



# Citizen participation or representative government – Building legitimacy for the Gothenburg congestion tax



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## ABSTRACT

A key dilemma in transport planning involves how to make possible the radical changes needed for long-term sustainability while ensuring political legitimacy and democratic process. Congestion charges are a case in point; despite their being considered an effective policy measure for improving environmental and health problems in cities, it has proved difficult to secure public acceptance for them. This paper analyses the policy process behind the introduction of a congestion tax in the Swedish city of Gothenburg, focusing on strategies for building legitimacy for the tax. The results show that the tax was legitimated primarily through its broad support in the City Council, which had been secured by integrating the tax with infrastructure investments, while strategies for directly involving the citizens in the process, such as public consultation and local referendums, were neglected or actively opposed. The process successfully generated a capacity for decisive political action legitimated through representative government. Over time the decision may gain public acceptance, but the process used might also prove detrimental to the future of the congestion tax and undermine trust in the democratic institutions.

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## 1. Introduction

The question of how to enable far-ranging policy changes – challenging institutionalised transport behaviours for the sake of long-term sustainability and the common good – while making sure that public policy is accepted and considered legitimate by the public is a well-known challenge in transport policymaking and planning. Although representative democratic systems give elected politicians the authority to take decisive action on issues of the common good – securing legitimacy through free and fair elections – it is often argued that citizens should be able to participate in policy processes with a large bearing on their everyday lives, both as a way to create effective and legitimate policy, and because such participation lies at the normative core of democracy (Almond and Verba, 1989; Irvin and Stansbury, 2004; Goodin and Dryzek, 2006). This is argued to be especially relevant in handling *wicked problems* such as sustainable mobility (Whitmarsh et al., 2009). Congestion charges are a case in point. Although they are considered an effective policy measure to reduce traffic congestion, deal with environmental and health aspects of transport, and improve efficiency, it has proved difficult to secure public and political acceptance for them (Isaksson and Richardson, 2009). As a redistributive measure that imposes a charge on previously free road space, congestion charges are always controversial. Even in

cases where such taxes are widely acknowledged to be necessary to secure long-term sustainability, citizens have a tendency to put short-term material well-being first. This is related to the difficulty of foreseeing the real societal and individual costs and benefits of this type of scheme. Furthermore, a lack of belief in the effectiveness or equity of these measures, or in the public institutions' ability to successfully implement them, including using the revenues for the designated purposes, are other frequently discussed reasons for public opposition (Sørensen et al., 2014). Drawing on the experiences of implementation failures and successes around the world, various strategies to legitimately introduce congestion charges have been discussed; from the use of public referendums and extensive public consultation to strong political leadership and using the revenues generated by the reform to secure support (Banister, 2003; Börjesson et al., 2012; Hensher and Li, 2013; Vonk Noordegraaf et al., 2014). The aim of this paper is to analyse the policy process behind the introduction of a congestion tax in the Swedish city of Gothenburg (operational since January 2013), focusing on how different strategies for building legitimacy were designed and applied in the policy process.

Following this introduction, various strategies for building legitimacy for congestion charges are discussed, drawing on insights from the wider literature of democracy theory. This provides a point of departure for analysing the policy process behind the introduction of the Gothenburg congestion tax, from the stages of policy initiation and decision-making all the way to policy design and implementation. Finally, I discuss the strategies for building

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legitimacy and their further implications for the congestion tax, as well as for the democratic system more generally.

## 2. Building legitimacy for congestion charges

Public acceptance of – if not support for – political decisions depends on citizens considering them legitimate. Political legitimacy can be based on various factors: legality, due process, and equality before the law, as well as the efficiency and effectiveness of public policy. In democratic societies, one basic source of legitimacy is that government decisions are made by politicians elected in regularly held, free, and fair elections in which citizens vote for competing political alternatives. As elected representatives, politicians are entrusted with the power to make decisions (generally within a constitutional framework that protects basic civil liberties and human rights) and are held accountable for these decisions in the following election. Whom elected politicians actually represent or should represent is, however, a debated issue. The heterogeneity of the constituency makes it difficult for politicians to decide what interests that should be represented in any given decision or specific planning process, e.g., to what degree politicians should give preferential treatment to weak constituents (like single working mothers) or to the majority. Representation can mean that politicians act in accordance with the wishes of the citizens in political decision-making/planning processes (the delegate model of representation) and/or that they do what they believe advances the interests of the citizens despite (or even against) the expressed wishes of the citizens (the trustee model) (Bryer and Sahin, 2012; Manin, 1997; Parkinson, 2003; Pitkin, 1967).

One method used to achieve greater legitimacy for controversial policy reforms such as congestion charges is to allow citizens to decide or advise on the issue in *public referendums*. One concern often raised about this practice, however, is that referendums are only suited for single issues with clear political alternatives, and even then risk causing policy inconsistencies between related issues as well as complicating political negotiations and compromises. In addition, the capacity of citizens to make fair and reasoned choices on issues that affect them to varying extents is questioned. Another cause of concern is the possibility of “wealthy backers” funding campaigns to get a proposal on the ballot and then buying support for their preferred alternative (Dalton et al., 2004).

Another way of strengthening legitimacy for public policy is to enable citizens to participate directly in planning and policy processes. *Public participation* is argued to incorporate alternative knowledges and interests, forestall implementation deficits, and promote public support for and understanding of tough policy decisions (Irvin and Stansbury, 2004). Hence it increases the quality and efficiency of public policy as well as the legitimacy and responsiveness of government, and accordingly makes government better equipped to handle difficult problems. Public participation in policy and planning processes ranges from public hearings and citizen dialogue – where citizens are given the opportunity to raise ideas and voice concerns on public policy to those in power – to various forms of mini-publics, where affected citizens ideally engage in authentic, inclusive, and consequential deliberation on public policy (Arnstein, 1969; Dryzek, 2010; Fung, 2006). Critics argue that these practices are costly, time consuming, and largely symbolic – often providing a false notion of authority, as decision makers only rarely trust citizens enough (or think them knowledgeable enough) to grant them direct policy influence (Irvin and Stansbury, 2004). It is important, however, to keep in mind that impact may come in different forms, with recommendations being taken up in the wider policy process,

informing public debate, and legitimating particular policy options, amongst other things (Goodin and Dryzek, 2006). In many public consultation processes, participants self-select. This raises concerns about inequalities, as such processes tend to attract the most interested and resourceful citizens rather than the silent majority (the latter including the most marginalised social groups) (Dalton et al., 2004; Whitmarsh et al., 2009). An important design element of citizen juries and deliberative polls is therefore to ensure some degree of representativeness by using a stratified random sample (Parkinson, 2003). Acknowledging the importance of equity for legitimate policymaking and planning, planners have been urged to abandon their value-neutrality, which is perceived as an impossible position, and instead take a free and active role in the policy process, acting as facilitators and advocates of weaker social interests (Campbell and Marshall, 1999; Davidoff, 1965). Planners are, however, often strong partisans for certain outcomes and can use their influence to secure goal-attainment through strategic and power-driven action, not necessarily acting according to the will of the people (Albrechts, 2003; Alexander, 2001; Olsson and Hysing, 2012). Granting a large degree of freedom and policymaking authority to public officials is often portrayed as weakening the legitimacy of representative government, but is often necessary for a well-functioning welfare state. The quality of welfare services (policy output) is critically important for legitimacy, perhaps even more so than the procedural qualities of citizen participation and representation (Amnå, 2006).

## 3. Material and methods

This paper uses a case-based approach that contributes contextual and in-depth empirical knowledge necessary for understanding complex planning and policy processes, and also can provide important lessons about planning more generally. Policy documents, official reports, and other written materials were used in combination with semi-structured interviews, that is, interviews based on, but not restricted to an interview guide. The interviews centred on three basic themes: the motives for the Gothenburg congestion tax; how different objectives were balanced in the process; and how public and political acceptance was promoted. Initial interviewees were identified using central policy documents, after which relevant actors were identified with snowball sampling, i.e. asking interviewees to suggest other important actors for further interviews. One potential problem with snowball sampling is amplification of initial bias in selecting interviewees. To guard against this, the names were continuously cross-referenced between interviewees and documents. From March to May 2013 a total of eight interviews were conducted with politicians and public officials who had played important roles in the policy process, seven in person and one by telephone. The interviews lasted an hour on average, and were recorded and transcribed. Interview data was used to get more in-depth factual accounts of the process (informants), to complement and clarify data from policy documents and previous research, as well as to collect personal experiences, perspectives, and valuations of the process from the people involved (respondents). The paper focuses on the formation of policy and planning in relation to the Gothenburg congestion tax, while the opinions, responses, and adaptations of citizens are largely left to be explored in future studies.

## 4. Background: the Gothenburg congestion tax

The Gothenburg congestion tax was introduced on 1 January 2013 as part of a large infrastructure investment package, the so-

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