

The European Constitution and deliberation

The example of deliberative focus groups in the run-up to the
referendum of 29 May 2005

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Notre Europe

Notre Europe is an independent study and research group dedicated to European unity. The association was founded by Jacques Delors in the autumn of 1996 and consists of a small group of researchers from various countries. As a think tank on European construction, the association seeks to make a contribution to the current debates through its objective analysis and the relevance of its proposals.

Notre Europe participates in public debate in two ways: by publishing its own studies and by using the services of external researchers to contribute to reflection on European issues. These documents are intended for a small number of decision-makers, academics and journalists in the different countries of the European Union. They are also systematically placed on the website. In addition the association organises meetings and seminars, sometimes in collaboration with other institutions or press organisations.

Notre Europe also takes a position on matters that are deemed to be of prime importance for the future of the European Union, through the voice of its President or its Board of Directors, which, aside from managing the association, is also in charge of its general direction and provides the impetus for its work. An international committee comprising high-level European personalities meets once or twice a year to discuss a specific important European issue.

Summary

- On 21 May 2005, Notre Europe assembled a panel representing undecided citizens in the Paris region, a few days before the referendum on the Treaty establishing a European Constitution. This innovative debate, inspired by the Deliberative Polling technique invented in the United States, set out, against a background of strong media pressure, to “create the conditions of a genuine deliberation situation” and to “allow ‘ordinary’ citizens the opportunity to construct, develop or change their opinion in a more reasonable and autonomous fashion”.
- This study highlights the partial achievement of these objectives: the methodology, inspired by that of Deliberative Polling, was able to cause the emergence of autonomous questioning and to reduce participant indecision, whilst being hampered by the inherent constraints of the exercise, in particular with respect to time. Analysis of the change in opinion of participants sheds light on the infectiousness of the “No” vote among persons undecided yet favourable to the European construction. It especially underlines a playing down of the negative impact of the rejection of the treaty, and even the beneficial effects imagined for the future of France and of Europe in adopting this position.

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Introduction

On 21 May 2005, around fifty citizens having declared themselves as undecided a few days prior to the French referendum on the draft Treaty establishing a European Constitution were assembled by Notre Europe on the premises of Sciences Po, in Paris. They were singled out by means of a traditional poll, at the end of which they were invited to take part in group deliberation on the subject. On arrival, the volunteers were asked to fill in a questionnaire identical to that to which they had responded during the initial poll. They were then divided into groups of around a dozen people, in order to discuss, under the guidance of a mediator, the reasons for their indecision and the factors likely to play a part in removing it. They also had the opportunity to question experts and to attend a debate between supporters and opponents of the Treaty establishing a European Constitution. At the end of the day, they filled in the opinion questionnaire again. A little over a week later, they were recontacted by the partner polling institute for the initiative, which then recorded their final vote.¹

It is this quasi-experiment that is related and scrutinised here. I will begin by detailing the reflection that gave rise to the initiative, with especial emphasis placed on the not automatically deliberative character of the referendum. I will go on to describe the retained procedure, retracing the conceptual genealogy – which relates it to deliberative polling – and showing how, using this model as a starting point, we came to put together an *ad hoc* prototype of Deliberative Polling centred around focus groups. This recap of the genesis of the method actually implemented will be accompanied by a comparison between the method and the principal characteristics of its prototype, which has been studied extensively elsewhere, so as to gain an immediate grasp of the potential and limitations of its successor.

¹ This quasi-experiment took place on 21 May 2005 on the premises of Science Po, in Paris. It was designed and organised by the author and Stephen Boucher on the initiative and behalf of Notre Europe, with the participation of Julien Goarant and Bruno Jeanbart of the Institut CSA-Opinion, who were responsible for the identification, recruitment and follow-up of participants, of the Res Publica team, Marie-Catherine El Fallah, Sophie Des Vallées, Stéphane Travert and Gilles-Laurent Rayssac, who presided over the working groups, of Science Po's Gaëlle Coutant, and of Notre Europe contributors Jean-Pierre Bobichon, Alain Dauvergne, Ute Guder, Morgan Larhant, Catherine Palpant and Christelle Vasseur.

Stephen and myself would especially like to thank Jacques Delors, Pascal Lamy and Gaëtane Ricard-Nihoul, respectively founding President, President and Secretary General of Notre Europe, for their energetic support to this project and their involvement in its preparation. Thanks are also due to Nadia Marik, Assistant Director of Science Po, Roland Cayrol, President of the CSA and Stéphane Rozès, director of CSA-Opinion. From a scientific point of view, we were also able to count on the constant encouragement and well placed advice of James Fishkin, of the University of Stanford, Robert Luskin, of the University of Texas, Jacques Gerstlé and Nonna Mayer of CEVIPOF (Paris) and Jesse Scott of the European University Institute (Florence); we appreciate their dedication and hope that they will find in this text a trace of the enthusiasm they have conveyed to us for an innovative and concrete approach to citizen-based debate. Lastly, none of this would have been possible without the financial support of the Europe Mission of the Ministry of Foreign Affairs; thanks are in particular due to Pascale Andréani, Diplomatic Adviser to the Prime Minister, and to Grégoire Harel, Adviser to the Ministry of Foreign Affairs, for their time and efficiency.

Next, following the straight line that Loïc Blondiaux refers to as the “constraint of description”², I will deal with the outcome of the deliberation process itself, step by step. Lastly, in a fourth section, I will analyse the data gathered and attempt to assess their contribution to an understanding of the debate on the Treaty establishing a European Constitution before drawing a few lessons from the experience as regards current challenges in the area of participatory and deliberative democracy.

² Loïc BLONDIAUX, “Démocratie délibérative et démocratie participative: une lecture critique”, in *Démocratie participative et gestion de proximité*, Paris, La Découverte, 2004, p. 9.

1. Principles for quality deliberation

The concern for quasi-experimental involvement in the French referendum campaign through the organisation of a citizen deliberation process is founded on a three-part reasoning. The first part is based on the conviction that the **future of the European construction will be assured through the creation of a public European sphere that truly associates citizens with the Community project**. The second is based on the observation that **the referendum, whilst it represents a form of democratic participation that is more active than on average, does not however in itself guarantee quality deliberation**. The third part is founded on the **emergence, over the last few years, of a trend in research and practice in the political and social sciences, within which effective and promising deliberative techniques are developed, but from which political decision makers are slow to draw inspiration**.

I will therefore begin by describing the foundations for the initiative, focusing on the central factor: the deliberative value of the referendum. The challenge of establishing a European public space goes far beyond the analysis model provided here, and is thoroughly documented elsewhere. It does not therefore appear necessary to devote any attention to it here other than to recall, along with Mario Telo and Paul Magnette, that faced with the increasingly drastic democratic crisis experienced by European integration, the State, the framework of this integration, will profit by “finding its echo in a joint citizenship that is more than simply a collection of passive rights, but also a shared process for deliberation and democratic decision”³. As regards the third aspect, that which specifically involves approaches centred around deliberation, this forms the subject of a specific summary by Stephen Boucher published at the same time as the present text⁴.

“It is on the clarity, complexity and precision [of] procedures [encompassing deliberative activities], and on the deontology governing their performance, that the political maturity of our democracies can be judged” - Paul Ricoeur

It is therefore the key issue in the qualitative value of the referendum as regards its participative dimension that requires the most attention here. It is still frequently heard, including among the ranks of the most critical observers of the delegatory system, that popular

ballot constitutes the best method for the true participation of citizens in debate and decision-making. Whilst this assertion should not be rejected outright, it should be relieved of the derisory nature of the belief that the referendum dynamic is the sole gauge of democratic quality. As Paul Ricoeur has shown, the “extreme vulnerability” of political language demands,

³ Mario TELO and Paul MAGNETTE, “Les remises en cause de l’Europe politique depuis la chute du mur de Berlin: vers une démocratie supranationale et post-fédérale”, in *ibid.* (Ed.), *Repenser l’Europe*, Brussels, Editions de l’Université de Bruxelles, 1996, p. 21. For a recent, accessible and complete summary of the issues linked to the establishment of a public European space and to European citizenship, see Elvire FABRY, *Qui a peur de la citoyenneté européenne?*, Paris, PUF, 2005.

⁴ Stephen BOUCHER, “The Democratisation of European Democracy”. “What paths should be followed for quality transnational inclusive deliberation?”, Paris, Notre Europe, Policy Paper no.17, November 2005.

in the adjudication of conflicts, a respect that goes beyond the mere formalities of the particularly demanding rules of this game⁵. In his opinion, "it is on the clarity, complexity and precision [of] procedures [encompassing deliberative activities], and on the deontology governing their performance, that the political maturity of our democracies can be judged"⁶. The fact that the "no" vote of the referendum of 29 May 2005 is now an irreversible political fact must not prevent us – from a scientific point of view – from measuring the political value of the exercise as a procedure. In order to do this, I will refer to the principles governing quality deliberation as they emerge from an analysis of the work of researchers specialising in deliberative democracy⁷.

Although said researchers show highly diverse theoretical horizons⁸, they do not limit themselves to a purely theoretical or speculative approach. The possibilities for observation, experimentation and involvement in the field of true political practice are, on the contrary, in the process of multiplying. Whether they are intended to add to the traditional procedures of representative democracy or are proposed as an alternative to it, participative and deliberative models have multiplied over the course of the last two decades with a variety of goals: associating the general population with local or national public affairs, organising consultation in the context of projects likely to affect living conditions, and exploring new paths for participation in public affairs that are more stimulating and interactive. Naturally enough, practices are not necessarily comparable; there is in particular a need to avoid in all cases any assimilation of participation and deliberation. Nevertheless, both concepts have "certain shared characteristics, justifying their analytical rapprochement. [They] firstly involve providing ordinary citizens with a form of participation in the discussion of collective issues, and generating a public verdict through collective discussion gathering together players of differing origins (...) and retain a consultative character in almost all cases"⁹. Above all, irrespective of their diversity, they allow for an identification of the key principles on which quality deliberation is founded. Loïc Blondiaux considers that three of them form a minimal consensus among deliberative democracy theorists¹⁰.

- **A principle of argumentation** according to which democratic debate must consist in an "exchange of reasons" and requires "procedures that allow for the emergence of the

⁵ Paul RICOEUR, "Langage politique et rhétorique", in *Mélanges Taminaux, Phénoménologie et politique*, Paris, Ousia, 1990 and in *Lectures I, Autour du politique*, Paris, Le Seuil, 1991, pp. 161-175.

⁶ *Ibidem*, p. 167, no. 1. See also the analysis developed on the same bases by Olivier MONGIN: "Le poids de la démocratie d'opinion. Désaveu de la réforme et fragilités du langage politique", in *Esprit*, July 2005, pp. 65-71.

⁷ I.e., Joshua COHEN, Sheyla BENHABIB, John FISHKIN, Robert LUSKIN, etc. On this point, see Loïc BLONDIAUX, "Démocratie délibérative et démocratie participative: une lecture critique", Conference of the Canadian Research Chair in Globalisation, Citizenship and Democracy, 11 November 2004, and Bernard MANIN, "L'idée de démocratie délibérative dans la science politique contemporaine. Introduction, généalogie et éléments critiques", in *Politix*, no. 15 (57), pp. 37-56. Blondiaux also underlines, behind the "tutelary figures" of Habermas and Rawls, the influence of the thinking of Hannah ARENDT and John DEWEY.

⁸ Loïc BLONDIAUX, *Op. cit.*, p. 2 thus examines rational choice, critical theory and feminism, law theory, social psychology and "classic" political science.

⁹ *Ibid.*, p. 3.

¹⁰ *Ibid.*, "Démocratie délibérative et démocratie participative: une lecture critique", in *Démocratie participative et gestion de proximité*, Paris, La découverte, 2004, pp. 10-11.

best arguments and allow us to get away from an exclusively aggregative conception of legitimacy”.

- A **principle of inclusion** whereby “the discussion must be open to the largest possible number and, ideally, to all those who likely to be affected by the decision” and requiring a quest for “to the extent possible, (the) conditions allowing for egalitarian, free, non-violent and open discussion”.
- A **principle of publicity or transparency**, thereby ensuring the democratic and open character of deliberation.

To these three principles common to the majority of authors can be added two others, transcending the first cited, and which allow for refinement of the distinction between the active and productive deliberation of simple collective discussion.

- A **principle of contradiction** for debates seeking to ensure not only the diversity of opinions expressed but also the taking into consideration of the pros and cons of each possibility envisaged. Indeed, the heterogeneity of a gathering alone does not necessarily imply a confrontation of points of view apt to guarantee what Bernard Manin refers to as “the epistemic virtue of discussion, that is to say its capacity to advance the search for what is true”¹¹. A large number of factors (personal, cultural, social, strategic, psychological, etc.) may have an influence on the emergence of mutual criticism of opinions, and consequently bias the search for an original solution (i.e., one that does not limit itself to imitating or reproducing a *pre-existing* logic). Thus “deliberation must be organised in a specific manner if we want opposed arguments to be present and (...) the deliberative body to sufficiently weigh up the pros and cons of the envisaged actions”¹².
- A **principle of the ethics or deontology** of deliberation, with a view to protecting the latter from “sophisticated misuse of rhetoric: since political language is rhetoric not by malice, but by essence (...). Therefore only a measured and respectful deontology, accepted by all parties to the political game, is able to keep it from the perversions specific to its rhetorical functioning”¹³. The exchange of well reasoned and contradictory arguments, if it is to be authentic, must be organised in a framework (self-)regulated by a true desire to be understood as much as possible by the other party. We measure the multidimensional scope of such a preoccupation: this involves

¹¹ Bernard MANIN, “Délibération et discussion”, (to be published in the *Revue Suisse de Science Politique*), Ed., p. 8.

¹² *Ibid.*, p. 13. Manin also insists upon another reason to concern ourselves with the organisation of public debates: the tendency, demonstrated by cognitive and social psychology, whereby “when confronted with information or documents with which they are not previously familiar, individuals have a systematic propensity to see in these new elements a confirmation of their previous beliefs”. This is known as confirmatory bias, as frequently referred to in deliberation models and which we will discuss below specifically with respect to the experiment related here (see p. ... above).

¹³ Paul RICOEUR, *Op. cit.*, p. 175. See also p. 167: “(...) how can we negotiate conflicts if there is no agreement as to the common rules of the game? This situation leads to a fundamental constraint for political language, defining the framework for what I have called, to be brief, *public deliberation*. Political language works best in modern western democracies as a language that opposes rival claims and contributes to the establishment of a joint decision. It is therefore both conflictual and consensual at the same time.”

language of course¹⁴, but also the other rules of the game, including the non-verbal dimension, the temporality of the deliberation, its topology, etc.

If these principles are not respected, there is little chance that the discussion, no matter how intense, will lead to satisfactory collective deliberation, capable of founding opinions based on something other than pre-conceived notions, dominant convictions, incentive factors, pressures and even emotions. Without upstream awareness through well argued, inclusive and transparent collective deliberation, the referendum process above all risks giving rise to “the aggregation of non-argued wishes”¹⁵ of dubious value.

One need only summarily apply the referendum of 29 May to the filter of this assessment ideology to reach the conclusion that the principles stressed above have only been respected to an extremely limited degree. Exchange of arguments has for the most part led to a massing of points of view, with little concern shown for mutually challenging each other. The principle of inclusion, just as that of publicity, has only really been translated by the organisation of debates, whether through the media or otherwise, in which citizens have been kept in a largely passive role. The contradiction has often manifested itself through opposing positions whereby there has been neither a desire to come up with alternatives, nor to **justify objections**. As to the principle of deontology, with a view to doing away with all recourse to sophism, today one need only read through the number of standpoints adopted to gauge its limited role in the debate.

“There are no grounds to suppose that, in a diverse society, the mere fact of freedom of expression and communication is sufficient for the formation of a public space” Bernard Manin

Needless to say, it is not a question here of denying the genuine contributions of the referendum. It has given rise to a large quantity of exchanges, publications and initiatives, which have fuelled the debate as has rarely been the case. Media coverage was exceptional as was Web surfer activity and sales of specialist works. These are as many indicators that are testimony to both the value of referenda as a decision-making mechanism resulting from direct democracy and to its value in stimulating debate. However, **an abundance of debates is not synonymous with quality of deliberation**. As Bernard Manin points out, “there are no grounds to suppose that, in a diverse society, the simple fact of freedom of expression and communication is sufficient for the formation of a public space.” It is this observation that has led us to question the general debate through the introduction of a deliberative formula.

¹⁴ See Olivier MONGIN, *Op.cit.*, pp. 68-69: “(...) democratic deliberation requires discussion, but discussion far removed from individual opinions and the discourse that claims to know (or like census-based democracy works on the assumption that the general public know nothing), and far from ‘political reality’ and the expert discourse of an elite few.” We note that Mongin associates his reasoning with Aristotelian “doxasein” – “credible opinion in the sense that it strives to keep the focus on truth” – which we will associate with the epistemic value of deliberation as emphasised by Manin.

¹⁵ *Ibid.*, p. 1.

2. Formulation of the concept

2.1. DELIBERATIVE POLLING© AS A MODEL

The process was essentially guided by a **double motivation**:

- On the one hand, to create the conditions for a genuine deliberation situation, linked to the complex factors at the centre of a true decision-making process, and thereby to show that, in a non-compromising situation, reflection and debate are both possible and productive.
- To show that a true deliberative situation enables “ordinary” citizens the opportunity to construct, develop or change their opinion in a more reasonable and autonomous fashion.

These key aspects of the enterprise were in turn encompassed by **three “operating” objectives**:

- To bring about the best possible conditions for the deliberation of the Treaty establishing a European Constitution in the context of a brief, intense and passionate campaign, without glossing over the complexity of the issues at stake, and committing to dealing with these in an informed, balanced and level-headed manner.
- To identify a cohort of citizens available and willing through a method based on objectivable criteria.
- To measure the development in opinions for at least two stages of the process: at the beginning and end of the debate (as well as, to the extent possible, following the ballot so as to check the true impact on the opinion expressed in the vote).

On the basis of a documented inventory of usable deliberative techniques, “Deliberative Polling” was the method retained. This approach, elaborated in the United States during the 1990s and tested for the first time in the United Kingdom in 1994, was developed by Professor James Fishkin of Stanford University, in collaboration with Professor Robert Luskin of the University of Texas in Austin¹⁶. It takes traditional polling as its starting point, but aims to modify its dynamics by applying the representative sample of respondents to an (inter)active –

¹⁶ James S. FISHKIN, *Democracy and Deliberation*, New Haven, Yale University Press, 1991; idem., *The Voice of the People*, New Haven, Yale University Press, 1995; Robert C. LUSKIN, James S. FISHKIN & Roger JOWELL, *Considered Opinions: “Deliberative Polling in Britain”*, in *British Journal of Political Science*, vol. 32, July 2002, pp. 455-487. See also: Kasper M. HANSEN, *The Deliberative Poll on the Future State of the European Union. Bringing the people back in*, University of Southern Denmark, April 2002; Bernard Manin, “Deliberation and discussion”, *Revue Suisse de Science Politique*, date unknown, pp. 5-7; Nonna MAYER, “Le sondage délibératif au secours de la démocratie”, in *Le Débat*, no. 96, September-October 1997, pp. 67-72; Thomas RISSE, *How do we know a European Public Sphere when we see one? Theoretical clarifications and Empirical indicators*, European Institute Workshop, Feb. 20-21, 2002. The website of the Center for Deliberative Polling is also worth consulting: www.la.utexas.edu/research/delpol

and no longer reactive and isolated – procedure and to a diachronic – and no longer ephemeral – dimension.

In concrete terms, Deliberative Polling extends classic opinion polling through an information period for persons polled, and then through in-depth deliberation of the questions at issue before a fresh survey of opinions is carried out. For Bernard Manin, “its objective was first and foremost to improve polling techniques by gathering well thought out and deliberated opinions, rather than responses that are hastily made by individuals perhaps never having thought about the questions asked. The aim was also to strike a balance between the expression of ordinary citizens, one of democracy’s central values since its creation, and the merits of collective deliberation, typically limited in the confines of the chosen gatherings”¹⁷. As for the inventor of Deliberative Polling, James Fishkin, he sums up the objectives as follows: “*The object is to facilitate deliberation that is not only quantitatively greater but quantitatively better than in the real world – more substantive, better informed, more balanced, more deeply reflective, and more inclusive in the sense of involving more socio-demographically and attitudinally diverse discussants*”¹⁸.

The process consists of **five stages** (detailed in [Appendix 1](#)). It begins in the same way as classic polling based on a random sample of citizens; but in a break with traditional practice, one month later the citizens are invited to take part in two or three deliberation days. Those who accept receive an information file and occasionally have access to a website providing them with information and stimulating their interest. Just prior to deliberation in the proper sense of the term, and once the participants have been assembled for this purpose, they are asked to once again complete the **questionnaire** that was sent to them when the initial contact was made. We are then able to begin the **deliberation phase proper**, in which the participants are gathered for approximately two days¹⁹ in a single appropriate venue; said deliberation alternates between restrained group discussion presided over by experienced mediators, an audience with technical experts and confrontation between advocates of the various standpoints represented. The work – and with it the deliberative process – concludes with a final **opinion poll**.

¹⁷ *Délibération et Discussion*, Op. cit., p. 5. On the initial impact of deliberative polling with respect to the research trend that has been developed in the United States through the multiple works of Philippe Converse on the “minimalist paradigm” and which has led to questioning of the capacity of traditional polling to take account of factors other than pseudo-attitudes and “non-attitudes”, see Nonna MAYER, Op. cit., p. 67.

¹⁸ In a typescript note: “Meeting America’s surface transportation needs. Proposal for Deliberative Polls, place and date unknown. (2004), p. 1.

¹⁹ In the majority of cases, debates take place over a weekend (notably so as not to interfere with the professional commitments of those summoned). With this format, participants arrive on the Friday at the end of the day and leave early on Sunday afternoon.

2.2 “BRINGING ABOUT THE EMERGENCE OF A PUBLIC OPINION WHEREBY THE PUBLIC IS INFORMED REGARDING THE QUESTION, AND TAKES THE TIME TO THINK ABOUT IT AND DISCUSS IT”

If Deliberative Polling has established itself as the appropriate technique for actions to stimulate debate during referendum campaigns, this is due to the aptitude of its methodology to **create the conditions favourable to quality deliberation, with true potential for analysis and observation, which typifies its dynamic approach and also its civic and pedagogical virtues**. Let us consider these three dimensions.

Starting from the basic double observation that, on the one hand, “conversation is not the soul of deliberation”²⁰ and that, on the other hand, the heterogeneity of a gathering is in itself no guarantee of the diversity and value of the points of view expressed – and consequently of quality deliberation –²¹, the architecture of the deliberative process and the care taken in its construction are most definitely crucial factors²².

In the majority of debates, including those that shun too great a degree of improvisation, a phenomenon of “group polarisation” is observed, whereby “the pre-existing opinion trend within a deliberative group is reinforced following discussion”²³. This propensity towards reinforcing the opinion predominating from the start of the debate is principally attributed to two factors: the social influence of the environment – wanting to be seen favourably by others, individuals have a tendency to devalue their own opinions according to the dominant trend so as to receive the approval of their peers²⁴ – and the quantitative imbalance of arguments in favour of the dominant standpoint – the more numerous the advocates of a certain option following deliberation, the more the number of arguments put forward in favour of this option will be disproportionately high²⁵. This bias results in a decrease in the value of the deliberation process, of which it is in principle expected that it be able to allow for the emergence of the correct decision by detaching itself from any constraints or pressure (even unconscious). Whereas the practice of Deliberative Polling is in fact able to escape this undesirable polarisation effect.

²⁰ According to Bernard Manin’s formula (*Délibération et discussion*. Op. cit., p. 16), inspired by the thoughts of M. Schudson, who considers that “conversation is not the soul of democracy” (“Why conversation is not the soul of democracy”, in *Critical Studies in Mass Communications*, 14(4), Dec 1997, pp. 297-309).

²¹ Bernard MANIN, *Délibération et discussion*. Op. cit., pp. 8-18.

²² Ibid.. See also p. ... above.

²³ Ibid., pp. 3-5. See also C. R. Sunstein, “The Law of Group Polarization”, in *The Journal of Political Philosophy*, vol. 10, no. 2, 2002, pp. 175-195.

Manin notes that, although “an extreme position may be perfectly reasonable (...) we see no reason why it should be desirable that deliberative groups systematically radicalise their standpoints in accordance with their prior leanings”.

²⁴ “In a deliberative environment where individuals are aware that the general opinion is leaning towards a given direction, they devalue their own expression in order to receive the approval of their peers” (Ibid., pp. 3-4).

²⁵ “In a situation whereby the majority of members are favourable to a given policy prior to deliberation, a disproportionate number of arguments in favour of this policy will be put forward. Considered from the point of view of being listeners, individuals will hear more reasons in favour of this policy than against it. This numerical ascendancy will in turn have a certain persuasive effect, leading group members towards the side having the most arguments. The initial imbalance in the distribution of opinions will therefore be accentuated by deliberation” (Ibid., p. 4).

For Manin, this is probably due to the manner in which contradiction is implemented and given form – and not simply postulated in function of participant diversity – in the specific process developed by Fishkin²⁶. Here, in fact, deliberators benefit from a “levelling up” of information upstream of the debates. They continue to be scrupulously informed during the course of said debates, having access to arguments and contextualisation aspects for each of the points of view represented. They hear the opinions of experts. They deliberate sometimes in small groups and sometimes in a plenary session, always benefiting from regulation assured by an impartial mediator. They attend and take part in confrontations between the advocates of various opposing standpoints, etc. This therefore involves a deliberative model incorporating, within a rigorous methodological framework, *organised debate* and combining it with *egalitarian discussion* and forms of *communication whereby the involved parties do not engage in dialogue amongst themselves* (during the prior information phase or the audience with experts, for example). It is the combination of these three aspects that seems to allow for prevention of the systematic mechanism of reinforcement of prior beliefs and that, consequently, leads to a **reasonable probability that the deliberators will truly establish their preference based on the arguments they have heard and exchanged**²⁷. In short, within the range of participative mechanisms currently in existence, Deliberative Polling is among those that best gather together the qualities favourable to a deliberation that is, if not optimal, at the least free of its most detrimental failings.

In addition, Deliberative Polling presents the advantage that it does not content itself with an ephemeral and single recording of participants’ opinions (which often takes place at a later time in the majority of other processes), but repeats the operation at various selected moments of the process. As Nonna Mayer points out, the approach is not solely prescriptive, but also constitutes a method of acting on opinions: *“It is less a question of gathering public opinion on a given issue than of bringing about the emergence of a public opinion whereby the public is informed regarding the question, and takes the time to think about it and discuss it”*²⁸. However, from the moment that a precise idea may be gleaned of the group’s thoughts regarding a given issue when it is polled without warning, of its thoughts after having dissected serious information on the subject, of its thoughts after having deliberated these issues in the conditions described above and, possibly, of its thoughts regarding the matter as a whole a few weeks or months later, we are able to obtain indicators that enable **the measurement of opinion and doubtless also an understanding, to a certain extent, of the parameters and mechanisms that play a key part in its formation**. It is this approach, at once dynamic and reflective, that distinguishes Deliberative Polling from numerous other techniques and encompasses its high potential from a point of view of qualitative scientific analysis. Kasper Hansen moreover states that, for the same reasons, the method is arguably amongst the best adapted *“[for] establishing an*

²⁶ Indeed, “(...) a gathering, even a diverse one, does not necessarily consider the pros and cons of the actions it envisages” (Ibid., p. 11).

²⁷ Ibid., passim. According to James Fishkin, the four principles that must characterise any efficient democratic deliberation process are deliberation (i.e., the exchange of arguments), absence of oppression of the minority by the majority, political equality and participation (*The Voice of the People*, Op. cit., p. 173).

²⁸ Op. cit., p. 68.

*understanding of the gap between the general public and the European – and sometimes also national – decision-makers on specific subjects concerning European integration*²⁹.

Lastly, the remarkable quality of Deliberative Polling with respect to our concerns still lies in the civic and pedagogical objectives assigned to it by its promoters. For James Fishkin, it is indeed a question of **stimulating and developing democratic participation**³⁰. And it must be said that the available results of deliberative polls carried out thus far indicate a positive impact in this area: *“the responses of participants reflect an increased interest in politics, an awareness of their ignorance and a need for information (...). They also indicate a more critical perception of politicians and an increased determination to be heard”*³¹. The benefits of these virtues do not only apply to deliberators: television broadcasts of debates and their dissemination through the press allows a much wider public to be reached³². According to Kasper Hansen, the added participative value of the method recommended by Fishkin and company is attributable to three factors:

1. The capacity of Deliberative Polling to stimulate the debate
2. To increase the motivation of the citizens concerned, and
3. To strengthen the level of knowledge on a given subject area³³.

As regards this last aspect, there is a need to highlight the strong link between the civic scope of Deliberative Polling and its pedagogical dimension. It is beyond doubt that both the differences noted between initial, mid-range and final (or at least conventionally considered as

²⁹ Op. cit., p. 1.

³⁰ *The Voice of the People*, Op. cit., pp. 173-175.

³¹ Nonna MAYER, Op. cit., pp. 71-72.

³² The experiments carried out thus far have met with considerable televisual success. Indeed, the first deliberative poll organised in Manchester (UK), in association with Channel Four and *The Independent*, on the question of criminality and means of fighting it, drew an audience of 20% of viewers for the programme shown on Channel Four and Granada Television. The experiment was moreover widely commented in the written press, which devoted over a hundred articles to the subject (Ibid.). However, no detailed qualitative assessment is available as regards the true impact of this type of initiative on “indirect” public opinion formation.

Nonna Mayer observes, as regards the desire to be assured of the repercussions of the experiment for a large audience, that “Fishkin also echoes the dream of Gallup, for which opinion polls, relayed by the media, should be able to transpose the characteristic village gathering of New England or of Swiss cantons to the scale of the country as a whole, and to restore direct democracy to the age of the masses: *the nation is literally gathered in a single room. Newspapers and radio direct the debate on national matters (...). And when all is said and done, thanks to the technique of sample-based referenda, the general public, after having heard the opposing points of view on each of the questions, is able to express what they want*” (Ibid., pp. 68-69; the quote by George GALLUP, and translated by Nonna Mayer, is taken from *The pulse of democracy: the public opinion poll and how it works*, New York, Greenwood, 1940, p. 15 by James FISHKIN, *The Voice of the People*, Op. cit., pp. 79-80).

³³ Op. cit., p. 1.

such) opinions, and the effect of citizen competition generated by the deliberative process, are linked to the educational properties of Deliberative Polling. As Fishkin points out, “*the participants who learn the most change the most*”³⁴.

2.3 OBSTACLES AND CONSTRAINTS

- We are clearly able to see that reasons were not lacking that, on paper at least, suggested that Deliberative Polling was a formula appropriate to the prospect of a citizen-oriented and participative action within the framework of the referendum campaign³⁵. At this stage in its development, the technique may no longer be considered to be in its infancy, and the scientific literature recognises the significance of its contribution. To this end, and without however wishing to assimilate it with a panacea³⁶, it undoubtedly represents an effective method of citizen involvement and participation, and thereby constitutes one of the vectors corresponding to Notre Europe’s interest in promoting an inclusive and participative European space. However, between the initial intention and the mechanism actually put in place, the concept transformed itself according to a number of factors generally linked to the political context (which, moreover, formed the object of the procedure, etc.). Three main parameters have had a negative effect on the possibility of implementing full Deliberative Polling: the time available,
- The **cost** of the operation, and
- The **intellectual and political risks that are involved on the part of its possible funding providers.**

³⁴ *Meeting America’s surface transportation needs*, Op. cit., p. 2. Little, however, is known regarding the learning-related factors that play a part in the dynamics of changes in opinion verified in the framework of deliberative polls. It would be especially interesting to isolate these factors from other efficient causes (external influences, prior experiences, etc.), and to identify the possible interaction between the various causes and the process of the acquisition of knowledge. In the same way, it would be preferable to know if the method allows to go beyond the simple acquisition of knowledge and in fact favours the development of competences (i.e., of knowledge and know-how that is able to be translated into possibilities for the subsequent accomplishment of an action of the same type, and to construct the said action by adapting it to a changing context). The analysis of deliberative polls from a didactic point of view would not only allow an attempt to better understand the process at work – and perhaps above all to refine current hypotheses on the reasons for the absence of the effect of polarisation of prior opinions – but also would allow for an appreciation of to what extent the methods studied could be perfected, more widely applied, or even exported to other formal or informal educational contexts. It is this line of inquiry that has led Notre Europe to set up a work programme entitled “Deliberative Polling and active citizenship education”, which will be developed between October 2005 and October 2007 with the support of DG Education, Audiovisual and Culture of the European Commission.

³⁵ This involves, moreover, a project that was formulated, independently to the initiative related here and without us having been aware of it at the time, by the vice president of the Convention, Mr Giuliano Amato and a number of associated contributors and scientists: see Jesse SCOTT, *Future of Europe Deliberative Poll: Project Outline*, place unknown, February 2003; see also Kasper HANSEN, Op. cit.

³⁶ We must not overlook certain indispensable conceptual precautions if we are not to extrapolate the results of deliberative polling beyond their true significance. It is therefore important that we take into account the biases of representativity as highlighted with regard to classic polling. We must also refrain from opposing the legitimacy of deliberative polling with other methods of opinion formation.

Barely three months separated the official announcement of the ballot date from the ballot itself. Although this period did not compromise the conception and development of the initiative from both a methodological and operational point of view³⁷, it rendered problematic the formation of the required financial partnership for the operation. Between the organisation of the initial poll, the recruitment and transport of participants and the drafting and sending of the documentation, as well as transport, hospitality and accommodation for deliberators, payment of expenses for mediators and other professionals required, etc., the total cost of such a process demanded a substantial investment, necessitating the financial involvement of other actors³⁸. Whereas the tense climate of the campaign and the minor differences in the standpoints of the defenders and opponents of the Treaty establishing a European Constitution, linked to the uncertainty surrounding the final outcome of the Deliberative Poll, had the consequence of discouraging the prospective partners. Although backing from the public authorities was not long in coming³⁹, political foundations and the media – indispensable in assuring the dissemination of the deliberation process, in the philosophy of Deliberative Polling – otherwise showed themselves to be more circumspect. Whilst the concept seemed attractive at first – particularly through its innovative character – **reservations became apparent once our interlocutors realised that the methodology led to an absence of control over the nominal outcome of the deliberation process**. This type of reaction should perhaps also be attributed to a French reluctance with regard to research and experimentation in the field of public opinion, as already signalled by Nonna Mayer in 1997⁴⁰.

In any case, the over-cautiousness of actors faced with the uncertain result of the deliberative process forced us to abandon the Deliberative Polling project *stricto sensu* to develop **an adapted formula, more modest from an organisational point of view, but directly inspired by the methodological lessons taken from deliberative polls**. The redevelopment of the concept took place on two levels. The first consisted in a geographical and thematic reorientation. From national Deliberative Polling encompassing all pre-electoral profiles, we shifted to a consultation organised at the level of the Ile de France Region and including only the undecided. The second variable to be reviewed was the time scale for the deliberation process, which was reduced to one day. It was therefore a Deliberative Poll centred around focus groups of undecided individuals that was planned in April 2005 and took

³⁷ Several deliberative polls have been organised or supervised by James Fishkin and Robert Luskin for which the period between the decision to go ahead with the operation and the end of said operation did not exceed ten to twelve weeks.

³⁸ The estimate in the present case was close to 350,000 euros. The invoice for the pioneering deliberative poll in Manchester was 350,000 pounds and some operations have exceeded three and a half million dollars in the United States (Nonna MAYER, *Op. cit.*, p. 72).

³⁹ In particular from the cabinet of the then Prime Minister, notably through the person of Ms Pascale Andréani, diplomatic adviser.

⁴⁰ *Op. cit.*, p. 72. For the purposes of completeness, we point out, however, that the deliberative polling project on the European Constitution as envisaged by Giuliano Amato and his team (see note above) outside of the French context was unable to be carried out due to a lack of sufficient support. Nevertheless, it did benefit from considerable scientific and political backing, as well as a more comfortable time frame. However, seeing as it envisaged the transnational participation of citizens from the various Member States, it was in all likelihood much more expensive.

place one week prior to the holding of the referendum on the Treaty establishing a European Constitution.

Without wishing to wax lyrical about how fertile constraint brings about innovation, we will however point out that the adaptation of a model to a concrete reality inevitably characterises recourse to deliberation. Situations vary, debates may spring up in unexpected fashion, contexts change, etc., in short, responding to political challenges by way of deliberation allows for a capacity to escape from pre-established patterns in order to create *sui generis* formulae that are adapted to issues and circumstances. A “prêt à porter” approach is consequently not appropriate in this area; although the necessity for flexibility does not authorise departure from the fundamental methodological requirements of deliberation.

2.4. CHARACTERISTICS OF DELIBERATIVE FOCUS GROUPS

The procedure was aimed at allowing a group of French citizens to apprehend the referendum through an active approach centring on deliberation. The mechanism put in place for the purpose was developed around a series of simple actions: identifying by polling a sample of representative electors, within the Paris Region, for the **main categories of the undecided**; **assembling them** at an appropriate venue for one day; creating the **required conditions for deliberation** on the principal causes for their indecision and the factors likely to remove it; giving them the **possibility of consulting** political and trade union **representatives** along with academic experts defending, **in a balanced manner**, at times a “yes” vote and at times a “no” vote to the referendum; **measuring the opinion** of the panel before and after the deliberation process.

Focusing the experiment on the questions and expectations of the undecided enables a reduction in the size of deliberative groups, whilst associating the event with the schedule and the evolution of campaign issues. It therefore plays a part in creating suspense for the final furlong, thereby heightening the interest of all those involved. In the same way, the restricting of the geographical perimeters to recruitment of participants in the Paris Region was applied with the same purpose of limiting the sample whilst preserving its representativity for a given territorial level. Beyond space, the other variable to be adjusted was time: from one weekend in the case of Deliberative Polling, the duration of the deliberative phase was reduced to **one day**. For the rest, and despite the metamorphosis of the project as regards its initial intentions, **the philosophy lying behind Deliberative Polling centred on focus groups is close to that from which Deliberative Polling draws inspiration.**

From a point of view of aspects **shared** with Deliberative Polling, we draw attention to the following: the principle of recruiting participants using classic polling; the assembling of volunteer deliberators at an appropriate venue approximately two weeks following the time at which they were first polled (instead of one month, on average, in the case of Deliberative Polling); the paying of expenses and the assignment of financial incentives to participants; the organisation of debates in work groups made up in partially random fashion and under the guidance of professional mediators; the balanced confrontation of the points of view of politicians, trade unionists and academic experts (confrontation prepared during workshops

and led on the basis of questions asked by the deliberators and resulting from their joint work); measuring participants' opinion both up and downstream of the deliberation process, on four occasions (during the initial telephone poll, by written response to the questionnaire on the deliberation day – prior to the start of exchanges and at the end of the work, following the plenary session and the confrontation of standpoints – and through a final telephone interview after the referendum).

As regards the most significant **differences**, these involve: absence of the distribution of documentation or information corresponding to the theme for discussion between the time of recruiting and the start of the deliberation process; the reduction of the time scale to a single day; absence of the possibility of asking clarifying questions to impartial experts; the fact that the plenary session of the public debate was held in the presence of an outside audience (who were not however permitted to take part in the discussion); the absence of a television broadcast of the deliberation process (which was partly compensated by a radio broadcast and short television reports)⁴¹.

The three factors identified above as together being susceptible to prevent the bias of the radicalisation of prior opinions, two are fully retained – egalitarian discussion and organised debate – while the third – forms of communication through which participants do not engage in dialogue amongst themselves – is set aside due to the absence of written information prior to the discussion and the absence of the possibility of consulting “neutral” technical experts; it therefore may therefore be summed up as a public hearing of exchanges taking place during the debate between those for and against the Treaty establishing a European Constitution. Under these conditions, it would be interesting to check if the bias of the polarisation of opinions remains contained by the methodology, or if, on the contrary, affected by the metamorphoses of the deliberative formula, it has the upper hand.

⁴¹ The radio broadcast took place on France Culture on XXX. Besides the fact that a television broadcast is able to reach a much wider public, it offers the advantage of taking into account certain non-verbal aspects of language (attitudes, gesticulations, etc.) that are not without their significance in a public debate. Radio, for its part, enables for a better focus on the opinions exchanged, at once from a point of view of content, formulation and expression.

3. The stages of deliberation

3.1. RECRUITMENT OF “THE UNDECIDED”

The initial poll was carried out by the CSA Institute between 12 and 14 May, using a sample of 980 persons in the Ile-de-France Region. To those who, in the poll, declared themselves to be undecided, it was proposed that they take part, on 21 May, in a day of debate and confrontation between those for and against the referendum. At the same time, the CSA was asked to draw up a profile of the group of undecided persons, as it was able to be identified in the classic polls carried out at that time. Whilst Deliberative Polling is generally speaking applied to a random sample, it seemed to us that this approach needed to be combined with representativity criteria – without however applying strict quotas to these – in the case of a consultation specifically directed towards a given public. The criteria retained included age, sex, socio-professional characteristics and political sympathies⁴².

Less than twenty days prior to the ballot, the **profile of undecided persons** had the following aspects. It involved more than 30% of French people having declared that they would like to vote – and 60% of persons entered in the register of electors – representing around one fifth of the electorate. It essentially typifies left-wing electors, whilst right-wing electors are more split between voting yes (UMP and UDF)⁴³ and no (“Souverainistes” and FN). As regards the Left, those affected are proportionately more numerous among the Green electorate than the Socialist electorate, but seeing as the ecologist electorate is much smaller than that of the PS, this represents considerably fewer persons as an absolute value. Indecision also appears to be widespread among the working classes and non-graduates, although it does not apply exclusively to them. It involves proportionately more men than women. It is the most common among those aged below 30, remains significant among those in their thirties, and decreases as the age of electorate increases.

The reasons given for the indecision of those polled were identified during recruitment (through the following question asked during the telephone interview: “why have you not chosen to state today which way you will vote on the occasion of the referendum?”). From the material gathered it appears that undecided persons are overwhelmingly citizens that are undergoing a genuine dilemma between yes and no. Two main sets of circumstances are apparent: either the undecided person wishes to vote but declares that they are incapable of making a choice because, in some cases, they feel that they are under- or over-informed, whilst, for others, they feel thrown by the debate (“using the same argument, two opinion leaders will sometimes express themselves as in favour and sometimes as against”); or they feel inextricably torn between the two camps. With this last hypothesis, two possible cases predominate: in the first, the price for those wishing to vote in favour of the Treaty

⁴² At the time, the average rate of indecision expressed in the opinion polls exceeded 30%.

⁴³ A certain hesitation was for some considerable time present among the ranks of the UDF, but this seems to have been linked to the Turkish question and was apparent at the time at which the poll was carried out.

establishing a European Constitution is having to make what they consider to be a supportive contribution to the presidential and governmental majority, whereas they disagree with said majority on a large number of other issues (“I don’t want to vote for Chirac, and yet I don’t want to vote against Europe”)⁴⁴; in the second, their feelings regarding the vote rather tend to direct them towards a choice opposing that advocated by policy makers or emblematic or familiar celebrities to whom they feel close; or they have an inclination that is in conflict with other values (generally speaking, an idealistic vision at odds with pragmatic arguments or vice versa)⁴⁵. Irrespective of where they were situated on this continuum, the majority of undecided persons nonetheless declared themselves to be concerned or very concerned by the issue, which represents the future of the European construction, and stated they were determined to vote (provided they were able to decide on a position).

By crossing these median data with those for persons having accepted the invitation to deliberate, it was possible to single out a cohort of 81 persons. This original selection included a slight factor of masculine over-representation. Those aged 18-29 and 30-39 were more widely represented than were the older age categories. Persons without a degree or with only a minor degree made up two thirds of the total. Half of those selected declared they were closer to the Left, while one quarter stated they were closer to the Right and the final quarter did not claim any political preference.

The number of persons retained incorporated a potential rate of non-attendance of between 25 and 50%: in order to allow for the analysis, the minimum limit for participants was set at forty persons. In order to contain this rate, two measures were taken: a number of telephone calls were carried out so as to check and, if necessary, rekindle the motivation of potential participants and see to their transport to the deliberation venue; persons having agreed to take part were informed that they would receive a fee of one hundred euros, to which were added symbolic incentives such as the organisation of debates at a prestigious venue, the attendance of known political figures, and the media coverage of the event.

On the eve of the deliberation day, 64 participants confirmed their attendance. On the said day, 49 persons presented themselves. The profile of the group they formed may be outlined by way of the data in the table below.

⁴⁴ A reflection of the type “I’m finding it hard to have to back Chirac a third time round” came up in a large number of reasonings. The two previous occasions alluded to here are the second round of the presidential elections of 21 April (?) 2002, which saw the incumbent president, Jacques Chirac, take on the far-right leader Jean-Marie Le Pen, thereby attracting the support, sometimes resigned, of a large number of electors who had not supported Mr Chirac in the opening round and did not share his political sympathies, but intended to stand in the way of the Front National; and the popular support lent to President Chirac and his government when they expressed reservations and subsequently opposition at the outbreak of the war in Iraq as desired by the American administration of Mr Bush.

⁴⁵ This position can essentially be broken down into two types of attitude: those wishing to vote not according to social or “alterglobalist” conviction, but hesitate in going ahead with their choice as they fear the consequences (weight of France in Europe and in the World, weakening of the Left, the fact that this will not solve their problem with Chirac); those in principle wanting to vote “yes” but are swayed by the humanist and social arguments of those arguing for a “no” vote.

GENDER	
Male	29
Female	20
	49
AGE	
18-29 years	17
30-39 years	11
40-50 years	11
50 years and over	10
	49
PROFESSION	
Executives, liberal profession	6
Mid-range profession	15
Employee	17
Blue-collar worker	11
	49
STATUS	
Active	33
Inactive	16
	49
POLITICAL PROXIMITY	
Left	29
Right	12
No particular preference	8
	49

3.2. DELIBERATION DAY SCHEDULE

Deliberation took place on Saturday **21 May 2005**, between 9.30 a.m. and 6.30 p.m., at Sciences Po in Paris.

The participants were welcomed individually in the entrance hall of the institution from 9 a.m. onwards. They were given a badge and **information folder** with neutral content⁴⁶. The work truly began five minutes later in the form of an **introductory session** during which the objectives of the initiative, the day's schedule and the various persons in charge were presented; the principle of opinion measurement was explained (without however divulging the content of the questionnaires, nor of course stipulating that that of the afternoon would be almost a carbon copy of the version distributed in the morning); practical information was

⁴⁶ Practical information, description of the initiative, brief factual information on the European Union, presentation sheets for the organiser and partners; but no documents that argued in favour of or against the Treaty establishing a European Constitution.

conveyed; the participants were invited to request any explanations or clarification they deemed necessary.

The deliberators were then divided into **four sub-groups**, each made up of between eleven and fourteen persons, and taking into account their socio-professional profile. In this case, it was less a question of once again breaking with the randomisation aspect that governs Deliberative Polling than of preventing any possible negative effects – inhibition or dominance according to the information and education of participants – resulting from a possible over-marginalising of certain categories in a given sub-group. Aside from this precaution, the laws of stochastics were respected. Each sub-group was identified by means of the number of the room (11, 12, 13 or 14) in which it was gathered. This number was mentioned on the badge given to each participant on their arrival.

Each of the deliberative groups was **presided over by a professional mediator** possessing a sheet of guidelines based on five instructions: (i) showing a fully neutral attitude towards the Constitution; (ii) ensuring that each person was able to express themselves in an entirely equal manner and with a respect for the opinions of others; (iii) assuring and, where necessary, stimulating debate; (iv) identifying in a precise manner, at the beginning of the session, the objectives to be followed by the group and keeping to this focus; (v) regularly recalling the rules of the debate (as announced at the start).

In addition, in each sub-group, a **rapporteur** took notes whilst abstaining from taking part in the debate (with the exception of questions relating to comprehension) and with a view to presenting after the second session a report on the principal themes discussed, intended to be transformed into questions during the public debate.

At the beginning of the process, participants were asked to individually complete an **opinion questionnaire**. This was done in order to proceed to an initial measurement of their opinion, on the basis of which changes likely to occur after the end of the exercise (see elements of evaluation below).

Following this, **group exchanges** were organised following a common framework, divided into four stages:

1. An initial period (maximum 30 minutes) to be dedicated to presentation of the deliberators. This was not governed by a strict format, but was instead left open, as regards the aspects mentioned, to the interpretations of each participant. Nonetheless, each participant was asked to use their first turn to speak to mention the reason they felt was dominant in explaining their indecision. It was on the basis of this raw data, subsequently refined, that the collective preparation for the plenary session of a questioning of representatives of the yes and no camps was to take place, with a view to raising arguments liable to bring about the development of participants' point of view.
2. In a second stage (approximately 60 minutes), a discussion with a view to better pinpointing the major causes for indecision was begun based on the individual

experiences of each participant as related during the preceding stage. The role of the mediators here was to ensure to the extent necessary a gradual progression from impressions to argumented discussion. To this end, it was suggested that the causal question (“why are you hesitant or why do you not know which way to vote?”) be followed up with a future-oriented question (“what would be likely to bring an end to your indecision?”).

3. The third stage (2 hours) aimed to allow for the true construction of questions to be addressed to the experts during the public debate. The objective was to identify the informative or argument-based methods likely to bring about a change in the major shared reasons for indecision as identified in the preceding stages.
4. A fourth and final stage (60 minutes) was scheduled for after lunch in order to check and – if necessary – clarify the debate questions. Due to exceeding of the time constraints, it was however not possible to reassemble the sub-groups before the plenary session.

During lunch, while the participants continued their exchanges in an informal manner⁴⁷, the mediators and rapporteurs gathered together in order to share the principal conclusions resulting from the debate and to prepare on this basis a plan for the public questioning session. At that time, it became apparent that the various sub-groups were not, at that stage in the deliberation process, at the same point of advancement in the programme. Although each participant was able to report interesting results, there was a need to take into account the differences in the **composition of the synthesis project** (which consequently required more time than expected) and to slightly adjust the paths of discussion that had been developed. During the plenary session that followed, the rapporteurs presented a report for each sub-group, while a shared proposal was submitted for the approval of participants. Participants were able to express their opposition to certain priorities, and were invited to redefine or reorganise them in order of importance, in accordance with the shared nature of their concerns. They were invited to prepare, in small groups, the final drafting of questions and to appoint representatives from their ranks to put the questions to the experts. Each of the questions was subsequently read out in front of all the participants, and their formulation was thereby able to receive a few final comments before the start of the public debate.

The **public debate** began at 4 p.m. in the Amphithéâtre Boutmy and attended by around 350 spectators, with a brief introduction by Mr Pascal Lamy, mainly reminding the audience of the principle that only the participants of the panel of the undecided were permitted to ask questions.

Opponents and supporters of the draft Treaty establishing a European Constitution were each represented by three spokespersons, including a political representative, a trade

⁴⁷ James Fishkin and Robert Luskin strongly insist upon the importance of informal discussion spaces between participants in the opinion formation process.

union representative and an academic expert⁴⁸. Each delegation also included a **person from another Member State of the European Union**.

A **dozen questions** were asked by the representatives of the panel of the undecided. The representatives of the Yes and No camp took alternating turns to answer, with a maximum of two per question, depending on the nature of said question. The turns to speak were allocated by an independent mediator⁴⁹, who also saw to it that the time allowed – identical – was respected by both camps. He also saw to it that the undecided panel members were able to process responses (in particular in terms of clarity and precision). So as to favour exchanges that were often lively and passionate, all questions foreseen were submitted to the speakers in the time available⁵⁰.

At the end of the public session, each deliberator was asked to complete the same **questionnaire** as that submitted in the morning.

3.3 MEASURING OF OPINION FORMATION

Opinion was measured by means of a short questionnaire that the participants completed individually **at the start of the work** as well as **at its end**. It included three sections:

- four questions to define the profile of the respondent whilst respecting their anonymity: gender, age, professional situation;
- nine questions to establish the point of view of the respondent regarding the European construction and the draft Treaty establishing a European Constitution, so as to pinpoint the reasons for their indecision and the factors likely to change it;
- two questions, solely applicable during the second distribution of the questionnaire, and devoted to an assessment of the deliberation process. All the questions were closed – with the exception of the final assessment question which was open to comments – and were presented in the form of multiple choice questions in the majority of cases and in the form of alternative responses in three cases.

In addition, the participants in the deliberation process all received a **telephone call** from the CSA in the week following the referendum of 29 May. A certain number of questions were asked, of which a few were taken from the questionnaire distributed a week earlier, so as to allow an appreciation of the correlation between the intentions shown during the deliberation experiment and the actual behaviour shown at the time of the vote.

⁴⁸ The representatives of the NO camp were Mr Nicolas Dupont-Aignan, MP, Ms Brigitte Allain, Spokesperson for the Confédération paysanne (farmers' union), and Mr Riccardo PETRELLA, professor at the Catholic University of Leuven and initiator of the Global Water Contract. The representatives of the YES camp were as follows: Mr Jacques DELORS, former President of the European Commission, Mr Emilio Gabaglio, former President of the European Trade Union Confederation, and Ms Florence DELOCHE-GAUDEZ, Secretary General of the Centre for European Studies at the Institute of Political Studies in Paris.

⁴⁹ The journalist Richard Arzst.

⁵⁰ The full sound recording of the public session is available on request from Notre Europe's administrative department. For information visit: www.notre-europe.asso.fr

The questionnaires were analysed by the CSA. On the basis of said questionnaires, a number of observations were able to be made on the progressive formation of the opinion of the participants in the deliberative process: these are presented in the pages that follow.

3.4. ELEMENTS OF METHODOLOGICAL EVALUATION

Thanks to the analysis of these questionnaires, we have a substantial amount of available data. Three evaluative remarks should however be borne in mind:

5. **The total time available for the deliberation process was too short.** We have seen why the approach recommended by Deliberative Polling – which stretches over two or even three days – was not possible under the present circumstances. Nevertheless, it was apparent that the majority of deliberation sessions would no doubt have increased in quality if it had been possible to stretch them over longer periods, thereby encouraging the evolution of the debate at each participant's own pace, in accordance with the principle of equality in debate as held dearly by James Fishkin. More time would notably have enabled, following an initial meeting of the sub-groups, an audience with independent experts so as to better clarify certain concepts, notions and facts. This would also have allowed for the possibility of participants meeting on a further occasion in sub-groups following the public debate, so as to together deliberate on the basis of information gleaned before individually completing the second questionnaire.
6. **The crossover between the work groups and the public session was not managed in an optimal fashion.** Due to a lack of time, it was not possible have the themes identified for the public sessions checked by each group before reconfirming participants' points of view during a plenary session. As a result, participants sometimes felt ill at ease with the approach of the public debate, which did not best correspond to the imperatives of serenity that nonetheless formed a part of the methodological prerequisites.
7. **Group guidance lacked coherence.** Although they all belonged to the same professional organisation, the mediators did not apply identical methodologies and did not follow a common line from a point of view of content. This led to differences between the deliberative paths taken within the various groups; they did not therefore approach the debate under conditions approaching those of equality as was initially intended.
8. These limitations should be kept in mind, of course, so as to avoid exaggerated extrapolation of the value of the results of the exercise, and also to measure the exercise's potential for improvement.

4. Changes of opinion for those in a non-compromising situation: main results

Despite the relatively sui generis character of the Deliberative Polling mechanism used here and the methodological and operational limitations as regards its implementation as outlined above, the data resulting from the exercise is not lacking in consistency and provides **a few noteworthy lessons. We will principally refer to four of these here:**

- Deliberation organised under the conditions described above clearly contributes to the opinion formation and helps to remove indecision
- Changes in opinion were observed that seem to be absent from any polarisation phenomenon
- It is possible to establish, at least in part, those arguments – or at least categories of arguments – that played a part in the changes of opinion
- It seems that some correlations may be established between the profile of deliberators and the change in their opinion as regards the Treaty establishing a European Constitution (this final aspect is only mentioned for information purposes, given the limited character of the sample).

4.1. CONSIDERABLE DECREASE IN INDECISION

At the end of the deliberation process, 56% of participants stated that it enabled them to choose between yes and no (as compared to 33% who felt the opposite was true and 10% who were still undecided as to their own indecision). This is the most explicit indication as to the impact of the procedure on opinion formation, and signifies a reduction in indecision. But other indicators also point in the same direction, even if they lead to a less clear-cut choice: **65% of deliberators are of the opinion that the experiment carried out helped them to clarify the arguments of the two camps and 81% conclude that, thanks to the said experiment, they have in any event been able to form a clearer opinion** (whilst only 10% do not share this belief) (Table I).

-Table I-

QUESTION – WOULD YOU SAY THIS DAY HAS ALLOWED YOU TO... ?

	%	After the day		
		Yes	No	Don't know
- ... forge a clearer opinion.....	100	81	10	8
- ... clarify the arguments of the two camps.....	100	65	19	17
- ... choose between Yes and No.....	100	56	33	10

In the same way, more than four-fifths of participants for the group studied were of the opinion that the deliberation process helped them a lot (27%) or quite a lot (56%) in forging an opinion, whereas only a tenth of the sample (8%) was of the opposite opinion. If we add to this the portion of the group that only felt there was a slight effect on opinion formation, this gives a figure of 90% of participants who are agreed as to the variable impact of the procedure on their electoral opinion (Table II). This statistic may be associated with the fact that 96% of the participants actually took part in the referendum of 29 May; a fact that was not necessarily guaranteed, as one of the criteria defined with a view to their recruitment was their participation in the ballot provided they were able to resolve their indecision.

-Table II-

QUESTION – TO WHAT EXTENT HAS THE DAY AND THE DEBATE IN WHICH YOU HAVE TAKEN PART HELPED YOU IN YOUR CHOICE?

	Combined %
- A lot	27
- Quite a lot	57
- A little	6
- Not at all	8
- Don't know	2
TOTAL	100

We also note that, whereas on the morning of 21 May, for the question “Deep down, to which position do you feel the closest at this precise moment in time?”, 27% of participants expressed a complete lack of preference, this volume fell to 8% following the deliberation process, only to disappear altogether at the time of the vote, one week later (Table III). If the same reasoning may be stretched to all deliberators that neither lean towards voting for or against – that is to say, excluding those who do not express any preference, those who are unsure and those who declare themselves favourable to abstaining or cast a blank vote (positions, let us say, which do nonetheless reflect real choices) – this group decreases in size as the following phases take place: it therefore decreases from 44% before the debates to 20% after the debates, finishing up at 10% after the vote.

It is clear that all the indications seem to converge, even if they are less significant than those previously identified. When an attempt is made to identify the parameters or arguments that are the most likely to influence participants in their vote, and when the responses given immediately prior to and following the deliberation process, it is apparent that the evocation of

items having a dimension linked to the debate, to exchange and to the confrontation of ideas increases (discussions with those in their environment, arguments presented in television or radio debates), while there is a decline in references to other aspects that are based on opinions or “external” facts rather than discursive and inclusive processes (the economic and social context, the actions of the government, the concern over Europe’s future, the Turkish question, partisan voting obligations, etc.) (Table III). Whilst wishing to remain cautious, in the absence of data allowing us to confirm this interpretation, we can most probably read in these two trends – opposite in their direction but coherent in their significance – twofold confirmation the **Deliberative Polling has, on the one hand, enabled participants to fully or partially clarify certain questions regarding which they had been undecided, and, on the other hand, convinced that it could be an appreciable means of forming their opinion.** This last hypothesis tends to back up the perception on the part of the participants themselves regarding the propaedeutic value of the procedure in which they have taken part.

-Table III-

QUESTION – IN THE LIST THAT FOLLOWS, WHAT ARE THE REASONS THAT BEST EXPLAIN THE FACT THAT YOU ARE NOT SURE AS REGARDS YOUR POSITION?

<i>(Responses given with the help of a list)</i>	Before the day (%)	After the day (%)
- You are unable to foresee the consequences of the text.....	52	38
- You lack information on the text.....	35	27
- The arguments of the Yes and No camps are unclear.....	35	27
- You are afraid that the Constitution may be too liberal but you are not sure.....	27	13
- You are afraid that unemployment in France would increase following a Yes vote.....	19	21
- You are unable to comprehend the text.....	10	19
- You do not want to vote with certain supporters of the No camp.....	6	13
- You do not want to vote with certain supporters of the Yes camp.....	4	4
- Don't know.....	-	8
Article I. TOTAL.....	(1)	(1)

(1) Total exceeding 100, with respondents being able to give two answers.

In the same way, for the question on the **reasons behind indecision** (Table IV), responses linked to knowledge or information aspects (ability to foresee the consequences of the text, information on it, fears as to its nature, liberal or otherwise, comprehension of the arguments in favour and against) tended to be cited less often at the end of the day, while those resulting from opinions (fears regarding an increase in unemployment, refusal to vote with the supporters of the no camp) for their part tended to occur more frequently⁵¹. Here, once again, this twofold movement reveals the **working of opinions**.

-Table IV-

QUESTION – IN YOUR OPINION , WHAT WOULD FINALLY HAVE THE MOST INFLUENCE ON YOUR VOTE?

<i>(Responses given with the help of a list)</i>	Before the day (%)	After the day (%)
- The economic and social situation in France.....	44	27
- A desire to see Europe continue to move forward	44	40
- The various arguments presented during debates (TV, radio, etc.)	40	44
- Discussions with those in your environment.....	21	25
- The Turkish question.....	13	8
- The duty of voting for the Party to which you feel the closest.....	4	2
- The actions of the Raffarin Government	4	4
- The position of the President of the Republic.....	-	-
- Don't know.....	4	6
Article II. TOTAL	(1)	(1)

(1) Total exceeding 100, with respondents being able to give two answers.

⁵¹ One question, however, seems to reflect an opposite trend to the interpretation provided here. 10% of participants chose the "You are unable to comprehend the text [of the draft Treaty establishing a European Constitution]" option before the deliberation process; a figure that rose to 19% at the end of the proceedings. Whilst this development does not cast doubt on the possibility of the refining of opinions, it does however in principle represent a trend opposed to a reduction in indecision. Besides the fact that this involves a specific aspect that does not necessarily hinder opinion formation (it is quite possible to consider that the draft treaty is less clear than was originally thought and nonetheless form an opinion on it), the generic nature of the question does not allow the responses it received to be viewed as an indication relating to continued indecision.

We therefore find a number of aspects that testify in probing fashion to a genuine reduction in indecision, without however identifying any counter-evidence that is liable to invalidate this hypothesis⁵². It is, however, a shame that there was a lack of questions that, for the section dedicated to evaluation of the questionnaire, would have helped to better identify the aspects for which indecision was removed or possibly – on the contrary – remained. Such questioning would perhaps have allowed to breach the mechanisms that played the most significant role in the whole encompassed by the dynamic (information received, the debate with other participants, the confrontation between advocates of the “yes” and “no” vote, extra given to the issue due to involvement in the deliberative process, etc.).

4.2. A SHIFT FROM “YES” TO “NO”

The second phenomenon that was apparent is the gathering of data involved a **shift in opinion**. Whilst, by definition, the participants declared they were undecided at the start of the process, a question was asked as regards their preferred choice (Table V).

-Table V-

QUESTION – DEEP DOWN, TO WHICH POSITION DO YOU FEEL THE CLOSEST AT THIS PRECISE POINT IN TIME?

	Before the day (%)	After the day (%)	Behaviour on 29 May (%)
- Inclined to vote Yes.....	33	42	48
- Inclined to vote No.....	23	38	42
- Inclined to cast a blank vote.....	15	8	6
- Inclined to abstain	-	2	4

⁵² A further aspect of the analysis of indecision could reside in an attempt to interpret the “don’t know” responses in the questionnaire; these were precisely intended to identify those attitudes showing the greatest indecision. For three of the questions asked, the number of those “not knowing” for the most part fell between the start and the end of the deliberation process; which would seem to attest to the efficiency of the method in reducing indecision (see tables VIII, IX and XI below). This indication is not however constant as an absolute value, a fact which leads to, if not doubts as to reliability, at least the need to examine it on a case-by-case basis. The proportion of those stating they are unsure remains stable for three questions (see tables V, VI and VII below). However, in one case, no participants chose to express no preference; and two others involve questions on the electoral choice itself rather than the arguments likely to clarify it (“Deep down, to which position do you feel the closest at this precise moment in time?”; “And if you were obliged to make a choice, which way would you vote?”). In addition, the latter question imposes a choice between two options. Moreover, it appears that the total percentage of those who do not express a preference in this last case encompasses those who declare to have abstained or cast a blank vote; two positions that also represent electoral choices. The pertinence of these questions with respect to the assessment of the impact of the deliberation process on opinion formation does not therefore seem to require attention: it is quite possible to feel drawn to abstain and for this initial inclination to transform into a firm resolution. In addition, three further questions swell the ranks of those not expressing a preference between the morning and the evening of the deliberation proceedings. However, two of these involve the reasons behind indecision and on the factors likely to remove it (see tables III and IV above): not expressing a preference, i.e., not – or no longer – subscribing to some of the proposals formulated in the closed questionnaire, may therefore equally as well indicate the persistence of indecision as its reduction. Finally, a last question concerns the right- or left-wing inspiration behind the Constitution text; the fact of not declaring oneself on this point is, therefore, not necessarily synonymous with confusion here either (see table X above). Whilst there is therefore a need to avoid unilaterally concluding that scrutiny of the attitudes of those who do not express a preference supports in absolute terms the significant impact of the deliberative activity in reducing levels of indecision, it has however proved to be the case that this “counter-analysis” does in any event not contribute any refutation of such an impact.

- Currently without preference	27	8	-
- Don't know.....	2	2	-
TOTAL	100	100	100

In order to better limit the range of possibilities and obtain a clear indicator, as this question has a relatively wide scope (six possibilities, including that of not having any preference: inclined to vote yes, to vote no, to abstain, without preference at this stage, don't know) was added a questioned structured under the form of an alternative ("if you were obliged to make a choice, would you vote yes or no?"; a binomial to which must be added the possibility, retained here, of not expressing a preference) (Table VI).

A reading of tables V and VI results in a preference expressed towards voting yes that precedes deliberation, continues following deliberation and is confirmed at the time of the vote; but this predominance of the yes vote does not hide a **considerable and constant increase in those who would choose to vote no**. Whereas at the beginning of the proceedings, 33% of participants were inclined to vote yes (as opposed to 23% inclined to vote no), 42% claimed this inclination following debate (as opposed to 38%) and 48% brought this intention to fruition in the polling booth (as opposed to 42% who chose to vote against the draft Treaty establishing a European Constitution). The pro-treaty trend therefore increases persistently, and certainly gains 9 points during deliberation and, in any case, 15 points between the start of the work and the actual ballot⁵³. During the same period, the increase in the "no" trend is proportionately more significant: the group of its supporters increases by 15 points in terms of a preference shown at the end of the deliberation process, and by 19 points in total⁵⁴.

-Table VI-

QUESTION – AND IF YOU WERE OBLIGED TO MAKE A CHOICE, WHICH WAY WOULD YOU VOTE?

	Before the day (%)	After the day (%)
- Yes.....	50	48
- No.....	40	42
- Don't know	10	10
TOTAL	100	100

If we compare table VI to the preceding table, we observe that the shift in opinion is even more evident. Indeed, placed in a situation whereby they must unconditionally choose between yes and no, on the morning of the deliberation process, 50% of participants would have approved the Treaty establishing a European Constitution whereas 40% would have voted

⁵³ If we refer to table IV, it is apparent that, if a choice is imposed, the figure of 48% voting in favour is already present. It is consequently not easy to identify with any certitude the time at which the choice was made. Even if a comparison of the two tables suggests the making of a choice during deliberation and its firm formation during the final week of the campaign.

⁵⁴ It should, however, be pointed out that this increase is established as a nominal rather than an absolute value. Indeed, since the number of deliberators having taken part in the referendum was 96% of the total participants, the last column in table III (behaviour on 29 May) involves a slightly reduced sample as compared to the other poll summaries. This does not however cast doubt on the observed trends.

against. Following the debates, only 48% stated they were in favour of the text, while the number of its opponents had grown increased by the same difference. Viewed from this point of view, the question no longer shows a constant increase in those in favour, but rather a **measured decrease in those in favour and an increase in those against in the same proportions**. If we take into account the numerical stability of the group not expressing a preference, **everything seems to point towards a shift in opinion from the pro-treaty to the anti-treaty camp**.

This observation seems in turn to testify to the **absence of any phenomenon of radicalisation of opinions in the majority group, by contrast to what has been checked for the majority of discursive and even deliberative contexts**⁵⁵. Let us recall that, according to this “law of group polarisation”, the prior tendency for opinions within a deliberative gathering finds itself strengthened after the discussion. This propensity towards reinforcing the opinion predominating from the start of the debate is attributed to two factors: the social influence of the environment, which dictates a certain conformism and a quantitative imbalance for the arguments in favour of the option supported by the largest number of individuals⁵⁶. The conditions therefore seem to be gathered together here for, where necessary, observing the production of this phenomenon, since, in a quasi-mechanical manner, the more an option is widely supported at the start of the process, the more likely it is to radicalise itself during the deliberation process. However, whilst the gap between yes and no is reduced to 6 points at the end of the experiment, it stands at 10 points before it. And this in spite of the predominance of those favouring the proposal, with a share of these initial supporters changing their opinion during the discussion, and thereby showing the absence of any polarisation and, consequently, the quality of the deliberation process.

We have already seen that the Deliberative Polling technique countered the strengthening of prior opinions, and this arguably due to the combination of three requirements: the organisation of debate, the guarantee of the equality of deliberators in the discussion and the application of forms of communication whereby participants do not take engage in dialogue amongst themselves⁵⁷. We have also seen that the three conditions required for quality deliberation were met, albeit in an unequal fashion, in the Deliberative Poll that we have centred on focus groups of undecided persons. From the results detailed here, we are therefore able to draw **conditional confirmation both of the hypothesis put forward by Bernard Manin on the effectiveness of established debate and of the reduced variant we have proposed through the listing of the three deliberative criteria previously referred to**. It would obviously be useful to take the analysis a step further by establishing the precise role of each of these criteria in the prevention of the phenomenon of the radicalisation of predominating prior opinions. However, the limited character of the “quasi-

⁵⁵ See point 3.1 above.

⁵⁶ See Bernard MANIN, “Délégation et discussion”. Op.cit., pp. 3-5.

⁵⁷ See point 3.1 above, p. XXX.

experiment” related here does not allow us to do this. Let us restrict ourselves to saying that, by comparison to the deliberative polls carried out on the initiative and/or under the supervision of James Fishkin, two differences in implementation do not seem to have affected the efficiency of the deliberation process in restricting the strengthening of prior opinions: the drastic decrease in the time dedicated to deliberation and the absence of any delivery of information or documentation on the issues at stake prior to the debate day (to which may be added the absence of the possibility for a technical consultation with impartial experts). Naturally, this does not mean to say that these factors did not affect the quality of the deliberation process; only that they were not in themselves sufficient to bias it to the point of rendering it futile, i.e., incapable of bringing about a change in opinion.

Let us however insist upon the fact that the **limited scope of the initiative** – notably in terms of the modest size of sampling by comparison to that mobilised for deliberative polls – and its specific nature – an examination of indecision – so as to limit its contribution to a simple indication that, in order to gain in scope and develop into a thesis, would need to be reproduced and multiplied until a converging body of data was able to be produced.

4.3. PRO-EUROPEAN REASONS FOR VOTING NO

Thanks to the diachronic reading of the individual formation of opinions it provided, the consultation of 21 May not only allows for an appreciation of the relative impact of the various types of arguments on the emergence of choices, but also to distinguish those arguments that have the upper hand over others during the process. Through investigating the possible relationships between variations in points of view and those in arguments, we can attempt to single out those of the said arguments that seem to have played a decisive role. Once again, caution is appropriate; especially seeing as the analysis is based on the questionnaires and that its results will therefore to a certain extent be a consequence of a necessary anticipation in the identification of points for checking. Whereas arguments that prove crucial in the deliberation process may have been omitted or neglected when the inevitable initial selection was made, or may arise in unpredictable fashion during discussion⁵⁸.

In the present case, the strengthening of opposition to the Treaty establishing a European Constitution in particular deserves to be compared with the strengthening of the pro-European feeling observed during deliberation. Indeed, **in a change that might at first glance appear paradoxical in the light of the shift from yes to no as referred to above, the number of deliberators declaring themselves to be in favour of the European construction considerably increased between the start and the end of the debates (a change from 53% to 59%) whereas the share of those declaring themselves sceptical or opposed**

⁵⁸ From a methodological point of view, this is a possibility that is, to a certain extent, possible to counter, by for example providing open fields in the questionnaire and/or providing for, during the various stages of deliberation, (non-deliberating) observers or rapporteurs that are attentive to this concern.

to the idea decreased in the same proportions (from the 47% of participants polled in the morning who expressed this state of mind, the figure dropped to 41% in the evening) (Table VII). In this way, whilst the supporters of the Treaty establishing a European Constitution, though still forming the majority, saw their ranks swell in less pronounced fashion than those of its detractors, the “Europhile” camp gains six points, a ratio equivalent to the loss recorded for the “Eurosceptics”.

-Table VII-

QUESTION – WHEN YOU THINK ABOUT THE EUROPEAN CONSTRUCTION, ARE YOU...?

	Before the day (%)	After the day (%)
Enthusiastic/Favourable	53	59
- ... enthusiastic.....	15	17
- ... favourable.....	38	42
Sceptical/Opposed	47	41
- ... sceptical.....	47	28
- ... opposed.....	-	13
- Don't know.....	-	-
TOTAL.....	100	100

Before examining the apparent contradiction between the strong development of pro-European feeling and the relative increase in opposition among the panel of participants, a first observation relates to the unquestionable efficiency of the method in encouraging knowledge and understanding of the European construction. At a time when there is little debate on the subject of Europe and that, when this is this case, citizens are only very rarely involved and direct confrontation is generally avoided, **the experiment carried out here shows that a deliberation process organising the opposition of points of view in a rigorous and structured manner is able to bring about a better comprehension of Europe, and even adherence to its project.** It would not be possible to be complete without however observing that around one third of the sceptics who are not transformed into supporters of the European construction tend for their part to radicalise their position and end up declaring themselves opposed to the Community dynamic. As we will see at a later stage, it is not impossible that this trend within a trend falls, by other channels, under the general movement leading to a boom in support for the European idea. For the time being, in the absence of more detailed data so as to allow for a better understanding of both the factors favouring adherence to the European construction and those favouring its rejection, we will limit ourselves to recording the trends observed and noting the perspectives they offer.

As regards the apparent contrast between the evolutive trends in opinions in favour, respectively, of the European construction and of the draft Treaty establishing a European Constitution, two hypotheses may in principle be put forward⁵⁹. The first, logical but purely speculative, consists in explaining the divergence of curves by the fact that a proportion of the participants favourable to the European construction did not wish to vote for the draft Treaty establishing a European Constitution and that, as a result, they chose to abstain or to cast a blank vote (10 votes – table V) whilst, at the same time, the sceptics and opponents voted against (42 votes, representing one more than the sum of these two categories in table VII).

According to the second hypothesis, the European feeling of a share of the participants, initially sceptics, having subsequently evolved to combine opposition to the Treaty establishing a European Constitution and support of the European construction, no longer seemed to them to be incompatible. In other words, the content of the deliberation process might have allowed for the resolution of what initially appeared to some to be profoundly antonymic: voting against the Constitution without compromising their own European leanings. According to this interpretation, a pivotal group of undecided persons found themselves in a position of moral discomfort provoked by the dilemma felt between, on the one hand – irrespective of the reasons behind it – a reluctance towards the Treaty establishing a European Constitution, and, on the other hand, a pro-European feeling. This conflict between contextual identity (supporting the European construction) and the action to be taken (voting yes during the referendum) led them, at first, to declare themselves as sceptical towards the European project. But confrontation and exchange with those feeling differently convinced them that it is possible to reconcile a pro-European feeling and a negative vote. A change resulted in the perception of the context, which in a way served to remove the contradiction they felt: given that, for others, voting no and stating their adherence to the European project is not a problem, and furthermore put forward solid arguments on this point, why not join them?

This proposition would be pure conjecture were it not supported by two credible indicators. Both relate to major arguments in the formation of collective opinion: the impact of the vote on France's place in Europe and the consequences of the no vote. Whereas before the work, 56% of deliberators considered that it was the yes vote that would best serve to strengthen France's position on the European stage (as compared to 21% who were inclined towards the no vote, with 23% expressing no preference), only 46% adopted this point of view following

⁵⁹ A third hypothesis that deserves to be mentioned from a scientific point of view is that of the phenomenon of polarisation applied to table V. In principle, it is not possible to exclude the possibility that the strong increase in pro-European enthusiasm is the result of a radicalisation of the opinions expressed by the largest group. Whilst in itself plausible, this hypothesis should most probably be rejected in concrete terms. Indeed, whilst the supporters of the European construction have a slight numerical advantage at the start of the process, the respective critical masses of the two camps, for and against, are not far removed from each other at this stage. Following this, we were able to observe that a proportion of the sceptics radicalised their point of view to the extent that they became opposed; there are therefore strengthening phenomena present in both cases. Lastly, if there polarisation had taken place for opinions favourable to the European construction, it could reasonably be expected that this would lead to a similar phenomenon in favour of the draft Treaty establishing a European Constitution. Moreover, as will be seen, we maintain that the question of the European feeling is of secondary importance, for the current deliberation, to that of the draft Treaty establishing a European Constitution. It is this issue that requires the adoption of an opinion and that therefore is at the heart of the debate, open to the law of group polarisation, whilst adherence or otherwise to the European construction appears to be a contextual concern, even if it is far from lacking in significance in the construction of opinion.

the debates (Table VIII). The group of those who linked the position of France to the adoption of the draft Treaty establishing a European Constitution therefore experienced a decrease of 10 points whilst, at the same time, the contingent of those who felt that the rejection of the text would reaffirm the authority of their country in Europe gained 17 points (whilst the share of those not expressing a preference fell by 7%).

-Table VIII-

QUESTION – IN YOUR OPINION , WHAT WOULD MOST SER VE TO STRENGTHEN FRANCE’S PLACE IN EUROPE ?

	Before the day (%)	After the day (%)
- Yes vote.....	56	46
- No vote.....	21	38
- Don't know.....	23	16
TOTAL	100	100

Whilst the proposition according to which a vote against the proposal would strengthen France’s place in Europe appears the least credible of the three possibilities at the beginning of the day and as a percentage only represents one fifth of total responses, it almost doubles its score to reach 38% of opinions in favour. This is a gain equivalent to the addition of the reduction in the percentage obtained by the opposite proposal (-10%) and the reduction in the share of those not wishing to declare a preference (-7%). The correlation between a yes vote and the strengthening of France’s role therefore remains in the majority, but no longer in absolute fashion.

This semi-reversal of the situation demonstrates that **the firmly rooted conviction that the treaty must be adopted in order to strengthen the French position (this does, after all, represent one of the major explicit and/or implicit arguments of supporters of the Treaty establishing a European Constitution) was substantially weakened during the deliberation process.** A conclusion confirmed by the attitude of deliberators when faced with the question regarding the consequences of a no vote on the occasion of the referendum (Table IX). **Those participants persuaded that a no vote, far from symbolising a crisis and the slowdown of the European project, would facilitate an advantageous renegotiation of the Treaty establishing a European Constitution, represent a dominant position from the start. And this position is transformed into an absolute majority as the debates develop,** whilst the advocates of the opposite standpoint see their numbers dwindle. This is therefore an extremely important defensive argument for supporters of the treaty, who are left reeling.

-Table IX-

QUESTION – IN YOUR OPINION , WHAT WOULD BE THE CONSEQUENCES OF A NO VOTE?

	Before the day (%)	After the day (%)
- A crisis that would lead to a slowdown in the functioning of Europe for a number of years	38	35
- The renegotiation of the treaty in a direction more favourable to France	45	52
- Don't know	17	13
<i>TOTAL</i>	<i>100</i>	<i>100</i>

It therefore does not appear unreasonable to think that, having removed these two obstacles, some considered it was possible to close the circle, i.e., to **take up their pro-European convictions in voting... against the Treaty establishing a European Constitution.**

We also find **other indications favourable** to this proposition in the results of the deliberation process. In this way, among the factors likely to influence the way participants choose to vote, the “desire to see Europe continue to move forward” obtains 44% of the vote prior to the debates – thereby proving that this is a strong concern – and 40% after the debates (see table III above). Given the parallel increase in the positive feeling towards the European construction, it seems reasonable to interpret this decrease as a sign of reassurance as to the future of Europe irrespective of how events unfold for a share of those who declared this was a genuine concern to them.

In the same way, the fact that “the economic and social situation in France” is, along with the desire to see Europe move forward, the most likely factor to exert an influence on their vote at the beginning of the day (44%) only to decrease in significance during the deliberation process (17% at the end of deliberation) must be associated with the firm belief acquired during the debates that a vote against the Treaty establishing a European Constitution would not harm France’s position in Europe (see table III above). As regards the reasons for indecision in this case, not wishing to vote with certain supporters of the no camp (+7%) and the fear that unemployment would increase following a yes vote (+2%) both equally seem to support the analysis suggested here (see table IV above). In the first case, once the contradiction between pro-European convictions and the possibility of voting against the treaty was removed, the last lingering reservations concentrated themselves on other variables, such as the closeness in position to certain rather undesirable political leaders of the no camp. Lastly, this does not stretch to the radicalisation of a consequential proportion of sceptics into opponents of the European construction, a phenomenon that it is not possible to detect through this filter of analysis: from the moment that the rejection of the treaty and support of the European project no longer appear to be incompatible, those who want neither one nor the other have no real choice but to further radicalise their position.

There is undoubtedly a need to remain cautious as regards an interpretation that is only based on data that is necessarily fragile and incomplete. It nevertheless remains the case that **the most widely documented hypothesis we have available to explain the shift towards voting against the Treaty establishing a European Constitution seems to indicate that the said shift took place on the basis of arguments that, on the whole, allow for the reconciliation of pro-European feeling and a negative vote. A playing down of the negative impact of the rejection of the treaty, and even the beneficial effects imagined for the future of France and of Europe in adopting this position, clearly seems to have played a key role in the shift in opinion**⁶⁰.

4.4. PERCEPTION OF THE TREATY ESTABLISHING A EUROPEAN CONSTITUTION

Two questions directly involve deliberator perceptions of the draft Treaty establishing a European Constitution. The first was an attempt to establish the ideological identity assigned to the text by its recipients (Table X).

Article III. -Table X-

QUESTION – IN YOUR OPINION, IS THE TREATY...?

	Before the day (%)	After the day (%)
- ... principally inspired by right-wing ideas	25	21
- ... principally inspired by left-wing ideas.....	4	6
- ... inspired by both right- and left-wing ideas	67	65
- Don't know.....	4	8
TOTAL	100	100

From this it appears that **a stable majority considers that the draft treaty is neither right- nor left-wing**. The slight decrease recorded for this opinion between the start and end of the deliberation process (-2%) does not take place for the benefit of those thinking the text is inspired by right-wing ideas (-4%), but for the benefit of those, forming a very small minority, who consider it to be influenced by left-wing ideas (+2%) or prefer not to express an opinion (+4%). A correlation may possibly be established with the question asked previously on the liberal overtones of the draft treaty (see table III above). Here we saw the share of deliberators who felt that the text was too liberal (but were not sure) fall by half between the morning and evening of 21 May (it fell from 27% to 13%). However, the ambiguous wording of the question necessitates caution: the fall in the share of those who did not think the Constitution was inspired by liberal ideas could simply mean that, in the meantime, they became certain on the matter. In any event, including in the last case, in which only one deliberator in five attributed liberal overtones to the draft treaty, we can conclude from the elements that have been referred to above, the low impact of one of the major arguments this

⁶⁰ We find an interesting explanation for opinion formation from the perspective of the referendum in a comparative analysis of opinion polls, held by Gaëtane RICARD-NIHOUL, *Le non français du 29 mai 2005 : comprendre, agir*, Paris, Notre Europe, Etudes et Recherche no. 44, 2005.

time of opponents to the Treaty establishing a European Constitution, i.e., the role of conveyor of (ultra-)liberal ideas assigned to the treaty. This fact would appear all the more remarkable given the fact that whilst the argument was used by the “Souverainiste” Right or the Left of the no camp, it was above all the latter that made it a cornerstone of their struggle with respect to the progressive electorate. This electorate was in fact better represented than other groups during the Deliberative Poll for the reasons described above and relating to the respect of proportions of undecided persons in function of the criterion of political affinity⁶¹.

The second question regarding the nature of the draft Treaty establishing a European Constitution involved its objectives from an institutional and political point of view (Table XI).

-Table XI-

QUESTION – DO YOU THINK THAT THE ADOPTION OF A EUROPEAN CONSTITUTION WOULD MAKE EUROPE...?

	Before the day (%)	After the day (%)
- ... more democratic	21	25
- ... less democratic.....	10	17
- ... neither more nor less democratic.....	63	56
- Don't know.....	6	2
TOTAL	100	100

A significant majority of participants does not believe that the Treaty establishing a European Constitution would considerably contribute to the democratisation process in Europe. And whilst this number was reduced after completion of the work (as well as that of deliberators who, at first, did not express an opinion), the redistribution of opinions remains uncertain. The percentage of those who consider that the treaty would have a beneficial effect on democracy is higher than that of those developing the opposite point of view; and the ranks of the former are boosted still further during the discussions, although proportionally less so than is the case for the latter.

Whereas the draft Treaty establishing a European Constitution was purported to facilitate a qualitative leap forward for the European Union from a democratic and institutional point of view, this objective was not in any case perceived by participants; either they did not attribute this goal to the text or they felt that it was not sufficiently put into practice.

⁶¹ See point 3.2.1 above.

To conclude: an efficient, reliable and reproducible method, but at the same time perfectible

The results of the deliberation process prove it: **the Deliberative Polling model that we have adopted, centred on focus groups of undecided persons, is shown to be efficient, reliable and productive.** Efficient as, in this case, it has truly enabled a reduction in rates of indecision among the panel of citizens recruited on the basis of this criterion. In addition, it clearly constitutes a good way of stimulating comprehension of European matters using active, concrete and inclusive pedagogy as a starting point. As a result, whilst this was not a direct and pre-planned objective of the procedure, the rate of adherence to the European project among participants was increased; providing proof that it is not only possible to deliberate on Europe, but that doing so contributes genuine added value to citizen practices.

It is also a reliable technique. Everything, in fact, indicates that it has enabled protection against the main bias likely to affect this type of deliberation. By guaranteeing, following the example of Deliberative Polling, structured confrontation between representatives of the various tendencies, an egalitarian discussion between citizens and communication episodes in which the involved parties are not mutually present, it proved possible to avoid any radicalisation of prior opinions. The changes of opinion that were brought about by the end of the deliberation process are testimony to the capacity of said process to contribute to the construction of opinion in other ways apart from the group effect or *doxasein*.

Lastly, this is a productive tool that delivers a body of information useful for an understanding not only of opinion formation, but also of the weight of the arguments regarding a sensitive and complex political issue. The manner in which the no vote gains support within a group of which the affinity trends are nonetheless a priori favourable to voting yes; the way in which this change does not hinder – and even favours – a strengthening in support of the European idea; the decisive character, in this two-way movement, of key arguments centred on the playing down of the consequences of a possible rejection of the Treaty establishing a European Constitution, the demystification of unattractive aspects such as the Turkish question and the (ultra-)liberal overtones of the text, etc. These represent as many indications or confirmations provided to the interpretation of the referendum of 29 May 2005 and, beyond this, the comprehension of European issues in the French context.

Deliberative Polling centred on focus groups therefore offers considerable potential both as a democratic practice encouraging deliberation and participation – and consequently active citizenship – and as a field of scientific experimentation. Naturally, the attempt made here is limited and is not without its faults and shortcomings. It would in particular be worthwhile, in future, to devote more time to the deliberation process so as to enable participants to question neutral experts before the confrontation of the standpoints represented, and also to hold a further meeting between them before said confrontation, with a view to exchange their points of view on it. A further necessary methodological development unquestionably resides in the

definition of a work plan and a common didactic approach for the sub-groups, so as to better meet the requirements for quality debate, and possibly to explore new paths in this area.

In short, the possibilities offered by this technique in terms of development and research are so numerous that it would be a hard task to list them here. Amongst them, however, we may pinpoint an analysis not only of questionnaire responses given by deliberators, but also of their contributions during the debates. When applied to the deliberation process involved in this case, the procedure would inevitably identify a recurrent question: "Why ask us our opinion *now*?" Through this strong question, a large number of deliberators expressed surprise at the organisation of a referendum thirteen years after that on the Maastricht Treaty, given that so many decisions (the Treaties of Amsterdam and Nice, the Enlargement to 25 members, etc.) had taken place in the meantime without generating any decision-making processes directly involving citizens. A question that, without a doubt, was rich in suggestiveness only a few days before the ballot.

APPENDIX 1 – The five stages of Deliberative Polling

9. It all begins with the classic polling of a random sample of citizens, based on a questionnaire conceived not only with a view to obtaining the opinions of said citizens on one or more given subject, but also to assessing their degree of knowledge of said subject(s) and of the political, economic, social, cultural, etc. context in which it occurs⁶². At the end of the questionnaire, those polled are invited to take part, around one month later, in two to three days of deliberation on the issue in question. Special attention is paid to maintaining the representativity of the various population during the transfer from the initial sample to that composed with a view to the deliberation process and using the pool of volunteers.
10. There follows an information phase, during which those persons polled and having agreed to take part in the experiment receive an information file summarising the deliberation exercise and documenting the various proposals for debate in as balanced and objective a manner as possible⁶³. Other information applications, such as a website for example, designed for the same purposes and presenting the various topics in question with equal rigour, may possibly be made available to the prospective participants. During the period separating the initial poll from the deliberation process, said participants are moreover regularly contacted in order to check their continued interest and, if necessary, revive it⁶⁴.
11. Just prior to deliberation in the proper sense of the term, and once the participants have been assembled for this purpose, they are asked to once again complete the questionnaire that was sent to them when the initial contact was made. In this way, it will subsequently be possible to assess the change in points of view between the initial "cold" poll and the end of the information phase, characterised, as we have seen, by the dissemination of basic documentation and also, as we have observed, through a greater sharpness in the attention of actors as regards the themes

⁶² Kasper Hansen assigns three objectives to the initial telephone interview: "First, it should give an insight in spontaneous public attitude (...). Second, it should map relevant social characteristics and level of knowledge regarding this issue. Three, this issue is in itself a recruitment interview for the Deliberative Poll" (*Op. cit.*, p. 3).

⁶³ Regarding a deliberative polling project on the development of the European Union, Kasper Hansen describes the information phase in the following way: "(...) *the Deliberative Poll on the European level starts out by developing written information materials that are accessible, accurate and balanced (...). The goal at this stage is to provide an initial basis for an informed discussion by presenting competing arguments. Such material should be brief and concise and mainly consist (sic) of pros and cons (...). However, it should also distinguish background information that is essential for citizens to begin to understand the debates from balanced accounts of pros and cons of specific proposals and include some general information on [the topic]*" (*Ibid.*, pp. 2-3).

⁶⁴ A further incentive to take part in the deliberation process lies in the full covering of travel and accommodation expenses and in the assignment of a financial payment (equivalent to one hundred euros in the majority of cases). The aim is also to avoid any economic discrimination between those polled that are able to devote two days to discussion and those not in a position to do so. Other types of incentives are proposed: involvement of celebrities, media character of the event and, in particular, its broadcasting on television, etc. Fishkin strongly insists on the importance of a payment, both material and symbolic (*The voice of the people, Op. cit.*, pp. 174-175).

developed (spontaneous information searches, examination of the press, day-to-day attentive listening, etc.).

12. We can then begin the deliberation phase proper, for which participants are gathered for approximately two days in a single appropriate venue (i.e., one that has both large rooms available for the plenary sessions, smaller rooms for the workshops and the necessary infrastructure for the warm reception of the group outside of the formal discussion periods). This deliberative component of the process itself encompasses three main stages.

- a) Following a presentation of the work and the distribution of the questionnaire, the participants are divided into sub-groups, within which they are invited to discuss the proposals up for debate. This division is most often random in order to maximise the diversity of the points of view represented⁶⁵. The angle and scope of discussions varies depending on the accessibility of the issue for discussion and the level of information distributed to each participant beforehand: if the theme for discussion is relatively familiar and it has been possible to provide detailed information, discussion will immediately be focused on the fundamental mechanisms of the deliberation process; if the theme is more complex and demands introductory explanations, the initial exchanges will be more educational than argumentative. A further significant constraint consists in the fact that the discussions must be led by group mediation specialists, who must both guarantee the right of expression of each and ensure that opposing arguments are heard “up to a point that is rarely or never encountered in daily life”⁶⁶. Sessions may possibly be planned during which deliberators have the chance to ask questions of a technical nature or request explanations from experts that refrain from giving their personal opinions.
- b) The following stage, which generally takes place on the morning of the final day, consists in one or more plenary sessions, during which political representatives⁶⁷ and experts are invited to defend their position in front of the participants. Said participants have collectively prepared for the debate in sub-groups and have together formulated the questions addressed to the advocates of the various standpoints represented. For their part, the organisers shall see to it that a meticulous balance is kept to in the selection of the latter. This is not only a question of quality of debate, but also of the relevance of the exercise in light of the objectives of the deliberative process.
- c) At the end of the general debate, deliberators are gathered amongst themselves – in a plenary session or in sub-groups – so as to exchange their feelings and analyses for a last time.

⁶⁵ Bernard Manin (*Délibération et discussion*, *Op. cit.*, p. 6) cites the fathers of deliberative polling, who are striving towards a “diversity of opinions that is much wider than that which [the participants] are likely to encounter in everyday life” (Robert C. LUSKIN, James S. FISHKIN & Roger JOWELL, *Op. cit.*, p. 459) and recalls in this respect that “in the ordinary course of life, an individual is more often than not in contact with other individuals presenting the same characteristics as themselves (affinities, level of education, residence in the same area, etc.). If points of view and perspectives are partly determined by said characteristics (as is certainly the case for level of education, for example), each individual is only in contact with a limited fraction of the points of view present among the population. In addition, the network of a given individual’s contacts generally retains a certain stability over time. This represents a further limiting factor as regards the diversity of points of view present within society.”

⁶⁶ *Ibid.*, p. 6.

⁶⁷ In the broad sense of the term: this may also involve trade union leaders, representatives of public sector companies, etc.

13. The work – and with it the deliberative process – concludes with a final **opinion poll**. The deliberators are asked, once again on an individual basis, to submit their responses to the questionnaire that had already been distributed to them twice previously⁶⁸, with this material needing to allow for the measurement of the impact of deliberation on opinion formation⁶⁹. Lastly, we observe that the creators of the Deliberative Polling concept, concerned with the civic and educational dimensions of their mechanism, generally see to their live screening on television or slightly delayed showings, and consider this to form an integral part of the procedure.

⁶⁸ The basic questionnaire may possibly be extended by a limited number of questions regarding the assessment of the deliberation process from an organisational point of view.

⁶⁹ Where the deliberative poll is part of an electoral or referendum process – this was notably the case in the United Kingdom in the framework of the 1997 general elections, in Denmark on the approach of the national referendum on the adoption of the euro and in Australia before the Constitutional referendum on making the country a republic in 1999 – it is possible to distribute the questionnaire to deliberators on a further occasion following the formal vote so as to assess the change in opinion, and to check whether or not the opinion expressed at the end of the deliberation process was maintained (and, where necessary, why). In absolute terms, there is furthermore the possibility of requestioning deliberators some time after their gathering, independently of any electoral periods. Kasper Hansen has demonstrated the usefulness of such a procedure in the case of the deliberative poll of August 2000 in Denmark (Op. cit., p. 4).

A further practice that is potentially rich in lessons involves the telephone polling of a control group during the final phase of deliberation and based on the same questionnaire. Such an exercise may help to compare the change in opinion of deliberators with that of the general public on the same subject and for the same slice of time (that separating the initial poll from the end of the deliberation process).

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