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An Introduction

COREP project (Constitutional reform processes in Ireland, Iceland and France: methods, difficulties and potential to institutionalize citizen empowerment, dir. M. Fatin-Rouge Stefanini) – 12th May 2023 – Aix-en-Provence

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Introduction

We are delighted to welcome you all to Aix-en-Provence for this project on the place of citizens and more broadly of civil society in constitutional reform processes.

I would like to thank Professors Paris and Ragnarsson for believing in this project, which allowed us to secure this small amount of funding.

This first workshop will allow us to discover more closely each of the experiences and to better understand the institutions of the three countries, in particular the procedures of constitutional reform.

Each of us will give a short presentation on different topics.

Times for debate will be organized throughout the day.

We have not planned a conclusion because this seminar is simply one of the stages of our research.

I would like to specify that each of the contributions can be published individually if justified, always specifying that the research was carried out within the framework of this project.

A collective publication is planned at the end of the research in 2024.

Why this project and this thematic ?

Iceland and Ireland have faced two situations that are very interesting for France. As there was the crisis of 2008, Icelandic and Irish people mobilized to revendicate institutional reform and these issues have led to the establishment of forums and citizen's assemblies for thinking to constitutional and legislative changes.

These movements were very important and observed by all the world. The Icelandic case was followed very closely because of its very inclusive nature allowing all citizens to participate in the debate about islandic values.

This experience have generated a lot of enthusiasm but was very deceiving because the procedure ultimately failed. The recommendations about constitutional change were not approved by assembly and the Icelandic constitution stay the same.

The Irish experience seems more strong and consolidated. Strong because the people were involved in different assemblies that conduct to proposition of reform. Some of these recommendations were taken account by the parliament and lead to constitutional reform by referendum.

Consolidated because several citizens assemblies were organized so there are almost institutionalized. Some very delicate question as abortion and blaspheme in a very catholic country find solution by consensus thanks to constitutional convention.

These two experiences are rich in lessons for France, in particular. First of all, they show how the conception of the role of citizens in a constitutional reform process has considerably evolved in recent years. The involvement of citizens is no longer limited to a role of approval or rejection of a fully drafted reform project.

The involvement of civil society can now take various forms and occur at different stages in a constitutional revision process: the initiative, the deliberation, and the final approval are the key moments of citizen involvement in that regard.

In addition to these, consultation can take place at different times and in different ways: consultation about the interest of a reform, consultation about the modalities of a reform, consultation about the various possible scenarios, particularly via the Internet, or consultation about the appropriateness of the proposed reform(s).

France has more recently experienced a situation of economic and social crisis in 2018 that has also led to the involvement of citizens. The Yellow jackets movement ask for suppression of taxes and led to a request for constitutional reform : the introduction of the RIC as Citizen initiated referendum.

It was a request for the introduction of 4 types of popular initiative referendums: an initiative to propose ordinary laws, an initiative to revise the constitution, an initiative to repeal existing laws and finally a revocation initiative to remove elected officials.

The government has reacted to this movement with mechanisms of so-called deliberative democracy inspired by Iceland and Ireland, according to the President of the Republic.

- The Great National Debate was set up, similar to citizens' forums: assemblies open to all volunteers, but also assemblies composed of people gathered according to their field of expertise. Syntheses were made but did not lead to reforms.

- Then the first Citizens' Climate Convention was set up, made up of 150 randomly selected citizens meeting in 2020. Its objective was to reflect on measures that could be adopted to reduce greenhouse gas emissions by 40%. Some of the recommendations included revising the Constitution to include references to the environment and climate.

- Citizens' conventions have not been institutionalized in France. However, in 2021, the Economic, Social and Environmental Council, which constitutes a third consultative chamber, was given a new competence: that of being able to carry out consultations, including through citizens' conventions.

The experiences in France, Iceland and Ireland bear several differences, not only as regards their demographics, but also in terms of their history, culture and political context. They have varied experiences of democracy and different constitutional reform processes. However, the purpose of COREP project is first of all to know

better each of the studied systems and to be able to compare them and secondly to reflect on possible amendments to the constitutional reform provisions in the three countries.