Crowdsourcing the UK's constitution: why the status quo is not an option

By Democratic Audit UK   2013-10-7

*LSE's Institute of Public Affairs and Department of Law, and Democratic Audit have recently teamed up for a project which will crowdsource a UK written constitution. In advance of project launch event, **Jack Bailey** of the LSE Institute of Public Affairs and **Sean Kippin** of Democratic Audit explain why the current state of affairs is untenable, and how the process of crowdsourcing will work in practice.*

The framers of the (non-crowdsourced) US constitution (Credit: ElPadawan, CC BY-SA 2.0)

Every year, worldwide, five new constitutions are born. At their best, they are revered expressions of the values of the people that they govern, capable of uniting diverse nations around the principles and laws that they enshrine.

However, their existence is no guarantee of their effectiveness. To take an extreme example, Article 64 of the constitution of The People's Republic of Korea (North Korea), *"The State shall effectively guarantee genuine democratic rights and liberties as well as the material and cultural well-being of its citizens"*. Obviously, this is not a reflection of life in contemporary North Korea. For a constitution to be taken seriously, citizens need to be capable of holding their leaders to account in a meaningful way.

Despite the incredible leaps we have made over recent decades in information and communication technologies, constitutions are still almost invariably written by groups of "experts". Recently, Iceland, as a reaction to the financial crisis attempted a different approach and invited its citizens to participate in the writing of a new constitution. Unfortunately, the experiment failed with the election of a new band of experts who gained power and put a stop to it before it could be signed into law.

Typically, the UK's situation is even more unusual. We have no written constitution. Instead, we have a scattered collection of laws, conventions, and established practices that scholars piece together and describe as a 'constitution'. This state of affairs affords the country a great deal of institutional flexibility, but, as David Blunkett

says, it was "the powerful, those in the know, and the vested interests that determined what was, or was not, counted as part of the 'constitution'", rather than the public. With no defined values or principles, the UK is left to ponder how to tackle the problems that it faces, with invariable sluggishness.

Inspired by the spirit – if not the outcome – of the Icelandic experiment, the ConstitutionUK project aims to use social media and town-hall style meetings around the country to crowdsource a new written constitution for the United Kingdom that truly represents the values of our citizens.

The key to the legitimacy of this kind of project is the transparency, breadth and integrity of the process. It is not enough for us to draw solely on the expertise of a small clique of people, however qualified. This is everyone's constitution and not the exclusive preserve of the university educated, politically active or well connected.

To begin the project we have drafted a set of values – namely; equality of esteem, celebration of diversity, protection of freedoms, subsidiarity, a guarantee of human security, and the protection of the family. These will operate alongside principles that we feel embody the spirit of the United Kingdom; the rule of law, representative government, and respect for human rights. Participants in the project are invited to agree or disagree with our choices, but the values and principles that are eventually agreed upon will provide a framework for a new British constitution.

Therefore, it is important that you take the opportunity to make your voice heard now. After we finalise our values and principles at our launch event on 8th October, we will begin to cover each of them on our website and invite the public to comment and vote upon which points we should include in the new document. During this time, we aim to travel throughout the UK engaging with members of the public from different backgrounds.

Once this is complete, we will host a 'Constitutional Carnival' at the LSE in Spring 2014, where the public will use all of the information that we have collected online and from around the country to create a first draft. After this, we will then have around a year to complete the draft, again with widest possible input, launching the final version on 15 June 2015, 800 years after King John signed the Magna Carta at Runnymede. We are confident that we can improve upon the efforts of medieval barons, and we hope that you agree.

Constitutional reform is too important to be left to politicians, which is why we need your help. Our challenge is to find new ways of exploring democratic participation. If we want to have a constitution, and by extension a political system, that is a reflection of the values and principles of the United Kingdom, there is only one group of people that can create it – citizens themselves.

Shortened URL for this post: http://buff.ly/GCbc0x

Note: For more details about tomorrow's launch event, click here. Please read our comments policy before posting.

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Constitution UK is a trailblazing project that invites members of the public to participate in, offer advice on and eventually to draft a new UK constitution through crowdsourcing. Find out more here.