

## ≡ **STRENGTHENING CONSENSUS** ≡

### **Reinforcing the CCME Consensus Decision-Making (CDM) Model**

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#### ≡ **CCME and Consensus Decision-Making**

Traditional decision-making in multi-party situations, such as in the intergovernmental arena, frequently involves negotiations where parties emerge as winners or losers. Each party brings to the table a preferred position or solution, with the intention of winning others over. Often, power wins the day, with little opportunity to address the interests at stake and generate creative solutions acceptable to the principal participants. Outcomes generate little satisfaction and the process often produces mistrust and acrimony for subsequent rounds of discussions.

CCME has rejected this model of decision-making. Rather, CCME continues to build an intergovernmental organization that fosters trust, not distrust; creative solutions, not imposed solutions; cooperation, not acrimony. The founders of CCME chose consensus decision-making (CDM) as the model for negotiation. It is a core value of the organization and foundational to its effective functioning. This innovative decision-making model is supported by an institutional framework where members have equal weight, the chair revolves through the organization, and joint funding means that, as a general principle, financial capacity does not determine participation or influence. This is particularly important in the CCME context where all 14 Canadian jurisdictions gather to analyze issues and decide on appropriate approaches to ensure their resolution. Each jurisdiction brings a unique perspective that requires respect and consideration. Consensus decision-making fosters a process where the resolution of issues is most likely to satisfy the social, economic and political priorities of its members. Each participant has an equal opportunity, and responsibility, to speak to an issue and to influence the results of the discussion and the shape of the solution.

#### ≡ **What is Consensus Decision-Making ?**

CCME utilizes a consensus decision-making process whereby jurisdictions work collaboratively to craft decisions that best satisfy their respective interests. CDM strives for unanimity or substantial agreement; it is a process that maximizes opportunities to resolve differences and reach agreement. Clearly, for effective consensus decision-making to work, all parties must take the opportunity to make their interests known and to participate in the search for a creative solution. CDM reaches below the positions of the participants to the underlying interests. It reaches beyond a preconceived solution to the problem to the needs that underlie, or give rise to these positions. Giving value to these interests, efforts are made to create a solution that will satisfy all or most of them. The focus of the participants turns from defending positions to addressing interests. Every consensus decision has buy-in, or at least, no outright rejection by the participants, thereby inspiring commitment because it is jointly achieved. Although some participants may not agree with all aspects of the agreement, consensus is achieved when they are willing to support the overall package. Collaterally, the process strengthens relationships between the participants because it fosters understanding, respect, trust, and creativity. The result is often innovative, and *“it generates solutions that are fairer, more efficient, better informed, and more stable than those arrived at by conventional means.”*<sup>1</sup>

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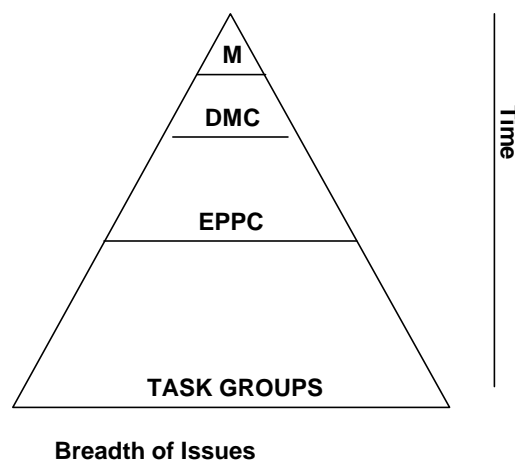
<sup>1</sup> *The Consensus Building Handbook*, The Consensus Building Institute, Sage Publications, 1999

### ⌘ **What Consensus Decision- Making is Not**

Critics of the process charge that it leads to lowest common denominator decisions, that it encourages the path of least resistance, that it fosters trade-offs, or the type of compromises that may not be in the organization's best interests. If the consensus process is flawed or poorly used or if time pressures are too great, these criticisms may apply. Where the process is properly run, these criticisms are not applicable. CDM is a dynamic and organic process requiring more time to produce quality decisions. When a decision or conclusion is reached, all parties have a better understanding of each other's interests and a stronger commitment to implementing the decision. But the process needs its guardians! The greatest threat to CDM emerges when participants do not engage, or settle for the lowest common denominator rather than exerting their talents to achieve the highest common factor. Just as it is not 'rule by the majority', CDM cannot be reduced to the tyranny of one or a few. Most CDM specialists agree that the process should strive for unanimity. However, there are issues and outcomes where participants believe that remaining outside the decision is, with respect to their interests, a better alternative to a negotiated agreement. In such case, "the group should settle for overwhelming agreement that goes as far as possible toward meeting the interests of all stakeholders."<sup>2</sup>

### ⌘ **Consensus Building: A CCME Reality**

CCME has a hierarchy of consensus based discussions on any given issue. Having received their priorities from Ministers, Task Groups deal with the scientific aspects of an issue, working towards consensus on defining the problem, understanding its consequences, and the interventions required if any. Deliberations at this stage can involve an extended consensus building process. EPPC adds the policy and strategic analysis to the mix, and seeks consensus on priorities and the most appropriate program options. Consensus in this context must be achieved as a part of a broader agenda, usually in a total of only a few hours, or less. Deputy Ministers, through a more political lens, review the consensus recommendations of EPPC, and endeavour to reinforce or remold the consensus reached and resolve any outstanding issues. Their time allotment is even shorter. Ministers, similarly hampered by time constraints, essentially limit their discussion to outstanding issues, and further defining a strategic course for the organization. Thus different dynamics, in terms of timelines and the scope of issues, are manifest at various decision levels in the organization. Fundamental to this process however, is the use of CDM at all levels of CCME in order to build and maintain a high degree of confidence and certainty in the quality of decisions reached. It is also critical to commit and engage early at the interests / needs stage before positions are reached and become entrenched.



*"Strengthening Consensus: Reinforcing the CCME Consensus-Decision-making Model" and the "Consensus Tool Kit and Table Guide" were prepared by Dick Stephens of RAS Consulting and former Director of Legislation and Intergovernmental Affairs (MB Conservation) and Peter André Globensky, Director General of CCME (1998-2003) with assistance from SLMcLeod Consulting.*

<sup>2</sup> Ibid.