

Youth participation in Finland and in Germany: status analysis and data based recommendations

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Status analysis and data based recommendations

Eva Feldmann-Wojtachnia, Anu Gretschel, Vappu Helmisaari, Tomi Kiilakoski,
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Foreword

This report is a comparative overview of youth participation in Germany and Finland. The project was launched in November 2007 as a bilateral cooperation initiative by the Finnish Ministry of Education and the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ). Following its conclusion the research team, which was part of a wider cooperation project between German and Finnish youth actors, decided to produce a final report. The team consisted of researchers from various institutions in Finland and Germany.

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The Finnish and German researchers held three meetings in Finland and Germany. The publication is based on their empirical findings which were gathered prior to December 2009. This binational analysis, the first of its kind, examines child and youth participation in Germany and Finland. It should be noted that the availability of data, its structure, the way it was gathered, and the age groups surveyed varied greatly. In this sense the report is unable to distinguish clearly between the various groups; here, “young people” refers quite generally to the 14-27 age group. It is rather a synopsis or summary that provides a higher-level overview of the various functions of participation and the factors that have to be in place for successful youth participation.

This comparative scientific method is representative of other studies conducted in the context of interministerial cooperation. This data based analysis is a valuable resource for developing political strategies and structures in order to promote youth participation in both countries. It would be desirable if this frame of reference, which evaluates the status of youth participation in local contexts, were to impact on the current European discussion. Recent youth policy developments in the EU are linked with the 2009 EU Youth Strategy which strives to create a unified framework for active youth politics. This framework does not serve to dictate the shape of participation from the top down; rather, it leaves room for national decision-making in line with national traditions and values. For instance, the 2009 EU Youth Report merely provided a preliminary set of tools for carrying out a systematic comparison of youth participation. Such a comparison is challenging in that it involves pitching national and often also regional traditions against each other while finding ways

to measure their effects. The institutional frameworks, e.g. education systems, vary so greatly between countries (and also within regions, notably in Germany) that it seems almost impossible to compare the participation of young people internationally.

In this regard it should be noted that youth participation and active citizenship are traditionally reported mainly in terms of membership in organizations. This report attempts to go beyond that. The researchers asked to what extent young people are able to engage in the planning of activities and how strong a voice they have in decision-making. Our analysis concentrates on evaluating what is known about the youth participation scene in Finland and Germany, and analyses how strongly the principle of promoting youth participation is respected by the law and in practical terms. A clear picture of national experiences is crucial when attempting to influence the circumstances through research. The dialogue between the two countries has led to greater mutual understanding by giving the researchers a clearer view of their situation and that of the others.

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1.1 BACKGROUND INFORMATION

While the 1989 Convention of the Rights of the Child named participation as a principal prerogative, 20 years on it is still not enshrined in the policies that shape the lives of young people. “Allowing children to make their views known and heard in matters affecting them has yet to gain full acceptance across the globe,” states a UNICEF handbook (UNICEF 2008, 158). It continues, “Expressions to the right to participation are rare within child specific provisions across countries” (ibid. 159).

Since the 1990s, in both Finland and Germany a new trend in politics has emerged, namely that of direct democracy – yet not in contrast to representative democracy but as its complement. Direct democracy refers to the right of citizens to be directly involved in political decision-making. Finland and Germany have almost non-existent direct democracy procedures at the national level, putting both countries at the low end of the scale in a comparison of the relevance of direct democracy in 30 democratic countries (Kaufmann et al. 2007, 10, 216).

Finland has some five million inhabitants, of whom 993 868 (18.62%) are aged 15 to 29. Germany has around 82.3 million inhabitants, with 14 541 674 (17.68%) in the 15 to 29 age group. One conspicuous demographic difference between Finland and Germany is the small number of young people with a non-Finnish background. According to Eurostat figures for 2007, the percentage of young foreign nationals was 12.5% for Germany but only 3% for Finland. The Finnish population register does not record citizens’ nationality prior to receiving Finnish citizenship, so there are no precise statistics on second-generation immigrants. At this point another significant difference between the compared countries emerges. Owing to the relatively large number of children and young people in Germany’s immigrant community the issue is far more relevant in Germany. Youth participation is hence always discussed in the context of the need to integrate these young immigrants into German society and give them equal access to educational opportunities.¹

Among the institutions preparing children and young people for citizenship are schools; it is hence one of the schools’ tasks to ingrain the principles of citizenship and democracy in their students. There is a consensus that schools should provide sufficient information about the basic structures, institutions and ideals of democracy. In the comparative context of the German and Finnish school systems two important preconditions for democratic participation must be considered. First, in a selective school system (such as Germany’s), where children and young people with different socio-economic backgrounds and different learning abilities are separated from each other at a very early stage, there are fewer opportunities for learning democracy in a socially diverse environment that mirrors the plurality of “real society” than in an inclusive school system (such as Finland’s). Second, democracy is a prerequisite for the existence of equal opportunities, which the pupils can

¹ For more details see: Bundesamt für Migration und Flüchtlinge (ed.): Grunddaten der Zuwandererbevölkerung in Deutschland. Nuremberg, 31 August 2009, p. 5-7, p. 32. There are two sources of data on Germany’s foreign population: the Federal Statistical Office’s population projections and the Central Register of Foreigners. The former covers all foreign nationals who register or deregister with a German local registration office, while the latter only includes foreign nationals who generally stay in Germany for three months or longer, so its figures are lower. The 2008 population projections registered 7 246 558 (or 8.8%) foreign nationals in Germany, while the Central Register posted 6 727 618.



choose to avail themselves of or not. One way of assessing school democracy is by asking how well the schools incorporate pupils who are at risk of being excluded from participation. According to Matthies & Skiera (2009) most of them may experience, for various reasons, temporary or long-term difficulties in managing their social life, and may perform badly at school or encounter health problems. In our comparison of the two school systems, we looked at the significance of the Finnish comprehensive multiprofessional care system for pupils, which is available to all students in all schools. It consists of systematic counselling for children with learning difficulties, special education, school social work, school health care (school nurses) and school psychologists. The system is a reason why a nine-year comprehensive school system and joint teaching for children with different backgrounds can succeed in achieving high learning standards. Generally, however, both countries have entirely failed to recognise the enormous potential offered by schools as a place for learning democracy. School remains a place where children and young people are least likely to be explicitly empowered to participate and be given opportunities to engage in decision-making.

The 2002 and 2006 PISA studies² confirm that the Finnish comprehensive school system has been successful in creating a sound knowledge base. There are no statistically significant differences between the sexes; neither is there a significant difference between large and small schools. However, geographically there seems to be some discrepancies (Arinen & Karjalainen 2007). Germany went into what can be described as a “PISA shock” when first PISA study results were released in 2000.³ The study revealed drastic differences in learning achievement depending on region and socio-economic and academic background,⁴ and a heated debate on education ensued. PISA 2006 also revealed a clear difference in national scores between Finland and Germany:

2006 PISA scores ¹	Germany	Finland
Maths	20th (out of 58 countries)	2nd
Sciences	13th	1st
Reading	18th	2nd

In CIVIC,⁵ an international survey of attitudes among students aged 14 to civic engagement, both Finland and Germany were below average. Finnish youngsters ranked perceptibly low on average. Young Germans’ willingness to participate in conventional political and

² The Programme for International Student Assessment is organised by the OECD (Organisation for Economic Co-operation and Development). 58 countries participated in the 2006 PISA survey.

³ www.mpib-berlin.mpg.de/pisa/PISA-E_Vertief_Zusammenfassung.pdf

⁴ www.pisa.oecd.org/dataoecd/44/31/33691612.pdf

⁵ The Civic Education Study (CIVIC) is implemented by the International Association for the Evaluation of Educational Achievement. The study has since been repeated and its results will be published later in 2010 (for more information see e.g. Torney-Purta et al. 2001; http://www.unicef-irc.org/datasets/ICCS_matrix.pdf).



school life was low⁶ (Torney-Purta et al. 2001, 82, 87, 116, 133; Oser & Biedermann 2003, 62, 64, 144, 156).

1999 CIVIC score ²	Germany	Finland
Importance of Conventional Citizenship	18th (out of 28 countries)	28th
Importance of Social-Movement-related Citizenship	15th	28th
Confidence in Participation in school	28th	19th
Students' Reports on Their Interest in Politics	9th	28th

In terms of political activity measured in membership levels, at first glance German youngsters seem more active than their Finnish peers. According to the EUYOUNG study (Spannring et al. 2008, see also SORA 2005) 46% of young Germans participate in social organisations, whereas only 38% of young Finns do the same. However, excluding membership of sports associations (D 71%, F 19%) the study paints a somewhat different picture when comparing membership in youth organisations (D 1.8%, F 3.0%), trade unions (D 4.0%, F 15.2%) and political organisations (D 2.3%, F 2.0%). Young Germans value legal demonstrations more than their Finnish peers (D 27.7%, F 9.9%) (Spannring et al. 2008: 76). Young Finns seem to ascribe greater value to more traditional forms of social participation than young Germans, who are more willing to exercise demonstrative forms of participation. Some of the differences in the level and type of participation can be explained by the variation in population density and structure between the countries. Population density in Finland's rural regions outside the larger cities of the south is quite low at 16 inhabitants per square km. The younger age groups mostly move to other areas to pursue higher education and find employment, which influences the way they identify with local politics and policies. Young Finns are one of the most mobile youngsters in Europe (Nikander 2009). They leave the parental home approximately two years earlier than their German counterparts (F m 23.1; f 22; D m 25.1; f 23.9)⁷ the EU mean value is considerably higher (European Commission 2009a, 29). On the assumption that they will not remain in the municipality, young people tend not to display a strong interest in local politics, and since they study in another city they find it a challenge to participate in political processes in their home regions. Further, the small size of towns and municipa-

⁶ www1.bpb.de/files/35CUFU.pdf

⁷ http://epp.eurostat.ec.europa.eu/cache/ITY_PUBLIC/3-10122009-AP/DE/3-10122009-AP-DE.PDF



lities may make it difficult for unconventional forms of participation to work as well in a Finnish context as they do in Germany. For instance, demonstrations are only make sense in bigger cities where there are potential participants, an audience, media attention and also a certain level of anonymity – the preconditions of a successful demonstration. That said unconventional forms of participation such as via internet and mobile phones are quite popular in Finland. However, it is clear that Finnish political culture does not accommodate demonstrations and other forms of direct political participation as well as Germany.

In Finland there are no exact statistics, only estimates, on election turnout among young people. One exception is a manual count of young people voting in the municipal elections in Helsinki between 1996 and 2004; according to a study by Martikainen and Wass (2004, 29), between 41 and 51% of young people voted in Helsinki in 2004. Germany has 16 federal states and therefore also 16 state elections. In the last state elections (Baden-Württemberg) voter turnout was 40.7% in the 18–20 age group and 31.1% in the 20–25 age group.⁸ At the national level turnout in the 18–20 age group was 70.2%, and only slightly lower (68.1%) in the 21–25 age group.⁹ In Germany voter turnout in European Parliament elections tends to be lower than in national elections (43.3% in 2009).¹⁰ 35.2% of young people in the 18–20 age group voted; in the 21–24 age group, the figure was 30.1%.¹¹

In Finland the proportion of candidates in the municipal elections who are younger than 30 is 10.7%.¹² Unfortunately, there is no equivalent information available on candidates in Germany's local elections. 6.3%¹³ of the candidates elected in the Finnish municipal elections were under 30. Only one member of parliament is under 30 (0.5%).¹⁴ There is no equivalent data for Germany. As an approximation, only three out of 80 elected city councillors in Munich (2.4%) were born in 1980 or later. At the end of 2009 2.3% of the elected members of parliament were under 30.¹⁵

⁸ For all statistics in these elections click here: www.bundeswahlleiter.de/de/landtagswahlen/ergebnisse/downloads/ltw_repraes_wahlbeteiligung.pdf

⁹ www.bundeswahlleiter.de/de/bundestagswahlen/BTW_BUND_05/veroeffentlichungen/veroeffentlichungen/Heft1_2005_Gesamt.pdf, page 63

¹⁰ www.bundeswahlleiter.de/de/europawahlen/EU_BUND_09/ergebnisse/bundesergebnisse/index.html

¹¹ www.bundeswahlleiter.de/de/europawahlen/EU_BUND_09/presse/73_repraesentative_wahlstatistik_verfuegbar.html

¹² www.stat.fi/til/kvaa/2008/01/kvaa_2008_01_2008-09-30_tie_001_fi.html, accessed on 3 July 2009

¹³ www.tilastokeskus.fi/til/kvaa/2008/kvaa_2008_2008-11-21_kat_001.html, accessed on 6 December 2009

¹⁴ www.eduskunta.fi/triphome/bin/tixhaku.sh?lyh=hex8230?lomake=tix5050, read 20th January 2010.

¹⁵ www.bundeswahlleiter.de/de/bundestagswahlen/BTW_BUND_09/veroeffentlichungen/arbtab11.pdf



1.2 COMMON CONCEPT OF YOUTH PARTICIPATION

Our analysis is based on a definition of “youth participation” that views participation as an opportunity for young people to speak up and help decide and shape planning and decision-making processes that directly affect children and young people and on which they are capable of passing judgement. Our definition hence goes far beyond “passive” participation while also including the involvement in and commitment to social and ecological issues.

The “eight rungs on the ladder of citizen participation” (Arnstein 1969, 217) are well known in Finland and Germany as a way to define aims and quality measures concerning participation in its original or more recent forms as developed by Hart (1997) and other national researchers.¹⁶ There are various forms of participation, ranging from “occasional” participation and thorough provision of information to children and young people (“assigned/informed”) to their taking indirect (“involvement”) and direct influence (“codetermination”) by contributing their own suggestions, ideas and solutions. Arnstein’s aim was not least to draw a line between apparently manipulative and decorative (“empty”) rituals and genuine participation. Much knowledge has been gained since Arnstein’s Ladder was published in 1969, and evaluating the quality of youth participation processes is no longer a one-dimensional process. That said, the Ladder model is suitable for describing models provided they incorporate processes such as cooperative decision-making and consultation that respect young people’s points of view, instead of the authorities making their own assumptions concerning what’s best for young people.¹⁷

Since this view is the basis for how both countries perceive perception, for the purpose of our analysis we are able to draw up a shared interpretation of participation, namely that it involves “giving children and young people a serious opportunity to influence planning and decision-making processes that affect them, using appropriate instruments and methods”¹⁸ – an approach that emphasises their subjective experience. When children and young people are active participants, they should feel that they are participating and are being treated as respected human beings with rights and a genuine identity. To this end information should be available in a language that is accessible to children and young people; also, they should be made aware of their role in the collective process. For example, it does not suffice for local administration officials to verify whether young people are being involved enough. The active participation of children and young people requires them to be genuinely involved in local democratic processes. Also, the balance of power should respect the role of the children and young people. Besides providing them with a subjective experience, the opinions of children and young people should have a measurable influence on decision-making. Objective criteria come to bear when evaluating the processes; in cases where participation was the aim, it should be possible to provide objective evidence that children and young people had power and agency in the process.

¹⁶ Cf. e.g. Liisa Horelli (1994)’s “Ladder for participation of children in planning processes” For Germany, cf. e.g. Fatke 2007, 20, 24-27.

¹⁷ Cf. Feldmann-Wojtachnia, Eva: Identität und Partizipation. Bedingungen für die politische Jugendbildung im Europa der Bürgerinnen und Bürger. Munich 2007, 7

¹⁸ Cf. Jaun 1999, 266



Improving municipal services requires the local government to create systems for acknowledging children and young people. Children and young people of different ages, who are in different life situations and are interested in different things, need to be offered a variety of ways to act, exert influence and become involved. German research has found that 15- to 18-year-olds were less satisfied with their participation opportunities than 12-year-olds. The assumed reason for this is the desire of young people to have a say in more challenging issues as they grow older, which in turn would require that young people be offered opportunities other than those that they have previously experienced. That said, another reason may be that the opportunities for participating in decision-making were not appropriate to young people's needs and interests (Fatke & Schneider 2007, 71–74; Meinhold-Henschel 2007, 12). Without challenges, young people start to feel bored.

Finally, it should be considered that the focus of the form of participation described above and of this publication in general lies more or less on *political* participation and involvement in politically relevant decision-making and community development in the living environments of young people in Finland and Germany. We have not yet discussed participation in the broader sense, which includes social and cultural participation and networking in the fields of leisure, social media, work and education. Especially in Finland, the debate on social exclusion of young people should be less concerned with the political aspect than with whether all young people have access to a socially and culturally active life, which promotes their level of motivation and activity in education and working life.

1.3 WHY YOUTH PARTICIPATION?

According to the Finnish future researcher Mannermaa, democracy is a demanding system of societal governance. A true democracy always operates from the bottom up and places great demands on civil society, and on the ability and will of citizens to engage with issues of society, to form views about them, to interact with others, to argue, to be inspired and find support for their own ideas. *A person has to train to be a player in democracy at an early age.* Each generation has to study the principles of democracy and civilisation right from the basics (Mannermaa 2007, 140). The continued invigoration of democratic structures requires an awareness of the need to make an effort to offer young people greater opportunities to make a difference. While it is clear that participation has an instrumental value, it is also a value in itself. Children's subjectivity and agency should be respected for the same reasons adults are respected. Subjectivity, however, should not be modified to fit the established ways of doing things. Children and young people should also have the right to do things differently than adults do. Children's subjectivity means giving them an opportunity to do things in an alternative way.

The way in which participation is interpreted, and the project has been implemented, is virtually identical in Germany and Finland. First, the project hopes to promote children and young people's commitment and self-initiative;¹⁹ second, it aims to listen and gain ex-

¹⁹ This corresponds to the European Commission's interpretation of the term as stated in the White Paper process (2001) *A New Impetus for Europe's Youth*, which views children and young people's involvement in society as an educational goal of participation.



expertise and experience that can be used to inform decision-making processes at the local government level. The many lines of argumentation in favour of promoting youth participation²⁰ can essentially be consolidated into two approaches: first, a rational approach that sees the greater involvement of children and young people as a means to better mastering the social and demographic challenges that we face; second, a normative approach that enshrines youth participation in theoretical democratic reform concepts. Accordingly, the call for “more” youth participation has both quantitative and qualitative implications that play a strong role when analysing to what extent countries are learning from each other.

1.4. THE INFLUENCE OF EXTERNAL POLITICAL ACTORS

1.4.1 THE INFLUENCE OF THE UN

Thanks to its special national reporting obligations and consulting bodies the UN Convention on the Rights of the Child has triggered a worldwide best practice movement in child and youth participation (UNICEF 2004; Connors et al. 2007; UNICEF 2008). Children and youth have a right to participate. In addition to the universal human and civil rights that unquestionably also apply to the young, the Convention on the Rights of the Child – adopted by the U.N. on November 20, 1989 and ratified by Finland in 1991 and by Germany in 1992 – declares in Article 12: “States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight [...]” The exercise of this right may be restricted only under certain conditions; each restriction must be specifically justified and carefully reviewed for compatibility with inalienable basic rights.

It is hard to overestimate the role of UNCROC in strengthening children’s rights. The Convention accepts that children are full human beings with rights and dignity. There are three main types of rights in the document: participation, provision and protection rights. Participation rights involve both civil and political rights, such as the right to a name and an identity, the right to be consulted and taken account of, to physical integrity, to freedom of speech and opinion, and to participate in and challenge the decisions made on behalf of children. The debate on participation rights has been an important tool in creating processes where children can make an impact. This is vital in a societal context where the authority and power of adults was, until recently, absolute (Smith 2007). By arguing that children are capable of making choices, the document makes it possible to perceive children as political subjects who have the same political rights as adults.

In a General Comment on the definition of “participation” that is enshrined in the Convention, the Committee on the Rights of the Child not only highlighted the systematic relationship to other children’s rights but also drew up standards that apply to various areas of life and the quality and nature of participation (CRC 2009).

The Convention’s definition of participation has had a clear impact on both countries; in

²⁰ cf. Olk/Roth 2007, Bertelsmann Foundation 2007a



Finland's case it has been taken up as a strategic approach towards youth policy, has become a *leitmotif* of youth policy, and has strengthened the consultation aspect of youth participation. However, in Germany there is still a lack of such overarching strategic effects. The last National Plan of Action for a Child-Friendly Germany 2005-2010 (BMFSFJ 2005b), whose publication was accompanied by a participatory child and youth report (BMFSFJ 2006a) does mention five areas of action (one is child and youth participation), quality standards and a monitoring system, yet failed to trigger a strong movement towards greater participation (Bundesjugendkuratorium 2009). Instead, participation in Germany resembles a moth-eaten carpet whose appearance is strongly shaped by the federal states and local authorities. The Federal Government's efforts have not extended to creating the necessary legal and constitutional frameworks, but have been mainly limited to model programmes. This has produced a participation regime that is largely shaped by the subsidiarity principle and a project-based approach that is not exactly sustainable.

1.4.2 THE INFLUENCE OF THE EU

One of the most important aspects of European youth policy is what is known as “young people's active citizenship”, meaning that young people themselves should be more involved in policy- and decision-making at both Member State and EU level.²¹

Throughout the consultation process and the resulting White Paper entitled *A New Impetus for Europe's Youth*,²² since 2001 the European Commission has repeatedly given high priority to promoting of youth participation in all Member States.

After the Treaty of Lisbon came into force on 1 December 2009, the rights of the child were included in Article 24 of the Charter of Fundamental Rights in all EU Member States and their right to participation was enshrined in paragraph 1. Still, even after Lisbon the European Union plays merely a complementary, albeit actively coordinating, role.²³ Part of this is the EU Youth Strategy, the Council Resolution²⁴ of 27 November 2009 on a renewed framework for European cooperation in the youth field (2010-2018), which names eight fields of action to help young people in Europe overcome socio-economic and educational challenges and promote their involvement in European policy-making. Over the next nine years, this is to

- produce greater opportunities for young people in the field of education and employment,
- improve social inclusion and social participation for all young people,

²¹ Cf. European Commission 2001:16; Treaty of European Union, 1992: article 126; Treaty of European Union, 2008: article 165)

²² White Paper of the European Commission (European Commission 2001)

²³ For a more detailed analysis of the impact of the Treaty of Lisbon on youth policy, cf. Feldmann-Wojtachnia, Eva: EU-Reformvertrag von Lissabon – Reformen für die Kinder- und Jugendhilfe? Über die Bedeutung des Reformvertrags für die europäische Jugendpolitik und die Kinder- und Jugendhilfe. NaBuK Newsletter 01/March 2008, www.nabuk-europa.de

²⁴ cf. http://ec.europa.eu/youth/pdf/doc1648_en.pdf



- and strengthen mutual solidarity between society and young people.

The explicit aim of the Strategy is to promote young people's participation in representative democratic processes and in civil society in all Member States and to implement the structured dialogue. In this context, all existing instruments such as the Youth in Action programme, the Youth portal, the SALTO-YOUTH Participation Resource Centre, the European Knowledge Centre on Youth Policy and EU Presidency youth events that are part of the structured dialogue between policy-makers and young people are powerful instruments to foster young people's active citizenship. While the European Union does have a recognisably strong impact at the national political level (for instance, the conference of Germany's youth and family ministers in June 2009 pledged its commitment to the new objectives of EU youth policy),²⁵ it appears that there is still too little awareness of the structured dialogue among most local authorities and even higher-level institutions. This is also true for young people themselves and for youth policy actors and youth work organisations. It is also unclear whether the EU is capable of building a long-term relationship between young people and local political actors. The Commission's EU Youth Strategy (European Commission 2009b) is a comprehensive, ambitious programme for the future and is a clear indication of its political intentions. However, there is little indication of how these ambitious objectives are to be popularised and reached. In both Finland and Germany there is still little awareness of the Strategy outside of professional circles, even though a participatory instrument – the structured dialogue – was developed for the first time to create stronger networks between young people and policy-makers.

1.5 CONTEXTS, FORMS AND METHODS OF YOUTH PARTICIPATION

Schools, in fact all formal and non-formal learning contexts and the communities themselves, play an essential role, on the one hand as an important political training ground and on the other as a genuine arena for action. Participation takes place in a variety of social spheres and contexts (homeowners' associations, tenants' associations, day-care centres, schools, NGOs) and also in other areas of daily life, such as local sports facilities and youth centres, which may have strategic programmes to promote wellbeing (including participation possibilities) among young people and the wider public. While participation is part of our wider environment and can sometimes even be found at a strategic level, it is also an element of peer-group and intergenerational interaction in both face-to-face and virtual settings. In particular, what happens to young people in their immediate social surroundings and everyday experiences – that is, at the community level – determines “the attitude they adopt about politics and politicians as well as about democracy in general, and whether they are taken seriously as authors of their own lives and included in shaping social and political life or merely exploited for the political purposes of adults” (Bertelsmann Foundation 2005, 7). According to the philosopher and educationalist John Dewey,

²⁵ cf. item 3.11 in the list of resolutions of the Conference of Youth and Family Ministers in June 2009 in Bremen, cf: www.soziales.bremen.de/sixcms/media.php/13/Protokoll_neu_Endfassung_Internet.pdf.



preparing children for democracy is best achieved through democratic education in which each individual has the opportunity to share and participate in some common activities, acquire needed skills and to become saturated with the spirit of democratic process (Dewey 1997, 22). For him and many others too, education for democracy is democratic education.

There are many places in school where participation can be learned. First, there is school democracy. Student councils can be active partners in decision-making. Second, there is the school culture. Students can be active in creating a safer social psychological environment, which can help e.g. to address bullying. Third, there is the curriculum. Participation in defining goals, teaching and learning methods, contents and assessment can vary greatly. Fourth, children can participate in the classroom in many ways. And finally, schools are a place where students learn to interact socially. In many projects students have been able to influence municipal decision-making, for instance when classes have engaged in planning processes; engineering projects are also a possibility. School should provide opportunities to experience genuine participation and how to use power. At best, a school serves as a miniature democracy for its members (Torney-Purta et al. 2001, 25; Suutarinen 2006a, 118).

Planning processes such as urban development initiatives have adopted a communicative approach in recent years, opting to include local residents right from the start. By doing so, the planners and local authorities not only hope to avoid mistakes but also endeavour to minimise resistance as changes take place. They use dialogue-oriented methods to help make cities and towns more liveable and – as competition for business sites becomes fiercer – to brush up their image as child- and family-friendly communities. One hallmark of quality in this new approach is the inclusion of young people in the planning processes that affect them. Consulted as experts in their own affairs, they have the opportunity to present their concerns to planners who could otherwise anticipate only some of their wants and needs.

In community settings participation can take a wide variety of shapes and be implemented in several different ways. The following basic models (Feldmann-Wojtachnia 2007, 7) are described briefly in the following:

- Representative forms of participation
- Open, direct forms of participation
- Project-based forms of participation
- Advocacy-based forms of participation
- Presence of children and young people in adult decision-making bodies.

Representative forms of participation

Here, elected or appointed children and young people represent the interests of their peers. The decisive characteristic of representative forms of participation is that they are always institutionalised models with a long-term focus. Child and youth parliaments or councils are still the most popular form of representative participation for young people both in Germany and Finland. Other examples include youth community (like youth centre, youth organisation) councils or boards, youth city councils or youth district councils. In Finland there are also student councils in the schools.

Open, direct forms of participation

In a direct democracy process all young people in one school, residential area or municipality



are consulted, for example in Finland via an online local Initiative Channel (see 2.3.1). Open forms of participation involve free access to all interested children and young people and an opportunity to become involved spontaneously. Examples include child and youth forums, young residents' meetings, child and youth conferences, youth hearings and round tables.

Project-based forms of participation

Here, children and young people participate in the planning and implementation of time-limited projects. The subject matter at hand must be relevant and of interest to children and young people. Examples include designing playgrounds and leisure areas and institutionalised areas such as schoolyards and day-care centres, and initiative to develop and build an online social community for local young users.

Advocacy-based forms of participation

Advocacy-based participation involves adults representing the interests of children and young people in the community, for instance in children's and youth offices or as child and youth commissioners or advocates.

Presence of children and young people in adult decision-making bodies

In these forms of participation children and young people are represented in existing adult planning committees or working groups. Their presence in adult-run decision-making bodies gives them an opportunity to become directly involved, sometimes even with voting rights. Examples of this kind of participation are district working groups, citizens' initiatives, children's commissions, and membership given right for the represents of youth council to attend in city committee or council meetings.

The German-Finnish comparison revealed how important it is to have a choice among various forms of participation. This is the case because different approaches are needed depending on the objectives that are to be reached through participation. From the Finnish perspective, the large variety of participatory projects in Germany is remarkable. By contrast, the German researchers were impressed how consistently youth participation is enforced in Finland under section 8 of Finland's Youth Act; however, the forms of participation in Finland are limited to consultation.



2. YOUTH PARTICIPATION IN FINLAND

2.1. THE LEGAL FRAMEWORK

In Finland all citizens are subject to the same national legislation. Participation and opportunities for action are enshrined in Section 2 (14) of the Finnish Constitution, which states that “public authorities shall promote the opportunities for the individual to participate in societal activity and to influence the decisions that concern him or her.” The Constitution is the framework for all new legislation and legislative amendments in Finland. It is hence crucial that there be a reference to individual participation for everyone, regardless of age, in the Constitution. The legislative framework governing child and youth participation is shown in Figure 1.

Municipalities are local administrative bodies that are governed by local councils, which are in turn elected by the local population. Section 27 of the Local Government Act (365/1995) defines the participation and opportunities for action for citizens at the municipal level, stating that the municipal “council shall ensure that local residents and service users have opportunities to participate in and influence their local authority’s operations.” Section 27 (6) states, that participation can be furthered by helping residents to manage, prepare and plan matters on their own initiative. According to Vainila, several municipalities have set up separate councils for the disabled, seniors and young people in recognition of this fact. The paragraph also refers to special funding for youth councils. (Evaluation of Basic Services 2007; Vainila 2008, 40; see also Government report to parliament, 3/2002 vp. 11.) Section 28 of the Local Government Act gives all local residents the right to launch initiatives, stating that “local residents have the right to submit initiatives²⁶ to the local authority in matters related to its operations. Persons submitting initiatives shall be informed of action taken as a result of an initiative.” In 2002, after the conclusion of the four-year National Participation Project (1998–2002) (for more information cf. 2.2.1), the evaluation revealed that even when participation opportunities were recommended and explained down to the smallest detail in the legal texts (e.g. in section 27), the actual level of use of such opportunities at municipal level was poor and they were exercised less frequently than expected (Government report to parliament, 3/2002 vp, 12–13).

The 2006 Youth Act (72/2006) made youth participation and the right of young people to be heard in the municipalities a legal obligation. Section 8 of the Youth Act states that “the opportunity to participate in the handling of issues relating to local and regional youth work and policy must be provided for young people. Additionally, young people **must be heard** during the handling of issues concerning them.”²⁷ According to Vainila, the Finnish

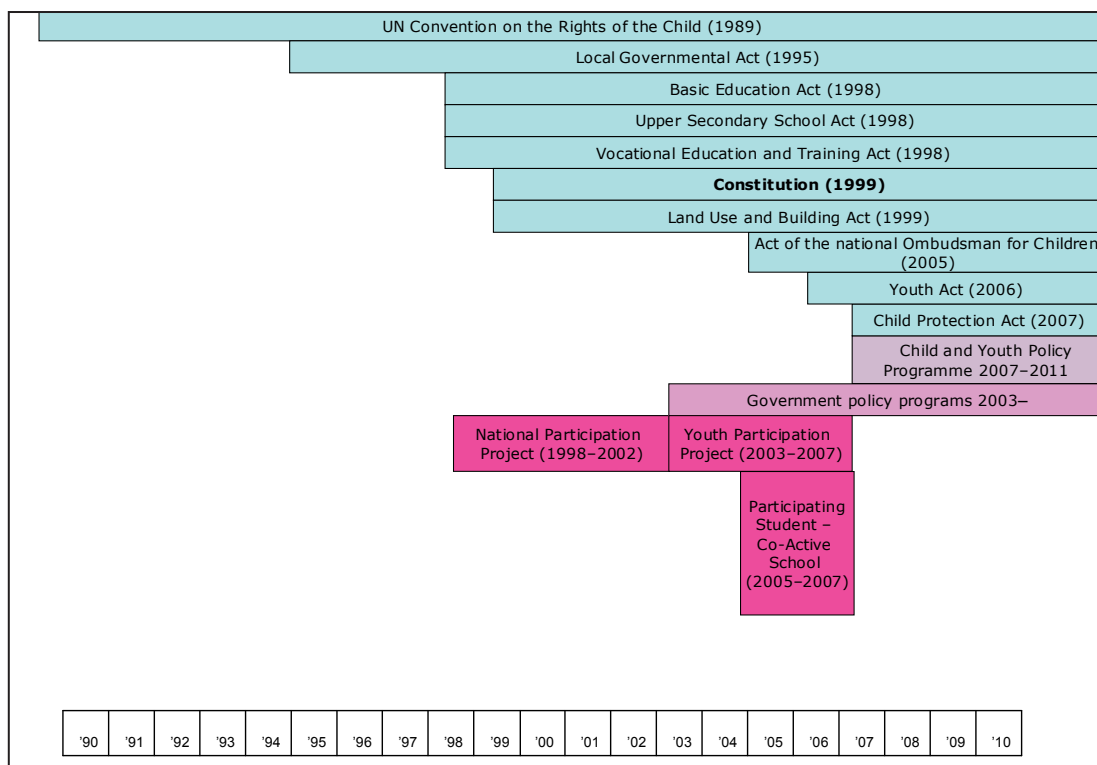
²⁶ From a direct democracy point of view, initiatives at the municipal level in Finland are “agenda initiatives” that enable groups of citizens to submit a proposal which must be considered by the legislature. However, unlike the “popular initiatives” they trigger a (referendum) vote (Kaufmann et al. 2006, 308, 314, 317)

²⁷ At the federal state (*Länder*) level in Germany, the legal texts – which are fairly similar to those in use in Finland – use verbs ranging from “can” and “should” to “must”, with the latter notably in use in the state of Schleswig-Holstein (Berger 2007, 123–124).



Youth Act’s frequent use of “must” suggests strong obligation. Another strong element is the clear definition of the areas where young people must be given an opportunity to participate, namely issues relating to local and regional youth work and policy. Young people must also be heard in issues that specifically concern young people. Vainila points out that the Youth Act also provides a new framework for interpreting the Local Government Act. The voluntary civic participation mentioned in section 27 of the Local Government Act should be seen as an example of the methods that the municipalities are obliged to apply in order to provide opportunities for youth participation (Vainila 2008, 121).

Figure 1. Chronological development of legislation, contracts, policy programmes and national projects to encourage child and youth participation.



Section 47 (amendment; in force since 1 August 2007) of the Basic Education Act (628/1998) (for grades 1–9) contains a reference to participation and being heard in the school environment – a school **can have** a student council consisting of its students. Student participation and opportunities to be heard is also enshrined in the Upper Secondary School Act (629/1998) and the Vocational Education and Training Act (630/1998) (both apply to grades 10–12). Both state that the educational institution must give students an opportunity to take part in the development of their education and to be heard before decisions affecting their studies or their role as students are made. The acts also oblige all educational institutions providing upper secondary education and vocational education and training to **have** a school council consisting of their own students.

The Land Use and Building Act (132/1999) gives everyone the right to participate in the process of planning the use of land and water areas and building activities, and ensures a high-quality and interactive planning process. Under the Act, the planning authority must



publish its plans so that those concerned are able to follow and influence the planning process. Section 65 (amendment; in force since 1 January 2009) entitles those who have made written objections to receive the local authority's reasoned opinion of the objection if a return address is provided.

Under the National Ombudsman for Children Act (1221/2004), it is one of the Ombudsman's duties to monitor the welfare of children and young people and the exercise of their rights, to influence decision-makers from a children's viewpoint, to convey information received from children and young people to decision-makers, and to promote the UN Convention on the Rights of the Child. There is no statutory system for Children's Ombudsmen at the local level. Finland's first (and only) municipal Children's Ombudsman was instituted in 2003 in the city of Tampere, in response to the Mayor's long-term commitment to take the opinions and needs of children and youth into account in planning and decision-making.

Section 5 of the new Child Welfare Act (417/2007) gives greater weight to the child's own opinion, stating that "the children's right to obtain information in a child welfare case affecting them, and the opportunity for them to present a view on the case, must be safeguarded for the child in a manner in keeping with their age and level of development. When assessing the need for child welfare, a decision concerning a child or young person or the provision of child welfare must pay special attention to the views and wishes of the child or young person." Section 6 states that when planning and developing municipal services intended for children, young people and families with children, special consideration must be given to the needs and wishes of children and young people.

2.2. POLICY PROGRAMMES TO ENCOURAGE CHILD AND YOUTH PARTICIPATION

According to the Youth Act (72/2006) "the Government shall adopt a youth policy development programme every four years". The Government adopted Finland's first Government Child and Youth Policy Programme (2007–2011) on 13 December 2007. One of the focus areas of the Programme is the promotion of citizenship, leisure pursuits and participation for children and youth. This includes the development of systems enabling children and young people to exert an influence and be heard, as well as e-democracy functions and student body activities and a reorganisation of the electoral system and democracy education. One aim is that by the end of 2010, all municipalities will have implemented a participation and hearing system for the 5–17 age group that respects the requirements and prerequisites of children of different ages (Government Child and Youth Policy Programme 2007–2011).

In every term of parliament since 2003 the Finnish Parliament has launched policy programmes that include youth participation elements. One of the first policy programmes was the Citizens' Participation Policy Programme (2003–2006), which was set in motion by the Ministry of Justice. The first of the four principal aims of the Policy Programme reads:



“Schools and other educational institutions will promote growth in active and democratic citizenship in accordance with the principle of lifelong learning. Alongside Finnish citizenship, EU and world citizenship should also be taken into consideration in education” (Ministry of Justice 2006).

For the period 2007–2011 Prime Minister Vanhanen’s second cabinet launched three policy programmes covering a variety of cross-sectoral issues to ensure the Government’s key objectives could be attained. One of them is the Government Policy Programme for Children, Youth and Families (2007–2011), which creates a framework for the wellbeing of children, youth and families and for achieving its cross-sectoral objectives. This Programme follows and supports the implementation of the first Child and Youth Policy Programme during the electoral period (mentioned above). The Policy Programme aims to give children and young people more opportunities to participate and influence their environment and to pay more attention to their opinions when developing services and functions. It emphasises that “in addition, the structures of participation need to be strengthened, for instance, in schools and at municipal level. State administration, too, should develop ways of hearing the opinions of children and young people. For example, judicial processes should be developed to become more child-friendly. The assessment of the impacts of decisions on children calls for better knowledge and also surveys of children’s opinions. The limits of political citizenship must also be examined without prejudice.” In other words, in future

- “Children and young people will be given more opportunities to exert influence and to participate in the planning, implementation and evaluation of activities in pre-school education environments, schools, institutes of education and in libraries.
- The opinions of children and young people will be taken into account more widely in social and health services and in the development of these services and in community planning.
- The child-friendly aspects of the judicial process will be reinforced (...)” (Government Policy Programme for Children, Youth and Families 2007–2011).

2.2.1 NATIONAL PROJECTS TO ENCOURAGE CHILD AND YOUTH PARTICIPATION

A number of national projects to encourage children and youth participation have been implemented. The National Participation Project (1998–2002), coordinated by the Ministry of the Interior, was the first national step towards creating an awareness of developing representative and direct civic participation opportunities for everyone, including young people and children. 53 municipalities took part in the project. The Youth Participation Project (2003–2007), which was coordinated by the Finnish National Board of Education, aimed to improve participation in two ways. First, it aimed to prevent marginalisation by developing permanent practices and operating models and services at the interface between compulsory basic education and upper secondary level (in other words, to improve



the extent to which young people made use of educational resources). Second, it aimed to advance youth participation by developing the school and municipal environment (i.e. to raise young people's empowerment in decision-making processes) (Vehviläinen 2008). The project covered 37 municipalities. Between 2005 and 2007 there was also a national school democracy development project entitled "Participating Pupil – Co-active School", which was launched and organised by the Ministry of Education. 240 participants from 90 municipalities and all teacher training colleges took part in in-service training for a period of 18 months. The project's objective was to encourage students to actively develop a sense of community and welfare in schools. (Nousiainen & Piekkari 2006.)

2.2.2 NATIONAL PARTICIPATION FORUMS FOR CHILDREN AND YOUNG PEOPLE

There are several national forums, which are managed by public foundations, where children and young people can discuss political themes. These are the National Youth Parliament clubs, meetings in Parliament House, the Finnish Children's Parliament (virtual and real participation), the Annual Meeting of Local Youth Councils (virtual and real participation) and the Child and Youth Forum of the Finnish National Board of Education. These forums have attracted several children and young people keen to discuss the many issues in their lives. Their main benefit has been the creation of a genuine dialogue between children, young people and adults. However, the lack of adequate data means that it is impossible to evaluate the political impact of these forums, if any. Their impact is unknown to this day, even though the current Government Policy Programme for Children, Youth and Families 2007–2011 stipulates that the state administration should develop ways to hear the opinions of children and young people. Ensuring the profound commitment, sustainability and co-operation between the forums is also a challenge.

2.2.3 EVALUATING THE QUALITY OF LOCAL PARTICIPATION OPPORTUNITIES AT THE NATIONAL LEVEL

Under the State Provincial Offices Act (22/1997) the State Provincial Offices have to evaluate basic services on an annual basis. In 2007 evaluation activities focused on Section 8 of the Youth Act, which stipulates youth participation and the right to be heard in municipal affairs. All municipalities were sent a questionnaire to be completed by a municipal officer. In 2007, 94.5% and in 2008, 91% of all municipalities responded to the questionnaire. Young people were also asked to evaluate existing services in some municipalities (cf. 2.3.1 and 2.3.2).

The Youth Barometer has evaluated participation and civic engagement since 1997. Launched in 1994, the Barometer is conducted annually and involves around 2 000 telephone interviews that are carried out by the national Advisory Council for Youth Affairs. The aim is to regularly survey the attitudes and expectations of the 15–29 age group. The School Health Promotion Study (cf. 2.3.3) is carried out annually by the National Institute for Health and Welfare. The data is collected via an anonymous classroom questionnaire



for grades 8 and 9 in secondary schools and grades 1 and 2 in upper secondary and vocational schools. The questionnaire looks at health-related behaviour, school as a working environment, bullying, living conditions, physical threats, lack of friends, health knowledge and health education and student welfare services. Questions on civic engagement at school and in educational institutions were added in 1998.

2.3. PARTICIPATION STRUCTURES FOR YOUNG PEOPLE AT THE LOCAL LEVEL: EMPIRICAL FINDINGS

2.3.1 YOUTH COUNCILS AND OTHER PARTICIPATION STRUCTURES FOR YOUNG PEOPLE

According to the responses to a questionnaire completed by municipal youth work officials in the 2007 Evaluation of Basic Services, there were youth action groups in 60% of the municipalities covered by the evaluation (approx. 226). Since most of them were youth councils (186 out of 226, see table 1), we refer to the action groups as youth councils in the following. The Evaluation found that more than 60% of the youth councils had access to their own funding drawn from the municipal budget. The funds amounted to almost € 900 000 in total. The largest individual amount was € 61 000, while the smallest was € 200 (Evaluation of Basic Services 2007).

Although the first youth council was established as early as the 1960s, the majority were set up after 2000. One quarter were established in 2006–2007 after the Youth Act came into force. Average membership size is 13. The most common target group was the 13–18 age group (Evaluation of Basic Services 2007).

Just under half of the groups were mandated by the municipal council or board. Almost one quarter of the groups' activities were based on a committee decision and 10% on a municipal official's decision. Some youth councils' activities had strong backing in the shape of municipal rules and regulations. Since support from decision-makers is vital to youth council activities, it is recommended that youth councils and their activities be mandated by the municipal council or board (Evaluation of Basic Services 2007). Without official support, youth councils are on their own. According to the results (see table 1), although there are youth councils in 226 municipalities, 52 of them have no voice in municipal decision-making and 92 of them are not eligible to give statements, not even in youth-related matters. However, there are also examples of regular interaction between youth councils and decision-makers. According to the Evaluation, youth councils in 100 municipalities have the right to sit and speak on various committees; in some municipalities they are represented in almost all of the committees (Evaluation of Basic Services 2007). According to Vainila, if youth councils are given the chance to discuss youth work and youth policies and if there is a commitment to hearing the councils' voice on issues concerning young people, Section 8 of the Youth Act can be considered implemented, but only in terms of representative democracy, and only where the young people's point of view is genuinely put forward. The existence of a youth council is not enough to fulfil Section 8. There must also be direct and customised democracy procedures that meet the needs of



all young people, not just those of youth council members. Vainila states that Section 27 of the Local Government Act alone already emphasises this, as does, naturally, the Youth Act (Vainila 2008).

One very popular form of direct democracy in Finland is submitting suggested initiatives under the Local Government Act. According to the Evaluation of Basic Services the most commonly used channel for initiatives geared at children and/or young people was a suggestion and feedback box; this was used by just over 40% of the municipalities that responded to the questionnaire. Children and young people were also able to make proposals e.g. via youth councils or municipal officers. Some municipalities document and follow up suggested youth initiatives using web-based systems.

While the Evaluation revealed only a relatively small number of web-based child and youth initiative channels (exception: Lapland province), many of the municipalities were in the process of developing online systems (Evaluation of Basic Services 2007). The Ministry of Education supports the development of a national online platform called the Initiative Channel, which gives young people an opportunity to submit initiatives to their municipalities, to comment on ideas suggested by other people and to vote for the initiatives of their choice. The Initiative Channel is currently used by about 50 municipalities. E-democracy tools like this make it possible to track how the initiatives are processed in the municipality. Furthermore, all actors in the municipality (e.g. local policy-makers, organisations, youth councils) can ask questions via the local Initiative Channel and young people can comment on issues and make their opinions heard (statement from Merja-Maaria Oinas on 25 June 2009; cf. also www.aloitekanava.fi).

Participation opportunities should also be open to children and young people of different age groups. In order to fulfil the spirit of the Act, it is therefore important to have not only youth councils, but also other representative and direct democracy methods in schools, youth groups and nurseries and day-care centres (cf. Vainila 2008, 119–121). According to the Evaluation of Basic Services, the participation and hearing of children and youth was considered excellent if the municipality had a child and/or youth action group, various ways to be heard (see table 1), an initiative system and a youth centre committee or equivalent. Just under 30% of the municipalities in mainland Finland that responded to the questionnaire had such systems.

However, it was difficult to examine the situation in more detail since the responses of the municipal officials to the questionnaire provided no information on how well these existing systems worked or on the quality of operations (Evaluation of Basic Services 2007). A pilot project was hence launched to gain local data from a youth point of view as to how successfully the existing systems really are (see 2.3.2).



Table 1. How children and young people are heard in mainland Finland's municipalities (Evaluation of Basic Services, a national survey carried out in 2007).

Ways of being heard	Number of municipalities
Municipalities with youth councils and other youth/child action groups	226
Hearings for youth councils or other youth action groups	170
Statements invited from youth councils or other youth action groups	134
Hearings for child or youth organisations	133
Discussions between children and/or youth and decision-makers	124
Hearings for student council boards	120
Youth council or other youth action group representatives on committees or councils	100
Statements invited from student councils	68
Statements invited from child and youth organisations	57
Other	55
Web-based hearing system	47
Hearings for children's parliaments	21
Statements invited from children's parliaments	4

2.3.2 YOUNG PEOPLE'S PERCEPTION OF THE DEGREE OF YOUTH PARTICIPATION

The 2007 Evaluation of Basic Services was supported by a pilot project in 2008 entitled Assessment of Youth Impact Opportunities. The pilot was carried out in cooperation with many different bodies; it was conducted by the Finnish National Youth Cooperation (Allianssi ry) and funded by the Ministry of Education.²⁸ The pilot took place in 20 municipalities

²⁸ Partnership between the National Youth Cooperation Allianssi, the Ministry of Education, the Association of Finnish Local and Regional Authorities, the National Association for Local Youth Councils, the Finnish Youth Research Network and the State Provincial Offices.



that already had a youth council or another kind of youth action group. Youth councils were asked to respond to a questionnaire similar to the one answered by the officials. In addition to the questionnaire, local Discussion Days were held for local decision-makers and young people. These events were planned to attract a larger representation of young people, with invitations going out to youth councils, pupils' councils, and representatives of youth centres and organisations. A total of 302 young people, 78 local elected officials and 80 senior municipal officials attended the events. The main aim of the pilot project was to test how to include the youth perspective in evaluations carried out by a public body. From the start, it was assumed that the pilot would find ways in the long term to include an annual assessment by young people in the Evaluation of Basic Services in the municipalities, which is not restricted to youth work-related themes.

The feedback provided by participants after the events indicated that young people appreciate the opportunity to discuss issues that are on their own agenda face to face with decision-makers. There is no strong tradition of dialogue between decision-makers and young people in the Finnish municipalities. According to the Evaluation of Basic Services, 124 municipalities (33%) organised meetings between children and/or young people and decision-makers. Based on answers given by the officials, 9 of the 20 piloting (45%) municipalities organise such events. However, according to the youth councils in these municipalities, only 3 out of 20 (15%) were committed to organising an annual debate between children and/or young people and decision-makers.

The pilot project revealed how familiar young people were with participation opportunities (see table 1), what channels were in active use (and had been set up by the authorities), and if it was possible to make an impact by using these channels or in some other way, in decision-making or indeed at all. After analysing the quantitative and qualitative data of the pilot project it emerged that the municipalities are at very different levels in terms of hearing young people, as assessed by young people. Opinions from municipalities of the same size varied from “Yes, we are heard in almost everything” to “No, we are not heard at all”. The feedback indicated that only 4 in 20 municipalities heard occasionally the opinions of their young residents. However, developments in some municipalities are reason for hope. After several years of systematically developing participation channels and youth impact opportunities under their official municipal strategy, young residents are stating that they are being heard. The youngsters in these municipalities feel that decision-makers consider them respected and competent partners in debates and activities in the youth field. These young people also feel that they have influence.

Young people were willing and capable to help evaluating basic services. In many municipalities they assessed themselves as having succeeded as evaluators. Having seen the feedback forms just after the event, decision-makers in some municipalities have started to rethink the role of young people as a factor for successful debates. The project demonstrated the willingness and eagerness of young people to participate at the municipal level. Such events are crucial to improving how young people are treated as subjects (evaluators, co-thinkers, co-actors) in decision-making processes and the experience and self-esteem this brings forth in the young people involved. Pilot project has continued 2009–2010.



2.3.3 PARTICIPATION IN SCHOOLS; CIVIC EDUCATION

Elementary school in Finland runs from grade 1 to 9. Children start school the year they turn seven. There are nine years of compulsory elementary education. Students at elementary school are usually aged between 7 and 16. After elementary school more than 90% of young people go on to high school or vocational college. The Finnish elementary school model was developed in the 1970s. Before that, the school system had different levels for students with different capabilities. Elementary school offers the same curriculum to every student. The idea stemmed from a desire to eliminate societal differences caused by the uneven distribution of economic, cultural and social capital. School was seen as an instrument of social mobility (Somerkivi 1983).

Citizenship education is delivered through the subject of “civics”. In comprehensive school it is taught in combination with history (as “history and civics”). Usually, civic education is given in the ninth grade. There are two obligatory civics courses in upper secondary school and two national voluntary courses (the minimum number of courses is 75). The aim is to educate active and responsible citizens who are familiar with basic societal structures and are able to actively engage in society. While the national curriculum also includes an integrated course on participatory citizenship and entrepreneurship, it is currently being debated whether this and five other integrated subjects will actually influence the form and content of teaching.

The Finnish school democracy movement of the 1970s aimed to transform schools into more democratic spaces. School councils had both teacher and student representatives. It is assumed that one of the factors behind the movement was a fear of over-politicising basic education, which caused the rather rapid demise of student democracy. School councils were terminated. The social studies curriculum was also modified to concentrate more on formal matters than on practical participation, NGOs and other “hot” topics (Suutarinen 2008). Finland’s history influences the status of school democracy and civic education to this day. Suutarinen believes this is one of the reasons why Finnish schools do not encourage an interest in societal matters, do not foster civic activity nor encourage students to participate in school life (Suutarinen 2006b). According to an analysis of civic textbooks, emphasis is still given to neutral knowledge. The rights and obligations of citizens are presented in a rigid manner. Critical issues are avoided. Democracy is presented as a stable structure, not as a historically formed entity that has to be constantly reinvented in order for it to work (Tomperi & Piattoeva 2005, 267-269). Current textbooks contain very little information on participation structures for young people even though the books are written for young people, and even though youth councils have existed in Finland since 1995. In conclusion, one might say that Finnish students have adequate knowledge of democratic processes yet too little opportunity to actually experience participatory democracy. According to Manninen, the main motivation behind the school democracy development project “Participating Pupil – Co-active School”,²⁹ a national policy project, was the EU’s Active Citizenship concept, and came in response to the low voting rate among young peop-

²⁹ Between 2005 and 2007 there was a national school democracy development project in Finland called “Participating Pupil – Co-active School” that was founded and organised by the Ministry of Education. 240 participants from 90 municipalities and all teacher training colleges were given 18 months of in-service training.



le. Schoolteachers who participated in the project had a variety of motives for promoting student participation, ranging from a selfish delegation of tasks to an enlightened concept of the children's right to wield power (Manninen 2007, 235). According to Manninen, teachers who were pedagogically motivated were rare. During the development project there was only one case where pedagogical motivation was the reason for developing pupils' civic engagement at school and in the community (Manninen 2007, 235; Manninen 2008, 91, 93). In future the focus should be on how to give students the opportunity to take responsibility for planning core elements of the curriculum and implementing learning and teaching activities (Manninen 2008, 91, 93; Fatke & Schneider 2007: 68; Niemi 2007, 51–53, 236; Kiilakoski 2007, 13–14, 233). Manninen emphasises the need for greater consideration of the philosophy and characteristics of civic participation and engagement in schools. He asks what the schools are aiming for – active voters, a more democratic society, and/or young people who take responsibility for their own learning (Manninen 2008: 94).

The traditional school model is a teacher-centred learning environment where the teacher is responsible for implementing the curriculum. Most activities are done individually, while the teacher gives instructions, asks questions and takes the most important decisions. This traditional model is still widely used. Competing models that stress student participation in the classroom and curriculum and try to create co-operative learning environments are still not commonly accepted in Finnish schools (Saloviita 2006). National assessments show that more teaching methods are currently in use than before, indicating that front-of-classroom teaching has made room for more participatory methods. However, modern pedagogical tools are not commonly used. Classes with many pupils are also challenging for teachers because of disturbances and lack of time to spend on each student (Korkeakoski 2008). Student classroom participation has improved but a lot remains to be done. Students can participate in organising parties or theme days and have a say on the school environment and school rules. Student participation in preparing the curriculum³⁰ is currently non-existent in the majority of schools. According to Manninen, in a project aiming to raise student participation only 23.5% of schools gave students a chance to help plan the curriculum (Manninen 2008, 65).

The national School Health Promotion Study (for more information about this study cf. 2.2.3) shows that 31% of students in grades 8 and 9 felt they were not being heard by their schools. There is also statistically significant variation across regions in terms of students' experience with being heard (Luopa et al. 2008, 47). The percentage of grade 2 students who feel they are not heard is lower. 18% of high school and vocational college students feel that they are not heard (School Health Promotion Study 2008). International comparative studies show that Finnish students seem to have fewer opportunities to participate than their peers in other countries (Korkeakoski 2008, 48). The school culture in Finland is still very much based on adult power. When participatory processes are introduced in schools the whole culture, not just individual processes, has to change.

The most common and best known way to secure student participation is supporting student councils and giving councils an opportunity to engage in decision-making. According to surveys conducted by the Finnish National Board of Education in 2005, there were

³⁰ The National Curriculum is a basic curriculum that applies nationwide. However, schools are required to write local curriculums. Student participation in planning these local curricula is still low.



student councils in only 31% of elementary schools, most of them in schools with grades 7 to 9.³¹ In high schools and vocational colleges the situation was better, with 93% of high schools and 67% of vocational colleges having a student council (Finnish National Board of Education 2006 a, b). The main reason for the absence of student councils in elementary schools is that the Basic Education Act (628/1998) contained no reference to student councils prior to its amendment in autumn 2007. The Upper Secondary School Act (629/1998) and the Vocational Education and Training Act (630/1998) also contained a reference to setting up and hearing student councils already between 1998 and 2007. The role of student councils also varies greatly. According to Manninen some student councils concentrate solely on organising leisure activities such as parties. At the other end of the spectrum, school councils assume an educational function and support the learning process. However, that is still rare (Manninen 2008).

The political objectives of student councils are also often neglected. Adults have ownership of school administrative processes. According to the results of the Assessment of Youth Impact Opportunities project the culture of hearing students in schools varies, not only between municipalities but also between schools in the same municipality, and even in the same school. It was discovered that young people felt that student councils were underestimated as discussion partners in the context of school decisions taken by the municipal authorities. Recently students have started to demonstrate because they are not being involved in decision-making, indicating that they have become very aware of their right to be heard. There are several “How to make an impact” manuals for students, and since 1997 many national and local seminars have been organised to develop youth participation. In this light it is therefore easy to claim that, of course, students are starting to become aware of their rights.

The national assessment has revealed much need for improvement in Finnish schools, predominantly where creating participatory processes is concerned. Schools need to improve community processes. Cooperation between schools and parents should be encouraged. Students and parents should have more opportunities to participate in decision-making (Korkeakoski 2008). The above observations describe how student participation in schools can be achieved at many different levels. The current school model does not appear to support all forms of participation. Direct democracy processes and the right to influence community life and the students’ own daily lives and their environments should be better recognised in Finnish schools. While the situation regarding student participation is not utterly hopeless, there clearly remains a lot to be done.

How are young people trained at school to participate in municipal affairs? According to the Evaluation of Basic Services, the training offered in municipalities is far from systematic. Only just over 40% of municipalities offered their staff training in promoting child and youth participation and impact opportunities, while just under half provided training for children and young people (Evaluation of Basic Services 2007). According to the Assessment of Youth Impact Opportunities project, the training provided for young people was mostly directed at youth and student counsellors. There is also a need for training for other young people. All young people should be informed of the existence and impact of

³¹ In the past there was a tendency to split grades 1-6 and 7-9 into separate schools. These days, most schools cover grades 1-9.



using representative and direct channels of participation that are tailored to their needs. They would then be more capable of participating themselves using existing channels. The project also found that even the principle of giving service users an opportunity to give the municipality feedback was not familiar to the young people at the discussion events. This sheds new light on how willing young people are to participate and make an impact. It also provides us with an idea of the need to develop civic education in schools. Awareness among young people of municipal matters varies greatly. Whether young people are aware or not is also a question of education. Should municipalities start to organise a new kind of civic engagement training for young people? Could civic education that is currently provided in schools – once restructured – at least partly fulfil the educational needs of young people?

2.3.4 DEMOCRACY IN YOUTH CENTRES

According to Section 7 of the Youth Act (72/2006), space should be provided for young people to engage in leisure activities in every municipality. In fact, such opportunities have existed for about 60 years. However, as local authority funding tightens it is crucial that this entitlement become a basic municipal service under law. These spaces – youth centres, for instance – are normally open in the evening and during weekends, with leisure equipment and supervision by local youth workers, all free of charge to young people. According to the Evaluation of Basic Services, there were some participation structures, namely youth centre committees or similar groups (e.g. short-term action groups), in just over 60% of municipalities in mainland Finland. However, fewer than one fifth of the municipalities gave young people an opportunity to influence decisions concerning youth centre funds (Evaluation of Basic Services 2007).

Gretschel (2007) was concerned with how youth workers can encourage young individuals to develop from mere visitors using ready-to-use facilities into young people who are capable of caring for others, contributing to the wellbeing of the community, and developing community facilities initially within the youth centre environment and later in their day-to-day lives. Beyond youth centre committees there are other ways to encourage young people to play a role in the youth centre community. Some youth centres have regular “house meetings” where weekly programmes and duty rosters are decided. There are also short-term action groups, for example voluntary groups (low-access tasks suiting everybody) that work for the benefit of the youth centre. Longer-term groups are also possible when organising cultural events (e.g. concerts for the youth centre or the whole community) or environmental projects (e.g. collaborative planning of a park).

The degree of youth centre democracy varies considerably. It seems that individuals who are familiar with young people and the youth culture find it easier to encourage young people to play a role in the community. At the same time, it is necessary to practise talking and acting together as a community. According to Gretschel (2007), it is very challenging when young people visit the youth centre who are not used to speaking and acting for themselves (and are also resigned to the poor action culture of the centre) and have never experienced satisfying participation processes, and when youth workers are not experienced in or trained to resolve such situations. However, it should be borne in mind that some

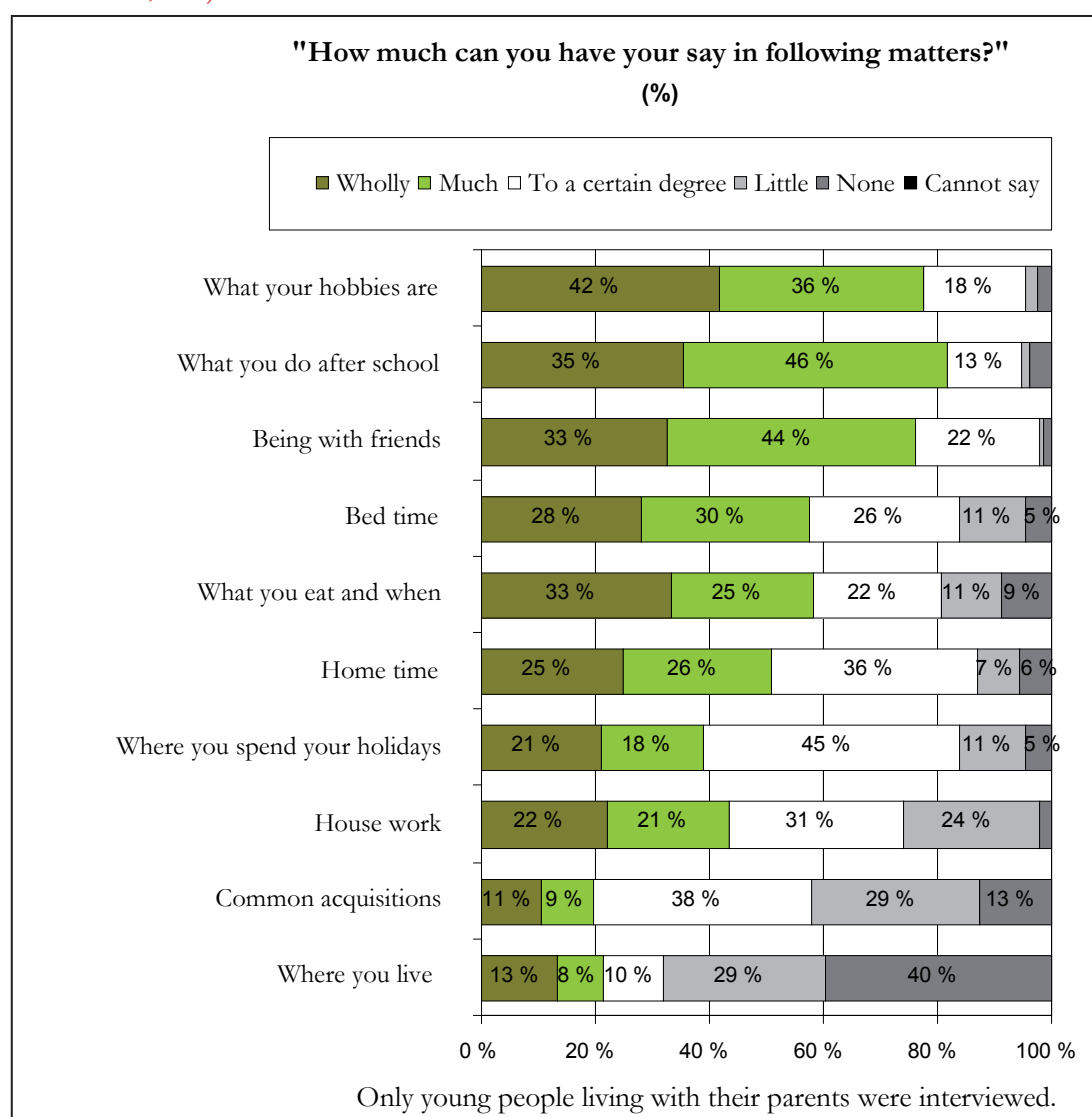


youth centres have a very promising culture of developing participation opportunities in Finland (Gretschel 2007).

2.3.5 DEMOCRACY IN THE HOME

In the Leisure Time Survey (2009) children and young people aged between 10 and 29 who still lived with their parents were asked (N = 2 000 telephone interviews) about their experience of having a say in matters concerning their own lives and the wider environment.

Table 2. “How much can young people living at home say in different matters “ (Myllyniemi 2009, 114).



The results in the above table 2 indicate that the more personal the question (e.g. hobbies, spending time with friends), the more the respondents felt capable of influence. Vice versa, interviewees felt less able to take influence in matters concerning the whole family (e.g. where to live, common purchases). Between these two extremes there are some issues



that are essentially personal (when to be in bed, curfews, time and place for meals) where respondents felt less able to take influence (Myllyniemi 2009, 114).

The respondents were asked about their relations with their parents when they were children. In general, a good relationship with one's parents correlated with the feeling of being able to influence family-related matters. Positive correlations were only statistically significant where the father was concerned. Some questions revealed wide variation across families. Interviewees living with only one parent felt they had more influence where being with friends, housework and the family's common purchases are concerned. Those living with the father felt they had more influence regarding spending time with friends and housework, while those living with the mother indicated they had greater influence on the family's common purchases. The respondents who lived alternately with their mother and father had a sense of not being able to influence where they live (Myllyniemi 2009, 114–115). When it comes to a family's common purchases, the feeling of being able to influence decisions was not very strong. While the questionnaire did not specify which acquisitions were meant, only one fifth felt they had strong influence over these decisions; more than a third indicated "a certain degree" of influence, and more than a third said they had little or none. More than 40 percent, however, felt they could influence how their family spent their holidays; only a sixth said they had little influence. Only few were able to influence where the family lived (Myllyniemi 2009, 115).

Raijas and Wilska (2007) interviewed around 500 Finnish families with two parents and children aged between 11 and 17. The study revealed that children had most influence in matters concerning leisure activities, such as entertainment, holidays and eating out, and also purchasing food. When it came to durable consumer goods, children had influence only on the purchase of electronic and digital devices. The children themselves felt they had more influence than their parents indicated (Raijas & Wilska 2007).

2.3.6 PARTICIPATION OPPORTUNITIES IN EARLY CHILDHOOD EDUCATION

All children younger than school age have the subjective right to early childhood education if the parents so decide. The municipalities have a duty to provide these services. In Finland 62.9% of 3-5 year olds are in day-care (statistics from the National Institute for Health and Welfare).

While there is no rigid early learning curriculum in Finland, general guidelines do exist. The National Curriculum Guidelines on Early Childhood Education in Finland represents a general framework for the quality and content for the municipalities responsible for organising early childhood services. The Guidelines state very clearly that the rights of the child are to be respected. While they refer only vaguely to participation rights, it does state that "giving due weight to the views of the child" as a basic principles. The influence of children on their environment should also be taken into account in planning. "Children can participate in the planning of spaces and equipment as part of the implementation of various content areas and themes" (Stakes 2005, p. 17.) The Guidelines make no clear reference to child participation; rather, emphasis is given to parents' participation.

Under the policy programme for the wellbeing of children, youth and families, children



are given more opportunities to exert an influence and to participate in the planning, implementation and evaluation of activities in pre-school education environments. The interim evaluation report halfway through the parliament term states that there is little information available on whether children are able to participate in the planning of day-to-day nursery activities and in quality assessment. Legislation on day-care and pre-school education makes no mention of such an obligation. However, some municipalities (e.g. Lappeenranta, Tampere) are about to start, or are already using, information provided by children when evaluating nursery and pre-school care and education (<http://www.vnk.fi/julkaisukansio/2009/j14-hallitusohjelman-toimeenpanon-arviointi-j26-the-finnish/pdf/fi.pdf>).

Adult authority has played a significant role in planning day-care services for young children. Various pedagogical traditions lay emphasis on caring for and nurturing the child without taking him or her seriously as a learner (Nummenmaa et al., 2007, 20). In many Finnish communities children in day-care are encouraged to participate during an experimental period (e.g. a national participation project in which the municipality is involved) but not on a regular or routine basis (i.e. after the project ends). However, there are some positive examples. According to Virkki (2007, 31–38), taking into account children's views can and should be a functional part of daily procedures of day-care, which include such complex aspects as quality assurance. In the city of Lappeenranta in eastern Finland, children were asked to share their opinions of the quality of day-care while playing cards. The children's views were mainly positive. From the perspective of subjecthood, it is nonetheless significant that many children were encouraged to consider what they would like to do, or could do, at their day-care centre. Most of them can contribute to the design of their play areas. One way that children's participation in day-care is organised in Lappeenranta is children's meetings (Virkki 2007, 31–38).

2.3.7 PARTICIPATION IN A CHILD PROTECTION CONTEXT

The interim evaluation report halfway through the parliament term states that there is still no information available as to if and how children and young people can participate in child welfare services (at an individual and family level and also in arranging and developing municipal child welfare services for children and young people). Under the Child Protection Act, which came into force in early 2008, municipalities must consider children's opinions when organising services that encourage physical and mental growth and wellbeing, as well as on all child welfare issues involving individuals and families. The implementation of the Act has not yet been evaluated (Evaluation of the Implementation of the Policy Program 2009). The State Provincial Offices' Evaluation of Basic Services reveals that the implementation of the Child and Youth Policy Programme has been (at the very least) discussed in nine out of ten municipalities. However, over half of the municipalities had failed to involve children and young people in the organisation of the programme. Children and young people must be involved in organising and implementing child and youth policy programmes (State Provincial Offices' Evaluation of Basic Services 2008, 141).



2.3.8 PARTICIPATION IN THE THIRD SECTOR

The role of the third sector – the sector between private life (e.g. family) and public life (e.g. the market and the state) – in providing services has lately been subject to debate. It is claimed that the foundation of civic activity, which is considered to be voluntary and community work and the sharing of ideas, could be in jeopardy because organisations are forced to concentrate on providing public services. The true importance of an active civil society is said to be in building social capital and offering an arena where its members can actively engage in public life (Hautamäki 2005, 57-58). If the role of civil society is central to building social capital, the opportunities to participate and become involved are crucial for all organisations (see also Roth & Olk 2007).

Finland, like other Scandinavian countries, is said to be the promised land of organisations (Matthies 2006). It is estimated that there is one association per 50 citizens (Yeung 2004, 73). However, there are indications of a generational gap where club or association membership is concerned. A recent Leisure Time Survey (2009, N = 2 000 telephone interviews with children and young people aged 10 to 29 and living with their parents) revealed that children and young people have remarkably few opportunities to participate in planning and decision making processes in clubs. 45% of young people participate or are members of an association. 31% regularly take part in association activities, while 18% are involved in planning these activities. Only 9% are members of an administrative body of an organisation. A closer look at the opportunities for children and young people to have their say in different types of clubs and associations reveals that 76% of young people involved in the Scouts, 63% in parish or other religious communities' child and youth activities, 37% in nature and conservation organisations, 28% in sports clubs and gyms and 2% in union activities were involved in operational planning in their chosen organisation. The number of young people on the boards and committees of their clubs and associations reflects how youth-centred the organisations are, and also reflect the opportunities their members have to influence operations. The organisations with the largest proportion of young people on their presiding bodies were nature and conservation organisations (37% of their members belonged to such a body). In other organisations the figures were 20% (Scouts), 18% (sports clubs and gyms), 10% (parishes or other religious communities) and 3% (unions) (Myllyniemi 2009, 42, 50-51). Moreover, organisation membership has declined over the last ten years. Seen against the backdrop of the debate on the role of the third sector and state-organised services, the fact that young people are not joining organisations is a little perplexing.

2.3.9 LOWERING THE VOTING AGE TO 16

In Finland, one of the first public initiatives to lower the voting age to 16 in municipal elections came from the Director of the Finnish National Board of Education (Opetushallitus), Kirsi Lindroos. In a press release in 2004 she recommended lowering the voting age to 16 because young people leaving secondary school should be given an opportunity



to participate in real decision-making in society.³² Prime Minister Matti Vanhanen also considered the initiative in 2004. A news item on MTV3 revealed that former Minister of Culture Tanja Karpela and the conservative Coalition Party were in favour of lowering the voting age.³³ In September 2007 the Youth Affairs minister Stefan Wallin expressed a desire to examine if the voting age could be lowered to 16, and if possible, to implement this for the first time in the 2012 municipal elections.³⁴

Suurpää (2009) states that lowering the voting age would give the younger generation more influence in a situation where demographic distortion is increasing, and the voice of young people is becoming fainter in the political debate. Lowering the voting age could also help to select younger decision-makers and create structures of political participation that support youth participation. Currently, the political participation of young people in Finland is strongly polarised: those who vote actively are also active in other forms of political participation. This often correlates with a higher education and income. Those in vocational education have only poor knowledge of the political system, which is probably why they are politically passive (Suurpää 2009).

Hanna Wass (2008, cit. Suurpää 2009) argues that young people's low turnout in elections is not a matter of age but a common political experience. In addition, globalisation and EU membership have diminished the role of national elections. She writes, "The implication of the findings is that the lower turnout among the current youth is not a passing phenomenon that will diminish with age. Considering voting a civic duty and understanding the meaning of collective action are both associated with the process of political socialisation which therefore has an important role concerning the generational effect in turnout." (Wass 2008).

A report entitled "Kohti osallistuvaa kansalaisyhteiskuntaa" ["Towards an active civil society" by Association of Finnish Local and Regional Authorities 2004.) that favours lowering the age limit (in municipal elections) states that the first experience of voting should take place in the voter's home town, where people and decision-makers are well-known, and not in their place of study where everything is new. Also, if younger students had the right to vote, democratic civic education would have more content and meaning. Those who oppose lowering the voting age have stated that this would require a constitutional amendment, and that new regulations on voting rights for minors would have to be adopted. It is also feared that minors could be more at risk of being manipulated by populists and extremists than adults.

In 2008 the Church Synod decided to lower the age limit for parish elections in the Evangelical-Lutheran church to 16, which triggered an amendment to Church law in Parliament (*Helsingin Sanomat*, 1 October 2008). The new age limit will apply to the 2010 parish elections, so it remains to be seen how the lower age limit will affect voter turnout. A self-government experiment in the Kainuu region gave serious consideration to granting 16-year-olds the right to vote in the provincial elections in spring 2007. The board of the Joint Municipal Authority of the Kainuu region voted in favour of lowering the voting

³² <http://www.oph.fi/prime147/prime130.aspx>

³³ <http://www.mtv3.fi/uutiset/arkisto.shtml/arkistot/kotimaa/2004/09/31857>

³⁴ http://www.minedu.fi/OPM/Tiedotteet/2007/09/Wallin_nuorten_aanestaminen.html?lang=fi



age on a trial basis, however the Joint Municipal Council rejected the proposal 19 to 18.

The Finnish Government's Child and Youth Policy Programme 2007-2011 states, "The possibility of lowering the voting age to 16 in local elections will be examined as well as other means of increasing youth participation other than lowering the voting age. The effects of lowering the voting age in elections in particular in Austria and the parish elections of the Evangelical Lutheran Church of Finland will be studied" (Government's Children and Youth Policy Programme 2008, 39).

2.4. SUMMARY: THE ROLE OF YOUNG PEOPLE AT THE LOCAL LEVEL

Finland's legislative framework, the current government policy programme and the government's Child and Youth Policy Programme ensure that children and young people are given an opportunity to exert influence and to participate in the planning, implementation and evaluation of public sector activities. Bespoke opportunities for representative and direct democratic action should be available to young people. In practice, there is a lack of adequate information on several arenas of youth participation: pre-school education, libraries, social and health services, and community planning and state administration.

At the municipal level it is possible to ask young people to assess themselves (see 2.3.2) whether they feel sufficiently heard in municipal planning and decision-making; in fact this has already been done in one pilot project in Finland. Until recently, the aim of youth participation focussed more on providing opportunities for social and public engagement while little effort was made to evaluate the impact of youth participation and how it actually shapes the political reality. It is currently insufficiently documented and followed up what actually happens when a matter arises during a debate involving young people or their written proposals.

In addition, it has been noticed that youth councils are often left up to own devices in municipal activities: they are not heard and are not asked for a written statement. In some municipalities the youth councils are not trained to make an impact; in fact, they are sometimes unaware of what purpose they serve. Even though in some municipalities the youth council may be heard, student councils or representative bodies in youth centres (for example working groups or executive committees) are not heard at the local level even when decisions are being taken that are relevant to schools or youth centres.

Student participation in schools can be encouraged at many different levels. According to estimates, the current operational model in schools does not support all forms of participation. Direct democracy procedures and the universal right to influence one's own life and that of the community and even one's wider environment should be better recognised by Finnish schools. The pupil council, as a collective representative body in a functioning democracy, is failing to fulfil its power-related and political functions both in the school community and at municipal level.

Youth migration means that someone must be responsible for empowering young people to make themselves heard in a new environment. In Finland a large proportion of under-29s find it challenging to adjust to representative or direct democracy processes when they to migrate to another city. There should be methods in place to help mobile citizens under



29 to adjust more easily to the new democratic context around them.

What kind of society is Finland then, for young people? Israeli philosopher Avishai Margalit has constructed a theory of a decent society: “A decent society is one whose institutions do not humiliate people” (Margalit 1996, 1). By emphasising the role of institutions, Margalit analyses how societal structures respond to the different interests, positions and roles of people both on the abstract level of rules and laws and also in terms of their actual behaviour. Humiliation is defined as “any sort of behaviour or condition that constitutes a sound reason for a person to consider his or her self-respect injured” (ibid. 9). When people are treated as objects, animals or as sub-human by social institutions they have sound reason to feel that their self-respect has been violated.

While it is clear that Margalit wrote his theory for adults, we believe that his theory can be modified to take into account the role of children and young people. Their personhood and agency should be respected. Societal institutions should not humiliate them. Being heard and having a chance to participate is one way to respect the agency of children and young people. As stated above, it is clear that sometimes children and young people have a real opportunity to participate and thus have ample reason to believe that their agency is respected. If, however, they are treated as sub-human or as not-yet-rational subjects, they are justified in believing that their selfhood has been harmed. Margalit’s observations raise important questions concerning the way young people are treated. Is Finland a decent society? How can it be assured that societal institutions such as schools, nurseries and child welfare services respect their agency and do not humiliate them?

The debate about a decent society in Finland is relevant to all the aspects of child and youth participation. It is perhaps most relevant when marginalised groups are in the focus. It is fair to claim that not enough attention has been paid to the diversity of different individual and social activities of children and young people. Talking about the heterogeneous “voice of youth” can disguise the diversity of late modern societies. For example, deaf young people experience humiliation in various settings when the interpreter is the agent and the deaf client is regarded as incapable of managing their own life (Luukkainen 2008, 169-171). It is important to offer not only a broader analysis of child and youth participation and social engagement, but also a detailed overview of how people with different capabilities experience their ability to participate.



3. CHILD AND YOUTH PARTICIPATION IN GERMANY

Child and youth participation in Germany and in many other countries has gained considerable significance over the last two decades. This is predominantly due to the UN Convention on the Rights of the Child which was adopted in 1989 and ratified by Germany in 1992.³⁵ The Convention gives children a wide range of rights, including the provision of adequate living standards, protection from violence and the right to participation. Giving a legal framework to children's and young people's codetermination rights has had a major impact in many of the states that are party to the Convention. In particular, enshrining children's right to participation in the law has encouraged reforms. Even though Germany, unlike many other countries, has not included children's rights in its Basic Law, the legal status of children under both private and public law has been strengthened. In this context the impact of the Convention is not so much due to the inherent power of legal standards; rather, its force should be interpreted against the backdrop of social change processes, some of which go back to the early 20th century, which have redefined and rebalanced the relationship between adults and young people in both legal and social terms.

3.1. CHILDREN'S AND YOUNG PEOPLE'S PARTICIPATION RIGHTS IN GERMANY

How are participation rights of children and young people in Germany safeguarded in practice? In the following we outline how the state guarantees these participation rights under public law, with only a cursory glance at their status under private law (e.g. the relationship between parents and children). Owing to Germany's federal structure its legislative powers are not centralised. Unlike in Finland, depending on the matter at hand legislative power lies either with the Federal Government, the federal states, or with both at the same time. Under Germany's Basic Law legislative power lies by default with the federal states, unless the Basic Law specifically assigns it to the federal level. This is specifically the case when creating equal living conditions nationwide or maintaining legal and economic unity in the interest of the entire country requires the delegation of legislative power to the federal level (Section 72 (2), Basic Law). Accordingly, the Federal Government is responsible for social welfare legislation and for issuing standards for child and youth services (Book VIII, Social Code). The Federal Government also defines the legal relationship between children and their parents in the Civil Code. By contrast, the federal states are responsible for education, culture and municipal legislation. The complexity of Germany's legislative structure occasionally produces an overlap of responsibilities between the federal and state level that is often difficult to understand from an outside perspective. In the following

³⁵ Germany ratified the Convention initially subject to five provisos. While four of them have since been withdrawn, Germany continues to maintain that its aliens legislation takes priority over the provisions of the Convention.



we describe the most important legal standards yet do not claim to provide an exhaustive overview. In matters that are the responsibility of the states, we attempt to describe at least some of the differences that exist across Germany.

3.1.1. CHILDREN'S CODETERMINATION RIGHTS VIS-À-VIS THEIR PARENTS

The increasing democratisation of German society after World War II has also influenced family life. Until the late 1970s, parents had full control over their children's welfare. The Child Custody Act came into force in 1979, requiring parents to discuss educational matters with their children in a manner appropriate to their age.³⁶ The Act also requires parents to take into account the child's aptitudes and inclinations in matters relating to training and occupation (Section 1631a, Civil Code), and states that custody may be removed from the parents if they abuse it (Section 1666, Civil Code). Even though the Act does not explicitly refer to children as having rights, it does represent a paradigm shift in that it replaces the concept of absolute parental power with that of parental custody. This legislative change has evidently had a very real impact, with scientific surveys – including the Bertelsmann Foundation's youth participation study – confirming that the opinions of children and young people do matter within the family (cf. section 3.3).

3.1.2. PARTICIPATION RIGHTS IN THE PUBLIC DOMAIN

Children and young people's participation rights vis-à-vis public-sector institutions are enshrined in several legal norms. This is evident not just in legislative texts that govern the lives of children and young people in the narrow sense (Child and Youth Services Act, day-care legislation, school legislation), but also in the constitutions of the federal states, municipal constitutions and codes and the federal Construction Code. That said, young people's participation rights and other children's rights have yet to be enshrined in Germany's Basic Law. There have been several attempts to amend the Basic Law; even the most recent motion, tabled in 2007, failed to gain the required majority in parliament. Although the efforts of a children's rights association – whose members include several associations and influential personalities – have gained broad support across all political parties, they have so far been without success (cf. www.kinderrechte-ins-grundgesetz.de).

The Basic Law and the federal states' constitutions

Although, despite these efforts, children's rights have not been enshrined in the law yet, some federal states are taking a more proactive approach. 11 of the 16 federal states have amended their constitutions to include more or less explicit provisions on the rights of children and young people (Deutsches Kinderhilfswerk 2009, 12–14).

³⁶ Section 1626 (2), Civil Code: “In the care and upbringing of the child, the parents take account of the growing ability and the growing need of the child for independent responsible action. They discuss questions of parental custody with the child to the extent that, in accordance with the stage of development of the child, it is advisable, and they seek agreement.”



Municipal constitutions

As explained above, the right to issue municipal codes and constitutions lies with the federal states. Accordingly, the legal framework for child and youth participation at the local level varies depending on their federal state of residence. Six federal states have included explicit references to child and youth participation in their municipal constitutions (*ibid.*, 15-17). However, the extent to which these provisions are mandatory varies. The state with the most generous provisions concerning child and youth participation is Schleswig-Holstein. Section 47 f. of its municipal code reads (translation):

Participation of children and young people

(1) When planning initiatives and projects that affect the interests of children and young people, the municipality must involve them as appropriate. To this end, the municipality must develop suitable methods of civic participation that go beyond the methods described under Section 16a-f.

(2) When implementing initiatives and projects that affect the interests of children and young people, the municipality must illustrate adequately how it has taken account of these interests and how it has given them an opportunity to participate as described under (1).

In other words, giving children and young people an opportunity to participate in matters that affect them is not at the discretion of the municipalities in this federal state; rather, it is an obligation under law. In particular, the obligation to not just involve children and young people but also to provide documentation thereof makes this obligation very difficult to circumvent.

Besides the explicit rights given to children and young people, they also have implicit rights in their capacity as inhabitants. Inhabitants in the legal sense are those people who live in the community and are registered as residents, but are not necessarily entitled to vote. Some rights under the municipal constitution, such as the right to raise questions at council meetings, put items on the agenda at public meetings and to submit suggestions on a certain subject, are not restricted to enfranchised citizens but are available to all inhabitants including young people (*ibid.*).

The Construction Code

In the same way that certain rights are bound to residency status under the municipal constitution, the federal Construction Code also assigns participation rights to children and young people. It stipulates that the public must be informed as early as possible of the general objectives and purposes of zoning plans, the various solutions for planning or developing a certain area, and the anticipated impact of these plans, and must be given an opportunity to speak on and discuss these matters (cf. Section 3 (1)). Legal experts agree that “the public” in this sense also includes children and young people.

The Child and Youth Services Act (Social Code, Book VIII)



The federal Child and Youth Services Act has an extensive scope. For one, it is aimed at young people and their families as individuals in that it contains provisions on safeguarding their personal right to education and personal development. In this sense, the Act has a protective function. For another, the Act provides a legal framework for public sector youth work and is aimed at maintaining or creating a positive living environment for young people and their families, and a child- and family-friendly world (Section 1(3) No. 4, Social Code, Book VIII). Child and youth services is considered a cross-sectoral function that touches upon all areas of policy-making, including the public domain. The Act also includes principles concerning day-care, the finer details of which are the responsibility of the federal states (we return to this point below). The Act is therefore aimed at children, adolescents and young adults aged 0 to 27 and at their parents or other persons entitled to custody (e.g. legal guardians).

The Act makes detailed reference to the participation rights of children and young people in all areas that it covers. In particular, it refers to children and young people's participation rights vis-à-vis the public sector. Section 8 (1) of Book VIII of the Social Code states that they "... must be involved in a manner adequate to their age in all decisions that affect them." According to Richter (2007, 98) the Child and Youth Services Act considers child and youth participation to be a mark of quality in the context of individual service provision and in promoting youth work.

Day-care centres

58.6% of 3-year-olds and 92.5% of 5-year-olds in Germany are in day-care (BMFSFJ 2005a, 194). Generally, day-care centres are the first institutional environment that children experience outside the family and as such, represent their gateway into the public domain. The first time the question of participation in the public context arises is hence here. The legal framework governing day-care centres is provided by the Day-Care Centres Acts that are adopted by the federal states as implementation acts under the Child and Youth Services Act. The centres' work is based on education plans that were developed in recent years in a move to improve the relatively negative results achieved by Germany in an international comparison. These education plans, which are specific to each federal state, contain early learning standards and are the basis for the curriculum in day-care centres. Eleven of the federal states have included children's right to participation in their Day-Care Centres Act; however, only three of them clearly define this rather abstract concept in the shape of their instructions for implementation. The federal states' education plans, too, mention children's participation rights in the day-care centre context (Knauer 2007, 113–116).

Schools

The formal participation rights of children at school are enshrined in the federal states' Education Acts. Generally, they include the election of class representatives and a student spokesperson, and the setup of a student council made up of all class representatives (Deutsches Kinderhilfswerk 2009, 27-35). Student representation and student co-administration is seen as a classic instrument for taking into account the interests of students in everyday school life. Some Education Acts also contain a reference to including students, besides parents and teachers, in school councils or similar representation bodies (ibid. 41-54). Their powers and voting rights vary from state to state. Only few federal states (e.g. Schleswig-



Holstein, Berlin and Bavaria) have chosen to give equal weighting to each group; in other words an equal number of teachers, parents and students are represented on the school council and all have equal voting rights. The powers of the school council may extend to

- information and consultation on matters relevant to the school,
- influence on decisions concerning the school budget,
- influence on appointments,
- setup of a representation body for parents in each class,
- planning and organisation of educational events,
- decisions concerning no-teaching days,
- influence on decisions to suspend students from school.

However, the powers of these representation bodies mainly consist of information and consultation rights. While students' and their parents' right to influence decisions in the school can vary greatly, the Federal Constitutional Court has ruled for all federal states that their participation rights are limited. This is because schools are seen as an integral element of the state. Decisions concerning relevant state functions – and these includes school-related functions – must hence ultimately be taken by an accountable official administrative body. The federal states meet this requirement in different ways. For instance, the Education Act of North Rhine Westphalia stipulates that if there is a tie, the principal's vote tips the scales. Bavaria's Education Act requires decisions by consensus; if disputes cannot be resolved, the matter is delegated to the education authorities.

Where non-institutionalised participation is concerned, mention must be made of the school's special role in educating its students to become responsible citizens who respect democratic principles. Despite the differences in terminology from state to state, all Education Acts require schools to teach democratic values and empower their students to critical action, political participation, citizenship and active participation (Koopmann 2007, 125–126). Koopmann states that only some of these normative requirements target children and young people as individuals in the here and now; rather, they see them in the guise of the adults they are yet to become. It is hence not surprising that greater emphasis is given to the teaching of democratic values and knowledge than to genuine participation in day-to-day school life.³⁷

3.2 POLICY PROGRAMMES

3.2.1 PROGRAMMES AT THE FEDERAL LEVEL

Strengthening young people's participation in politics and society is an explicit aim of the Federal Government. It is considered a priority to provide funding and adequate instruments for projects that are aimed explicitly at young people and offer new opportunities

³⁷ This is reflected in the data presented in section 1.1



for political and social participation.³⁸ The Federal Government's youth policy also aims to raise public awareness of the significance of children's rights by providing targeted information to parents, schools and educators. However, rather than offering one overarching federal programme, the German government provides a basic framework that was drawn up in cooperation with experts and which produces a variety of different programmes and initiatives that are then implemented at the federal, state and municipal levels.

Cooperation with the German Federal Youth Council and the German Federal Agency for Civic Education

The promotion of participation mainly centres on activities that are initiated, developed and scaled up as good practices nationwide by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth in cooperation with Germany's youth associations and the German Federal Agency for Civic Education. Two of the many programmes and projects to encourage child and youth participation in Germany are "Come in Contact" and "YOUrope - YOUvote", which are run by the German Federal Youth Council, and the two complementary projects "Mach was" and "Praxislabor Partizipation" of the Agency for Civic Education, which we described in the following to highlight the broad spectrum of nationwide efforts to promote participation.

"Come in Contact",³⁹ a platform for projects at all political levels (local, regional, state, federal and European), was based on the principle that young people should formulate their own political demands and subsequently debate them with policy-makers. Among the focal areas of the programme were demographic change and its challenges, youth participation, and education and training as valuable assets for the future. The Wolfsburg chapter of the Federal Youth Council used the programme to launch a youth forum entitled "PARTYzipation"; the Youth Council of the state of Schleswig-Holstein launched the program "AKTIV - für mich, für dich, für's LAND" and the Young Catholic Community (KJG) in Eichstätt introduced the project "KJG bewegt Denken und MEHR...!".

To coincide with the European elections in June 2009, the project "YOUrope - YOUvote"⁴⁰ launched a number of projects that ran between 1 October 2008 and 15 June 2009 and involved discussion rounds, youth exchanges, training courses and workshops on European issues. All projects were co-organised by young people and were aimed at their peers. The objective was to raise awareness and increase voter turnout among young people during the European elections, to inspire interest in European Union issues and encourage young people to help shape them at the regional level.

The nationwide programme "Mach was",⁴¹ which ran through March 2009, gave young people an opportunity to apply for funding for their civic participation projects.

³⁸ One major instrument in this context is the Federal Child and Youth Plan that, based on Book VIII of the Social Code (Child and Youth Services), assists young people in developing their personalities so they can exercise their rights and meet their responsibilities towards the state and society. For details of the educational programmes under the Plan cf. BMFSFJ (ed.): *Bilden – Integrieren – Teilhaben*. Berlin 2009a

³⁹ For details cf. www.dbjr.de/index.php?m=12&id=130

⁴⁰ For details cf. www.dbjr.de/index.php?m=12&id=388

⁴¹ For details cf. www.bpb.de/veranstaltungen/VUHMMP,0,0,Mach_was%21_F%6rderung_von_Jugendprojekten.html



“Praxislabor Partizipation”⁴² which also ran through March 2009, trained young people and project organisers in project management, public relations and all other skills necessary to implement a project professionally.

Child and Youth Reports

The promotion programmes’ areas of emphasis are predominantly aligned with the results of the regular Child and Youth Reports. For instance, the most recent (12th) Report,⁴³ prepared by the Federal Youth Ministry on behalf of the Federal Government, discussed significant future issues at the interface between education, childcare and parenting and urged to improve participation in all three areas. In its statement on the report the Federal Government expressly agreed that young peoples’ capacity for political participation needs to be strengthened, highlighting that “empowering young people to take responsibility and promoting their social and political participation are tasks that must be given a high priority in the context of the public education and childcare system, and must include opportunities for children and young people to learn, in a school environment, to participate and take responsibility.”⁴⁴ Where improving the promotion of participation is concerned, the Federal Government agrees with the Child and Youth Commission which recommends⁴⁵

- more all-day schools providing more space for political education and the teaching of social skills,
- greater cooperation between schools and non-school institutions that provide civic education, and
- training for teaching staff in civic education for early learners.

The National Action Plan

Another federal instrument is the National Action Plan (NAP) “Für ein kindergerechtes Deutschland 2005-2010” (For a Germany Fit for Children), which follows on from the final outcome document entitled “A World Fit for Children” of the United Nations’ special session on children in New York in 2002 and is based on the Convention on the Rights of the Child (BMFSFJ 2005b). The NAP, which aims to improve children’s living conditions and children’s rights, was subdivided into six thematic areas. One of them was dedicated to child and youth participation and called for the development of quality standards for participation, the inclusion of children’s and young people’s rights in curricula, training and study regulations and in training courses for experts in the field. The Federal Youth Ministry is responsible for implementing the NAP in cooperation with various working groups in the six thematic areas and a number of other ministries.⁴⁶

⁴² For details cf. www.bpb.de/veranstaltungen/L5ZNVt,0,0,Praxislabor_Partizipation.html

⁴³ Cf. Bundesministerium für Familie, Senioren, Frauen und Jugend 2005a. The website also contains an archive of all Child and Youth Reports from 1965 through 2002.

⁴⁴ *ibid.* 2005a, 12

⁴⁵ *ibid.*, Recommendation 7.3.2; 2 and Recommendation 7.3.2; 6

⁴⁶ Re. an assessment of the limited broad-based effect and scope of the NAP, cf. section 3.1 on the influence of the UN



The Federal Youth Board

The Federal Youth Board (Bundesjugendkuratorium, or BJK) is an advisory council under the Child and Youth Services Act. It consists of up to 15 experts drawn from politics, administration, associations and academia who are appointed by the Federal Youth Ministry for the duration of a legislative period. The BJK advises the Federal Government on fundamental issues relating to child and youth services and cross-cutting child and youth policy affairs. The BJK is also entitled to submit statements, recommendations and policy papers to the Government, the competent Ministry, the public and experts working in the field.

Its most recent statement of June 2009⁴⁷ focuses expressly on improving child and youth participation, noting that despite the large number of initiatives and ideas to improve child and youth participation over the last two decades there are still major deficits.⁴⁸ According to the BJK, one of the main aims should be to provide coordinated opportunities for all children and young people to influence the decisions that affect them and make these opportunities a firm part of their lives.⁴⁹ To this end it issues recommendations for action at the various political levels so as to establish a sustainable participation regime that is based on a well-coordinated overall strategy and involves educational and day-care institutions (especially schools and child and youth services organisations) and political institutions at municipal, state, federal and EU levels, and whose scope extends beyond individual and situation-specific projects.⁵⁰

3.2.2 COORDINATION AT FEDERAL STATE LEVEL

The Council of Youth Ministers is a coordinating body that convenes regularly under the auspices of the Youth Ministries in the federal states. Since responsibility for youth policy is delegated to the state level, the Council is not a federal body. At its meetings the states' representatives discuss and coordinate their respective activities. While decisions on specific issues – most of which must be unanimous – have no direct legal force, they are recommendations with a certain measure of political force.

A glance at the current list of resolutions adopted at the Conference of Youth and Family Affairs Ministers (4-5 June 2009 in Bremen) reveals no explicit emphasis on youth participation. Instead, there is an indirect reference to youth participation and active citizenship in the resolution adopted on European cooperation in the youth policy field (item 3.11), where the Conference generally welcomes developments at the EU level yet adopts no decisions on their practical implementation in Germany. It remains open as to how resources and powers can be consolidated in future in order to roll out the EU Youth

⁴⁷ Cf. statement on „Partizipation von Kindern und Jugendlichen – Zwischen Anspruch und Wirklichkeit“ of June 2009, available at www.bundesjugendkuratorium.de/pdf/2007-2009/bjk_2009_2_stellungnahme_partizipation.pdf

⁴⁸ BJK (ibid.) 2009, 13ff.

⁴⁹ BJK (ibid.) 2009, 23f.

⁵⁰ BJK (ibid.) 2009, 25ff.



Strategy at state and federal level. Neither is there an indication of how youth issues should be mainstreamed in the federal states (which the Strategy calls for) and how the structured dialogue ought to be developed in order to – as was decided – encourage greater civic participation among young people at all levels.

3.3. YOUTH PARTICIPATION IN GERMANY – EMPIRICAL FINDINGS

What opportunities are currently available to young Germans to participate at home, in school and in their communities? To underpin the development of sound proposals for sustainable strengthening youth participation, the Bertelsmann Foundation joined forces with the Institute of Education at the University of Zurich and a scientific advisory board to conduct a comprehensive empirical study (for details of the study's design and findings, cf. Bertelsmann Foundation 2005 und Fatke/Schneider 2007).⁵¹ The researchers asked students aged 12 to 18 in 42 German cities about their political attitudes, their opportunities for becoming involved, their experiences with participation and their wishes in that regard. To assess whether there was a correlation between the students' participation levels and the opportunities offered in their schools and communities, the researchers also surveyed their teachers, school administrators (principals) and local officials responsible for youth participation. In all, the project surveyed 12 084 students, 631 teachers, 422 school administrators and representatives in 42 communities.

3.3.1. CODETERMINATION IN THE FAMILY

Three quarters of respondents (74.6%) indicated they had strong or very strong influence on family decisions. This is also reflected in the mean value for decision-making intensity in the family. On a scale of 1 to 5 (1 = very low, 5 = very high) the mean is 4.05. Concerning the number of issues that young people can influence at home, the respondents indicate they can influence decisions on average concerning over four fifths of the 18 issues on the list. On balance, the children and young people surveyed feel satisfied with their level of decision-making power in the family (mean: 4.06 on a scale of 1 to 5 [1 = very dissatisfied, 5 = very satisfied]). Asked about their personal benefit of being able to influence decisions at home (apart from the actual outcome of the decision), the mean value was 4.08 (1 = very little benefit, 5 = very strong benefit), confirming the above picture. In summary, with regard to family life children and young people evidently feel empowered to strongly influence family decisions and are generally satisfied with the outcome.

A more differentiated picture emerges when looking at the different thematic areas, which can be divided into those that directly affect the parents, too (e.g. allowance, getting a family pet, meal times) and those that don't (e.g. what the allowance can be spent on,

⁵¹ Unless stated otherwise, all empirical results were gathered by the youth participation study led by Professor Reinhard Fatke (University of Zurich) and Professor Schneider (Steinbeis University Berlin) on behalf of the Bertelsmann Foundation. The full report and an abridged version are available for download at www.mitwirkung.net.



whether the children can invite friends, and the state of their bedrooms). The overall mean values – ranging on a scale of 1 to 5 from “I am never consulted” = 1 to “I am always consulted” = 5 – vary widely, from 3.4 (on issues that directly affect the parents) to 4.4 (where parents are not directly affected). In other words, the children’s relatively strong decision-making power in the family depends on the issue at hand. Parents appear to be less willing to let their children influence decisions whose outcome will affect them, too – which causes them to devolve some of their power to their children.

The study also examined the influence of structural variables on children’s decision-making powers, taking into account age, gender, number of siblings, school type and ethnic background.

Altogether, the factor that influences children’s decision-making powers in the family most appears to be age. The older the children, the more they were able to influence decisions. School type, too, produced noticeable differences in the outcome: vocational college and grammar school students had greater decision-making powers than students at comprehensives and lower-stream secondary schools. It should be noted, however, that school type also depends on age. Gender had virtually no impact. Ethnic background and number of siblings had a small influence. The greater the number of siblings, the less decision-making power children had. Children and young people whose parents were both non-Germans also had less influence over family decisions.

3.3.2. CODETERMINATION AT SCHOOL

Germany’s school system is in a state of transition, in the grip of a reform debate that was triggered by the PISA studies and that seeks to improve the quality of German schools. Ever since the results of the first PISA study came out, impressing on the public that Germany’s school system was producing results under the European average in all areas surveyed, a controversial debate has raged on curricula, learning and teaching methods, and structural issues. The latter point is particularly relevant in the light of demographic change - the continued decline in birth rates will lead to smaller student figures and turn, a drastic decline in the number of schools. Some federal states, including Berlin and Hamburg, have begun to restructure Level 1 of their secondary schools, turning the three-tier structure into a two-tier system by merging the former *Realschulen* with the *Hauptschulen* (the two lower-stream secondary school types). School structures in Germany vary from state to state. Some are two-tier, some three-tier, some states have comprehensive schools as well. The length of time children spend in primary education together also varies between four and six years. A full illustration of the differences between the states would go beyond the scope of this paper, yet it is fair to claim that despite efforts to reform the system in recent years the educational culture in Germany’s schools remains dominated by traditional approaches that ascribe extensive power to the teachers. Also, the German system is highly selective in that it distributes children to the various types of secondary school at an early age so, states the PISA study, children’s academic success is highly dependent on their socioeconomic background, more so than in any other country. These factors, and the fact that schools are institutions under public law, are not conducive to promoting participation among students at German schools – a fact borne out by the results of this



empirical study.

Children's ability to influence decisions at school is far less pronounced than in the family. While 74.6% of children indicated they could influence family decisions "strongly" or "very strongly", only 14.5% claimed the same for schools. 39% stated they had "little" or "very little" opportunity to participate. The differences that emerged in the family context were repeated in the mean values for participation at school. In response to the question, "All in all, how much power do you have over decisions in the family?" (1 = very little, 5 = a lot), a mean value of 4.05 indicated fairly strong decision-making power. The very similar question, "All in all, how much opportunity do you have to influence decisions at school?" yielded a mean of 2.65, signalling much less opportunity for participation at school. Satisfaction levels and students' feelings of personal benefit at school were also much lower than in the family. The mean value for satisfaction with participation at school was 3.35 (family: 4.06), while students' feelings of personal benefit at school produced a mean of 3.2 (family: 4.08).

By contrast, the responses from the school administrators and teachers who were surveyed yielded a far more positive picture. They felt that the students had far more opportunities to participate than the students themselves thought. Compared with 39% of students only around 22% of school principals felt that students were using existing opportunities to participate at school to a "very limited" or "limited" degree (Bertelsmann Foundation 2005, 18-20).

The study also surveyed students' opinions on the issues they were able to influence at school. The respondents were asked to list their opportunities for participation on nine classroom-related issues (e.g. seating, selection of lesson contents etc.) and to select one of the following answers: "I am informed"; "I can state my opinion"; "I can influence the decision"; and "I am not consulted at all".

The table of responses given below (to "I can influence the decision") demonstrates that students feel they have little opportunity to influence classroom-related decisions; yet clearly this depends greatly on what the decision is about. On average (regardless of the issue in question) just 25% of students feel able to influence decisions in the classroom. By contrast, on issues that do not relate directly to classroom activities and by extension, to the teacher's authority but rather to general classroom issues (e.g. seating), the figure is much higher. Students are most rarely involved in decisions relating to the way they are examined and the way their work is assessed (e.g. homework, grading etc.)



Codetermination in the classroom

To what extent can you influence the following classroom-related decisions?	% claiming "I can influence the decision"
...setting homework	9.6
...assessing performance/assigning grades	10.0
...selecting lesson contents	16.7
...structuring the lesson	19.6
...setting classroom rules	22.2
...scheduling tests	25.3
...choosing destinations of class trips	39.7
...decorating the classroom	40.0
...choosing seating arrangements	43.8
Average	25.2

The same structural variables as in the family were also examined in the school context. It emerged that their influence is far weaker here than in the family context. The variables gender, ethnic background and number of siblings had a negligible influence on decision-making power in schools. The effect of age and school type was turned on its head in the school context - older students and students at vocational college claimed to have less influence on school decisions than younger students and students at other types of school. The five subjects where students felt they could most frequently influence decisions were planning of leisure activities, helping people in need, Germans and foreigners living side by side, jobs/traineeships/university places and global political issues (Bertelsmann Foundation 2005, 50).

School administrators felt that the primary form of participation was the student council. By contrast, students only ranked student councils sixth. Both students and school administrators had a similar opinion of project day/weeks at school, with students indicating that this was the most important form of participation and school administrators ranking it second (ibid.).

Concerning the resources available for student participation, the majority of school administrators considered them insufficient (ibid., 20).

3.3.3. YOUNG PEOPLE'S CODETERMINATION AT THE LOCAL LEVEL

In terms of decisions taken locally (in the municipality or community) it emerges that children and young people have even less opportunity to influence them than at school.



Of all spheres in young people’s lives, then, the local level offers least opportunities. Only 13.6% of interviewees felt they could frequently influence decisions in this area. This is also reflected in the mean values and the feedback given on the specific subjects of the decisions. Regardless of the subject matter, on average around 60%⁵² of children and young people had never influenced a decision at the local level.

Codetermination at the local level

Question	Average
All in all, how often do you get involved in local activities? 1 = never, 5 = always	2.29
We’ve asked you several questions on various forms of participation. How strongly do you think you participate in local issues? 0 = not at all, 10 = very strongly	3.11
There are many areas, political and social, where young people can get involved locally (or in the surrounding area). What about you? How often have you been involved in the following areas? % of respondents who said “never”:	
Helping people in need	47.0
Activities at a youth centre, club or meeting place	48.8
Preventing violence	49.4
Designing sports and leisure facilities	49.9
Germans and foreigners living together	53.7
Environmental activities	54.2
Jobs/traineeships/university places	55.7
Animal protection	56.4
Equal opportunities for girls and boys	60.3
Global political issues	61.5
Young people and seniors living together	63.5

⁵² This does not mean that 60% of respondents never participated in any of the examined areas. A teenager who was never involved in e.g. an environmental project may well have been active in an animal protection league or similar. The share of children and young people who were never active in any way in any of the examined areas is hence far lower (around 4%).



Question	Average
Local politics	67.7
Design of playgrounds	71.8
Design of roads, cyclepaths and footpaths	75.3
Design of the transportation system	77.7
Average for all 15 issues (“never“)	59.5
If you have been involved locally (or in the surrounding area) before, how happy were you with the outcome? 1 = very unhappy, 5 = very happy	3.48
How great was the personal benefit of having been involved locally (or in the surrounding area)? 1 = very small, 5 = very large	2.87

It appears, however, that the type of codetermination opportunity strongly determines children’s and young people’s willingness to seize existing opportunities. The reason why most of them become involved is their interest in the topic at hand and the desire to change something. Asked why they did not become involved, most cited lack of interest in the subject in question and a lack of respect on the part of the politicians.

Looking at the structural variables in this context, the results resemble those for schools. In the local context, too, the variables age and school type appear to be significant, while ethnic background, number of siblings and gender have little or no influence on young people’s participation levels in their place of residence. It is remarkable that the trend runs in the opposite direction as it does in the family context. While older children or adolescents with higher-level academic qualifications tend to influence decisions in the family more, a larger number of younger respondents indicated they influenced decisions at the local level; also, higher academic qualification correlated negatively with codetermination intensity. The five subjects most frequently cited by students in the local context were youth centre activities, helping people in need, design of sports and leisure facilities, prevention of violence/conflict resolution, and Germans and foreigners living together (Bertelsmann Foundation 2005, 52).

While school administrators considered student representatives to be the most relevant form of participation, local authorities leaned towards project-oriented forms of participation. A survey conducted in 2004 of 564 cities and communities of different size - the results of which are considered representative of German municipalities as a whole - revealed that 67.2% of municipalities had adult-led committees representing the interests of children and young people and 79.4% offered services targeted specifically at children and young people. 66.3% claimed to offer participatory projects for young people, but only 24.8% had set up children’s or youth parliaments. 23.4% of municipalities offered open forms of participation, such as participatory forums (Bertelsmann Foundation 2004, 8-9).



In the 2004 survey only around 54% of the 564 municipalities provided information on how much funding was available for child and youth participation measures. Half had a budget of less than € 5 000; most had a budget of € 1 000. Asked for staff figures, over 62% said they had dedicated child and youth participation staff; 80% of these municipalities had between 0.3 and 4 full-time positions in this area (ibid., 14). Unsurprisingly, resources correlated with municipality size.

3.3.4. CHILDREN'S CODETERMINATION AT THE LOCAL LEVEL

The situation concerning decision-making powers in the 12 to 18 age group largely resembles that of children in Germany, as a recent survey from the summer of 2009 confirms. This representative survey was the first to produce a comprehensive picture of codetermination opportunities for children aged 8 to 12 in their families, schools and places of residence (Schneider et al. 2009). Its structure is similar to that of the Bertelsmann study, yet a different methodology was chosen in order to account for the interviewees' young age. Nevertheless, the results resemble those for the 12 to 18 age group, with a slightly lower level of participation overall. In summary, the situation regarding codetermination for children aged 8 to 12 in Germany can be described as follows:

Participation for children varies greatly depending on the area in question. At home, around 60% of children can influence decisions “strongly” or “very strongly”, while around 40% said they had “very little” or “no” opportunity to do so. The results vary enormously depending on the nature of the decision. Children had strong influence over whether they could meet friends and what they could do in their spare time, but had very little say over when to go to bed or return home in the evening.

The children perceived decision-making processes in the family to be largely free of conflict. Most conflicts arose in connection with cleaning up bedrooms, but even these only occurred “sometimes”. Where disputes did happen, children felt their parents to be in a dominant position. In several cases children engaged in negotiations with their parents. The parents, by contrast, felt their children had greater decision-making powers, and they considered the decision-making process more conflict-prone. Where disputes did arise, their preferred solution was to reach a compromise.

Codetermination at home is influenced by the significance ascribed to codetermination and the respondents' satisfaction with it, the children's age, their knowledge of the subject at hand, the children's desire to influence the decision, a parent-child relationship that is conducive to participation and based on partnership, and an interest in politics on both sides. The variables gender, school type, region (east or west Germany), age, and parental level of education had no effect. Obstacles to participation in the home included parents' non-German ethnicity, the presence of siblings, and the children's feeling of not being taken seriously by adults.

At school children feel largely unable to influence decisions. Even with regard to classroom appearance, over which they have most influence, they indicated only “little” opportunity to participate. One quarter of students felt they were “completely unable” to influence decisions at school, while only 15% of students believed they could “strongly” or “very strongly” influence decisions.



The respondents also considered codetermination at school, too, to be largely free of conflict. Where conflicts with teachers did arise, students considered the teacher's opinion dominant.

Codetermination at school is influenced by the significance of and satisfaction with codetermination, students' age, their knowledge of the subject at hand, encouragement from friends and parents, and the level of codetermination and political awareness at home. The variables gender, school type, region (East or West Germany), and parenting style had no influence. Obstacles to participation at school included the parents' non-German ethnicity, a negative school atmosphere and the children's feeling of not being taken seriously by adults.

Children's participation is weakest in their place of residence. Only 11% of respondents felt able to influence decisions "strongly" or "very strongly". More than half of all children indicated they were "completely unable" to influence decisions. Codetermination in the municipality is influenced by the significance of and satisfaction with codetermination, children's age, their knowledge of the subject at hand and the children's desire to take influence, encouragement from friends and parents, club or association membership, political awareness at home, a participatory approach to parenting, the significance of codetermination at the local level and attendance at grammar school. Variables that had no influence included gender and region (East and West Germany). Participation at the municipal level is hindered by the parents' non-German ethnicity and the children's feeling of not being taken seriously by adults (Schneider et al. 2009, 28f.).

3.3.5. CLUB AND ASSOCIATION MEMBERSHIP

In Germany there are around 554 000 clubs (Section 21f., Civil Code) and associations (Sections 8 and 12, Book VIII of the Social Code) (BMFSFJ 2009b, 69). These are special-purpose, special-interest associations of individuals with statutes and members' assemblies. Legally speaking, clubs and associations have the same status. However, depending on their objectives the term "association" is normally used when the organisation in question fulfils supraregional functions, represents its members' special interests and seeks to influence public opinion. Associations are also defined as umbrella organisations of individual clubs. In the 12 to 15 age group, 65% of males and 50% of females are active members of a sports club; 21% of males and 25% of females are members of church youth groups. 11% of males and 8% of females in this age group are members of local cultural/historical societies (BMFSFJ 2005a, 377). In the 16 to 20 age group, 59% are members of a club or youth association (BMFSFJ 2005a, 377; Gaiser/de Rijke 2006).

The Bertelsmann Foundation's youth participation study questioned young people on their opportunity to participate in various clubs or societies.⁵³ It emerged that those who were active members of a sports club appear to have most opportunity to influence decisions. Almost 60% of them indicated that they are always or at least often able to influence decisions, while 20% indicated they were not. It is surprising that local citizens' initiatives rank at the lowest end of the scale:

⁵³ This data is still unpublished; an analysis was performed for the purpose of this report.



	always/often	sometimes	infrequently/never
Sports clubs	58.7%	22.4%	18.9%
Youth centres	44.4%	23.1%	32.4%
Drama groups	42.4%	22%	35.6%
	always/often	sometimes	infrequently/never
Scouts	36.5%	19.8%	43.8%
Church	34.6%	22%	43.4%
Political parties	28.4%	18.4%	53.2%
Environmental groups	26.5%	22.2%	51.2%
Citizens' initiatives	23.2%	21.6%	55.2%

The German Youth Institute's 2003 youth survey examined factors that influence participation in clubs and associations. The variables that were found to have an influence were level of education, gender, parents' social status and the respondents own religious beliefs. For instance, 63% of young people with a higher level of education were members of a club, and 16% of them occupied an office or function. The corresponding figures among young people with a lower level of education were 43% (membership) and 6% (occupation of an office or function), respectively (Picot/Geiss 2007, 43).

Parents' social status also emerged as an influential factor in terms of club membership. Half of the young respondents whose parents had low social status were not active members of a club. By contrast, only 22% of youngsters whose parents had high social status had no club membership (BMFSFJ 2005a, 223). The religious beliefs variable had a particularly strong influence on membership and occupation of the office or function (Picot/Geiss 2007, 43f).

Young people	Membership	Office / function
Very religious	62%	22%
Not at all religious	47%	8%



3.3.6. CHILDREN AND YOUNG PEOPLE AS SEEN BY ADULTS

In 2007 the Bertelsmann Foundation conducted a representative nationwide study that examined the perception of adults aged <34 of participation among young people. 93.1% considered youth participation to be exceptionally significant to societal development. Asked for their perception of the extent to which young people participate, 67% of respondents felt it was low (58.2%) or very low (8.8%) (Schneider 2007, 172f.). 61.2% of those interviewed were convinced that young people participate less on average than other parts of the population. Only 19.7% believed they participated more than the average (Schneider 2007, 173). In fact 36% of young people play an active role in civil society, making them one of the most active age groups of all (BMFSFJ 2005c, 209). One explanation for the adults' scepticism concerning youth participation may be that 67% of them believe that young people do not have the necessary capacity to influence societal issues.

3.3.7 PARTICIPATION VIA THE INTERNET

As digital media become a part of everyday life, it is worth examining to what extent the internet can function as a central platform for participation in civil society. In 2007 the Federal Government pledged to produce an “e-government strategy 2.0” for the next legislative period (2009–2012) in order to encourage participation via electronic channels of communication.⁵⁴ The strategy aims to establish modern channels of communication for all public sector institutions in Germany in order to raise awareness of social policy concerns and encourage direct participation in political issues among citizens. The initiative, which was developed by the Federal Ministry of the Interior, also aims to encourage the use of the internet among previously underrepresented population groups.

The first major result of the strategy was the launch in 2008 of www.e-konsultation.de, a new consultation instrument, by the Ministry of the Interior. There are plans to make this method available to other political areas as well. As this is a very recent initiative, it remains to be seen whether and to what extent these forms of communication are suited to young target groups and whether they are capable of promoting youth participation via an institutionalised, open consultation process. This will most probably require a targeted strategy that is appropriate to young people, even though online communication and online information searches are very popular among young Germans.

The KIM⁵⁵ and JIM⁵⁶ studies regularly examine media behaviour among children and young people in Germany. 90% of the 12 to 19 age group had access to the internet in 2007, usually via their parents' computers; however, 50% of older young people had their own personal computers with internet access in their rooms. The JIM study also revealed

⁵⁴ For a recent discussion of the Interior Ministry's strategy paper, cf. www.CIO.bund.de/chn_164/DE/E-Government/Nat_%20E-Government/nat_eGovernment_node.html

⁵⁵ For recent data cf. Medienpädagogischer Forschungsverband Südwest mpfs 2008.

⁵⁶ For recent data cf. Medienpädagogischer Forschungsverband Südwest mpfs 2009.



a correlation between the frequency and duration of internet use and level of education.⁵⁷ While young people who were educated to a higher level use the internet more often, they spent less time online than young people with a lower level of education. Girls used the internet somewhat less frequently than boys. The most popular online services among young people are communication platforms for young people and search engines and online providers, with Google ranking at the very top. Also very popular were social online services and pages with user-generated content. Students ranked YouTube, schülerVZ (a German social network for school students) and Wikipedia highest in this respect. This suggests that an online youth consultation portal may be accepted by young users, especially since around half of the young people indicated a strong interest in current federal and local political issues. 52% of girls and 57% (federal politics) and 54% (state politics) of boys aged between 12 and 19 felt it was important to have rapid access to up-to-date information.⁵⁸

3.3.8 LOWERING THE VOTING AGE TO 16 IN THE FEDERAL STATES

Policymakers often consider elections to be a yardstick for the relationship between citizens and the political level, and perceive low voter turnout as an indicator of a serious democratic deficit. In Germany low and in fact decreasing voter turnout, especially among young and first-time voters, is a matter of concern, culminating in an alarming level of voter apathy at the European level.⁵⁹ During the 2009 European elections, voter turnout among the under 21s in Germany was only 35.2%, while just 30.1% of 21- to 24-year-olds cast their vote. Overall voter turnout was 44.0%.⁶⁰ Compared to the 2004 European elections, voter turnout in the 18 to 21 age group rose by 0.2% and dropped 0.4% among the 21 to 24-year-olds.⁶¹

2009 saw a large number of elections at the local, state and federal level that however failed to elicit strong interest among the younger generation. They showed most interest in the federal elections, with voter turnout among the under 21s reaching 63.0% but only 59.1% in the 21 to 24 age group (overall figure: 71.4%) – twice as high as during the European elections. Compared to 2005, voter turnout declined 7% in the 18 to 21 age group and 7.4% in the 21 to 24 age group.⁶²

In the state elections voter turnout among first-time and second-time voters was considerably lower than in the federal elections. It was highest in the state of Brandenburg, reaching 58.4% in the 18 to 21 age group and 54% in the 21 to 24 age group.⁶³ Turnout in

⁵⁷ *ibid.*, 2009, 6ff., 31ff.

⁵⁸ *ibid.*, 2009, 11ff.

⁵⁹ For comparative data on voter behaviour, cf. also section 1.1

⁶⁰ www.bundeswahlleiter.de/de/europawahlen/EU_BUND_09/veroeffentlichungen/heft4.pdf, p. 8

⁶¹ www.bundeswahlleiter.de/de/europawahlen/EU_BUND_09/veroeffentlichungen/heft4.pdf, p. 64

⁶² www.bundeswahlleiter.de/de/bundestagswahlen/BTW_BUND_09/veroeffentlichungen/heft4.pdf, p. 10

⁶³ www.statistik-berlin-brandenburg.de/Publikationen/Stat_Berichte/2009/SB_B7-2-5-j05-09_BB.pdf, p. 9



the other federal states was much lower. In Hesse, it was 51% (18-21) and 41.3% (21-24);⁶⁴ in Thuringia it was 39.22% (18 to 21) and 32.35% (21 to 24)⁶⁵ and in Saxony, turnout was just 37.9% (18 to 21) and 31.5% (21 to 24).⁶⁶

According to the federal state election officials and state statistics offices, Baden-Württemberg, Mecklenburg-Western Pomerania, Rhineland-Palatinate, Saarland, Saxony, Saxony-Anhalt⁶⁷ and Thuringia conducted no representative surveys of voter turnout at the local level.

One possible way to address widespread voter apathy among young people could be to lower the voting age nationwide, a demand that is voiced repeatedly. The benefits appear obvious. First, lowering the voting age is expected to encourage more young people to participate in political processes. Second, it is anticipated that this might strengthen young peoples' interest in political affairs and in turn, make them "immune" to political apathy. Related to this is the hope that an electoral legislation reform will increase voter turnout among the younger generation and eventually raise voting levels overall. Third, there is a hope that it will help to integrate young people more strongly in the political process and by extension, increase their satisfaction with established political institutions and parties and strengthen the political system overall.

Since Germany lowered the voting age from 21 to 18 in 1970, the issue has been on the agenda time and again in response to young people's increasing maturity in many areas. In Germany the official age of criminal responsibility is 14; at 14, young people can choose to become a member of a religious community and vote in church elections once they turn 16. At 16 they may become members of political parties, with some parties accepting members as young as 14.⁶⁸ Those in favour of lowering the voting age to 16 claim that the changing demographic of German society makes it necessary to involve young people in the political process at a younger age in order to compensate at least to some extent for the imbalance between older and younger citizens. There is also a hope that a lower voting age could help to combat political apathy and lack of participation early on; the assumption is that younger voters will begin to participate at an earlier age and in turn, develop a greater interest in political affairs. (Cf Spieker 2007.)

Overall, it appears that those in favour of lowering the voting age can provide only limited evidence that it will work. Some federal states allow 16-year-olds to participate in local elections (subject to restrictions), including Mecklenburg-Western Pomerania, lower Saxony, North Rhine-Westphalia, Saxony-Anhalt, Schleswig-Holstein and Berlin. The legislation in these states give 16-year-olds active but not passive voting rights - these are

⁶⁴ www.statistik-hessen.de/themenauswahl/wahlen/daten/lw09/wahlbeteiligung-landtagswahlen-seit-1999/index.html

⁶⁵ www.wahlen.thueringen.de/landtagswahlen/29416_2009_01.pdf, p. 7

⁶⁶ www.statistik.sachsen.de/wpr_neu/pkg_w04_nav.prc_index?p_anw_kz=LW09, percentages calculated by authors

⁶⁷ Turnout in the 16 to under 18 age group over the course of the election day: www.stala.sachsen-anhalt.de/wahlen/kw09/fms/fms212li.html

⁶⁸ The parties CDU, CSU and FDP accept members aged 16 and over; in 1998 SPD lowered the minimum age to 14. PDS accepts members aged 16 and over. Die Linke (est. 2007) has a minimum age of 14. The Green party's statutes contain no reference to a minimum age.



only available to them once they turn 18. In other words, 16 and 17-year-olds can vote but cannot be elected as municipal representatives (e.g. city councils). All attempts at the federal and state level to introduce voting rights for minors have so far failed.

Doubts concerning the limited benefits of local election reforms are voiced repeatedly. And the debate will continue, until there is reliable evidence that a lower voting age of 16 at the municipal level in the six federal states mentioned above has led to a noticeable improvement in voter turnout. (Cf. Kersting 2004). The results of the 2009 local elections in Düsseldorf demonstrate that only very few members of the 16 to 21 age group exercised their right to vote – only 4.56% of them cast their ballot.⁶⁹

One fundamental problem is the contradiction posed by the simultaneous existence of electoral legislation at the local level, which gives minors voting rights in 6 out of the 16 federal states, and legislation that requires voters to turn 18 before they can vote at the federal level. Young voters hence do not receive equal treatment at the local, state, federal and European level. While there are calls to reform electoral legislation to fulfil the need for greater political participation, it is necessary to examine empirically how young people themselves feel about lowering the voting age. A survey conducted by the Allensbach Institute for Public Opinion Research revealed that only 9% of 16-year-olds consider lowering the voting age to 16 to be a good thing. 86% opposed the reform (5% had no opinion). Among the parents of teenagers under 18, only 8% were in favour of lowering the voting age to 16, while 72% of respondents were decidedly opposed.⁷⁰ It is hence questionable whether lowering the active voting age to 16 even makes sense, considering that the target group itself – the younger generation – does not believe that the reform will succeed in encouraging political participation and civic engagement.

3.4 SUMMARY

There is extensive legislation that calls for the participation of young people. However the frameworks vary greatly from state to state. Also, the legal texts are frequently open to interpretation. For instance, what exactly does it mean if children and young people are to be involved in all decisions that concern them, in a manner appropriate to their level of maturity? Answering that question is frequently left up to the adults in charge.

In its report to the EU Commission the Federal Government confirms its commitment to greater participation, which it considers a “long-standing tradition” and for which it has developed a “solid legal framework” (BMFSFJ 2006b, 4). Citing low voter turnout and a lack of confidence in parliament, it claims to recognise an “alienation from the established political system” that is impacting negatively on a fundamental willingness to participate. “Efforts to motivate children and young people to engage in political action are evidently not succeeding. In addition, they are still too rarely involved in planning and decision-making processes that directly affect them. They are frequently unaware of their rights and opportunities to participate” (BMFSFJ 2006b, 5f.).

⁶⁹ www.im.nrw.de/bue/doks/wahlen/kommunalwahlen2009/kennzahlenkommunalwahlen2009.pdf, p 1. Percentages calculated by authors

⁷⁰ Quoted from Frankfurter Allgemeine Sonntagszeitung, no. 23 (8 June 2008)



Youth participation in Germany is still not at a satisfactory level. While children and young people have relatively strong decision-making powers in the family and can decide on a large number of issues, they have less opportunity to do so at school. Finally, on average young people participate hardly at all in decision-making at the local level.

The relatively high level of participation among young people in the family confirms what other surveys have found, namely that the family culture has become one of negotiation, where decisions are negotiated with the involvement of children and young people. It increases as children grow older, regardless of their gender. The level of participation is also higher among children without siblings and with a higher level of education, and when both parents are German. However, participation levels are higher in those areas that do not directly affect the parents. Where decisions are concerned whose outcome does affect the parents strongly, young people have far fewer opportunities to influence them.

School is another area where opposing interests have to be negotiated. Here, too, when decisions are taken concerning the curriculum and the role of the educator or teacher, young people have far less opportunity to influence them than if the subject at hand is less controversial. The variables age and school type do have an influence on this, albeit not a very large one.

At the local level, the place of residence, children and young people have least opportunity to influence decisions. Overall participation levels are very low. There are a very small number of topics where children and young people can influence decisions; the opportunities offered by the municipal authorities are relatively infrequently used. Asked why they do not participate, the young respondents most frequently cite a lack of interest in the subject at hand and a lack of confidence in the politicians. In addition, over half of all respondents feel insufficiently informed of the opportunities they have to influence decisions in their place of residence.

In all three areas (family, school and place of residence) youth participation is strongly influenced by the experiences that the youngsters have previously made with participation. Influential variables include their level of satisfaction with the outcome and the personal benefit they expect to gain from participating, regardless of the actual outcome.

These results, which were gathered by the Bertelsmann Foundation's youth participation study, are evidently universally valid – a 2009 study paints an almost identical picture for the 8 to 12 age group. Here, opportunities to influence decisions are most frequent inside the family. 60% of younger children claimed to be able to influence most decisions in the family, yet only 15% claim the same with regard to school; the figure drops to 11% for decisions at the local level. In other words, where participation levels among children and among young people in the family, at school and at the local level are concerned the results are entirely comparable.

The lack of involvement among young people in the public domain is due to the lack of an institutionalised children's policy at the federal level. Germany was very late to discover children's policy at a political field in its own right, and it remains largely uninstitutionalised to this day. Since 1998 the parliament has had a Children's Commission, which is a subcommittee of the Committee for Family Affairs, Senior Citizens, Women and Youth. Owing to its *modus operandi* (resolutions based on consensus, consultations and discussions with experts) and a lack of communication with children's associations and representative bodies, the Children's Commission is largely symbolic and as such hardly able to act on



behalf of the interests of children. Some recent and current topics of debate include the withdrawal of Germany's concerns over the ratification of the Convention on the Rights of the Child, the transposition of the Convention into Germany's Basic Law, combating child poverty and voting rights for children and young people. On all of these issues the Children's Commission has been unsuccessful in taking a courageous stance on behalf of children. Finally, the weak institutionalisation of children's policy at the federal level, too, is hampering the transposition of the Convention into German law.

When considering what next steps to take, Germany will have to consider three things above all. First, the highly heterogeneous participation regime in Germany, which is also due to the federal system and the strong respect given to the subsidiarity principle, is making it difficult to develop a coherent policy strategy. Second, the reluctance of the older generation to devolve power to children and young people is an obstacle to youth participation that should not be underestimated. A good example of this is the debate concerning lowering the voting age to 16, a move that its proponents despite repeated efforts have not been able to enforce at the federal and state level. Third, all actors will have to develop participation instruments specifically for children and young people from less educated and disadvantaged backgrounds – which is still not done often enough in Germany.



4. COMPARISON AND RECOMMENDATIONS

International and European standards evidently play an important role in the participation policy of both countries. This also applies to commitments related to the implementation of the UN Convention on the Rights of the Child (national action plans, state reports, shadow reports etc.), which both countries have ratified. In the last decade EU youth policy has assumed a similar weight, with participation one of the three joint priorities in the strategy on active citizenship.

In July 2009 the UN Committee on the Rights of the Child (CRC) set out fundamental standards for participation of children and young people and their implementation. The standards require that participation projects display the following characteristics: they should be transparent and informative, voluntary, respectful, relevant, child-friendly, supported by training, safe and sensitive to risk, accountable and ongoing – not least through follow-up and evaluation (CRC 2009: 29f). These standards largely form the framework for the comparison below and the recommended actions we derive from it. In the process, the authors have striven to elucidate these as specifically and critically as possible for the German-Finnish context.

4.1 BASIC PRINCIPLES AND LIMITS OF A COMPARATIVE PERSPECTIVE

Cross-country comparisons of participation are inadequate if they only take account of the individual participation level. Without disregarding the significance of personal preferences and options, international comparisons of the profiles of civil society organisations have clearly shown that even they are considerably influenced by the political structures of a country (cf. Schofer/Fourcade-Gourinchas 2001). This applies especially to the public domain, e.g. school systems and local government politics. Since we are investigating what factors encourage or discourage the participation of children and young people, we need to look at the practical implementation of state and public participation, forms of self-organisation and voluntary involvement in civil society, but also participation in the private sphere, above all in families. While there are concepts for drawing comparisons in individual areas, so far there has been no attempt to develop an overall typology for all three spheres of participation. This would go beyond the scope of this brief study. In the state sphere structures vary from pronounced statism to a weak state. In civil society, the extent of corporatism, i.e. the dominance and political privileges of leading associations, plays a central role. Some families' patriarchal patterns, for example, contrast strongly with the "negotiating" family.

At the same time, the role of the private sector in youth policy cannot be overlooked. Concepts of service quality, consumer orientation, management and quality assurance, which originate in the private sector, have strongly infiltrated the public sector, especially in the last decade. In Germany youth policy has regularly been a popular field of experimentation for new public management. Moreover, changes in the world of work impose considerable pressure on the education and training system to adapt and change, especially as concerns



the transition to vocational training and work. Individuals experience this as an imposition and/or an opportunity to adapt and prepare – under the pressure of globalisation, demographic upheaval, new communication technologies etc. – for radically changed working environments for which there are virtually no existing models. This paradoxical compulsion “to have one’s own life plans” is symptomatic of a new view of the youth phase, which is more actively structured by the young people themselves than before, when the long-standing predominantly adult-centric view saw “youth” as a stage preparing young people for a largely adult world outside of the family (cf Merino/Seckinger 2007; Walther 2007; Loncle/Muniglia 2008). Perceived or real competitive demands on competence (life skills, employability etc.) characterise the educational debate all the way into early childhood. A comparison of countries must hence not only take account of the three sectors of state, civil society and family, but also of the economy.

Following the tradition of comparative welfare state analyses, an EU project proposed the following typological distinction for Germany and Finland. According to the project Finland is a universalistic Nordic welfare regime with a non-selective school system, flexible education standards, state-managed social security, an open employment system with low risks, high female employment rates, and a concept of youth based on personal development and citizenship. It is a country that sees discrimination as both individualised and having structural causes, and that is developing in a liberal and strongly market-oriented direction. By contrast Germany (like Austria) has an employment-based welfare regime with highly selective schooling, a standardised dual educational system, a system of social security that places demands on both the state and the family, a closed employment system with risks at the margins, mid-range female employment rates, a system whereby young people’s opportunities depend on their position in society, an individualised concept of discrimination and a trend towards a liberalism with an emphasis on activation (Loncle/Muniglia 2008: 21).

However, blanket national attributes of this kind only hold to some extent for Germany, and tend to underestimate the enormous heterogeneity of the country. Twenty years after reunification, in some major respects Germany is still divided into two regions, each with its own more or less pronounced character. Even after rapid unification at the state level and the introduction of a common legal and institutional system, traditions specific to the GDR live on to this day, although now overlaid with the particular experiences of the “German unification project” – where participation took a back seat - and the consequences of unification. The issue is not so much the persistent disparities in female employment rates or people’s expectations concerning state-guaranteed social protection. Rather, when it comes to participation cultures and landscapes the differences between east and west live on, and in many areas the gap is widening. Recent findings point in two directions. On the one hand there is a considerable mismatch between conventional forms of participation (party membership, voter turnout, club membership etc. are lower in eastern Germany), satisfaction with what the political system delivers is lower, and far-right views and propensity to violence are much higher in the former East German states. On the other, highly creative forms of participation have developed particularly at the local level (cf Gensicke et al. 2009). All in all, in the former East German states we find a highly uncorrelated and heterogeneous participation landscape, characterised on the one hand by the anti-participation legacy of the GDR (not unlike the situation in other eastern



European transformation societies), and on the other by surprisingly innovative participation initiatives, most of them centred on pragmatic solutions, in schools and at the local level.

There is a second systematic limitation to a country comparison between Germany and Finland. Where practical participation in schools and local authority districts is concerned, the federal structure of Germany tends to produce diversity. The power of the federal states (and below them, the local authorities that maintain the schools) over their own education system was confirmed and enhanced by the recent reforms of the federalist system. One of the few areas where local authority districts can organise themselves so as to set themselves apart from other districts is municipal youth participation opportunities. That said, “voluntary” elements like this are typically the first to fall victim to the notoriously tight municipal budgets. All these factors have led to a progressively heterogeneous participation landscape in Germany, with impressive new structures standing alongside participation “ruins”.

As we have already pointed out, our comparison is subject to another research-related restriction – we have no corresponding Finnish data for participation in schools and the family. By contrast, we do have representative data for the municipal situation in Germany that provide us with a snapshot. Since there is no systematic monitoring (of e.g. voluntary activities), it is not possible to describe any overall trends (such as forms of participation chosen, continuity of provision, etc.).

4.2 COMPARISON OF THE PARTICIPATION LANDSCAPE IN THE TWO COUNTRIES

In both countries there is a comprehensive process of active citizenship, which has a crucial impact on structures, processes and projects to strengthen and enhance citizen and especially youth participation in the 21st century.⁷¹ When it comes to prioritising child and youth participation in youth policy, both Germany and Finland are latecomers. The relevant Finnish legislation was adopted only in the early 2000s. While some important German laws are older (such as the Child and Youth Welfare Act of 1990/91), they do not form part of an overall participation strategy. As concerns the integration of participation in planning youth services and in youth services committees, the impetus of the early years seems long gone and implementation is lagging behind.

In general, the framework governing youth participation rights in both countries follows similar ideas and structures, and aims to encourage participation especially in areas that concern the young people directly. Youth participation rights are either enshrined in legislation that is generally applicable to all citizens or in legislation aimed specifically at young people. Germany’s Basic Law, essentially its constitution, makes special reference to child and youth rights. Finland’s constitutional law heavily emphasises the right to participation of all citizens yet does not specifically mention young people. In a country comparison UNICEF underlines the role of constitutions in implementing the rights of

⁷¹ In 1999 the German parliament established a particular study commission on the future of civic activities (Deutscher Bundestag-Enquetekommission Zukunft des bürgerschaftlichen Engagements) (German Bundestag 1999). In Finland the government launched a citizens’ participation policy programme that was implemented by the Ministry of Justice (2003-2006) (OM 2006).



minors: “Constitutions are potent tools for the enforcement of human rights in favour of children” (UNICEF 2008: 166). They provide a stable political framework that goes beyond individual laws and shifting political majorities. In neither country, however, have children’s rights nor Article 12 of the Convention on the Rights of the Child gained constitutional status. However, the general wording used to refer to participation in the Finnish constitution gives greater scope for adopting specific legislation than Germany’s Basic Law, which links participation rights strongly with civil status, effectively reserving them for adults. Areas such as family law and the debate concerning pre-school care and education are heavily impacted by conservative welfare state traditions, which also stand in the way of the participation rights of children in Germany. These traditions view any extension to children’s rights as a threat to time-honoured family models. However, most families themselves no longer conform to this view.

In the most recent national action plan for the implementation of children’s rights in Germany, the competent ministry takes a critical view of the local level, but also of participation opportunities for children and young people in general: “For the most part, participation in the community is limited to (...) a few areas – as embodied by the provision of playgrounds or youth clubs. But when it comes to comprehensive political participation in more conflictual topics like urban development, land-use planning, traffic arrangements or environmental issues, the will and the courage are often lacking. The preparedness of adults to share decision-making power with these children and young people could be increased considerably” (BMFSFJ 2005). This barrier is evident at all political levels. Lowering the voting age at the federal level could enhance children’s powers, as could the inclusion of a reference to children’s rights in Germany’s Basic Law. Germany’s comprehensive Child and Youth Welfare Act of 1991 also underlines the right of young people to participate in all relevant issues. Finland’s Youth Act (72/2006), which made the participation and the right of young people to be consulted in the municipalities obligatory, came into force in 2006. Section 8 states that, “Young people must be given opportunities to take part in the handling of matters concerning local and regional youth work and youth policy. Further, young people **shall be heard** in matters concerning them.”

In both countries, the search for new participation opportunities for children and young people was ultimately sparked by the waning attractiveness of and weakening support for the political system. Not only is this impacting on voter turnout and the willingness to become involved in political parties, it is also leading to a growing political estrangement, manifested in a sceptical perception especially among young people of what a parliamentary system can deliver. At this juncture at the very latest, it becomes clear that child and youth participation can only be a successful long-run enterprise if representative democracies are deepened, strengthened and revitalised at the same time. Child and youth participation could be an important step towards a reform that may bring about the much sought-for democratisation of liberal democracies. According to Mannermaa, “a person has to train to be a player in democracy at an early age. Each generation has to study the principles of democracy and civilisation right from the basics.” (Mannermaa 2007, 140).

Examining the case studies from Finland and Germany from a comparative point of view, occasional slight differences become evident in the aims of the countries’ legislation on child and youth participation. At the risk of simplifying things somewhat, in Germany there seems to be a stronger tendency for children’s and young people’s participation



rights to *protect children and young people against or in relation to public institutions*, allowing them to express their own opinions and individual views. This thinking is surely also based on the protection of family and parents' rights vis-à-vis the state. In Finland, by contrast, the laws and rights seem to focus on *the state and the public institutions as protectors of children's and young people's rights*, guaranteeing e.g. equal rights to services and education – but also participation rights. Also, the assumption is that children and young people need to learn to make use of their participation rights. The difference is more implicit than explicit, and should probably be seen in the light of the traditional fundamental difference between Germany and Finland where the relationship between citizens and the state is concerned. The Finns have greater trust in the welfare state and public systems, probably a result of its citizens' movements, whereas Germans are generally more sceptical towards the state and public institutions.

When comparing legislation on youth rights in general and its institutional status one has to consider the internationally unique and strong position of youth services (Jugendhilfe) in Germany. Historically rooted in the German youth movement, which led to the establishment of the special academic and professional field of social pedagogy, German child and youth services and the corresponding legislation (the German Child and Youth Welfare Act) are one of the earliest and most advanced approaches to youth services in Europe. The Act covers all issues of children and young people and assigns them a special and strong position in society, while concepts like Jugendhilfeplanung (youth services planning), an important instrument at the local level, can't even be translated into other languages as corresponding specialised institutions do not exist. In other European countries including Finland, child and youth services are covered either by more general laws for all citizens, or by more specific laws such as Finland's legislation on child protection, child day-care and the Youth Act (Lorenz 1994; Matthies 2009).

In Finland social pedagogy does not exist in the same shape as in Germany, but the more general academic and professional field of social work also covers child and youth care yet draws a clearer distinction between that and youth work/leisure activities for young people, which it considers a vocational field of its own. In Germany social work cannot be viewed as outside the context of social pedagogy, which is mainly limited to child and youth issues. This also means that in Germany, issues relating to children and young people are mainly seen as pedagogical challenges, while in Finland – owing to the stronger interdisciplinary background of social work – issues concerning children and young people are often seen from the perspective of social policy and social science. There is a wider pedagogical dimension to child day-care, education and youth work, but not in social work. It is vital to bear in mind this significant difference in societal institutions when comparing the institutional and legal frameworks governing youth participation in Germany and Finland (Lorenz 1994; Matthies 2009).

In Finland, youth services outside of school should be developed as a legal right of young people, also to promote the integration of young people who are not members of NGOs. Further, democracy through civic engagement and in NGOs should be given the same status as participation rights in formal institutions. In both countries, voluntary civic involvement (*bürgerschaftliches Engagement* (D) and *kansalaistoiminta* (FI)) is often regarded as a synonym for participation, even if children and young people in both countries are often limited to the role of participant in NGOs. There is an urgent need to improve the



scope for children and young people to participate in NGOs, for example by giving them roles, greater powers, and the ability to participate in NGOs' planning and decision-making. In general, it is fair to say that at the local administration level, there is a need for legal background structures requiring youth participation, political will, knowledge and experience of young people's interests in participation, mandate to act as facilitators, and some knowledge of the ethical reasons why young people should be included in decision-making. This is necessary to motivate adults in local administration to organise and enable youth participation. Youth-oriented methods and forms of participation should be used in areas where there is a real willingness to participate among young people; there should also be sufficient resources (time, qualified personnel, funding, infrastructure) to make the participation of young people possible.

The comparison of the case studies also reveals that youth participation in the two countries is emphasised and positioned differently. In Finland, youth participation rights are established as strategic tools for steering youth policy at the national level, especially towards the local municipal level. Moreover, at the municipal level there are more permanent structures for direct and representative participation. Examples include various types of hearings, elected youth parliaments which are consulted prior to certain decisions, and child and youth ombudsmen. However, it appears that participation rights and options are offered "top down" by the state, and that there is no strong "bottom up" movement among local (adult-enabling) actors making serious use of these "pre-planned" options. Most of these participation options are merely representative forms of democracy – meaning that the opportunities to participate are not even open to all young people but rather, only to their elected representatives. It can be said that the methods used are too selective, and that there is e.g. virtually no culture of directly involving (all) the children in a particular area in planning processes. In Finland, in general, more bottom-up approaches to participation should be encouraged to complement the pre-planned formats handed down from above.

In Germany, the picture is somewhat different. The view that participation is not an act of kindness but a crucial children's right is only slowly gaining acceptance. The situation is most favourable in families where, as they grow older, between half and three quarters of children participate in decisions that affect them. Having a say in the family is an everyday experience for many, if not all, children that contributes to their satisfaction and happiness. They are much less fortunate in their municipalities. Only a small minority (approximately one child in ten) are involved in participation opportunities – and if they are, it is mostly in short-term projects with inadequate support by adults or in children's or youth parliaments which offer little else than a non-binding youth session. What is largely lacking in Germany, and the vast majority of specialists agree on this, is a structural framework and mandatory legislation.

Nonetheless, the large number of good projects, often of limited duration and with precarious financing – and herein lies the real strength of the German participation landscape – demonstrate that effective participation is possible. There are even projects for very young children, as demonstrated by a model project in Schleswig-Holstein involving participation-based projects for day-care centres, alongside initiatives for influential school councils in the national and federal state programme "Learning and Living Democracy" that ended in 2007, and ambitious municipal child and youth missions with independent budgets and influence, such as the youth town council in Solingen. Yet these positive examples cannot



disguise the fact that when it comes to participation opportunities for children and young people, the German situation is an erratic patchwork at best.

The following table summarises the principal comparative findings regarding the status of participation culture in the two countries.

Table: Comparison of the main aspects of youth participation in Finland and Germany

	Finland	Germany
Status of youth participation rights	Strategic national guidance tool to encourage participation	Project-oriented with a strong local and NGO context; the national youth report is a central assessment tool; the principle of subsidiarity applies
Type of participation	Direct and representative: youth parliaments, ombudsmen, hearings. Participation in formal structures preferred	Focused projects at local level; participation understood as civic engagement and voluntary work in NGOs
Dynamics of participation	Pre-planned participation opportunities “from above”, infrequent initiatives “from below”; no active movement to participate in bottom-up initiatives	Individual movements, organisations and groups “from below” develop participation initiatives, but no comprehensive “top down” programme
Areas of participation	Mainly in formal institutions such as educational institutions, youth parliaments in municipalities, also NGOs	Mainly activities outside of school; e.g. youth work, civic activities, leisure activities, youth clubs
Membership of young people in third-sector organisations	Mainly in trade unions, youth, human rights and peace organisations	Mainly in environmental, animal rights and political organisations
Institutional and disciplinary approach to youth services	Various laws and acts concerning children and young people. Service users of all ages interact with social work professionals, most of which have a social science background	Comprehensive Child and Youth Welfare Act; social work professionals mainly with a social pedagogy background; professional field has a youth orientation.



	Finland	Germany
Value attached to youth activities	Importance of continuous progress in formal education system, “gap years” not regarded as meaningful, more strong roles for young people in NGOs needed	Importance of civic engagement in addition to formal education, for example a year of social or ecological volunteering; more strong roles for young people in NGOs needed
Relationship between participation and the state	State and public institutions regarded as guardians and champions of child and youth participation rights	Child and youth participation rights regarded as protection against or in relation to the state or public institutions
School as “school of democracy” (democratic on three levels: it represents diversity, operates democratically and provides qualified civic education)	Due to the inclusive nature of the comprehensive school system, which teaches democracy in a realistic and socially diverse context, all children and young people have similar institutional life experiences; schools do not operate democratically, problems with the quality of civic education	Due to the selective setting of parallel school systems, democracy can only be taught in socially selective settings; separation of institutional and social experiences according to background; schools do not operate democratically, problems with the quality of civic education
Strengths	Clear public responsibility for developing access to participation, high quality of school-related services enabling participation for all young people	Well established youth work structures outside of school, active civil society-related structures for and by young people
Challenges	To find new forms and areas of bottom-up participation which are more relevant and meaningful for all young people; better networking of public agencies and activities with potential specifically for young people; youth work in general is not a fundamental right	To coordinate several stand-alone projects from below, to develop a joint strategy and established structures in an occasional and sporadic landscape of activities and programmes; equal pre-conditions for participation are difficult due to the discriminating school system



Finland's youth participation culture

The option of learning democracy and participation in the socially diverse setting of the school system should be used better. Democratic learning at all levels of the school system from curriculum planning to more autonomous school governance with participatory approaches should be promoted. Youth services outside of school should be developed and be made a legal right for young people, also to encourage the integration of those young people who are not members of NGOs. Further, democracy through civic engagement and in NGOs should receive similar importance as an enabler of participation rights like in formal institutions. Existing, mainly representative forms of youth participation in Finland should be complemented with more project-based direct democratic participation for all young people based on local needs and commitments. In general, more bottom-up approaches to participation should be encouraged to complement the pre-planned frameworks provided “top down”. A project-based approach could help to encourage more youth-oriented participation, which means involving young people themselves in decisions on what, why, when, and how to participate. There should be methods to help mobile citizens under the age of 29 to adjust more easily to the new municipal democracy context around them.

In the light of recent developments (cf. e.g. Ellonen 2008; Ellonen & Korkiamäki 2008; Kiilakoski 2009), the increasing violence experienced by young people in Finland has to be combated consistently through participatory approaches, too, bearing in mind that fear of violence hinders democratic participation.

Germany's youth participation culture

Germany has no clear strategic approach to establishing and promoting youth participation at all levels of public life. Youth participation is more project-based and involves various temporary programmes; the focus lies more on civic activities than political decision-making. Generally there should be greater cooperation between top-down structures establishing democracy in formal institutions and the fragmented bottom-up movements and projects. The discriminatory selective school system should give way to a more integrative system, which would also enable the development of a concept of democracy in a realistic, socially diverse setting. Democratic learning should be promoted at all levels of the school system from curriculum planning to more autonomous school governance using participatory approaches. In the light of recent developments (cf. Bundesjugendkuratorium 2009a) the rapid increase in poverty among young people has to be combated consistently through participatory approaches, too, bearing in mind that poverty is a major obstacle to equal participation, and that many forms of participation require families to have a certain material prosperity (s. Allmendinger & Leibfried 2003).

In the following we attempt to draw practical conclusions, at various levels, from the comparative research undertaken in the two countries. The recommendations should therefore be seen more as a framework that is also directed at youth policy and youth work actors in the two countries.



4.3 RECOMMENDATIONS FOR THE TWO COUNTRIES

While the recommendations are based on the comparative material in this publication, they suggest a possible format for assuring quality in the field of youth participation, based on both the practical experience and the scientific research of the authors.

Recommendations

- 1. The participation rights of children and young people should be expressly enshrined in constitutions at the national, federal and local levels, giving greater legal force to the introduction and establishment of participation structures.**

In Finland, the participation rights of all citizens are mentioned in the constitution and in local administration legislation (Local Government Act), but no group receives a special mention. New legislation over the last 10 years has made the participation rights of children and young people clearer and more legally binding. In particular, the Youth Act of 2006 views participation as a strategic element of comprehensive youth policy in Finland. In Germany only one federal state (Schleswig-Holstein) has so far managed to establish local participation by children and young people, who must be heard under the state's municipal codes. In both countries the participation rights of children and young people need to be expressly enshrined in the constitution and in the municipal codes, firstly because in practice there is no strong culture of civic involvement in decision-making through direct democracy in these countries and secondly, because unless it is specifically mentioned, the role of minors in strong representative democracies is even more easily forgotten than that of other citizens. The participation rights of children and young people should become effectively guaranteed rights (both in theory and in fact), be subject to incentive systems, and be regularly evaluated (with attention given not just to individual projects but also to their long-term effect on the participation situation of children and young people). Establishing legally enforceable rights also requires the creation of mandatory incentive systems for youth participation, both for organisations and administrative bodies and for children and young people themselves.

- 2. A broad mandate for child and youth participation will lift participation out of the “just-for-fun” or “learning-for-the-future” corner and create a framework for more co-determination opportunities in all relevant policy areas.**

Living together democratically should be appreciated as a basic life skill. In a democratic society the subjectivity and agency of children and young people are respected for the same reasons that adults are respected and encouraged; they don't just participate because it's fun or to learn something for the future. In both countries it is important to establish participation in “hard” areas of life (school, work, university etc.) as an everyday reality. The lofty educational ambitions of an “active citizenship” participation regime can only be fulfilled if participation is not restricted to marginal leisure activities run by the local



authorities or schools.

- 3. Citizenship education should make the proclamation of children’s rights an important overarching goal and enable participation as a “basic democratic life skill” at the earliest possible stage and in a systematic manner.**

The local communities where children and young people are involved should follow the principles of democratic society on an everyday basis. Children and young people should be given a voice in decisions that concern them. Participation processes should be more youth-oriented and with more ownership for young people, for example by enabling young people to take different roles, responsibilities and develop agencies and positions and to network in daily life with other members of their formal and informal communities. This calls for a participatory change to current reform discussions in the education sector; in both Finland and in Germany this change could be either a major obstacle or a major opportunity. The rules that govern the institutions that figure strongly in children’s everyday lives, e.g. day-care centres and schools, often acknowledge participation in general terms, yet when it comes to binding rules and co-determination children tend to be sidelined, and they realise this. Both Finland and the German federal states have scarcely invested in training up facilitators, who are necessary for turning participation processes involving children into a success, demonstrating the scant attention that has been paid so far to establishing participation in the curricula of these institutions.

- 4. In order to establish youth participation long-term, it is essential to implement professional training and qualification measures for both young people and adults in youth and education work, school and youth policy.**

Children and young people should be made aware about the legal basis of their rights. There should be enough professional training and qualification in democratic living and participatory approaches for adults, particularly those who work with children and young people. In order to meaningfully and sustainably develop the resources and creative spaces where children and young people can develop and voice their views fearlessly and effectively, strong efforts must be made to create the necessary capacity.

- 5. In youth participation, young people must be trusted to develop their own solutions. Some of the decision-making power vested in the one-sided claim to the protection of young people must be surrendered.**

As previously stated, the subjectivity and agency of children and young people should be respected for the same reasons adults are respected. The subjectivity of children and young people in democracy, however, should not be modified to fit in with the established ways of doing things. They should have the right to do things differently than adults, in terms of both the process and the outcome. Their subjectivity means they have an ability to do things in a different way. When children and young people are included, they will



eventually help to shape the existing framework of elite representative democratic processes. The distribution of power should also respect the role of children and young people. In addition to offering them a subjective positive experience, what children and young people say should have a measurable influence on decision-making. One can talk about objective criteria when participation processes are evaluated: where participation is the goal of the process, it should be possible to objectively document that children have been given power and agency in the process. Establishing youth initiatives can be a problem in the first place; it can be a problem to manage them within the appropriate timeframe in a municipal organisation; and it is often a problem that there is no impact evaluation and no information for young people concerning the lifespan and impact of their initiative. The willingness of children and young people to play an active role in society, and their success in doing so should be publicly recognised and rewarded.

Participation opportunities for young people should be a top-down (from the national, regional and local administration downwards) and a bottom-up (from the young people and local enablers upwards) dialogue. This gives young people more opportunity to select participation themes and the capacity to participate in a dialogue on goals, issues and resources from the very beginning right up to implementation. Children and young people should be included in all phases of a participation project (design, planning, implementation and evaluation). Young people should also be able to assume different roles and responsibilities and be allowed to develop agency and occupy a position during the process. Networking with other young people produces new ideas. Greater youth orientation entails creating more choice and providing more resources, not least for youth-led initiatives and projects. Projects should be flexible; their schedule and structure should be attuned to the young people's capacity for self-organisation. When creating participation opportunities, existing levels of youth orientation should be evaluated constantly. The methods and outcomes of local participation strategies should be evaluated at all steps along the way, and greater emphasis given to the level of youth orientation and the inclusion of all young people in participation.

6. A systematic participation strategy for creating more dialogue between policymakers and young people requires both sides to listen closely to each other. Firmly established consultation procedures and instruments in the immediate living environment of children and young people are necessary to ensure that the political agenda includes topics important to children and young people.

There should be more interaction (meetings, initiatives, statements, co-operation during planning processes etc.) between young people and local authorities and politicians concerning current issues on the municipal agenda. Although the consultatory function of participation (e.g. organising hearings) is more popular in Finland than in Germany, this translates into very few genuine projects in the area of youth work. In fact, the opposite is true: the diverse project landscape produces virtually no strategic conclusions for policymaking. In both countries the structured dialogue (part of the EU Youth Strategy) has barely been used to establish links between municipal and regional youth policy and educational policy. It would make sense to establish it in both countries as a regular national



consultation instrument to be implemented at all levels so as to involve young people in the long term, whether they are members of organisations or not. Introducing a participation strategy also means creating more coherent structures. Evaluation plays a key role in the establishment of an educational strategy. In Finland a “Discussion Day” (see 2.3.2) was introduced in a move to implement the “participation paragraph” at the municipal level. Like all other residents, children should have a say in the services and institutions affecting them – an interesting model with implications for Germany. Children and young people should also be able to put topics that are important to them on to the political agenda. Where representative democracy is concerned, lowering the voting age could improve the visibility of young people and the issues they feel strongly about.

7. Youth participation should not stop at the school gates and only exist on paper, such as so-called “student co-determination”.

Finland, with its nine years of compulsory schooling, is exemplary in producing civil equality and high levels of achievement. This also goes for the quality of services for families. In this very successful system for ensuring equal social civil rights, individuals’ rights to co-determination and influence tend to be sidelined. The success of Finnish pupils in the PISA rankings appears to be due less to greater self-organisation, participatory learning and a democratic school culture than – paradoxically – to more conventional factors such as a better staff-to-student ratio and better trained teaching staff (Simola 2005: 457). This paradox is also present in a comparison of the German federal states where Bavaria, which is known for its conservative school structures, comes close to the Finnish results (Bertram 2006: 16). Against this background, and despite new school laws, it is not certain that encouraging democratic participation in schools will catch on. In Finland better use should be made of the option of learning democracy and participation in the socially diverse context of the school system.

The same is true for Germany, minus the positive equality and performance effects in the school system. One cause is surely the dramatically underfunded educational system, although the current government is considering doubling the proportion of GDP it spends on education in order to keep up with other OECD countries (cf. OECD 2009). On top of this, Germany still has a tradition of boarding and correctional schools (*Anstalts- und belehrungsschule*),⁷² whose multi-tier and socially selective structure is a severe infringement of the human right to education (cf. Overwien/Prengel 2007).

Since overcoming the PISA shock the German school system has resembled a construction site with a wide variety of ambitions and reform concepts fighting for recognition. It is hoped that the introduction of all-day schools will assist in a democratic opening-up of schools for parents, children and towards local authorities. Some early surveys suggest this will not be the natural consequence, even though there are some positive examples (Betz et al. 2010). The discriminatory and selective German school system needs to be turned into a more integrative direction, which would help to develop democratic concepts in a

⁷² A prominent educational researcher even recognises remnants of agrarian traditions in the half-day morning school that dominated the German school system until a few years ago (Bertram 2006)



realistic and socially diverse setting. Democratic learning at all levels of the school system, from curriculum planning to more autonomous school governance with participatory approaches, should be promoted. Both countries – despite their different starting points – have a long way to go towards a democratic school culture.

8. Active local participation networks involving schools, associations, religious communities, youth centres, non-profit organisations and initiatives are useful for exchanging knowledge and expertise. To this end, there should be a binding agreement on how coordination can be ensured.

All local communities should cooperate in offering participation possibilities for children and young people, for example in planning processes concerning the living environment. Active local networking among young people in municipal matters should also be encouraged by the local communities. Democracy through civic engagement and NGOs and ensuring participation rights in formal institutions should be given equal attention. In Finland attention is being paid to the need for reviewing the role of youth councils in municipalities, where they should also coordinate actions and act as a kind of supervisory body in youth matters on behalf of young people, youth groups (for example student councils, youth club action groups and NGOs) and the local authorities. It has been noted that networking with other young people generates new ideas and produces an impetus. The methods and outcomes of local participation strategies should be evaluated at all steps along the way, and greater emphasis given to the level of youth orientation and the inclusion of all young people in participation.

9. Offering a variety of participation forms and methods empowers all children. It requires making participation available and accessible in a safe manner to all children and young people regardless of their age, gender, social, economic, cultural and ethnic background.

Engagement and participation policy have a special democratic responsibility. In proclaiming “active citizenship” as a “reward” for active members, they should take care not to create more social and political inequality. Participation on the part of those who are already active is all very well. However, if carefully organised and communicated participation can empower those disadvantaged children and young people who are currently excluded from participation. The need for empowerment is greater in Germany than in Finland. At the present time, the rapidly rising poverty among young people in Germany need to be tackled consistently using participatory approaches. The very existence of poverty is a significant barrier to equal participation, while many forms of participation demand a certain level of material prosperity in the families of the young people. In Finland, the proliferation of violence among the young needs to be tackled using participatory approaches. Fear of violence seriously hinders democratic participation.

Channels of participation based on both representative and direct democracy should be made available to children and young people as a matter of course. All young people should be made aware of the existence and local results achieved by the channels designed



for them. They would then be better able to participate themselves using these channels. It should be monitored whether all children and young people have access to them regardless of their age, gender, social, economic, cultural and ethnic background, and whether there are problems e.g. in terms of availability and safe access to all children and young people. Not only should a broader analysis be conducted of the participation and social engagement of children and young people; detailed descriptions of how people with different abilities personally experience participation should also be provided. To improve municipal services, local authorities should create systems that enable the inclusion of children and young people. Children and young people of different ages, who are in different life situations and are interested in different things, need to be offered a variety of ways to act, exert influence and become involved.

CONCLUSION

In recent years the debate on participation has come back to life and has received a considerable boost from the current trend in EU youth policy. It now needs to move out of its infancy into binding processes and structures. The adoption in Finland of the Youth Act of 2006, which provides for mandatory participation at the municipal level, has set dynamic developments in motion. In Germany, the conviction that participation is a fundamental children's right is only slowly gaining acceptance. The situation appears best in families, an everyday experience that fails to correspond to the situation in their municipalities. What is largely lacking in Germany is firm structures and mandatory legal framework. Nonetheless, the large number of positive examples, often of limited duration and with precarious funding – and herein lies the real strength of the German participation landscape – demonstrate that effective participation is possible. Whereas in Germany there is a lack of legal force and financial security, in Finland it will be important to use the existing legal framework in a way that respects the participation expectations of young people and helps them to exercise their right to influence societal issues in everyday life.

Just like all other citizens, children should have a say in the services and institutions that affect them. Whether they will limit themselves to functional participation, act as experts in their own affairs or even as advisors for municipal youth policy, remains open; it is equally unclear whether greater parliamentary representation for children and young people will narrow or even close the widening gap to the representative practice of adults.

If the establishment of youth participation is taken seriously, evaluation (not of individual projects, but of its long-term overall impact on children's and young people's lives) will have to assume a key role. The development of an overall concept for educational policy in this area is a possible future subject for a German-Finnish research partnership.



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⁷³ The titles and publishers of sources written in Finnish are presented both in Finnish and English so that reader will gain insight into the content of the publications. If the source is also published in English, the source reference will include “available in English.”



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