

## Citizens' assemblies and the crisis of democracy

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## Part 2: **The uses of citizens' assemblies**



Rasmus Ø. Nielsen and Eva Sørensen

# 10 Citizens' assemblies and the crisis of democracy

**Abstract:** For decades, citizens' assemblies (CAs) have served as one of the remedies that scholars have advocated and decision-makers have employed in their efforts to overcome the crisis of representative democracy. In the back-and-forth between CA promoters and critical evaluators, the recent discourse around CAs follows a familiar pattern recurring since the 1970s. The chapter argues that a systemic approach is necessary to fully understand the potential and limitations of CAs for remedying the crisis of democracy. The chapter makes this case in relation to four sets of mini-public methods and draws the conclusion that the degree to which arenas for citizen deliberations contribute to overcoming the democratic crisis hinges on how they are integrated in the larger democratic process. Institutionalizing such arenas as competitors to formal representative assemblies will tend to weaken representative democracy further; whereas building productive synergies between them will enhance the effectiveness and legitimacy of representative democracy.

**Keywords:** citizens' participation, crisis of democracy, citizens' assemblies, systemic turn, democratic innovations

## 10.1 Introduction

In one form or another, representative democracy has been in a state of crisis ever since the rise of the new social movements in the late 1960s (Ercan and Gagnon 2014; Sørensen 2020). While the content of this crisis has changed, the establishment of citizens' assemblies (CAs) (used in this *Handbook* interchangeably with Robert Dahl's "mini-publics" (Dahl 1970, 1989)) has continued to be one of the remedies for which scholars have advocated and which decision-makers have employed in their efforts to counteract the crisis (Ryan and Smith 2014). Current proponents argue that CAs hold the potential for overcoming the current rise in political polarization and the surge in authoritarian values (Warren 2013; Dryzek et al. 2019; Daly 2020). The expectations are that involving a diverse group of citizens in joint policymaking and deliberation will not only stimulate mutual understanding between citizens but also between citizens and politicians. However, critical assessments of the actual impact of CAs document that they are no panacea (see e.g., Goodin and Dryzek 2006; Edelenbos, van Meerkerk and Koppenjan 2017; Caluwaerts and Reuchamps 2016).

In the back-and-forth between CA promoters and critical evaluators, the recent discourse around CAs follows a familiar pattern recurring since the 1970s: every decade or

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so, a new deliberative mini-public variant has been promoted as a tool for policymakers to counteract the crisis of representative democracy, such as this crisis was understood at the time. In response, critics have then found some way of discounting the potential of mini-publics, either due to a lack of solid evidence for specifically measurable effects or by pointing to negative unintended consequences for democracy (Stadelmann-Steffen and Dermont 2016; Gerber, Schaub and Mueller 2019). The question, of course, is whether achieving precisely these effects was ever the real ambition of those who have experimented with and promoted mini-public formats (Warren 2009; Setälä 2011), and whether continuing this ping-pong between promoters and critics is productive for democracy.

This chapter argues that a systemic approach is necessary to fully understand the potential and limitations of CAs for remedying the crisis of democracy. The chapter makes this case in relation to four sets of mini-public methods, namely: i) the Citizens' Jury and the Planning Cell (German: *Planungszelle*), ii) Open Space Technology, Future Search, and World Café, iii) the Consensus Conference and the Deliberative Poll, and, finally, iv) the Citizens' Assembly method pioneered in British Columbia. For each set of methods, we describe the developments and crisis tendencies in democracy that motivated the invention of new mini-public formats and list the claims made by promoters about the democratizing potentials of these methods. We show the results of evaluations of the experiments and then shift the perspective to what decision-makers (could have) gained from the full-scale deployment of these innovations as a routine part of democratic decision-making. We conclude our tour with a discussion of how the evaluation of the current CA wave can best underpin the realization of its democratizing potential.

## 10.2 A systems-theoretical perspective on citizens' assemblies and the crisis of democracy

For our analysis, we draw inspiration from the “systemic turn” literature in participatory research, which was initiated by contributions from Mansbridge et al. (2012) and Dryzek (2012) and which others have since developed further (see also Lacelle-Webster & Warren, in this *Handbook*). This turn was proposed as a way of achieving a more productive dialogue between the practitioners working to develop, refine, and institutionalize mini-public innovations and the academics who critically scrutinize their contributions to democracy. The basic idea is to shift or expand the scope of how mini-public formats are evaluated: from the direct and measurable effects of individual experiments to the broader functional effects that putting different mini-public formats in the toolbox of decision-makers and institutions has on the democratic system (Setälä 2017). This shift in perspective lends itself to an evaluative approach that is more complex than the binary empowerment-or-not narrative traditionally associated with citizens' participation (Arnstein 1969). When conducting evaluations from a systems per-

spective, researchers can broaden their questions from the (in)ability of citizens to affect the decisions of political leaders and system; they may also evaluate what the CA does (or fails to do) to help elected political leaders lead (Sørensen 2020). At the same time, the systemic perspective opens the door to a productive form of evaluation that is less concerned with proving or disproving the immediate effects of mini-public innovations (Curato et al. 2017) and more concerned with *how* and *under what conditions* new mini-public formats can best provide the functional enhancements to the democratic system that they promise (Mansbridge et al. 2012). In short, the conceptual framework of the systemic turn is useful for understanding the potential of CAs to counteract current crisis tendencies in representative democracy.

### 10.3 Countering crises of democracy through democratic innovations: A movement in four parts

The story of the evolving relationship between the crisis of democracy and mini-public formats akin to CAs can roughly be divided into four parts (see also Elstub, Ercan and Mendonça 2016; Curato, Vrydagh and Bächtiger 2020). First, the 1960–1970s, when CAs were motivated by a perceived democratic deficit originating from state centralization and resulting in alienation; second, the 1980s, when CA inventions were motivated by societal conflicts over structural change; third, the 1990s, when CA formats were invented to address the inability of public organizations to handle complex challenges; and fourth, the 2000–2010s, during which time CAs were motivated by the inability of democratic institutions to govern efficiently and legitimately. The four parts are schematically represented in the Table 10.1.

**Table 10.1:** Schematic overview of democratic crises and corresponding CA interventions

Decade	New methods invented	Crisis tendencies motivating innovation	Benefits claimed by promoters	Critical points of external evaluation	Possibilities from a systems perspective	Institutionalization strategy
1970s	<i>Citizens' Jury Planning Cell</i>	Anti-authoritarian movements protest centralized policymaking.	Changes the role of the citizen in democracy.	Lacks representativeness Only little policy effect.	Empower policymakers vis-à-vis interest groups	Outside-in, bottom-up
1980s	<i>Consensus Conf. Deliberative Poll</i>	Citizens reject structural adjustment, demand participation.	Enhances governability of potential conflicts	Co-opts citizens into government policy.	Give citizens a voice in 24-hr news cycle	Outside-in, top-down

**Table 10.1:** Schematic overview of democratic crises and corresponding CA interventions (*Continued*)

Decade	New methods invented	Crisis tendencies motivating innovation	Benefits claimed by promoters	Critical points of external evaluation	Possibilities from a systems perspective	Institutionalization strategy
		pation in planning.				
1990s	<i>Open Space Tech.</i> <i>Future Search</i> <i>World Café</i>	Political decision-makers lack information and knowledge for complex problem-solving	Enables innovation through collective intelligence	Decoupled from formal democratic processes.	Democratize decision-making inside the hierarchical systems	Inside-out, bottom-up
2000–2010s	<i>Citizens' Assembly</i>	Democratic institutions need citizens' resources to address societal challenges.	Engage citizens to make possible needed reforms	Powerful actors shape deliberations	Empower political leadership	Inside-out, top-down

## 10.4 1960–1970s: Citizens' Juries and Planning Cell

Citizens' Juries and Planning Cells are two very similar mini-public methods developed in the 1970s by Ned Crosby in the US and Peter Dienel in West Germany respectively, each initially unaware of the other's work (Crosby 2007). Their work has played a foundational role in the development of CA methods in contemporary Western democracies.

The two "inventors" shared a similar dissatisfaction with the state of democracy in the late 1960s and early 1970s. At the time, the crisis of democracy manifested itself in the form of anti-authoritarian movements protesting centralized policymaking on a range of issues, including civil rights, environmental policy, gender policy, and foreign policy. In response to this crisis, Dienel (1978) explicitly posits the methods as "an alternative to establishment democracy" (title page). In the US, Crosby and his colleagues were similarly motivated by a feeling among citizens that "participation through normal institutional channels has little impact on the substance of government policies" (Friedland and Alford 1975, quoted in Crosby, Kelly and Schaefer 1986). This dissatisfaction was not limited to traditional forms of democratic representation and bureaucratic decision-making (e.g., elections, plebiscites, local councils); it also extended to new

forms of citizen participation emergent during the 1960s and early 1970s, including the organization of protest through social movements.

Dienel (1978) argued that neither the new social movements, heralded by many of his contemporaries as a reinvigoration of democratic participation, nor the advocacy planning experiments, which were closer to his own enterprise, would be able to create the opportunities needed for meaningful citizen participation. In his view, the new social movements were too reactive in their motivations and too unconnected to administrative planning to serve as a stable platform for participation and rational discourse. On the contrary, these movements could ultimately lead to increased dissatisfaction with the system among citizens, while the need to attract attention to one's cause could create increasingly emotional and chaotic forms of manifestation (Dienel 1978: 52–58). Crosby and colleagues took an equally critical view of the results of the first two decades of the citizen participation movement, citing flaws such as a lack of representativeness, a lack of policy impact, and a lack of ambition regarding the required expertise levels and the scope of the decision-making processes addressed by citizens participation (Crosby, Kelly and Schaefer 1986). From this dual motivation – dissatisfaction with both the overall state of democracy and with current reform practices – came two remarkably similar solutions.

The central hypotheses forwarded by Dienel (and implicitly supported by Crosby and colleagues) was that a system-wide adoption of the Planning Cell or Citizens' Jury would substantially change the role of citizens in society. Rather than being divided between those who apathetically freeride on the benefits of democracy and those who, for various self-interested reasons, make a paid or voluntary career out of making themselves heard, a fully institutionalized participation format based on random selection would mean that every citizen would at some point participate in a deliberative process and, more importantly, would expect at some point to play the part of "citizen advisor". This expectation would in turn shape the image of what it means to be a citizen in general and, as such, would help change the parameters of the democratic crisis.

Dienel's hypothesis is well-aligned with the systems perspective and evaluating its merits would demand focusing not only on individual cases and methodology but also on the outcomes of the *democratic change project* of institutionalizing mini-publics. Along these lines, Peter Dienel's son, Hans-Liudger Dienel, and an international group of co-authors argue in a 2014 contribution that the spread of the Planning Cell countries across the world (even to non-democratic countries like China) has created an empirical basis for broader system-level evaluation (Dienel et al. 2014). The authors, however, seem to operate with a theory of change that moves via increasing professionalization and standardization (meaning shared standards for diverse practices, not homogenization) to institutionalization; that is, a bottom-up approach to the project of changing the role of the citizen in the democratic system. As such, their contribution ultimately becomes dominated by internal questions of quality assurance, which – while certainly pertinent – still leaves us with the questions: What would a system-level approach to institutionalizing mini-publics look like? And what kind of strategy



could bring it about? The three remaining parts of our story account for some of the attempts made at such an institutionalization of mini-publics.

## 10.5 1980s: The Consensus Conference and the Deliberative Poll

In the 1980s, the crisis of democracy manifested itself in the popular rejection of neo-liberal and technology-centric economic policies (OECD 1988; Glynos and Howarth 2007). What citizens demanded instead, inspired in part by the bottom-up mini-public experiments of the previous decade, was the right to participate in the decision-making by which economic and technological policies were designed and adopted.

In response, attempts at institutionalizing system-level CAs began to emerge in the late-1980s. CAs were perceived as potentially serving as valuable, consensus-building platforms supplementing the expert advisory functions already serving public decision-makers. Bringing citizens together with experts would produce new ideas and insights that could qualify policymaking. Two notable examples of this strategy were the Participatory Consensus Conference (hereafter: Consensus Conference) developed by the Danish Board of Technology (DBT) and the Deliberative Poll developed by Jeremy Fishkin at the Stanford Center for Deliberative Democracy. Both of these formats were formulated against the backdrop of rising opposition to government decision-making and sought to empower decision-makers to proactively avoid making decisions that would generate government-citizen conflict (Fishkin 1995; Vig and Paschen 2000).

From a systemic perspective, deliberative methods deployed as means for democratic governments to avoid conflict and navigate toward a national consensus on difficult issues such as technological change and structural transformation have been enduringly criticized for serving to co-opt citizens into supporting government policy (Joss and Durant 1995). But while such intentions on the part of officials making use of these methods cannot be disproven, the argument seems in a certain way to miss the entire point of the exercise: these methods, which bring ordinary citizens into traditional forms of government advice, could instead be seen as mechanisms for circumventing the interest group politics in which co-optation becomes a necessary part of the game. Precisely because participants are not there as representatives of the rest of the citizenry, mini-publics that advise public decision-makers provide a way for non-organized citizens to be heard amidst the growing noise of interest group politics (Goodin and Dryzek 2006).

## 10.6 1990s: Open Space Technology, Future Search, and the World Café

In the 1990s, newly recognized systemic challenges (e. g., global warming, biodiversity) shifted the perspective on the crisis of democracy. What came to the fore was the inability of policymakers to solve complex global problems, largely due to a lack of information and knowledge about the multitude of ongoing actions and interactions in society. In response, a new answer began to emerge to the question how (and why) system-level mini-publics could be institutionalized. Like Dienel (cited above), the inventors of Open Space Technology, Future Search, and the World Café sought to create “an alternative to establishment democracy”, i. e., another process for enabling collective community action. But whereas Dienel rejected the democracy of the affected in favour of randomly selected citizens' groups, the inventors of these methods leaned into the idea of mobilizing affected and concerned citizens and stakeholders and sought to provide methods for dialogue and deliberation that would avoid the chaos of competition between special interests. Inspired by theories of self-organizing systems (Wheatley 1992) and convinced that the alienation and lack of responsiveness produced by centralization begins at the heart of the hierarchically structured and silo-based decision-making process of democratic government (i. e., in the practical way meetings are organized and decisions are made), several groups of academics and practitioners set out to revolutionize the basic unit of rational planning and decision-making – the meeting – to better facilitate change processes (Saam 2004).

The methods discussed here are community-centric and therefore agnostic about whether they are deployed in connection to representative democratic institutions, grassroots organizing, or private corporations. For this reason, a debate can be had whether these methods strictly meet the definitional criteria for deliberative mini-publics or CAs. We have chosen to include them here, nevertheless, because the development and proliferation of these methods have played an important role in expanding the ways that practitioners and academics imagine what “democratizing democracy” can look like – especially when we look beyond the confines of advanced Western democracies (de Sousa Santos 2005).

Open Space Technology (OST) was invented (or “rediscovered,” as the inventors would say) in the preparation for the *3rd Annual International Symposium on Organizational Transformation* in Monterey in 1985. Their basic insight was that much more knowledge exchange and creativity took place in the coffee breaks of the symposium than in the planned activities. To make space for this creativity, the arrangers sought to make space for the self-organizing group intelligence of the participants by abandoning pre-planned schedules; instead, participants would show up and organize the three-day event themselves.

The Future Search Conference and World Café formats represent variations on the same theme and approach, the former emphasizing the “whole system” approach even more strongly, while the latter takes a more open approach to participant selection. In

the Future Search Conference, the objective is for a community of people united by having a stake in a complex and conflictual situation to find common ground and agree to proceed toward a shared vision of the future. Here, getting the “whole system” in the room is of particular importance because it is necessary to avoid scapegoating and to create a sense of mutual empowerment (Weisbord 1992). The World Café, on the other hand, has a more open-ended approach to participation in that the method does not assume the ability to identify clearly who the relevant stakeholders may be, especially regarding issues in the public sphere. Instead, the World Café would seem conceived to function as a space in which those choosing to participate in a workshop on a given theme are already representatives of the social networks existing around that theme. Facilitating the creation of novel ideas and plans for future actions to set change in motion among these participants is therefore already a way of setting those ideas in motion in much wider networks (Brown and Isaacs 2005).

The literature concerned with these methods tends to focus on their ability to instigate change through mutual learning and collective intelligence. In this respect, the methods are evaluated on the merits of serving as change engines for communities in a mode that cuts across public/private, professional/amateur, and top/bottom divisions. As such, they are obvious tools for collaborative governance *by* and *with* public institutions.

## 10.7 2000s – The Citizens’ Assembly (and the Constitutional Convention)

This brings us to the Citizens’ Assembly method, so named when it was first launched in British Columbia in 2003. Like the experimental methods of the 1990s, the invention of the Citizens’ Assembly format was motivated by the belief that maladies internal to the democratic system were to be blamed for (some of) the ills of society (Warren and Pearse 2008). But whereas the former wave of mini-public experiments had focused on overcoming the informal organizational practices and institutional silo effects that stood in the way of creative solutions to complex problems, the Citizens’ Assembly format focused on overcoming the lack of decision-making capacity that arose from the formal strictures of representative democracy. Commenting on CAs in British Columbia, Warren and Pearse (2008: 2) thus identify the motivation for this innovation as being a perceived “misalignment between citizen capacities and demands, and the capacities of political institutions to aggregate citizen demands and integrate them into legitimate and effective governance”. To overcome longstanding gridlocked policy issues and address societal challenges, democratic institutions would need to mobilize citizen resources.

In designing the method, the importance of achieving a legitimate connection to the representative democratic system was a key concern (entirely contrary to the utopic revolutionism of the methods from the 1990s). The Citizens Assembly method as de-

veloped in British Columbia is thus mandated by the legislature to produce recommendations for legislative change within certain scope conditions, such as remaining within the Westminster system and the Canadian constitution. This emphasis on the compatibility of the CA with the core values of the existing representative democratic system – e.g., representativeness, pluralism, evidence-based decision-making, and transparency – is clearly apparent in the design choices made. To ensure representativeness in a geographical and sociological sense, participating citizens are selected through stratified random selection and from the full list of registered voters. During the learning phase, participants engage with all sides of an issue, and stakeholders and citizens are able to give testimony regarding their preferences through an open hearing invitation in the “listening” phase. Any lack of clarity in the transmission of recommendations from the CA to the representative system (a drawback of many other mini-public designs; see Hendriks 2016) is eliminated by the demand that the CA produces recommendations for the adoption of a solution that can be decided on a straight “Yes” or “No” vote, and – in the British Columbia and certain other high-profile cases – that the decision is made by a popular referendum (see also the *Introduction* to this *Handbook*).

This latter feature is obviously also the one characteristic that raises the stakes for the entire process to a new level compared to earlier mini-public formats. On the one hand, a follow-up referendum puts the results of the deliberative process under a magnifying glass within the public sphere. The referendum thus provides a highly dramatized possibility that the perceived crisis of democracy embodied in the particularly gridlocked issue, which the CA is mandated to address, could be “solved” in one fell swoop. In the British Columbia case: if the first-past-the-post system seems to produce somehow “rigged” or unfair results, setting in motion a participatory process that ultimately involves the entire voting-age population in changing the rules of the game would provide a swift, specific response to the perceived injustice and thereby a breath of life to the meaningfulness of democracy. On the other hand, the sharpness of the will-they-or-won't-they moment can also potentially exacerbate the disappointment and subsequent backlash from participating citizens if change is rejected. We know from other participatory formats that such backlash can further sour citizens' views on democracy (Lindner and Aichholzer 2020).

For this reason and others, evaluations of the effects of mixed-membership versions of CAs are of particular interest (see also Harris, Farrell and Suiter in this *Handbook*). In the Irish Constitutional Convention of 2012–2014, a novel model was implemented in which 66 randomly selected citizens participated in the convention along with 33 self-selected parliamentary politicians. The purpose of this novel setup was to ensure two mutually reinforcing effects: firstly, to create a greater degree of realism in relation to what political parties would be able or willing to adopt as policy and, secondly, to thereby unlock the force of political parties being motivated to drive voters to the subsequent referendum. This innovation thus seeks to soften the sharpness of the encounter between the deliberative process and the party-political system as compared to the Canadian CA format.

From a systems point of view, the Irish mixed-membership variant of the CA format instantiates a “directly representative democracy” (Neblo, Esterling and Lazer 2018). This interactive form of democracy seems to some observers not only to hold the potential to overcome the “gladiatorial contests between parties and among highly organized interest groups” (Neblo, Esterling and Lazer 2018: 11) by allowing for productive citizen–politician dialogue; contrary to a zero-sum understanding of power and participation, it may also thereby strengthen the ability of elected politicians to exert political leadership (Sørensen 2020). How? By giving elected leaders a rational and considered mandate to act decisively; a mandate that comes without strings attached in terms of parliamentary *quid pro quos* or backroom deals with civil society supporters.

## 10.8 Conclusion and reflections

In response to the persistent crisis of representative democracy, the particular Citizens’ Assembly format developed in British Columbia and later refined in Ireland and elsewhere is the latest stem on a growing branch of democratic innovations, the family name of which is the deliberative mini-public. Over the last 50 years, the mini-public format has assumed many different guises sharing certain common features and motivations, although they also differ in important ways. The many academics and practitioners who have contributed to this development share the assumption that involving citizens in policymaking can reduce the political tensions in society, and they hold the view that institutionalizing deliberative arenas holds the potential to strengthen democracy. Over the years, empirical studies have documented how CAs are not always able to fulfil this potential. A systemic approach is helpful in pointing out how the degree to which arenas for citizen deliberations contribute to overcoming the democratic crisis hinges on how they are integrated in the larger democratic process. Institutionalizing such arenas as competitors to formal representative assemblies will tend to weaken representative democracy further; whereas building productive synergies between them will enhance the effectiveness and legitimacy of representative democracy.

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