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Tamara Maričić • Marijana Pantić • Ana Perić

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CONTENTS

PREFACE 7

CHAPTER 1 **What Enables Participatory Community Engagement? Expert Insights on Solutions** 13
Elisheba Spiller, Tinzar Htun, Kriti Shah

CHAPTER 2 **Citizen Participation in the Just Transition of Stara Zagora Coal Region** 43
Plamen Peev, Remina Aleksieva

CHAPTER 3 **Cultural Planning as a Participatory Method for Resource Peripheries: The Case of Peat Extraction in Ilomantsi, Finland** 73
Simo Häyrynen, Juha Kotilainen, Larissa Huohvanainen, Jani Karhu

CHAPTER 4 **Introspective Reflections on Attempts at Deepening Collaboration, Strengthening Partnerships and Co-Constructing Shared Futures in Mining Regions in South Africa** 97
Mark Oranje, Elsona van Huyssteen, Engela Petzer

CHAPTER 5 **Bridging Citizens' and Institutions' Perspectives in Serbia: Participation in the Spatial Planning of Mining Regions** 125
Marijana Pantić, Dušanka Milosavljević, Milena Tošković, Tamara Maričić, Milovan Vuković

CHAPTER 6 **Concluding Remarks: Participation, Legitimacy, and the Governance of Extractive Transitions** 159
Tamara Maričić, Marijana Pantić, Ana Perić

EDITORS AND CONTRIBUTORS 167

CONCLUDING REMARKS: PARTICIPATION, LEGITIMACY, AND THE GOVERNANCE OF EXTRACTIVE TRANSITIONS

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CONCLUDING REMARKS: PARTICIPATION, LEGITIMACY, AND THE GOVERNANCE OF EXTRACTIVE TRANSITIONS

The selected chapters in this edited volume collectively speak to a central theoretical and empirical tension in the contemporary governance of extractive and transitional economies: the persistent gap between formalised participatory architectures and substantive democratic agency. While participatory governance has become a normative cornerstone of environmental regulation, urban & spatial planning, and just transition policies, the evidence presented here suggests that participation too often remains what Arnstein (1969) describes as "consultation without redistribution of power", rather than genuine co–decision–making.

Building on this foundational critique, the volume engages implicitly and explicitly with several interrelated theoretical strands: procedural justice (Rawls, 1971; Schlosberg, 2007), redistribution of power (Arnstein, 1969), distributive justice (Roemer, 1996; Lamont & Favor, 2017), multi–level governance (Hooghe & Marks, 2003; Howlett et al., 2017) and participatory governance as a socio–institutional process rather than a procedural instrument (Fung & Wright, 2001; Blackstock et al., 2014). Across cases, it becomes clear that legitimacy is not generated through the mere existence of participatory procedures, but through their capacity to produce a relational coherence between institutions and affected citizens. Where this coherence breaks down, participation becomes performative, and governance systems move into a zone of latent or active legitimacy deficit.

The extractive regions *per se* represent multi–scalar features with contextual variability (mostly income inequality, environmental degradation and social disparities) in the region and its surroundings. They require specific attention and the use of appropriate multi–level governance – national, regional and local – policies and instruments to balance the diverse interests of often opposing key actors. Certainly, an additional challenge is ensuring adequate public involvement, as well as carrying out deliberative planning. Conceptualised by John Forester (1999) as a collaborative decision–making process, this approach allows communities and stakeholders to use reasoned argument, evidence, and open dialogue to shape public policies, urban and other spaces.

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CROSS-CUTTING INSIGHTS THROUGH A THEORETICAL LENS

Across all five chapters, several analytically significant patterns emerge through these conceptual frameworks.

First, procedural justice remains the primary, though insufficient, benchmark of participatory governance (Rawls, 1971; Schlosberg, 2007). The EU just transition frameworks, spatial planning regulations, and mining governance mechanisms examined in this volume formally adhere to procedural standards of inclusion. However, as the Stara Zagora case demonstrates (Peev & Aleksieva, 2026), procedural compliance does not necessarily translate into distributive influence or decision–making power. This reveals a consistent disconnect between input legitimacy (participation opportunities) and throughput legitimacy (actual influence over governance processes) (Fung, 2006).

Second, legitimacy is systematically undermined by asymmetries of distributed power, information, and institutional responsiveness. Peev & Aleksieva (2026) describe some EU methodological recommendations for citizen participation that can strengthen legitimacy and democracy, concluding that national formal structures are not sufficient for building the necessary legitimacy and trust. The Serbian case (Pantić et al., 2026) and the broader extractive governance analysis by Spiller et al. (2026) demonstrate that legitimacy is not static but continuously produced through interactions between citizens, institutions, and corporate actors. Where feedback loops are weak or absent, legitimacy becomes fragile and contested.

Third, participation functions as a multi–scalar governance assemblage rather than a formally defined institutional mechanism. As Howlett et al. (2017) point out, where horizontal and vertical dimensions of policy–making is lacking, there is a substantial risk of failure. The cases from South Africa (Oranje et al., 2026), Finland (Häyrynen et al., 2026), and Bulgaria (Peev & Aleksieva, 2026) illustrate that participatory outcomes depend on interactions between local governance capacity, national regulatory frameworks, corporate practices, and transnational policy regimes. This aligns with multi–level governance theory (Hooghe & Marks, 2003), while also highlighting coordination failures across scales as a persistent barrier to effective participation.

Fourth, participatory governance must be understood through co–production and knowledge asymmetry. Participation is not only about voice but also about epistemic inclusion—who defines problems, whose knowledge counts, and how expertise is legitimised. This aligns with science and technology studies approaches (Jasanoff, 2004) and deliberative democracy theory (Fung, 2006), showing that exclusion often operates through epistemic rather than purely political mechanisms.

Fifth, legitimacy, liability, and learning are increasingly interconnected under contemporary regulatory regimes. Pantić et al. (2026) demonstrate on a case study of Serbian mining region that participatory failure is no longer only political but also legal, as EU corporate due diligence frameworks (Directive (EU) 2024/1760) and human rights obligations under the European Convention on Human Rights (Council of Europe, 1950/2004) begin to translate participation deficits into legal exposure.

TOWARD A RELATIONAL AND JUSTICE-ORIENTED THEORY OF PARTICIPATION

Taken together, the findings suggest the need to move beyond procedural accounts of participation toward an integrated theoretical framework combining procedural justice (Rawls, 1971), distributive justice (Young, 1990), recognition justice (Fraser, 2000), multi–level governance (Hooghe & Marks, 2003), and participatory governance as a socio–institutional process (Fung & Wright, 2001).

Within this lens, participation is not a discrete policy tool but a dynamic governance condition produced through continuous interaction between institutions, citizens, and non–state actors across scales. Its effectiveness depends not only on formal inclusion but also on feedback visibility, responsiveness, and perceived influence over outcomes (Arnstein, 1969; Fung, 2006).

SOME IMPLICATIONS FOR EXTRACTIVE AND TRANSITIONAL GOVERNANCE

The research by Spiller et al. (2026) highlighted the dominating sensitive issues in extractive regions as corruption, transparency, revenue transfer, multi–lateral organisations, mining impacts, human rights; and proposed related system–level solutions to foster greater coordination both internationally and within host countries. As Peev & Aleksieva (2026) have pointed out, the EU member countries should follow the EU's methodological recommendations for effective governance, in attempt to successfully move from formal/tokenistic to substantive and decentralized participatory procedures. Oranje et al. (2026) go a step deeper by concentrating on the relationship between mining companies and communities, and a step further by proposing an intermediary entity that would strengthen municipalities' capacity to plan and coordinate, but also build mining companies' understanding of why formal collaborative planning matters – with the aim of bonding them as partners for long–term sustainability. As Pantić et al. (2026) have observed, the citizens, as the third pillar in this relationship, must be properly informed and confident that their input will be considered in decision–making process.

Taken together, these findings – drawing on the perspectives of experts, government officials, NGO representatives, consultants, academics, citizens, and vulnerable stakeholder groups – point to several governance principles necessary for moving beyond tokenistic participation towards meaningful citizen influence in decision–making:

- First, consultation without opportunities for meaningful influence on decisions is insufficient to establish legitimacy in high–conflict extractive contexts (Arnstein, 1969). Where participation remains merely advisory and produces little visible effect, repeated engagement may instead contribute to participation fatigue and deepen mistrust;
- Second, participatory governance must be designed as a feedback–sensitive system rather than a procedural checklist, ensuring that citizen input is traceable and demonstrably connected to decision–making (Fung, 2006);

- Third, intermediary institutions and multi–actor governance platforms can help address structural asymmetries among actors in mining regions and strengthen their capacity for sustained collaboration (Hooghe & Marks, 2003); and
- Finally, participation should be recognised as an important mechanism for identifying and addressing potential conflicts and human rights concerns at an early stage, particularly in the context of emerging due diligence and human rights regimes (Directive (EU) 2024/1760; Council of Europe, 2004).

CLOSING REFLECTION

Ultimately, this edited volume argues that participatory governance in extractive and transitional contexts must be understood as a relational and justice–embedded system of governance production rather than a procedural add–on. When participation is substantively embedded, it generates trust, shared ownership, and adaptive capacity; when it is formalistic or disconnected from decision–making, it produces legitimacy gaps that may escalate into political conflict, legal liability, and governance failure.

The contributions in this volume, therefore, invite a rethinking of participation not as a bounded administrative requirement, but as a core condition of democratic sustainability transitions. Results of the interview analyses presented in the book *People, power and planning: Participatory approaches in mining regions* (Maričić et al., 2026) indicated the value of such publications, as well as similar studies, in highlighting the limitations, shortcomings, and inconsistencies of public participation processes in mining regions worldwide. In addition to post–socialist and post–apartheid transition countries, such as Serbia and South Africa, a lack of transparency, closed–door decision–making, the withholding of relevant information from the wider public, and tokenistic forms of participation also characterise contemporary developments in considerably more democratically established societies, such as Finland. At the same time, many affected stakeholders lack the capacity to truly participate. The inclusion of some specific methods, such as cultural planning action (Häyrynen et al., 2026), could provide a good additional tool for overcoming some obstacles and bring a more balanced outcome for all interested parties.

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