taxing, rationing or even prohibiting environmentally harmful behavior (such as frequent flying or meat consumption) will be necessary. Politicians fear to resolve such policies because they fear not to be re-elected, or to provoke public backlash (as happened in France in 2018). A CA is better positioned to resolve such daring and substantial policies because they do not have to worry about being re-elected. The Irish CA on climate change, for example, decided with a majority of 80% that they would be willing to pay higher taxes on CO2 intensive activities, provided that taxes be invested into the country's low-carbon transition, and that poor households be exempt from such taxes.³⁷ This shows how citizens are willing to self-impose certain sacrifices for the achievement of a larger, long-term benefit. Moreover, a CA's decisions are more likely to find acceptance among the population. Their policies are not the policies of an elite governing top-down, but decisions from the people for the people. The Irish CA's recommendation to legalize abortion (until the 12th month of pregnancy), for example, was approved by public referendum in Ireland - despite long-standing controversies in the country about the issue.

4. The Citizens' Assembly we propose would work as follows:

These questions will be covered in our CA guidebook, which is still in production. We are consulting experts to make a proposal for how a CA on climate and ecological justice could work in the Netherlands.

The guidebook will cover information, such as:

- The task and intended output of the CA
- What the CA would look like (organigramm)
- Selection of members
- Training of members
- Consultation
- Deliberation
- Decisionmaking / voting

To see the Extinction Rebellion UK CA guidebook, please click here:

<https://rebellion.earth/wp/wp-content/uploads/2019/06/The-Extinction-Rebellion-Guide-to-Citizens-Assemblies-Version-1.1-25-June-2019.pdf>

5. Responses to counter arguments:

But CAs do not have a legitimate democratic mandate! Parliamentary democracy stipulates that elected representatives (known and accountable to the people) resolve policies and laws, not randomly selected citizens!

This is not true! CAs *do* have a legitimate democratic mandate. It's just that their mandate does not rely on elections, but on sortition. If constituted according to sortition, CAs form ideal bodies of democratic representation, because an assembly of randomly-selected citizen represents the population better than representatives elected by a fraction of society. This is how democracy worked in ancient Greece (at the time excluding women and slaves).

Moreover, it is normal for democratic representatives to delegate part of their decision-making to specific decision-making bodies (such as a CA). Finally, CAs are not supposed to completely replace representative democracy but to aid it. In the age of internet, democratic innovations are possible! We therefore need to think less in terms of oppositions (i.e. representative vs. deliberative democracy) and more in terms of combinations.

But it's too expensive. It will cost the taxpayer!

We are in an all-time-exceptional climate and ecological crisis that might expose us to severe hunger and health damages, and even cost our (or our children's) lives. No means should be too expensive to tackle this crisis. Compared to the damages this climate and ecological crisis will soon cause us (and *already* causes us), this measure is cheap. In 2008, for example, the Dutch government bailed out Fortis (ABN Amro) with more than 16 billion euros³⁸ and injected more than 10 billion euros into the bank ING Group³⁹ in response the 2008 financial crisis. Compared to this, the cost of a CA is peanuts!

But what if the CA participants do not recognize this crisis as a crisis, or come up with bad/insufficient policies?

We need to trust the democratic process. So far, CAs have come up with good solutions. Moreover, of course, we need to invest in a good quality CA. We need to face the fact that parliamentary representatives have failed to tackle this crisis for 30 years. It's time for a change in democratic approach, even if this change may seem daring or unfamiliar.

For good reasons, the Netherlands just banned binding referenda, and now you come along and want to revive direct democracy?

It is true, Referenda and Citizen Assemblies are similar in the way that they let normal citizens make potentially far-reaching decisions. But this is also where the similarities end. Citizen Assemblies do not involve people in isolation but instead put the process of information gathering (consultation of experts and stakeholders) and subsequent deliberation at the center. What is more, Citizen Assemblies do not ask simple yes/no questions but instead require people to frame problems themselves and come up with the solutions that are necessary to face it.

But don't opinion polls give politicians enough insight into what the population wants and needs?

Opinion polls capture ad hoc reactions, rather than informed opinions. Because they lack elements of public learning and deliberation, they are low-quality means to grasp a population's average long-term interest. While it is true that opinion polls (if well done) are a good measure to capture a cross-section of the population's will at a given moment in time, these polls have a major weakness: they capture the will of citizens that neither had the opportunity to inform themselves beforehand about a specific matter of concern, nor had the opportunity to deliberate about this matter with co-affected fellow citizens. For example, if a poll would ask *urban* citizens whether they agree with a tax on car driving, many of these citizens would probably agree, because many of them do not have a car. Had these citizens been given the chance to inform themselves and deliberate with people, who are living in rural or suburban areas, they might have considered that other citizens rely on their cars to reach work. Hence, they might have come to a different conclusion. They might, for example, still agree with a tax on car driving, but only under the condition that this tax be used for the improvement of nation-wide public transport. Opinion polls do not give citizens such a chance to inform themselves, deliberate and come to a *considered* judgement. They are thus a poor measure to capture what is truly in the interest of the entire population of a country.

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- ¹⁹ <https://influencemap.org/score/Royal-Dutch-Shell-Q9-D5>
- ²⁰ <https://influencemap.org/report/How-Big-Oil-Continues-to-Oppose-the-Paris-Agreement-38212275958aa21196dae3b76220bddc>
- ²¹ <https://influencemap.org/score/Royal-Dutch-Shell-Q9-D5>
- ²² <https://influencemap.org/evidence/-4d5edbc024ec98a324af252e8976c09b>
- ²³ <https://influencemap.org/company/Royal-Dutch-Shell/projectlink/Royal-Dutch-Shell-In-Climate-Change>
- ²⁴ <https://www.smokeandfumes.org/fumes/moments/0>
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