



Routledge Studies in Democratic Innovations

THE FUTURE OF SELF-GOVERNING, THRIVING DEMOCRACIES

DEMOCRATIC INNOVATIONS BY,
WITH AND FOR THE PEOPLE

Brigitte Geissel



The Future of Self-Governing, Thriving Democracies

This book offers a new approach for the future of democracy by advocating to give citizens the power to deliberate and to decide how to govern themselves.

Innovatively building on and integrating components of representative, deliberative and participatory theories of democracy with empirical findings, the book provides practices and procedures that support communities of all sizes to develop their own visions of democracy. It revitalizes and reinfuses the ‘democratic spirit’ going back to the roots of democracy as an endeavor by, with and for the people, and should inspire us in our search for the democracy we want to live in.

This book is of key interest to scholars and students in democracy, democratic innovations, deliberation, civic education and governance and further for policy-makers, civil society groups and activists. It encourages us to reshape democracy based on citizens’ perspectives, aspirations and preferences.

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Routledge Studies in Democratic Innovations

Representative democracy faces several major challenges in contemporary times. Two of the most prominent challenges are the problematic functioning of its institutions and the decreasing popular legitimacy of its decision-making process. The gap between citizens and institutions widens and has major impact on politics and society. This book series aims to bridge the gap between various perspectives on democratic innovations, and examines the determinants, functioning and consequences of democratic innovations from both a theoretical and empirical perspective.

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For the People

Brigitte Geissel

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Preface

How will people live together when they become self-governing? What might communities look like, when their members decide themselves about how to run their political affairs? These questions were and are the driving forces in my academic life. I am not the only one asking these questions. All over the world, citizens are searching for answers.

I completely agree with Jane Mansbridge's (2014, p. 8) insight that political science should "help human beings to govern themselves". This book goes further. It inspires citizens and communities to *develop their own vision of democracy* and to *decide* about the democracy they want to live in. It revitalizes and reinfuses the 'democratic spirit' often buried under layers of citizens' political dissatisfaction, distrust and anger. It reimagines democracy going back to its roots: Democracy is an endeavor by, with and for the people—to rephrase Lincoln's famous Gettysburg Address. It is visionary in the best sense of the word.

Why am I interested in visions? *Visions* were and are always guiding for me. They gave direction for my journey through life. I was brought up in a Catholic, working-class family in Germany—considered as uneducated and underprivileged by all standard definitions. My parents, who received only a primary education, were able to read and to write—with no clue about grammar, orthography or punctuation. As a woman from such a low-class family in the German conservative educational system, the probability of becoming a university professor was not much higher than zero. It was an unlikely dream. But my dream materialized. Dreams and visions can offer perspective and even sometimes come true. And I am convinced we need new visions of what might be, new dreams for better democracies.

And these visions must be based on the—refined—preferences of ordinary people. Also the politically least engaged can add substantive and important contributions. Let me give a personal example. My parents had a lot of knowledge and expertise, but none in fields that were considered important by highly educated intellectuals. In public conversations they rarely, if ever, opened their mouths about politics. Nevertheless, they had high moral values and a clear vision of the kind of community they wanted to live in. Their vision was of a fair and honest community, in which people would be treated

equal and feel responsible for each other, where giving and taking would be in balance. And they applied their ethical standards to themselves. They would have never cheated on taxes. And they considered community service as pleasant civic duty. When communities decide how to govern themselves, it is essential that also people like them, the ordinary, are included.

For those who may think the ideas presented here are naïve, I can assure you: This book is based on academic debate, empirical findings and profound expertise. It advances democratic theory and develops novel scenarios that are based on existing experiences. It discusses the potentials, advantages and disadvantages of old as well as new practices and procedures for political will-formation and decision-making. In other words, this book rests on facts combined with foresight.

This book makes an original contribution to academia as well as to citizens and communities thirsty for ideas on self-governing. The visions I present here rest on and simultaneously advance academic research. In that sense, this is an academic book contributing to research on the future of democracy and democratic innovations. It intends to shift the debate toward a *citizen-driven approach*. But it is not only an academic book. I have gone to great lengths to write it in a language understandable by nonacademic individuals. Although the academic contribution is crucial, it is not the final goal. The final goal is to encourage people to develop their own visions of the democracy they want to live in. I review theoretical debates and empirical evidence, I collect, evaluate and process knowledge in order to *provide well-founded and inspiring ideas for citizens and communities*.

This book combines and advances different threads of my research conducted over the span of my 30 years as a political scientist. During my academic life, I was always interested in questions of self-governing. I studied politicians and representation, social movements and civil society, deliberative practices and direct democracy, citizens' political critique and their democratic preferences. This book weaves these threads into a new frame, a frame that enables us to *comprehend democracy as a truly citizen-driven way of governing*.

Reference

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Many more networks, universities and research centers contributed to the development of my thoughts, e.g., the Ash Center for Democratic Governance and Innovation at Harvard University, the Standing Group ‘Democratic Innovations’ of the European Political Science Consortium (ECPR), the Center of Excellence on the Future of Democracy at Åbo Akademi (Finland) and the German Research Foundation (DFG) that generously funded several of my research projects on direct democracy, deliberation and representation. Brilliant colleagues and friends have inspired me during the journey of this book, and it is impossible to name them all without being accused of name-dropping. Special thanks go to Quinton Mayne, who is an endless source of inspiration and critical thinking. I also thank all the civil society organizations, policy-makers and citizens, with whom I discussed my thoughts.

This book is dedicated to my partner, my ex-spouse and my family. I am incredibly blessed to have you all in my life. Thank you so much for all your love and support.



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Introduction

A map of the world that does not include Utopia is not worth even glancing at.....

Progress is the realization of utopia.

(Oscar Wilde)

Today, democracy implies being governed by elected representatives. Unfortunately, this kind of democracy is not working well, and in some cases, it works not at all. Descriptions of the current crisis of democracy are filling libraries. The representative, party-based model of democracy is under threat. We are experiencing the highest level of political dissatisfaction since 1995 as a recent report covering over 100 democracies across the planet shows (Foa et al., 2020). While in the 1990s, about two-thirds of citizens were contented with the democracies in their countries, today a majority is frustrated. Trust in politicians and parliaments shrank dramatically. The gap between citizens and decision-makers widened considerably. Increasingly, parts of society feel excluded from democratic processes and bid farewell to politics. In extreme cases, as recently witnessed in the United States, citizens take up arms and storm their capitol! It is an understatement to say current representative democracy seems to be stuck in stagnation. The promise of democracy as a ‘rule of the people’ has gotten lost in the Bermuda Triangle of untrustworthy, unresponsive politicians, dysfunctional institutions of representation and disenchanting citizens (Fishkin & Mansbridge, 2017; Tormey, 2015; Van Reybrouck, 2016).

We are witnessing growing, sometimes even savage hunger for transformation. Citizens want democracy. But they want a democracy, which is concerned about their needs, interests and preferences. They want a democracy that is not limited to elections and party competition. They want a democracy in which they can actually influence political decisions (see Section 4.1).¹ These desires are the impetus for a *search for new visions*.

But it is not yet clear where the journey should go. What would a new vision for democracy look like? And how would it be realized? This book intends to help communities² to develop ideas about how to govern themselves. It

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does not advertise a certain political practice, procedure or model. It does not try to convince communities to stick with or desert electoral representation, to install deliberative citizens' assemblies, to introduce direct democracy or to opt for an expertocracy. It encourages communities to start a process of rethinking their democracy. It offers suggestions. You might call it a kind of '*democratic midwifery*' for creating new visions. Not just one, but many.

Visions are well known in the world of politics. In fact, substantial political change has always started as a visionary idea. The best example is democracy itself, which was not more than a vision 300 years ago. Thousands of people endorsed the dream of being included in political decision-making. They envisaged a system, in which citizens rule. The United States was built on a dream of a form of self-government that had not yet been implemented anywhere else before. Yet, the 'dreamers' were convinced that democracy would be a good thing. And they fought to make their visions come true. This book introduces new visions that I call Thriving Democracies.

From representative to Thriving Democracies

In general, democracy means the rule of people. A system is democratic, when it is oriented toward and driven by the preferences, interests and needs of all its people. These are the main promises of democracy. But how are these promises realized? Until recently, many citizens as well as scholars link—or even reduce—democracy to elections and party-competition. Some even consider elections and party-competition as the main characteristics of democracy. From this perspective, a political system is a democracy, when free and fair elections are held with the choice between at least two parties (see debate in Geissel et al., 2016; Marshall et al., 2012; Munck, 2016; Vanhanen, 2000).

This perspective is based on the theory of representative, party-based electoral democracy. According to this theory, citizens execute the rule of the people by electing a party. The existence of different parties allows citizens to choose which party aligns best with their preferences and interests. The elected representatives make decisions on behalf of the citizens. Thus, even though decision-making is firmly in the hands of politicians, citizens have control. This model seems logically convincing in theory.

But actual representative democracies do not necessarily function according to this logic. They are increasingly dysfunctional and outdated. The model of electoral, party-based representative democracy was developed in the 19th and 20th centuries. And it was adequate for the composition of societies in these times. Societies were divided along clear-cut cleavages, e.g., workers versus entrepreneurs or religious versus secular people. These groups shared common, specific, clear and unambiguous interests in almost all parts of life. Parties emerged out of these clear cleavages and acted as mouthpieces, transmitting the interests of 'their groups' to decision-makers. For example, the party representing the workers stood for better salaries and better working conditions as well as for a worker-friendly welfare-regime; the party

representing the entrepreneurs stood up for ownership rights, less protection for workers and a parsimonious welfare-regime (Lipset & Rokkan, 1990).

But these times are over. Societies are no longer divided along such clear-cut cleavages. Societies are fragmented and individualized. Being a worker no longer means belonging to a distinct and discrete group with common interests.³ Some workers earn good money, others struggle to make ends meet; some workers prefer a parsimonious welfare-regime, others want generous social policies; some want more money, others opt for more free time.

Since cleavages no longer exist as they did during the time when parties emerged, today parties can hardly represent distinct, discrete groups. The growing number of new parties, which often portray themselves as ‘non-party’ or ‘movement-party’,⁴ and their rising success prove the end of the above-described traditional model of parties emerging out of established clear-cut groups along enduring cleavages. France, Italy or Peru are just a few examples, where new parties are on the rise and even in the government. But the vastly changing party landscape cannot mend the disaster that most citizens neither feel represented by any party nor do they trust parties (see Chapter 5). The kind of electoral, party-based democracy we know today is a model of the past. Although recently a few scholars put new hope on parties and their contributions to well-working democracies (Biale & Ottonelli, 2019; Muirhead & Rosenblum, 2020), parties seem to be no longer sufficient to realize self-governing (Bonotti & Weinstock, 2021; see also, e.g., Invernizzi-Accetti & Wolkenstein, 2017). The crisis of democracy can hardly be solved by the renovation of established parties or the emergence of more and more new parties.

In order to address this crisis, many countries have launched and experimented with participatory reforms (Geissel & Newton, 2012). Participatory reforms are not completely new. In the 1990s, for example, many governments around the world introduced direct democratic instruments (Scarrow, 2001) and deliberative practices have been applied for two decades now (Dryzek et al., 2019; Fishkin, 2009). But recently participatory reforms and innovations are mushrooming and the OECD (2020a) even speaks of a wave of “innovative citizen participation and new democratic institutions” sweeping current democracies.⁵

Although these reforms may have great potential, I argue that they do not suffice to realize self-governing. Politicians and experts suggest reforms they consider as functional without asking what citizens actually want. For example, several reforms try to enhance the communication between citizens and representatives (Bedock, 2017; Neblo et al., 2018). But citizens might prefer to make some decisions themselves instead of only improving their interaction with politicians. And even when representatives move away from the pure representative form of democracy and embark on the journey toward more citizens’ involvement, power is seldom divided. Representatives decide about the direction of the journey and where it ends. A good example is the German state Brandenburg. State parliament had allowed citizens to

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initiate the recall of mayors with a rather low quorum of signatures but then raised this quorum substantially although citizens were content with the low quorum (Geissel & Jung, 2018). The reforms are not chosen, changed or cancelled on the basis of the democratic preferences of citizens and communities but based on the preferences of the political elite. The superiority of representative democracy and the monopoly of representatives remain unquestioned (see Chapter 6).

We need new visions for the future of democracy going beyond this monopoly. This book develops such novel visions, which I refer to as Thriving Democracy or plural *Thriving Democracies*. The term ‘thriving’ has two interconnected meanings, which enlighten our thinking about the democratic future. ‘Thriving’ means lively, flourishing, functioning prosperously. And ‘thriving’ also involves continuous progress. Few authors have applied the term Thriving Democracies, the most famous was probably the poet Walt Whitman (1819–1892). In his poems, Whitman portrays democracies as an ideal goal, which cannot be reached easily and quickly. Whitman assumes “democracy to be at present in its embryo condition” and thus “the fruition of democracy resides altogether in the future”. For Whitman, democracy is a long-term, forward-looking endeavor toward a dynamic, open, inclusive way of life, which serves all people.⁶ Advancing these ideas, democracy can only flourish when it is constantly improving self-governing based on the visions of communities and citizens.

But what exactly is my understanding of the term *self-governing*? Self-governing means that a community is governed by its own people. Self-governing is a continuous, collective activity. It starts with the *novelty that citizens and communities decide how they want to govern themselves* (Chapter 1). Self-governing is more than electing representatives, casting a ‘yes-or no’ ballot in a referendum or participating in a citizens’ assembly every now and then. It is at the heart of self-governing that citizens deliberate and decide about the tenets and the setup of the democracy they want to live in. Citizens agree on how to reach collectively binding and accepted decisions. In its core, *self-governing means that citizens and communities are the creators, authors and owners of their democracy*.

Furthermore, in contrast to terms like self-government or self-governance, the term self-governing emphasizes an *active, citizen-driven, dynamic character*. Self-governing is not about a static set of institutions as the term government insinuates, but an ongoing endeavor. Political will-formation and decision-making are *lived* by all members of a community. Citizens *determine and live their democracy*.

This approach implies that there is *no one-size-fits-all democracy* (similarly Saward, 2021). In the span of my 30-year career I have travelled to diverse areas around the globe, and I have learned that communities have rather different ideas about self-governing. Just a few examples: I lived in several parts of Germany (East and West), I worked in the United States and in Finland, I taught in Vietnam and I spent many months in numerous parts

of the world. People had developed very different visions of what democracy means to them, and how they want to govern themselves. For example, most Finns seem to feel at ease living in a representative democracy. In contrast, citizens in many US states are rather dissatisfied with representation. They want more direct say. And even for the most democratic Vietnamese, the Western concept sounds less convincing, and her idea of democracy involves unique aspects. My experiences go hand in hand with current debates that democracy means different things to different people and communities (Collier & Levitsky, 1997). Democracy is context-sensitive (e.g., Abromeit, 2004; Doorenspleet, 2015). Accordingly, also studies on the quality of democracy start to bid farewell to a uniform understanding of democracy. The most recent endeavor in this field is the Varieties of Democracy Project, which distinguishes several models of democracy existing in the world, mainly electoral, participatory, deliberative and direct democratic ones (Coppedge et al., 2020). Furthermore, current studies show that countries take different participatory trajectories (Geissel & Michels, 2017, 2018)—and this is not only true for states but also for local, regional and supranational communities. For too long, scholars have considered democracy as a system to be set up in a monotonous way with elections and party competition. But communities are diverse and want to govern themselves in diverse ways. When communities decide themselves, they will not develop in uniform ways.

Summing up: This book is about helping communities to identify the best way to govern themselves. It argues that it is our task as scholars to help communities in their search. This is the key argument, the recurring theme, the central thread woven through this book.

State of the art—what is missing

Of course, I am not the first and only scholar envisioning a better future for democracy. There is a long tradition of contemplation about alternative visions, starting with Aristoteles and many classical works like Pateman's (1970) *Participation and Democratic Theory* or Barber's (1984) *Strong Democracy*. Currently, publications on this topic are mushrooming. This comes as no surprise considering the current crisis of representative democracies. The question of how democracy can be reshaped is 'in the air'. We find an increasing body of literature on this topic but with significant gaps. This book is an attempt to close these gaps.

One shortcoming, most publications share, is their focus on specific practices or models as I explain below in more detail. Most works are more concerned about praising their 'favorites' than about helping communities to develop their own way of self-governing. They do not take into account that communities have different preferences, needs and resources—and that accordingly communities will opt for different options for governing themselves. For example, some communities might be happy with a purely

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representative setup, others want more direct democracy or more deliberative practices.

In the following discussion I sort and briefly analyze the existing state of the art. I structure the literature in three bodies—(1) grand normative visions, (2) praise of single practices as potential ‘redeemers’, and (3) studies comparing participatory practices—and identify their limitations.

- 1 Several scholars of democracy elaborate inspiring *grand normative visions*. For example, Christina Lafont advocates a “democracy without shortcuts” with a “long, participatory road” arguing vividly against decision-making by randomly selected citizens assemblies (mini-publics⁷). Helen Landemore promotes an “open democracy” favoring a government by mass leadership via “representing and being represented in turn” with “open mini publics” and randomly selected parliaments in the center. She imagines democracy as “lottocratic” rule combined with feedback loops with the public. Jane Mansbridge and others recommend “deliberative systems” with “nodes” and “multiple forms of communication”. Some scholars advocate a direct democratic model of democracy (see, e.g., Altman, 2011; Lupia & Matsusaka, 2004). Others argue for an agonistic model with continuous political conflict and contestation due to the pluralist interests in today’s societies (Chambers, 2012; Mouffe, 1999). Proponents of the representative party-oriented model praise elections and representation. Tormey (2015, pp. 132–146) advocates “creating impetus, resonances, clamour and turbulence”, to “act in ‘swarm’ or ‘crowd’ mobilizations”, to “create resonance” and to “diffuse power” in “democracy after representation”. Also Michael Saward’s (2021) work on *Democratic Design*, which promotes “a unique view of democracy through the lens of design thinking” and a “Democratic design framework” with “second-order modelling”, might fit into this body of literature.

These grand normative visions are important to widen our horizon. They are crucial steps on the journey toward self-governing. They are instructive yet more concerned about promoting a certain normative model of democracy. They describe one option, which they insinuate as a prescriptive end point.

But some communities might not want a “deliberative system”, “lottocratic rule” or “clamour and turbulence”. They might choose to be governed neither by deliberative mini-publics nor by randomly selected rulers. Some might opt for a more consensus-oriented setup, others might like the agonist model. For some communities, “lottocratic rule” might work fine; others might be much more satisfied with direct democracy. Yet, this body of literature does not, or only rudimentarily, include the perspective of leaving the decision of how to govern themselves to the communities. Due to the focus on one model, *these works don’t encourage and inspire communities to choose between different options to develop what fits best to their preferences.*

The second shortcoming of these publications is that normative grand ideas remain abstract, elusive and vague. They often do not provide concrete, practical suggestions for citizens and communities, what, for example, “deliberative systems”, “nodes”, “roads” and “turbulence” would look like in the real world of politics. For example, a community might like the agonistic model, but needs ideas for how to realize the model. Another community might find the model of ‘open democracy’ fascinating but needs more concrete suggestions for how to run all its political affairs accordingly. With few exceptions, these works are frugal about practices to be applied and connected or which (additional) novel public agencies would be required to make the grand visions work. Saward, for example, lists over a 100 practices, but it remains unclear how they could be combined to produce collective decisions. Landmore refers to the Icelandic participatory process of constitution-making as blueprint and Mouffe to agonist practices. But these suggestions cover only parts of the political world and say little about everyday political business. All in all, these normative, grand visions are brilliant and inspiring, but they do not deliver practical setups of how to put the grand ideas into practice.

- 2 Another body of literature puts its hopes on *single practices as potential ‘redeemers’*. Scholars promote social movements and protest groups (Della Porta, 2013; Della Porta & Diani, 1999; Tormey, 2015), deliberation and deliberative practices (Bächtiger et al., 2018; e.g., Curato et al., 2021; Mansbridge et al., 2012), referendums (Altman, 2015, 2019; Lupia & Matsusaka, 2004; Qvortrup, 2013), participatory budgeting (Baiocchi & Ganuza, 2014; Sintomer et al., 2016) or liquid democracy (Valsangiacomo, 2021). Authors like van Reybrouck (2016) and Hennig (2017) envision a democracy without politicians ruled by randomly selected parliaments or “multi-body sortition”. Gastil and Wright (2019) describe enthusiastically what legislature by lot could look like. Taylor et al. (2020) suggest to “reconstruct democracy from the ground up” with focus on “rebuilding” local political communities. Other scholars opt, in contrast, for an “epistocracy”, “technocracy” or an “expertocracy” putting their hopes on the knowledgeable and the experts (Brennan, 2016; see for the debate also Caramani, 2017). Hendriks et al. (2020) promote in their book in *Mending Democracy* everyday activities and describe, for example, the playful protest of the ‘Knitting Nannas Against Gas’.⁸

These works are exciting. However, like the body of literature on normative grand visions, they are less concerned about helping communities to develop their own way of self-governing. They overlook that communities might have different preferences, needs and resources. The approach of advertising the authors’ favorite practices is important and inspiring. Yet, communities need another kind of support in their search for the practices and procedures, which fit to their specific contexts.

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The second shortcoming of this body of literature, as Jäske and Setälä (2019, p. 2) rightly criticize, “is that both theoretical work and empirical studies ... focus on the merits and preconditions of one particular institutional device”. From my perspective, deliberative citizen assemblies, “multi-body sortition” or social movements—to mention just a few of such advocated practices—are useful components. But that is where it ends. Today’s large and complex societies can hardly be governed via mini-publics, referendums, playful protest, liquid democracy or participatory budgeting. More complex suggestions are required, which combine different practices in order to enable citizens to govern themselves (see Chapter 8).

- 3 Currently, we find an increasing body of *studies examining and comparing the impacts of several novel participatory practices* (Bedock, 2017; Elstub & Escobar, 2019; Geissel & Newton, 2012). These studies compare, for example, the advantages and disadvantages of deliberative practices versus direct democracy (Geissel & Joas, 2013), or they examine how specific procedures like participatory budgeting work in different communities (Ryan, 2021; Sintomer et al., 2016). They also assess why some participatory procedures succeed and others fail (Ryan, 2021; Spada & Ryan, 2017).

These studies are crucial for understanding the benefits as well as the disadvantages of existing innovations. Thus, they are very instructive for developing suggestions for Thriving Democracies (see Part C). Yet, these works have similar shortcomings to the bodies of literature discussed above. They focus on the perspective of scholars. They evaluate practices according to criteria developed by the authors. Some scholars, for example, consider deliberative quality or transferability as crucial criteria (e.g., Geissel & Gherghina, 2016). But communities might want to focus on other criteria, which they consider crucial in their context. A community might want to focus on inclusion since it is severely troubled by polarization. Another community is more concerned about good deliberation. And a third community might focus on effective problem-solving. Up to now, we know very little about the criteria, citizens and communities would like to be fulfilled or achieved via such practices. *We do not know, which democratic tenets they would pursue in their democracies and which practices and procedures they would consider as suitable.*

The second shortcoming of most of these studies is that they look at participatory practices in isolation. Only very few works examine, how these practices interact with each other and with the practices of traditional representative democracy (for this critique see, e.g., Rinne, 2020). For example, the introduction of direct democratic instruments in Switzerland changed the Swiss political system fundamentally. Yet, such interaction effects are seldom scrutinized. Finally, all these studies assess the effects of practices only in the context and under the roof of representative democracy (see Chapter 6). Yet,

communities might want to change their democratic setup fundamentally and, for example, govern themselves via deliberative and direct democratic practices. Few studies have tackled these challenges.

This short tour through the literature shows that *existing publications are less concerned about citizens' and communities' democratic preferences*. Scholars (and other experts) seem to be very convinced of their grand ideas and their favorite practices. They often try to persuade their readers that their ideas are the best to build a better democracy. But such paternalistic attitudes are problematic. A citizen-driven approach is necessary, which supports communities free from bias in their search for their own way of self-governing.

Helping communities to govern themselves—the objective of this book

This book fills this gap. Going back to the roots of democracy; it *aims at helping communities to govern themselves*. It is based on the conviction that citizens and communities should decide about the democracy they want to live in—with a long, ongoing and never-ending process (Chapters 1 and 2). It envisions reshaping democracy from scratch based on citizens' preferences. In order to encourage communities in their search, this book provides a multifaceted plethora of suggestions and offers advice for successful choices.

The proposals presented in this book are not carved in stone and do not serve directly as blueprints. They cannot be transformed into reality in a copy and paste manner. They must be adapted and adjusted by communities according to their specific preferences, needs and resources. This book does not try to convince communities to decide for or against a certain practice or procedure. All in all, this book *invites readers to start a process of reconsidering their democracy*. It encourages and *sets free creative thinking without internal censorship, mental roadblocks and blinkers*. It intends to inspire.

What exactly should the search for 'another democracy' include? Democracy consists of *tenets* on the one hand and of '*operating*' setups for making the tenets come true on the other hand. Or, as Saward (2021, pp. 67–68) put it: “These are the two fundamental building blocks ... of democracy”. Tenets depend on setups, and vice versa.

In its attempt to push the democratic project, *this book covers and integrates visionary principles and tenets as well as visionary setups with practices and procedures through the lens of citizens' perspectives*. Accordingly, it refers to conceptual literature on democracy, works on participatory innovations and studies on citizens' conceptualizations of democracy. It integrates components of representative and participatory models of democracy in novel ways, while considering none as the predominant 'hegemonial' one (see Box 5.1). It presents one of the first comprehensive synthesis of a wide range of works from neighboring yet distinct academic (sub-)disciplines as well as real-life experiences, which it innovatively connects.

The principles, tenets, practices and procedures proposed in the following pages can be applied in political communities at all levels (local, national, supranational). This book offers suggestions that support communities of all sizes to develop their own visions. Although we do not have sufficient empirical knowledge about effects of all practices and procedures at different levels and within different contexts, we know enough to make inspiring proposals.

Legislative self-governing and ‘democracy as a way of life’

This book focusses on self-governing in legislation. But what about democracy as way of life? Isn’t democracy more than making legislative decisions? *I am convinced that we cannot achieve a democratic way of life without legislative self-governing and vice versa.* The relationship between legislation and way of life is a symbiotic one in the best sense of the word. Each can only thrive when the other one thrives as well. It is literally impossible to imagine self-governing as a way of life without corresponding legislative procedures. Legislative self-governing is the prerequisite, the expression and the manifestation of the democratic way of life. And the democratic way of life is the prerequisite, expression and manifestation of legislative self-governing. A positive example is a community, in which its legislative self-governing matches its way of life. Citizen involvement in collective will-formation and decision-making is realized in nonpolitical spheres, in kindergartens, schools, universities, families and workplaces. A negative example is a community trying to live a participatory way of life but impeded by a purely representative legislative system with only few options for participatory input. Its legislation is almost opposite to the participatory preferences of the community—preventing the members to live democracy the way they want. Democracy as a way of life and democracy as legislative self-governing depend on each other; each *cannot exist without the other.*

Box 0.1 Will-formation in Thriving Democracies—refining individual and collective preferences

The term will-formation might sound unfamiliar to some readers. It is often used in a philosophical context; for example, Jürgen Habermas has emphasized discursive will-formation between and among citizens as crucial for democracies. The term highlights the formation of the political ‘will’ of individuals and within a community.

In the context of this book, I define all political activities that seek to express and to *refine* preferences, as will-formation. Practices for individual will-formation as well as practices aiming to achieve collective will-formation of a community are explained in more detail in Chapter 7.

Thriving Democracies in consolidated democracies

Thriving Democracies rely on essential prerequisites, which are warranted only in consolidated democracies. Why? First, consolidated democracies are of course not perfect but most of them have realized a certain level of democratic core elements, i.e., basic human rights and civil liberties like minority protection and political equality. Not all rights and liberties are fully achieved in consolidated democracies, as the Amnesty International Report (2020/2021) clearly demonstrates. But most consolidated democracies are at least formally committed to function according to these values. Thriving Democracies can only flourish in communities, which have established these values. Second, Thriving Democracies require a certain level of economic development. Only when basic needs are met for most people living in a community, they do have the time and energy to realize self-governing. In other words, Thriving Democracies probably work best in middle- and high-income countries. Third, in consolidated democracies citizens already have experience with some democratic features. Thriving Democracies function better when a community has reached a certain level of such democratic competencies, which include the ability to comprehend basic political issues, to be tolerant against people with other opinions, to endorse democracy as best way of organizing communities, and to fully support human rights and liberties (see also Section 4.2). I will refer to these topics in more lengths throughout this book.

Outline of this book

This book is divided in three parts consisting of three chapters each and the conclusion. Part A lays out the *three principles of Thriving Democracies*: The first principle, namely ‘citizens decide on how they govern themselves’ (‘citizen-driven’), is the core and the heart; the second and third principles derive from this principle. The second principle states that citizens monitor the continuous adaption of their democracy. Speaking in jurisprudential terms, the first principle is about the constitutional moment and the second one about renewal and adaption. You might call the second principle the temporal advancement of the first one. The third principle stipulates that citizens’ refined will-formation is tightly coupled to decision-making. These principles are elucidated in the first three chapters. The principle ‘citizens decide on how to govern themselves’, i.e., the citizen-driven constitutional moment, is explained in detail in Chapter 1. The striving for adaption, which involves continuous overall monitoring of the quality of democracy, is spelled out in Chapter 2. Chapter 3 elaborates why citizens’ preferences should be refined and feed systematically into political decisions.

Part B discusses *why existing democratic systems fail to realize self-governing*. Chapter 4 elaborates on citizens’ democratic preferences as well as their competencies to govern themselves. Chapter 5 summarizes empirical findings on what established practices, applied in representative democracies,

contribute to achieving self-governing. It demonstrates that they are not sufficient. Chapter 6 is devoted to existing participatory experiments implemented to enhance and deepen current democracies. It points out the shortcomings of these experiments and recaps the lessons learned, which inspire the chapters in Part C.

Part C delineates *visionary setups* conducive to realize the principles of Thriving Democracies and the specific tenets of communities. It introduces established as well as novel practices for citizen will-formation as well as for decision-making (Chapter 7). Then, it suggests a variety of procedures for making decisions on different legislative subjects (Figure 8.3) through connecting these practices (Chapter 8). Finally, it proposes new public agencies⁹ and legal norms necessary to make the practices and procedures work smoothly (Chapter 9). The conclusion summarizes the findings and gives an outlook.

You might read the book from the beginning to the end, since the chapters build on each other. But you might also skip a chapter and focus on those parts, which are of most interest to you. Whether you are interested in theoretical considerations (Part A), in empirical findings (Part B) or in foresight scenarios (Part C), you will find plenty to fit your taste. I made every attempt to make the book an easy read for readers with various interests.

Boxes in the text contain specific information for readers with special interests. Some boxes provide *conceptual clarifications*. Many concepts developed in the context of representative democracies need to be redefined for the context of Thriving Democracies. For example, accountability is defined in representative democracies as a relation between the representative and the represented. However, this definition is useless in Thriving Democracies, where citizens govern themselves. Therefore, I develop an understanding of accountability that is more suitable for self-governing (Box 1.5). Such conceptual clarification might be inspiring for readers with a taste for such but maybe not for all. Other boxes inform about *specifications on practical arrangements* suitable for Thriving Democracies. For example, I discuss, how the randomly selected parliamentary chamber could be organized (Box 7.4). These boxes might appeal mainly to readers with interests in practical implementation. Readers might check, which boxes they want to read according to taste.

Box 0.2 Citizens, citizenship and political participation rights in Thriving Democracies

Today, the term ‘citizens’ refers to human beings, who are native or naturalized members of a state. Being a member of this state goes along with certain duties as well as rights. The right to participate in most political practices, specifically to take part in elections, depends on citizenship.

In contrast, within Thriving Democracies, the rules for citizenship and for entitlement to participate are decided by the communities themselves. Thus, decisions as to who is entitled to be engaged in political will-formation and decision-making remain in the hands of the communities. Some communities may only allow political involvement for native or naturalized members of their state; other communities might link involvement to the living or working within its borders for a certain number of years. For example, one community might enfranchise all people, who have been a resident for three years or more. Another community might allow only people with citizenship to participate in decision-making while allowing everyone to engage in practices of will-formation.

I apply the term ‘citizen’ synonymously with the term ‘people’ in the sense of “inhabitants of a particular place”—not in the restrictive sense of “a legally recognized national of a state” (OECD, 2020b, p. 4).

In the next section I exemplify a *visionary Thriving Democracy*. In the current democratic crisis, such novel visions can serve as lighthouses showing the way. The following lines illustrate what a future citizen-driven, self-governing community might look like. In this community, citizens had been dissatisfied with representation. They started to search and came up with a new vision. They opted for a democratic setup, which gives large parts of political will-formation and decision-making back into their hands. This setup is not carved in stone but striving for continuous adjustment.

A visionary Thriving Democracy

Happy to be chosen as a member for the randomly selected advisory citizen assembly (mini-public, Figure 7.3) on constitutional amendments, Hannah cannot wait to get going. She was always interested in politics and is involved in many political activities within her community. During the transformation from a representative democracy to a Thriving Democracy, she and her fellow citizens were engaged in drafting the new constitution. It was an overwhelming feeling to deliberate and to decide about how the community wants to govern itself. And for Hannah, politics became an important part of her life. Now she is thankful. It feels like being a lottery winner—she will be a member of the assembly on constitutional amendments. Like all mini-publics, this assembly is advisory and will produce recommendations, which are then decided via the *Multi-Issue Referendum* (Figure 7.4).

Her neighbor, Rada, has recently received an invitation to participate in the mini-public on the passionately debated question of how to restructure the health system. Rada has not been involved in this debate and in fact has never

given the health system much thought. But she is aware that the well-being of her family and her fellow citizens depends on a good health system and wants to make sure that all needs are considered.

Hannah's sister Aayan was selected for a so-called *multilevel mini-public* on how to render public transportation in the country more sustainable. She deeply cares for this issue and is enthusiastic about learning more. Since the mini-public is set up as a multilevel procedure, the recommendations made by 'her' local mini-public will be transmitted to the regional and then to the national level via delegates. She hopes to be elected as a delegate of 'her' mini-public (Figure 8.2). Citizens will decide the recommendations via the Multi-Issue Referendum.

Within the community, being selected for a mini-public is as normal and popular as any other political or social activity such as signing a petition, singing in a chorus or joining a sports club. Many members of the community have already participated in a mini-public, some even twice or three times. After some troubles, current employers support the participation of their employees in mini-publics because the involvement has positive effects. At the beginning of the transformation, employers opposed random selection. They complained about their costs due to work losses. But absence from work is compensated and thus the loss for employers is minimized. At the end employers recognized the benefits: The employees, who participated in one of the mini-publics, learned how to argue, how to listen and how to compromise. These abilities are useful also in the workplace. Similarly, spouses, partners, friends and family members enthusiastically welcome such invitations to their beloved. Serving as a member in a mini-public improves the ability to solve everyday differences and conflicts. It helps to stay calm as well as attentive. It improves the ability to develop solutions acceptable to all involved.

Not only deliberating in mini-publics, also casting the ballot in a newly developed voting practice, the *Multi-Issue Referendum* (Figure 7.4), is a standard procedure in the community. The Multi-Issue Referendum allows one to vote on and to rank many legislative subjects at the same time. The last ballot sheet contained more than 30 suggestions for a variety of topics, e.g., on two constitutional amendments, one concerning more environmental protection and the other one improved animal rights, as well as on laws concerning minimum wage (three options: \$15 per hour, \$12 per hour, none) and same-sex-marriage (three options: yes with equal rights to heterosexual marriage, yes with less rights, no). Voters can prioritize these subjects by ranking each with zero to three votes. Subjects, which are important to a voter, get three votes, less important ones get one or two votes and ones not important get zero (see Figure 7.5). *Multi-Issue Referendums* refer to local, national, supranational as well as international topics. For each level, one *Multi-Issue Referendum* takes place once per year.

Zacharias casts the ballot at all *Multi-Issue Referendums*. Voting is demanding—with so many legislative subjects at stake. It always takes some

time to make up his mind. But after debates with friends and colleagues, after reading some of the information material provided by the community, he knows exactly what he wants. All in all, voting in Multi-Issue Referendums turned out to be a fascinating endeavor. It helps to refine his preferences, to get his thoughts straight but also to learn about other perspectives in preceding discussions.

Fortunately, in his community it is easy for citizens to *initiate and influence legislation*. Citizens can try to suggest a novel bill and to reject an existing law by putting the subject on the ballot sheet for the Multi-Issue-Referendum. A variety of channels are provided for such attempts. The petition is among the most popular channel: When the number of signatures passes a certain threshold, the suggestion is automatically put on the Multi-Issue-Referendum—of course only if it is in line with human rights and civic liberties (see Chapter 1).

The community has also started to experiment with different *online tools* and tested some of the ideas praised by proponents of *liquid democracy*, e.g., the issue-specific delegation of voting rights to other citizens or to members of parliament. But since community members have so many options of raising their voice and making decisions, the delegation of voting rights turned out to be less attractive for most citizens.

Kofi is happy to live in a community dedicated to self-governing with abundant citizen involvement. But sometimes he feels overloaded with all his obligations at work as well as in his family, his training for the next triathlon and the political duties. When it turns out that his parents need daily care, he decides to cut down. Political duties just do not fit into his day—for a while he opts for a temporary political withdrawal. He does not take his decision with ease. He feels responsible for the community, in which his children are growing up, and he wants to be involved in its developments. But there is no other way. He just hopes that the situation will change soon.

Roxanne, who has been a *member of the elected parliament* for many years, has mixed feelings about the transformation of her community. On a personal level, the transformation has served her well. Within the old representative system, as a politician she did not receive much respect or appreciation. Her fellow citizens did not trust her, and some even accused all politicians sweepingly as being corrupt. After the transformation, these critical attitudes have changed. Today she is a well-respected member of her community, an accepted advisor and interlocutor.

However, on the political level, Roxanne sometimes mourns over the loss of decision-making power. Before the transformation, the parliament had the monopoly to decide. It is not always easy to accept that these times are gone. For example, she had strongly argued in favor of high minimum wage and is deeply disappointed about the outcome of the referendum, which had decided for a medium minimum wage. She cannot understand that her favored policy failed after all the debates. She hopes that public opinion will change in a couple of years and then citizens will vote for a higher minimum wage. In this

sense, she sometimes misses the old days. But she knows that the transformation toward a Thriving Democracy was necessary. And the elected parliament is still responsible for the everyday business of politics and can decide on non-salient issues (Figure 8.10), together with the randomly selected chamber of parliament.

Quenton was recently selected as a member of the *randomly selected chamber of parliament* (Chapter 7). During the transformation toward a Thriving Democracy, the community had agreed to add a randomly selected chamber to its elected parliament. The elected parliamentary chamber did not mirror the composition of the community—the well-off and the highly-educated always dominated. To balance this bias, the community opted for a selected chamber, which includes all social groups. Members of the elected and the randomly selected parliamentary chambers share the same rights and duties. And both receive the same salary. Several mechanisms are installed to ensure that lazybones, rascals and incompetent people are excluded. Recall is one of these mechanisms (Chapter 7) and it had to be applied several times. Quenton, however, is sure to do a good job. He was always involved in politics. But there is no party that aligns with his interests. And he is not the type of person to deliver stirring, elaborate speeches. Thus, he did not pursue a career within party politics. He is now thrilled and proud to serve the community as a member of the selected parliamentary chamber.

Years ago, the community had decided to realize self-governing via intelligent dovetailing, concatenation and interlinking of different practices with adaptable flexibility. Novel practices like advisory mini-publics, the randomly selected chamber of parliament and the Multi-Issue Referendum are now combined with traditional practices such as interest groups activities, elections and the elected chamber of parliament (see elaboration on the term practice in Box 5.1).

During the transformation of the community toward a Thriving Democracy it turned out that existing public agencies did not suffice, and novel ones were installed (Chapter 9). The *Coordination Office*, for example, is now in charge of organizing and coordinating all the political practices and procedures, from mini-publics to Multi-Issue Referendums. The *Committee for Monitoring and Evaluation* scrutinizes, whether the applied practices and procedures contribute to realizing the democratic vision of the community. This Committee was busy at the beginning of the transformation. Each practice had to be evaluated. For example, elections had turned out to be rather skewed—young people had almost dropped out. The Committee suggested mobilizing strategies to activate the young nonparticipants.

Not only the political system of the community transformed significantly. Also, the *members of the community went through complex processes of learning*. It took a while until all citizens understood that they have a say, that their votes count and that their decisions directly and profoundly influence their lives, the lives of their children and of their fellow citizens. The learning effect evolved over time. After participation in several mini-publics

and Multi-Issue Referendums, finally all citizens became aware that they are responsible for what is going on in their community. A wrong decision might cost not only a lot of money but set the direction for the next decades. Therefore, community members try to stay updated on political issues. They make up their minds based on balanced information on each legislative subject at stake. Information is offered on multiple channels and keeping up with politics is a matter of course.

Not all members of the community were enthusiastic about the transformation from the beginning. Members of the elected chamber of parliament, such as Roxanne, but also other groups were skeptical or even opposed the transformation fiercely. This opposition was fueled by different fears. Resourceful groups and individuals feared that their influence on policy-making would disappear. They were used to having direct access to political decision-makers. They knew that their interests were considered and that policies were mostly benign to them. With the democratic transformation, they worried about diminished influence. Thus, they fought against the transformation with all their strength. However, their resistance was futile. Today, they realize that the community works much better than before and that they benefit from the transformation. They can no longer push through their interests with ease as they did before. But they became well-respected, esteemed members of the community, which partly compensated for the loss of easy political impact. Also, the increased trust among all community members, including resourceful groups, improved performance not only in the political life but also in the economy.

A few ordinary citizens opposed the democratic transformation for other reasons. Some did not feel competent and worried about the new tasks. But then their actual experience ended up with the discovery that discussing politics is not rocket science. They also learned that it is crucial to add their specific perspectives to the process of policy-making. *They understood that their perspectives are forgotten, if they don't feed them into the political process.* Other citizens were afraid to be bothered with political affairs because they had no interest. Over time, they learned that politics is not a detached business but influences their daily life. Thus, *they started to grasp that getting involved actually makes their lives happier.*

The community has developed tremendously since it bid farewell to the old system of party-based electoral, representative democracy and transformed to its new citizen-driven way. All members are proud of living in a Thriving Democracy. They remember with disgust the times before the transformation, when most citizens were stuck in political distrust—a time when they lamented about the supposedly uncaring ‘political elite up there’, ‘the established parties’, and the ‘top brass’. Luckily, those days are over. New procedures for refining public opinion and for decision-making as well as novel agencies were installed. All these activities need time and resources, but time and resources are well invested. The new system saves a lot of money for several reasons: corruption goes down, compliance raises, protest

diminishes significantly, unnecessary elite-driven projects are thwarted, less law-enforcement agents such as police officers are needed. And what is most important—the *spirit of democracy is revitalized*.

Democracy has truly become a way of life. The transformation influenced every part of the community. Kindergartens, schools as well as universities and even workplaces became more open to citizen participation and involvement. Children learn in kindergarten, how to make up their mind, how to discuss, how to compromise and how to decide collectively. This approach continues at schools and at universities. Since the members of the community got a deeper understanding of politics, also their leisure activities adapted. Interest in political issues increased substantially. Community Colleges took up the development and offered classes for ordinary citizens on topics like community organizing or democratic innovations. Self-governing has become involved in all areas of life.

Of course, not everything is perfect. Some people, like Kofi, feel temporarily overburdened—they prefer to focus on other parts of their lives for a while. Some citizens, who were selected for a mini-public or for the selected chamber of parliament, feel overloaded. They are in a stressful phase in their life and cannot get involved in more time-consuming duties. Rejecting such invitations is fully accepted. The community agrees that political involvement is just one aspect of life and that it cannot always be the prioritized one. At the same time there is overwhelming consensus that nobody wants to go back to the old days, when the well-educated, well-off, older men had set the tone. As soon as participation becomes skewed toward these ‘usual suspects’, practices are adapted. The community has agreed to assure that participation is inclusive, i.e., all groups and interests are to be included.

The transformation to a Thriving Democracy worked well in this community. But every community is embedded in larger communities—villages are embedded in states, states are embedded in nations, nations are embedded in supranational units (Chapter 9). A local community cannot decide all issues, some issues are assigned to be decided by higher levels, e.g., by the state. The community learned that *multilevel democracy* is not just an academic concept but relevant for their lives (Figure 9.1). For example, it had provided everybody living in the community for more than three years the right to participate in all elections and referendums. But the state, to which the community belongs, had given suffrage only to people with citizenship. At first, these different regulations seemed to involve some chaos, but at the end implementing them was just a matter of careful organization.

The transformation did not mean that the community always found consensus on every legislative subject. Quite the opposite. Conflict between interests is the default. From time to time conflicting interests collide even heavily. But the community had agreed on procedures for achieving collectively accepted decisions. It was a long journey to reach consensus on *how* to govern themselves—and how to handle conflicts and contradicting interests. But it was worth it.

Today, nobody wants to go back to their old system of representative democracy. All members of the community feel that their lives are so much livelier now, they are much happier than they were in the old system. Gaining the opportunity to take their life into their own hands, raised their happiness considerably. And they are grateful for living in a thriving, lively, and fair community.

Notes

- 1 Of course, communities could aim at self-governing in general, not only considering political affairs, for example, at workplaces (Pateman, 1970). But this book focusses on the political sphere, which has, however, the potential to influence other realms of life.
- 2 A community is not limited to any scale or size. It can be a local village, a country, a continent or the ‘world community’.
- 3 Also, current ‘identity-creating’ groups only share interest in a few parts of life. For example, members of the LGBTQ* community—lesbians, gays, bisexuals and the variations of trans-people—have some similar concerns. But they are certainly not homogenous. Some are rich, some are poor, some are workers, some live from social security, some own companies. It is impossible to represent all interests of all LGBTQ* members in toto. Thus, it might not come as a surprise that political parties representing exclusively and explicitly LGBTQ* people have not succeeded, for example, Ladlad in the Philippines, the Gay Party in Italy, or the Australian Equality Party.
- 4 Some authors claim that movement-parties “promise to deliver a new politics supported by digital technology; a kind of politics that ... professes to be more democratic, more open to ordinary people, more immediate and direct, more authentic and transparent” (Gerbaudo, 2018). But the empirical evidence of these claims is still to be provided.
- 5 See also <https://participedia.net/>; <http://politicize.eu/>; <https://oidp.ne>
- 6 See https://whitmanarchive.org/criticism/current/encyclopedia/entry_429.html, accessed June 2021.
- 7 Mini-publics are generally defined as randomly selected, carefully designed groups of citizens. They are organized in three stages, i.e., information, deliberation and agreement on recommendations. The participants engage with the support of moderators in open, inclusive and informed discussions (Figure 7.3).
- 8 <https://knitting-nannas.com>, accessed March 2022.
- 9 In political science, the term agency is defined in different and even opposing ways. Some authors use the term synonymous with institutions, others define agency as actors with certain competences and abilities. Here, agency serves as an umbrella term for public institutions such as governmental departments or administrative bodies.

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Part A

Principles of self-governing

Democracy is the government of the people, by the people, for the people.
(Abraham Lincoln, Gettysburg Address, 1863)

Although not everybody might agree with my concept of democracy as citizen-driven self-governing, everybody would probably agree that democracy means some form of self-government. Most democratic constitutions prescribe *'the rule of the people'* as their essential principle. Yet, when it comes to spelling out, what the 'rule of the people' involves and how it can be reached, ideas and opinions could not be more diverse. Rule of the people is a compelling promise but detailing what it means is highly contested. Is it 'the rule of the people' when a 51% majority of a community decides? Or when 51% of the elected parliamentarians agree on a bill? Scholars have struggled with the concept of 'the rule of the people' for quite a while.

Let us start with two opposing understandings. Jean-Jacque Rousseau was probably the scholar who might have had the least problem with the meaning of 'the rule of the people'. In his works, the *'volonté générale'*, i.e., the general will of a community, just exists. Collective will-formation and decision-making are uncontroversial due to the a priori existing *'volonté générale'*.

Whenever men who have gathered together, consider themselves as one single body, they will have only one will, dedicated to the preservation of the community, and the general well-being. Then all the actions of the state would be vigorous and simple, its maxims clear and luminous ... the public good would be evident everywhere and would only need common sense to be apprehended.

(The Social Contract. Jean Jacques Rousseau, 1762)

As Manin (1987, p. 343) explained, in Rousseau's concept a minority opinion is possible, yet "nothing but a mistaken opinion about the general will". From this perspective, self-governing can be implemented easily. Communities have a common will and agree easily on collectively binding and accepted decisions in consensus.

Three centuries later and completely opposing, Weale—in line with most scholars—insists that a ‘*volonté générale*’ does not exist. Weale even goes so far as to state that anything like “the will of the people” is a myth “just as there are no such things as unicorns, flying horses or lost continents called Atlantis” (Weale, 2019, p. 9). Accordingly, we must consider self-governing as a highly complicated endeavor. Since there is no collective will, we might assume decision-making with collectively accepted decisions as rather implausible—such decisions are by default endlessly contested.

What can we learn from these considerations for Thriving Democracies? Rousseau’s idea is unrealistic, because it is based on a kind of magical consensus-building within a community—surely impossible in modern pluralistic societies. In contrast, authors like Weale seem to throw the baby out with the bath water. Without doubt, there is no a priori will of the people. But contrary to unicorns, such a will must emerge somehow in order to make democratic decisions possible. Whereas most people would easily agree that unicorns do not exist, democracies are built on the notion that something like the will of the people exists—constitutions in most democracies refer to something like ‘the will of the people’. It cannot just be a negligible myth. But what is it?

Elite-oriented scholars solve the problem elegantly. Authors like Fraenkel or Schumpeter take it for granted that self-government is impossible in its literal sense. They emphasize representation by wise elected politicians, who can shape, discern and materialize what is best for the people. From this perspective, authoritative decisions by representatives are required, because only they are competent to balance the competing interests within a society and to act on behalf of the people (Fraenkel, 1974; Mosca, 1950; Schumpeter, 1976). Accordingly, the term democracy is framed as a method for choosing representatives with elections and representation as the best tool.¹ Citizens should elect their leaders but should not take the wheel themselves. These scholars are not really concerned whether the tenets and the setup of a political system (or policies) reflect citizens’ preferences. They consider citizens as a kind of mass that must be managed and ruled by the political elite. Will-formation of citizens is rather neglected and there is not much thought about how to feed citizens’ preferences into decision-making beyond elections and interest group involvement—let alone allowing citizens to decide about their democracy. This is all the business of the political elite.

In the last decades, advocates of participatory democracy like Benjamin Barber and Carole Pateman, constructivists like Lisa Disch, deliberative theorists like John Dryzek or Christina Lafont joined the game with novel conceptualizations (Barber, 1984; Disch, 2011; Dryzek, 2009; Lafont, 2020; Pateman, 1970). Citizen engagement in *inclusive, collective will-formation and decision-making* are increasingly conceived as the most appropriate means to develop and implement the rule of the people. These authors insist that citizens’ preferences, refined via a variety of practices, should be connected

to decision-making. They suggest novel ways to approach the question of how to develop and to identify what citizens and communities want (Altman, 2015; Holdo, 2020; Landwehr, 2015; Warren, 2017).

This short tour through some discussions on ‘the rule of the people’ illustrate the starting point for developing the basic principles of Thriving Democracies. However, the principles discussed in this book go beyond these debates, because *they put citizens in the center in a more radical way.*

Principles of Thriving Democracies

The first principle is the foundation of Thriving Democracies and postulates that *citizens decide how they want to govern themselves.* Principles two and three are based on this first core principle. Self-governing realizes the original promise of democracy. It gives political authorship and ownership² back to the citizens. It goes far beyond the current model of electing representatives with a few options for citizen involvement, e.g., a participatory budgeting process here or a referendum there. The decision as to what kind of democracy they live in lies in the hands of the citizens. In Thriving Democracies citizens are the center of democracy from the outset. Thriving Democracies apply the principle of self-governing to democracy as a whole with its tenets and setups. I will explain this principle in detail in Chapter 1.

Based on the citizen-driven approach, the second principle comes into play, *the principle of continuous adaption and improvement.* It recognizes that self-governing is a process. Thriving Democracies are open to and strive for continuous adaption to changing societies, needs and preferences. They are aware that democratic setups can never be carved in stone. Citizens monitor and evaluate the chosen democratic setup continuously—and also check whether democratic tenets require rediscussion. If dysfunctional practices or procedures are detected, improvements are suggested. As mentioned above, we might say that the first principle—in jurisprudence terms—refers to the constitutional moment; the second principle ensures that this principle of self-governing is implemented in an ongoing process. This second principle is elaborated in Chapter 2.

The third principle stipulates that within Thriving Democracies, *decision-making is tightly connected to refined citizens’ will-formation.* I apply the term ‘refined’, because the principle does not mean responsiveness to ‘raw’ opinions but encompasses sophisticated refinement of citizens’ preferences. This principle refers to all legislative subjects, i.e., to constitutions and amendments but also to plain laws on policies. This connective approach is spelled out in Chapter 3.

In the following chapters of Part A, I lay out the visions of Thriving Democracies, which are characterized by these three principles. Based on these considerations and findings, I develop suggestions for practical setups realizing these visions in Part C.

Box 1.1 Representation in Thriving Democracies

In representative democracies the citizens elect their representatives in order to ensure that their interests are represented. According to the textbooks, *elections* guarantee valid representation with parliaments serving this function (Disch, 2011; Farrell & Stone, 2020; Guasti & Geissel, 2019b; Pitkin, 1967, 2004; Saward, 2006).

Considering current widespread dissatisfaction with the manner in which democracies are functioning (or not), it might not come as a surprise that scholars have started to redefine the concept of representation. As for example Dovi (2018) wrote, democratic representation can no longer be conceived as a monolithic concept based on elections.

The debate on representation has experienced several turns, e.g., the constructivist turn. Most of these turns reject the notion of elections as the only or best mechanisms for choosing representatives and creating ‘good’ representation. These turns shift our attention to the non-electoral as well as performative dimensions of representation as I spell out next (Guasti & Geissel, 2019b; Saward, 2017).

Democratic representation is increasingly conceived as taking place in multiple, also *non-electoral forms*. Today, a multitude of claim-makers generate a cacophony of representative claims. These new ‘makers of representative claims’ often reject elected representatives (for example ‘Not in my name’); they claim to speak on behalf of affected groups themselves (‘Mothers against gun violence’) or on behalf of abstract normative schemes (‘Dignity, respect and justice for all!’) (Guasti & Geissel, 2019a). In line with these developments, not only constructivists define representation as processes of making, accepting or rejecting representative claims—authorization (accepting or rejecting) is no longer limited to elections (Disch, 2015; Saward, 2017). Since elections can no longer serve as main mechanism for creating ‘good’ representation, more and more scholars advocate novel mechanisms—e.g., representation via random selection, descriptive representation,³ self-selected representation or vote delegation via liquid democracy (Landemore, 2020; Saward, 2021; Valsangiacomo, 2021); and they promote notions of ‘hybrid democracy’ mixing these options (Deligiaouri & Suiter, 2021). Those who are claimed to be represented might then decide whether they accept or reject the claim of representation made by the claim-maker—with different mechanisms of authorization (Guasti & Geissel, 2021).

Recently, also the *performative dimension of representation* gains more attention. When representation is not constructed as ‘guaranteed’ via elections, it can be evaluated according to its actions and products. The question is then whether the represented are satisfied with the performance of their representatives. For example, voters

can evaluate the performance of their representatives as insufficient ‘nonrepresentation’.

These discussions are inspiring for Thriving Democracies. They broaden the scope of representation and provide new perspectives. They blur the distinction between elected and nonelected representatives (Kuyper, 2016; Rosanvallon & Goldhammer, 2008; Saward, 2006). And they contest conceptually the contrast between participation and representation—when everybody can claim to represent, the distinction between participation and representation is no longer clear (Guasti & Geissel, 2019b, 2021; Zarembek & Welp, 2019). Within Thriving Democracies, representation is not limited to electoral representation. Representation can be reached via a variety of mechanisms, e.g., descriptive representation via random selection or delegative representation via liquid democracy, and representation can take many of the forms. Within Thriving Democracies, representation, and this is the main point, is judged according to its contribution for self-governing. Any mechanisms for selecting representatives and any form of representation are continuously monitored and evaluated according to its only task and purpose, i.e., guaranteeing self-governing.

Notes

- 1 On other ‘procedural’ concepts of democracy, see, for example, Saffon and Urbinati (2013) (also Ingham, 2016).
- 2 Lafont (2020) has applied a similar term, but with a slightly different understanding.
- 3 The term ‘descriptive representation’ indicates that the sociodemographic composition of a group reflects the composition of the community, for example, considering gender, level of education or age.

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1 Citizens decide on how they govern themselves

All constitutions of government are valued only in proportion as they tend to promote the happiness of those who live under them. This is their sole use and end.

(Adam Smith)¹

In most democracies, the tenets and setups of democracy were decided by politicians supported by experts in so called constitutional moments. For example, the German constitution, drafted after the Second World War and adopted in 1949, was prepared by the *Parlamentarische Rat*. The *Parlamentarische Rat* consisted of 65 members, who were all members in the parliaments of the German federal states. Only four members of the *Parlamentarische Rat* were women. Young as well as citizens with low formal education were underrepresented. Ordinary citizens were completely absent from the process of constitution-building. We can only speculate about what would be different if ordinary citizens were involved in this constitutional moment. Perhaps, they would have established a less conservative welfare state with gender equality and introduced the option of popular vote in the constitution.

The principle of democracy as self-governing is amazingly neglected when it comes to the question of what a democracy should look like. Although most people (somehow) agree that citizens are the sovereign in a democracy and that according to the standard definition of democracy “citizens’ political preferences ... actually influence policy” (Lafont, 2020, p. 1), this principle is ignored when it comes to deciding on democracy itself. The principle of self-governing disappears from the radar of politicians—democratic tenets and setups seem to be an affair of experts. Accordingly, in most democracies, citizens were and are left out. For a long time, citizens were hardly involved in the debates and decisions on what their democracy should look like.²

At most, *citizens were allowed to cast a ‘yes’ or ‘no’ vote on the constitution as a whole or on singular, constitutional aspects*. These referendums are often little more than an empty formality insinuating public involvement—with often manipulative campaigns. A recent example is the Turkish referendum on constitutional amendments arranged by President Erdoğan in

2017 to increase the power of the president. Public debate was one-sided and inundated voters with heavy propaganda. Other examples are the Colombian peace agreement referendum or the vote on Brexit in the United Kingdom (UK) (both 2016). The Turkish, British and Colombian examples illustrate what happens, when citizens' involvement is limited to just voting on singular issues selected by representatives with referendums barely passing "the minimum test of democratic fairness", as David Altman (2016) described the Colombian case. Similarly, the comprehensive study by Eisenstadt et al. (2015), which will be discussed in more detail below, shows that the involvement of citizens at the end of a constitution-building via referendums is just a "poor substitute".

Surprisingly, it is not only the politicians who have agreed on excluding citizens from constitutional moments. Also, scholars on democratic theory "have been strangely reticent to engage the demos in theorizing about democracy" (Dean et al., 2019, p. xiv). In other (sub-)disciplines such as policy science, it has become rather normal to include citizens in political will-formation and decision-making. Scholars have thought a lot about policy responsiveness but responsiveness to preferences on democracy itself remained a rather neglected topic. *Tenets and setups of democracy were regarded as the domain of expert—the exclusive business of politicians, who design and decide advised by scholars.*

I am not alone in making the strong claim that change is needed—that in democracies citizens should deliberate on and decide the kind of democracy they want to live in. Across the world, more and more scholars break with the paradigm of neglecting citizens in constitution-building. They advocate to include citizens, when constitutions are drafted from the outset. They increasingly press for '*democratizing*' the debate on what democracy is and what it should look like. They suggest engaging citizens in a dialogue about 'the rules of the democratic game' (Baviskar & Malone, 2004; Doorenspleet, 2015, p. 477; Fleuß, 2021; Fuchs & Roller, 2018; Shastri & Palshikar, 2010).

Several governments, supranational and international organizations support more participatory constitution making, for example, the European Union. A few democracies around the world have fostered this approach in practice and implemented some form of citizens involvement in their constitution-making procedures (e.g., Hudson, 2021). This trend has already started with rudimentary forms of citizen involvement, for example, in Portugal (1979) and Colombia (1991) (Contiades & Fotiadou, 2016; OECD, 2017). Several Western, African, Asian and Arabic states experimented with different participatory procedures, e.g., South Africa, Ireland, Iceland, Nepal, Tunisia and Uganda (e.g., Gluck & Brandt, 2015; Johnson, 2020). Some authors go so far as to proclaim that "participatory constitution-building has become a new norm" (Saati, 2017, p. 29)—not only in consolidated democracies like Ireland or Iceland but also "in post-conflict contexts and in contexts of transitions from authoritarianism" (Etzioni, 2002, p. 29). Did these attempts really pioneer self-governing?

Before I answer this question, let me demonstrate that citizens' involvement in so-called *participatory constitution-building* differs vastly in terms of procedural setup as well as final impact (e.g., Hudson, 2021; Saati, 2016), which I will exemplify in more detail in Chapter 6.³ In a few cases citizens elected the members of the assembly drafting the constitution, for example, in Chile. In Ireland a randomly selected citizen assembly recommended constitutional amendments, which were decided via referendum. In Iceland an intricate procedure tried to ensure a crowdsourced constitution (Figure 6.5). South Africa had invited a broad public debate with, e.g., a radio talk show and multiple channels for citizens to supply suggestions for the new constitution. Saati (2016) tried to systemize these approaches according to their impacts and identified five types of participation in constitution making, namely false, symbolic, limited, consultative or substantial participation. *Most forms of involvement fall into the first four categories—substantive participation is scarce.*

Accordingly, these attempts of participatory constitution-building have the potential to inspire the future of democracy but can only count as very first steps. They are a far cry from the *citizen-driven* approach I propose. I claim to give not only the option to deliberate but also the power to decide back into the hands of the people.

Box 1.2 Constitutions within Thriving Democracies

Within Thriving Democracies, constitutions prescribe the democratic *tenets* of a community, e.g., equality for men and women or environmental protection, as well as the ‘rules of the game’, i.e., the democratic *setup* considered as suitable for achieving the tenets.

Since Thriving Democracies are citizen-driven, the standard definition of constitutions as a set of rules that regulates “the relations between the country’s governing institutions and the people” (King, 2013, p. 74) does not make much sense.⁴ Within Thriving Democracies, “the country’s governing institutions” and “the people” are not a dichotomy. Citizens *are* the governors, owners and authors of their democracies.

The debate on ‘citizens deciding how to govern themselves’ is rather new and still in its infancy. This chapter discusses the benefits and the challenges of the citizen-driven approach. It advances the argumentation, *why* citizens should decide how to govern themselves, and elaborates on several challenges, i.e. differences within communities, constraints and requirements of self-governing as well as the debate on scientific definitions of democracy.

1.1 Why should citizens decide on how to govern themselves?

The most obvious and simple answer to this question is a *normative* justification. Democracies should meet the preferences of their sovereign, the citizens. This principle also refers to democracy itself. Citizens should deliberate and decide, in which kind of democracy they want to live. Or, as Hudson (2021, p. 4) put it:

Nowhere is public participation seen to be more necessary than in constitution making processes. Here, the fundamental laws that establish a government are altered or replaced, and a powerful source of legitimation is necessary to ensure public faith in the process and the product.

Further normative arguments include the improvement of legitimacy, the benefit for deepening as well as broadening democracy and the advantages for strengthening inclusive responsiveness, political equality and accountability: The *concept of deepening and broadening democracy* goes back to authors like Fung and Wright. They describe the need to provide more substantive citizens' participation and empowerment in order to improve the quality of democracy (e.g., Fung, 2004; Fung & Wright, 2001). When ordinary citizens shape their democracies themselves via inclusive procedures, *responsiveness* to all interests, needs and demands is guaranteed (Landmore, 2020). Since *legitimacy, political equality and accountability* are complex concepts, I discuss the benefits of the citizen-driven approach in Box 1.3 (see also Hudson, 2021), Box 1.4 and Box 1.5. These normative justifications are partly also reflected in the next section on empirical justifications.

Box 1.3 Legitimacy in Thriving Democracies

Legitimacy is crucial for every political system and particularly for democracies. However, legitimacy is understood in a variety of ways. One systematization of legitimacy differentiates between input-legitimacy (via participation), throughput legitimacy (e.g., via procedures) and output-legitimacy (by performance or perceived legitimacy). This systematization is useful but entangles components confusingly and is thus not fine-grained enough. I disentangle the different meanings by applying the following types, i.e., (a) input-legitimacy; (b) procedural legitimacy, (c) output-legitimacy, (d) perceived legitimacy, and (e) legitimacy via identity and descriptive representativeness. Let me explain these types of legitimacy in the context of representative and Thriving Democracies.

- a *Input-legitimacy* refers to the opportunities of citizens to influence or even participate in political decision-making processes (e.g., Strebel et al., 2019). In representative democracies, input-legitimacy is supposedly guaranteed via elections. In contrast, proponents of participatory democracy claim that input-legitimacy is higher when more options for involvement are provided in policy-making (e.g., Barber, 1984).

Thriving Democracies are based on the normative assumption that the input-legitimacy requires comprehensive, inclusive citizens' involvement starting with the constitutional moment and covering all aspects of the political life.

- b In representative democracies, *procedural legitimacy* is related to elections. Elections are assumed to be the legitimizing practice for choosing decision-makers. Accordingly, representatives are considered as legitimate because they are elected by citizens. However, the “notion of elections as the core authorization mechanism in political representation is challenged on several accounts” (Guasti & Geissel, 2019, p. 93). The turns in theories on representation (Blühdorn & Butzlaff, 2020; Disch, 2015; Goodin, 2008) as well as empirical indicators, such as low voter turnout or decreasing trust in representatives, are proof that the concept of elections as the only possible source of procedural legitimacy is contested. More and more doubts are raised whether procedural legitimacy via elections suffices (see Chapter 5).

Within Thriving Democracies, communities decide, which procedures of will-formation and decision-making they consider as legitimate. These procedures are not set in stone but considered as means for realizing the democratic tenets of the community. If a procedure does not contribute as expected, it is changed. For example, when elections cannot provide political equality, they must be changed. In other words, legitimacy cannot be generated by procedures alone but must always provide the performative aspect.

- c *Output-legitimacy* means legitimacy via ‘good performance’ (Scharpf, 2004, 2006). This type of legitimacy turns out to be crucial for citizens in representative democracies (Cengiz, 2018; see debates in Dahlberg et al., 2015): “Across all types ... and variations ..., support is most closely linked to current ... performance” (Mishler & Rose, 2001, p. 316; Strebel et al., 2019). Whether socio-economic or democratic performance is more important for citizens is still empirically contested (Fuchs & Rohrschneider, 2001, p. 276; Klingemann & Hofferbert, 1998).

In Thriving Democracies, however, output-legitimacy might play a different role than in representative democracies. Since citizens decide and live their democracy, they might be less focused on socioeconomic performance and emphasize democratic outcome.

- d *Perceived legitimacy* means that those who are ruled believe in the system they live in. In representative democracies, according to the textbooks, citizens feel represented by their elected politicians, whom they trust; they perceive their democratic setup as legitimate and accept decisions. However, empirical findings reject these notions. Perceived legitimacy is low in most democracies, as surveys prove (see Chapter 5).

Within Thriving Democracies, perceived legitimacy is a key indicator and benchmark. Citizens perceive the setup of their democracy as legitimate. When a large portion of citizens rejects (parts of) the setup, the flaws have to be detected and change is initiated (see Chapter 2).

- e *Legitimacy via identity* refers to the overlap between representatives and represented considering descriptive characteristics such as gender or occupational background (Heinisch & Werner, 2019). In other words, this kind of legitimacy refers to descriptive resemblance between representatives and represented.⁵ We find this notion of legitimacy, for example, in sentences like ‘I as a mother can legitimately speak for other mothers’ or ‘I am legitimized to represent the village because I live here’. Citizens seem to welcome the idea that decision-makers should represent society according to descriptive characteristics (see for opposing arguments Manin, 2007). For example, Sveinung Arnesen and Yvette Peters (2018) showed via a Norwegian survey experiment that people are more inclined to accept a political decision when the decision-makers mirror the composition of society. The claim of descriptive representation is crucial in the debate on randomly selected parliaments (see Chapter 7, Section 7.3.2)—yet strongly disputed (see, e.g., Lafont, 2020).

Within Thriving Democracies, the distinction between ‘rulers’ and ‘ruled’ will look rather different than today. Communities might decide to rely on legitimacy via identity, thus focus on randomly selected bodies; they might favor elections or a mixture of different forms of authorization. They determine what they consider as the best way of legitimizing their system, whether by descriptive representativeness, elections or other mechanisms.

Box 1.4 Political equality and inclusion in Thriving Democracies

In spite of all differences between theories on democracy, they all agree that political equality is a fundamental promise of democracy (Altwicker, 2011; Bartels, 2008; Christiano, 2021; Owen & Smith, 2018; see also Rawls, 1971, p. 278).⁶ Political equality means that all citizens can equally influence the decisions they are subdued to (Rueschemeyer, 2011).

However, scholars are divided whether equal opportunity *de jure* suffices or whether *de facto* equality in result should be required (Devins & Douglas, 1998; Siegel, 1998; Strauss, 1992). Should, can and do all members of a community raise their voices? Should and are all voices heard equally by decision-makers? Should and do political decisions increase equality (political, socioeconomic, legal equality) and between whom? Each of these questions is contested normatively and empirically. For example, theorists discuss from a normative perspective whether all people should have equal access to political decision-making (foreigners, politically uninformed, etc.) or how much inequality is acceptable. Practitioners and empirical scholars scrutinize the effects of different political practices on equality, e.g., referendums (Geissel et al., 2019), and develop innovations designed to increase inclusion.

In representative democracies equality is supposedly realized with the notion of ‘one person one vote’ (Dahl, 1989). *De jure*, all people with citizenship are equal in their opportunities to vote. But in reality, their access to political will-formation and decision-making differs considerably (Rosanvallon & Goldhammer, 2008). Some groups are more involved, they can influence representatives more easily and their interests are met more often than others (see details in Chapter 5.). This is not only true for the United States, where we might have expected inequalities. Also, in countries like the Netherlands, a country with a high level of income equality, affluent people exert more influence than normal citizens. Political decisions are clearly skewed toward wealthier citizens. And in countries like Germany the situation is similar (Gilens, 2012; Gilens & Page, 2014; Schäfer et al., 2016; Schakel, 2019).

In the context of Thriving Democracy, political equality means that all members of a community have equal access to influence politics. Practices and procedures are set up in a way that all members are encouraged to participate and are included. Beyond this general foundation, communities decide on the implementation. For example, a community might accept a skewed voter turnout. Another community might aim at an unbiased turnout and if turnout gets skewed, the community takes action to incentivize voting among the least engaged. Communities might also agree to accept certain levels of skewed decision-making favoring specific groups in society. But these inequalities do not occur secretly behind the scenes but are discussed openly and agreed upon

consciously. Summing up, within Thriving Democracies, equality and inclusion are crucial. How they define equality and how they realize it is a topic of discussion within the communities (see, for suggestions on inclusive practices and procedures, Part C).

Box 1.5 Accountability in Thriving Democracies

The theory of representative democracy connects representation closely to *accountability*. According to the textbooks of representative democracy, elected representatives are accountable vis-à-vis whom they represent. However, accountability is a rather elusive, opaque and confusing concept defined in various ways (Bovens et al., 2014; Eriksen & Katsaitis, 2020; Mansbridge, 2014; Warren, 2014).

Within representative democracy, accountability is closely tied to the principal-agent paradigm, which describes the assumed relation between citizens and their representatives (Bovens et al., 2014; Eriksen & Katsaitis, 2020).⁷ Ordinary citizens ('principals') elect their representatives ('agents') who are in turn accountable. Accountability in this sense entangles several tasks and requirements: The agent is responsible for her constituency; she must be at least to some extent responsive to the interests of the principal (responsiveness⁸); and she explains her decisions to the principal (justification). As principal the citizens have some control over the decisions of the agents and can sanction them for bad decisions (empowered control) (Warren, 2014).

Within representative democracies, elections are assumed to be the best means for fulfilling all these tasks and requirements. Elections are expected to hold representatives accountable, because voters can confirm or punish their representatives via reelection or voting out.⁹ In reality, however, this rarely happens as described. More and more scholars as well as citizens doubt that elections suffice to guarantee accountability in this sense (see Chapter 5).

Within Thriving Democracies, we need a different understanding of accountability. Accountability cannot be limited to the relation between elected representatives and citizens and can thus not be tied to the principal-agent paradigm. Accountability cannot be 'outsourced' to representatives. *In Thriving Democracies, citizens are accountable to themselves—citizens are principals and agents at the same time.* Citizens are responsible for and responsive to themselves; they justify their decisions within their communities and have empowered control. This is a concept of horizontal accountability between and among citizens.

Up to now, not many authors have elaborated on such horizontal accountability beyond the electoral, principal–agent paradigm. Among the few scholars is Trechsel (2010). He shows that in today’s democracies more and more decisions are made by referendums, i.e., by citizens themselves. Accordingly, the tasks and requirements put forward in the context of traditional accountability can hardly be applied. For example, sanctioning for bad decisions is hardly possible—a community cannot sanction itself for a bad decision. Also, the requirements of responsiveness or responsibility are not really applicable. Trechsel suggests to reconsider the concept of accountability. Since “the majority of voters in a referendum are accountable to the citizens as a whole”, accountability must be connected closely to the community as a whole. Thus, novel mechanisms of accountability are necessary, if “a referendum vote on a certain issue does not remain a structurally discrete manifestation of popular decision-making” (Trechsel, 2010, p. 1059). A “dynamic aspect” with citizens’ initiatives for revoting, i.e., the repetition of the referendum, is the solution. Such options for second, third or more rounds initiated via citizens’ initiatives ensure what Trechsel calls “reflexive accountability”. These considerations have some similarities with recent developments in deliberative theory, which advocate reflexive meta-deliberation within communities (Disch, 2011; Holdo, 2020; Lafont, 2020; Landwehr, 2015). Although these authors do not refer explicitly to accountability, their suggestions fit well to the concept of accountability to be applied in Thriving Democracies. It is a *concept of horizontal, reflexive, dynamic accountability holding the communities accountable to themselves as an ongoing process* (see also Chapter 2 and as an example, see Figure 7.6).

Normative justifications for the citizen-driven approach go hand in hand with a variety of *empirical* justifications, referring for example to the enhancement of stability, the level of democratic quality, political satisfaction, benefits for ordinary people as well as to the overall quality of constitutions. I present key empirical arguments in the next pages.

Democracies are *more stable* when they are aligned with the democratic process preferences of their citizens (Almond & Verba, 1963, 1989). Lipset (1959) argued that the “belief that existing political institutions are the most appropriate or proper ones for the society” is one of the main requisites for the stability of democracies (p. 83). A recent study by Claassen (2020) confirmed that diffuse support¹⁰ is the crucial predictor for systems’ endurance (see also Easton, 1965; Quaranta, 2018). Based on a large data set comprising 135 countries, spanning a period of 29 years and over 3,000 nationally aggregated opinions, he proved that “public support does indeed help democracy survive”

(Claassen, 2020, p. 119).¹¹ These studies insinuate that democracies are more stable when citizens agree with the institutional setup they live in.

More detailed examination shows that *participatory involvement particularly in the phase of constitution-building* is beneficial (similarly, see Ginsburg, 2012). Elkins et al. (2009) confirmed that continued public inclusion in public debate during and after the design phase increases endurance. Similarly, a comparative study of 12 countries detected that constitutions, which “involved a process of consultation and participation were perceived as more legitimate and hence received greater popular support” (Samuels, 2007, 5). We can assume that public participation increases support which in turn enhances stability. In short: Participatory involvement in constitutional moments, system support and stability seem to be closely related.

Public involvement is not only conducive for stability but also for a high *level of democratic quality*. Eisenstadt et al. (2015) demonstrated in their research on recent constitution-making processes covering 138 new constitutions in 118 countries (1974–2011) the democratizing effect of public deliberation. Particularly the involvement of citizens in the initial drafting stage correlates with the level of democracy. In contrast, when citizens’ involvement is limited to referenda, the effect on the democratic level is considerably smaller. They conclude

that constitutional reformers should focus more on generating public “buy in” at the front end of the constitution-making process, rather than concentrating on ratification and referendums at the “back end”...

increased participation during the process of making the constitution positively impacts post-promulgation levels of democracy.

(p. 592)

In a nutshell: “Constitutions advance democracy when the people are the authors of their own rights” (Eisenstadt et al., 2017, p. 143).

The findings that democracies are more stable and of higher quality when citizens are involved in the process of constitution-building strongly endorse my argument. But what about citizens themselves? Are they more *satisfied* in democracies with setups in line with their process preferences? For example, when citizens want a democracy, in which they have a lot of participatory options, are they more content in a system that provides such options? The answer to these questions cannot be found easily. Hardly any study addresses the triad of citizens’ process preferences, constitutional setups and political satisfaction. Most studies only address one or two aspects of this triad.¹² Studies are available on the relation between *policy* decisions, process preference and satisfaction. They all confirm that citizens accept policy decisions made via procedures they prefer to a greater extent than decisions made via procedures they dislike (e.g., Esaiasson et al., 2019; Nakatani, 2021, p. 13; Werner & Marien, 2022). And increasingly citizens seem to prefer procedures that give them a say in will-formation and decision-making (Šerek et al.,

2021)—a finding I will cover in more detail in Section 4.1. We might conclude: Although comparative, comprehensive, and authoritative studies are still missing, there are some hints that political satisfaction is higher when citizens' procedural preferences and democratic setups match and when these setups include public involvement (Geissel, 2016).

And there are more potential benefits of citizens' involvement in the constitutional moment: *Constitutions are more beneficial for ordinary citizens when citizens were involved.* If constitution building processes are exclusively a business of the elite, dominant groups can push through their interests more easily. History shows that democratic systems always reflect the interests of their creators. In this context we might also remember that citizens and elites prefer different notions of democracy—elites favor procedural notions defining democracy, e.g., elections, whereas citizens include substantive tenets like equality (Doorenspleet, 2015; similarly, see Geissel, 2016).¹³ Such differences most likely also reflect in constitutions. We can assume that citizen-driven constitution-making will prioritize different tenets and setups than elites would prioritize.

Voting rights for women is a good example. After women had gained more say in the political world, several rules were changed increasing equality between women and men; also laws subordinating wives to their husbands were removed. A more recent example is the revision of the Irish constitution, which had banned abortion. The parliament consisting of a male majority had little interest in addressing the topic. But the Constitutional Citizen Assembly, where women and men were equally represented, pushed for a more liberal law. The referendum agreed to this recommendation and the constitution was changed to legalize abortion. This example insinuates clearly that *participatory constitution-building provides the potential to thwart privileged groups from imposing their preferences at the expense of less privileged groups.*

Although citizens involvement has up to now only minor effects on procedural reforms (Hudson, 2021; Negretto, 2020), preliminary findings confirm these anecdotal insights. The study by Samuels (2007) proves that participatory inclusive processes of constitution building can have an impact:

Participatory and inclusive processes tended to result in constitutional drafts which provided rights to those groups which had not up to then gained political protection or recognition, or include provisions addressing issues of social and economic justice, corruption and the failure of elites to act responsibly.

(Samuels, 2007, p. 4)

A crucial benefit of a citizen-driven approach might furthermore be *democratic revitalization*. When all citizens discuss and decide on how to govern themselves, the democratic spirit will return. Citizens, including the currently estranged, recognize that they are part of their democracy. They will most likely start to think about political issues with much more consideration.

They learn to deliberate with fellow citizens with opposing interests and perspectives. They will understand that fast, radical ‘gut feelings’ lead to bad decisions. They will gain feelings of efficacy and democratic authorship. This will most likely also build *resilience to populism, polarization and extremism*. Populist narratives constructing the story of ‘corrupt elite versus the people’ will fall on unfertile ground. A recent work by Fishkin and others (2021, p. 1464) on the citizens assembly ‘America in one room’ revealed “large, depolarizing changes in ... policy attitudes and large decreases in affective polarization” among the participants (also see Zorell & van Deth, 2020). And works on direct democratic practices, which give citizens a direct say in decision-making, point in a similar direction (e.g., Talpin, 2017). I will discuss such revitalizing effects of participatory practices in more detail in Section 4.2.

Self-governing has also the potential to create happier citizenries. As several studies confirmed, citizens living in communities, which give them more say, are more satisfied with their lives. Frey & Stutzer (2000) showed in their famous comparison of Swiss cantons with different levels of direct democracy that citizens in the more direct democratic cantons were happier than citizens in cantons with less direct democratic options. A current study confirmed this finding: “democracy as such and direct democracy as an instance of allowing citizens the option to participate in collective decision-making seems able to boost life satisfaction” (Berggren & Bjørnskov, 2020, p. 40). This might be even more true when citizens are involved in the constitutional moment.

And finally, as theorists on deliberation put forward, *public deliberation guarantees better problem-solving in general and accordingly also in the context of constitution-building*.¹⁴ They emphasize that, first, citizens are competent and able to identify better solutions than experts alone, and second, even if not every individual citizen is competent, the ‘crowd’ is able to make good decisions.

The first argument postulates that solutions to political problems are more appropriate when citizens are included. *Involving citizens would serve an epistemological goal, because it enhances information, brings more arguments on the table and widens the perspectives*. In contrast, noninclusive systems “blind themselves to a wide range of useful perspectives, heuristics, and interpretations” (Beauvais & Warren, 2019; Lafont, 2020; Landemore, 2013, 2020, p. 8). When a community provides all citizens equal access to shaping political decisions, it is perfectly equipped to develop the best solutions to common problems. In this context, we can also refer to several empirical studies on deliberative practices, which proved that citizens can successfully deliberate on most complex legislative subjects and develop sophisticated, meaningful recommendations (Andersen & Hansen, 2007; Mansbridge, 1999).¹⁵ For example, citizens discussed electoral reforms (British Columbia), democratic improvements (Germany) and constitutions (Ireland, Iceland, Chile, South Africa) and came up with convincing suggestions. They add important information and perspectives to the expertise of political and academic experts.

Closely related to this argument is the second one. Proponents of crowd- and collective intelligence argue that cognitive and other shortcomings of ordinary citizens are balanced by the involvement of diverse groups.

A high level of knowledge and competence amongst citizens is not a prerequisite for participation as epistemic diversity serves to address individual bias and enhance individual knowledge levels.

(Poblet et al., 2019)

In other words: In practices of will-formation, it is not necessary that all involved participants are highly knowledgeable and informed. Everybody can add valuable contributions. The Citizen Convention on the Constitutional Reform in Ireland might serve as an example. The randomly selected citizens were surely no experts on constitutions. But they had ideas about the kind of democracy they wanted to live in. They wanted, for example, to change the restrictions on abortion and to end the existing exclusion of homosexuals from marriage. Although they might not have known all legal details and juridical intricacies of these subjects, they were able to improve the constitution adding more equality and freedom (for more details see Chapter 6).

The studies by Page (2008) illustrate the epistemic advantages of randomly selected assemblies consisting of participants with diverse perspectives—even if the abilities of the individual participants are restricted. Based on empirical data and models, Page made a strong argument that “diversity trumps ability”, which means that a diverse group of people can find better solutions than experts. Cognitive diverse crowds can outperform cognitive excellence of individuals, because the combination of the different perspectives enables the group to consider more potential solutions than one person—even the most knowledgeable—could offer. This is true particularly for wicked problems containing multiple aspects. Thus, Page is clear about his message that the idea of crowd-intelligence “rests not on blind optimism, or catchy mantras. It rests on logic. A logic of diversity” (Page, 2008, p. 375). And this is even more true in the process of constitution-building. But diversity also entails challenges, which I discuss in the next section.

1.2 Differences within communities on how to govern themselves

The citizen-driven approach brings us back to the debate introduced at the beginning of Part A, i.e., the problem of identifying what communities want. I have emphasized consistently that today’s democracies are pluralistic, which most likely also refers to their democracy tenets and setups. Within a community, some citizens might favor more emphasis on equality, others might strongly oppose this idea. Considering preferences for setups, some citizens desire direct democracy, others opt for more citizen deliberation and a third group advocates a representative form. Preferences might also be spread unequally within a society. The well-off might be inclined

toward representative democracy, the underprivileged might tend toward participatory democracy. Accordingly, some people might consider the concept ‘preferences of a community’ as a chimera; there is no magical transformation of contradicting interests into something like a ‘community preference’. But such an interpretation throws the baby out with the bathwater. Such heterogeneous conceptualizations of democracy are no disadvantage but should be embraced. They are a good sign that all preferences are on the table. Such *intra-community differences are the starting point for comprehensive and inclusive discussions*. The question is, how to proceed (see also Chapter 8).

Each community, no matter how heterogenous, must agree on how to reach collectively binding and accepted decisions. Without such agreements any community is doomed to fail (Fraenkel, 1974) and lives in constant fighting and chaos. However, reaching an agreement is not an easy task. This is the reason why the development of constitutions is in most democracies a long and time-consuming process.

Constitution-building always includes and balances competing, conflictual and contradictory interests. *In representative democracies, politicians often invite key stakeholders, i.e., leaders of large interest groups like churches or trade unions, to be involved in constitution-building*. Thus, the interests of different groups within society are expected to be on the table. When these key stakeholders are involved in drafting a constitution, conflicting interests could be balanced, and an agreement be found—this reasoning seemed to have worked in the past.

However, today the involvement and endorsement of interest group leaders do no longer suffice. In most democracies, citizens are increasingly less organized in such huge interest groups and accordingly, these interest groups can no longer represent the pluralistic interests of ‘the people’. Thus, the approval of interest group leaders can hardly guarantee broad acceptance of a newly drafted constitution within society. *In today’s communities, involvement of and support by interest group leaders is not enough. Constitutions must be accepted by all citizens*.

Therefore, I strongly advocate broadening the involvement. In order to come to community agreements, I recommend complex procedures with a variety of practices including potentially all citizens (Chapter 8). My suggestions are based on the same convictions as the above-described traditional form of constitution-building. *All interests in a community have to be taken on board to guarantee broad agreement on the constitutions. And such agreement can only be reached via multifaceted, intricate and inclusive procedures* (see Chapter 8).

Some readers might get the impression that my ideas are inspired by a *communitarian spirit* (Barber, 1984; Etzioni, 2001; Putnam, 2000; Walzer, 1990), but my ideas are more inspired by the standard literature on constitution-building adapted to modern societies. The underlying argument for broad citizen inclusion is similar to the older argument put forward for including

interest groups leaders. It is the argument of including all interests. This argument does not require communitarian prerequisites such as “a web of affect-laden relationships among a group of individuals” and “commitment to a set of shared values, norms, and meanings, and a shared history and identity” (Etzioni, 2002, p. 29). Citizen-driven constitution-building in Thriving Democracies is by no means limited to such closely knit communities. Citizens-driven constitution-building is particularly important in communities, where members share little more than living in the specific territory.

1.3 Citizens’ self-governing—on constraints and requirements in Thriving Democracies

In discussions on democratic self-governing, at some point the question always emerges, whether some issues should be untouchable—issues considered as core elements of democracy, e.g., human rights or minority protection. In the light of current developments in countries like Hungary, Turkey or Poland, a fierce debate arose on this question. In all these countries elections took place, but the elected representatives made decisions, which violate standards many people consider as democratic core elements. What is the problem?

Some people defend the position that ‘the people’ as the sovereign can decide regardless of any a priori imposed democratic core elements. From this perspective, decisions are democratically legitimized when they are generated via procedures considered as democratic, e.g., via elections or referendums. In contrast, the opposing position states that democracy involves unchangeable core elements. Even if decisions are made via democratic procedures, they have to be regarded as undemocratic when they are not in line with democratic core elements (e.g., Müller, 2016). From this perspective, there is a potential tension between citizens’ sovereignty on the one hand and core democratic elements on the other hand. I suggest solving the tension in favor of the core elements, which should be untouchable (see also Section 9.2).

Which core democratic elements are suitable in Thriving Democracies? Within Thriving Democracies, standard definitions of democratic core elements do not work. When, for example, Bingham Powell (2004, p. 91) defines democracy as “..., free and competitive elections to choose policy makers” with “multiple political parties” (among other indicators), these indicators of his enumeration cannot be applied. A community might decide to govern itself without elections and without political parties—yet it is a democracy. What about standard indicators like the right to own property or the prevalence of electoral legitimacy (e.g., Geissel et al., 2016)?¹⁶ Again, not all of these indicators work necessarily for Thriving Democracies. Maybe, for example, a community considers the right to own property as unnecessary in its system.

Nevertheless, this community can be a democracy. Also, the concept of the prevalence of electoral legitimacy, designed for representative democracies, might look very different in Thriving Democracies. I discussed this concept in Box 1.3. The summary of this short tour is clear: Standard definitions of core democratic elements—which are mainly designed for representative democracies by experts—do not necessarily work in Thriving Democracies.

Within Thriving Democracies, a public, inclusive debate on core elements of democracy is necessary, which might come up with partly different core elements than today. Citizens seem to assign slightly other core elements to democracy than experts (Geissel, 2016). Surveys give us, for example, hints that many citizens prefer an understanding of democratic core elements that include substantial tenets such as gender equality or safety in the workplace. In contrast, political scientists often define democracy in procedural terms as elections with competing parties. Furthermore, democracy can not only mean different things to experts and citizens; it can also mean different things to different communities. One community can, for example, put more emphasis on economic equality while another accepts economic inequalities.

Could we, consequently, get rid of any core democratic elements? Of course not. Imagine, for example, a community wants to abolish minority rights. It allows discrimination of minorities, e.g., to forbid them to speak their own languages, to exclude them from rights such as marriage, or to force them to leave the country. Obviously, such rules would contradict basic norms of humanity. And thus, they have no place on the political agenda of democracies.

For now, *I suggest considering human rights and civil liberties as democratic core elements, which should be unchangeable.* These core elements are necessary in any democracy. Without human rights including minority protection and civic liberties, self-governing is hardly conceivable.¹⁷ These rights and liberties are requirements necessary to make Thriving Democracies work. All principles of Thriving Democracies require, for example, freedom of speech and a free press. Citizen-driven self-governing is not possible without civil liberties and human rights. Citizens can hardly govern themselves when these conditions are not realized. *Human rights and civil liberties must be in place, which protect and enable all members to get involved in inclusive, collective will-formation and decision-making* ('democratic minimum', e.g. Beetham, 1999, p. 199).

Finally, one question has to be addressed: What about communities which reject the principles of Thriving Democracies proposed in this book? My suggestions for the three principles are the product of long deliberation. I am convinced that these principles are crucial requirements for Thriving Democracies. But nothing is eternal, and in academia, many 'final insights' turned out to be not more than one step in the process of finding even better solutions. The principles of Thriving Democracies, I suggest, might be regarded as a *living document*. They set the foundation, which is continually edited and completed. They are an invitation to citizens and communities to think about the principles they find most appropriate in their contexts.

1.4 Citizens instead of experts decide—democracy is not about scientific standards

Some people might argue that democracy should be defined by experts based on *scientific standards*. They reject the idea that ordinary citizens are able to decide on what the democracy in their communities would look like. From this perspective, constitution building with the development of visionary democratic tenets and setups is a complex task—too complex for ordinary citizens. When ordinary citizens have a say, debates and decisions would become unscientific, relativistic and fluid. Only scientists would be able to define democracy. Only experts can judge whether citizens' ideas are 'right' (for this debate, see Kruse et al., 2017).

This argument, however, misunderstands the character of democracy. Democracy is not a natural phenomenon, which scientists can detect, define and explain. Natural phenomena exist and function according to the laws of nature such as gravity or evolution. But in contrast to such natural phenomena, democracy as a sociopolitical phenomenon is not determined by natural laws. Democracy is created, shaped and reshaped by human beings. Democracy only exists due to human visions and actions, which have changed significantly through centuries and millennia. For example, the classic Athenian model of democracy with an exclusive group of citizens making decisions on the market square has little in common with Dahl's or Schumpeter's definitions of democracy as elections and party competition (Dahl, 1971; Schumpeter, 1976). The understanding of democracy has transformed significantly during the centuries, from the Athenian democracy to the vision of representation developed in the last centuries. And in recent years, democratic theories have advanced considerably. Scholars increasingly redefine democracy, as the different turns already mentioned above illustrate, e.g., the 'deliberative turn', the 'constructivist turn' or the 'representative turn'. It might not come as a surprise that Gagnon (2018) recently identified more than 2,000 descriptions of democracy. Also the debate on democracy as a universal concept versus context-specific understandings confirms that democracy is by no means undisputed even among experts on democracy (Dean et al., 2019).

We are far away from having one generally accepted scientific definition of democracy but live with a variety of competing definitions. None of the definitions can be proved as 'true' the way natural phenomena can be proved true. Contrary to natural phenomenon, it cannot be the task of experts to define democracy. The definition of democracy is a process. It cannot be determined once and for all by experts, but it develops in the interaction between and among citizens and experts.

Accordingly, we cannot conceive democracy as a board game or a card game. In games, the players just have to learn the rules prescribed by the creators of the games. Game designers are experts who know the correct rules; they teach the players and make sure the players understand the rules correctly. Although some politicians and other experts seem to see democracy that way,

it is not. Neither politicians nor experts ‘know’, what democracy is, and they cannot judge whether citizens’ ideas are ‘right’ or ‘wrong’. Democracy does not mean that people learn and live according to rules prescribed by experts. When we believe in the principle of democracy as self-governing, it is intuitively convincing that citizens should decide themselves about the rules they have to play by.

1.5 Conclusion

This chapter introduced the first and most important principle of Thriving Democracies. It is at the heart of self-governing: Citizens reshape and redesign their democracies. They deliberate and decide the democracy they want to live in. Applying legal language, citizens are substantially and significantly involved in the drafting, the deliberating and the decisions on constitutions; they are the authors in the constitutional moment.

This chapter provides normative as well as empirical arguments substantiating this principle. It argues normatively that self-governing should address the heart of democracy—the constitution. It claims and explores the idea that constitutions developed via participatory procedures counter many of the current democratic malaises, improve political satisfaction and democratic stability, enhance the level of democracy and spark the democratic spirit.

Although I argue strongly for the need for citizens to decide about the kind of democracy they want to live in, I also emphasized that core democratic elements, namely human rights, e.g., minority protection, and civil liberties, e.g., freedom of speech, should be unchangeable. Democracies can only thrive when they guarantee these rights and liberties. There may be some controversy about which rights and liberties are conditions sine qua non, but I suggest for now to establish basic human rights and civil liberties as unchangeable.

Keeping these necessary limitations in mind, I endorse that democracy is not a board game, where players simply learn the rules set by experts and play along. I advocate a concept of democracy as active self-governing, and the most basic form is the decision of how citizens want to govern themselves, i.e., how they want to perform collective will-formation and decision-making.

Notes

- 1 The Theory of Moral Sentiments, <http://knarf.english.upenn.edu/Smith/tms411.html>, accessed June 2021.
- 2 For the philosophical debate on the hypothetical social contract and tacit consent see, e.g., Beetham (1991).
- 3 This trend is evidenced by a recently established European network of scholars and practitioners set up to study these attempts. For more details on the European network see “Constitution-making and deliberative democracy” www.cost.eu/actions/CA17135/#tabsName:overview

- 4 “A survey of a range of the world’s codified constitutions (including some non-democratic ones) shows that there are at least three key functions that continuously recur: (1) the legal establishment or recognition of the basic institutions and departments of the state, including federal or other sub-national units within it; (2) the division and allocation of responsibilities between the institutions or departments of state; and (3) the articulation of a set of foundational political principles to which the institutions of the state are meant to give effect, and which typically include a list of human or citizens’ rights or related state duties” (King, 2013, 80–81). See also, e.g., <http://comparativeconstitutionsproject.org/> (Elkins et al., 2014).
- 5 Descriptive representation is often contrasted with substantive representation. It is closely related to the demand that the demographic composition of the decision-making bodies should at least somehow mirror the composition of society (see Mansbridge, 1999).
- 6 In the broadest sense, equality means a relationship between two or more reference objects, for example, a rich and a poor citizen, with regard to a certain benchmark, for example, influence on political decision-making (Alexy, 1986; Altwicker, 2011; Westen, 2016).
- 7 Although the principal–agent paradigm has been criticized as oversimplifying, it describes the basic concept of representative democracy in a clear way and is thus helpful for the discussion.
- 8 According to the famous quote by Dahl (1971), “a key characteristic of a democracy is the continued responsiveness of the government to the preferences of its citizens, considered as political equals”.
- 9 In the context of this book, I do not refer to further chains of accountability, i.e., when the elected, ‘primary agent’ delegates his/her assignment to other agents, for example, to cabinet members or to European commissioners (see, e.g., Bundi, 2018).
- 10 Easton (1965) and his followers differentiated between diffuse support for the political system and support for the performance of a system. This differentiation has similarity with the differentiation between support for procedures and substantive outcomes (see discussion by Quaranta, 2018).
- 11 “Relevant questions include those asking respondents to evaluate the appropriateness or desirability of democracy, to compare democracy to some undemocratic alternative, or to evaluate one of these undemocratic forms of government” (p. 122).
- 12 A comparative study by Bernauer et al. (2016) on over 30 democracies was designed to check whether democratic setups “fit the society they govern” (p. 474). Yet, the empirical work did not include citizens’ procedural preferences.
- 13 Citizens’ and experts’ visions of democracy mismatch on more aspects. For example, most citizens disagree with political science standard models defining democracy as party competition and elections. From their perspective, these definitions miss an important attribute of democracy, namely citizens’ direct involvement in political will-formation and decision-making (see, for details, Section 4.1).
- 14 Most arguments center around the involvement of citizens in policy-making. Citizens’ engagement in the reconceptualization of democracy was seldom discussed (Geissel, 2016). However, debates on participatory policy-making are instructive and help to develop arguments in the context of participatory constitution-building.

- 15 Colombo (2018, p. 787) presented a multilevel analysis of voters' justifications based on data from 34 ballot decisions in Switzerland and showed that voters clearly understood the topics at stake and were able to achieve considered judgments.
- 16 There is no consensus on these questions. Accordingly, for example, democracy measurements differ considerable, ranging from minimal to maximalist concepts of democracy and democratic core elements (Coppedge et al., 2020; Freedom House, 2014; e.g., Geissel et al., 2016). See also www.un.org/en/global-issues/democracy, accessed January 2022.
- 17 Some of these rights are, however, disputed, for example, gay marriage.

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2 Citizens monitor continuous adaption

It is not the strongest of the species that survives, nor the most intelligent that survives.

It is the one that is the most adaptable to change.

(Leon Megginson, lecture on Darwin (Megginson, 1963, p. 4))

The US Constitution was adopted in the 18th century. Since then, it has experienced several albeit piecemeal amendments. But there was never a fundamental review and an encompassing adjustment to societal changes or to citizens' preferences and demands. What made sense in the 18th century—a time when the United States was sparsely populated, internet did not exist, and the educational level of Americans was much lower than today—seems rather outdated. Americans are bound to rules established more than two centuries ago by well-off, white males—a few were even slave-holders. Today, most Americans agree with that critique: Over 60% are convinced that “significant changes to the fundamental design and structure of government are needed to make it work for current times” (Brenan, 2020; Pew Research Center, 2018). The assumed tacit consensus among citizens to the outdated constitution does not exist. Shouldn't each generation decide itself, which constitution it wants to be bound to? It sounds almost bizarre that the constitution was never adjusted to the changing society. And it is similarly bizarre that no democracy has installed internal structures ensuring necessary adjustments. I spell out these considerations in this chapter.

One of the major problems of current democracies is their stagnation; they stick to outworn setups often installed decades or centuries ago—seemingly preserved for eternity with options for piecemeal amendments. There seems to be little concern, whether these constitutions are still able to fulfill the promises of democracy. Let me explain this with the instance of elections. Elections were expected to guarantee political equality ('one person-one vote'), but reality looks different. Many democracies have extremely low and biased voter turnout and political inequality is rising. What do current democracies do about this? Not much. They avoid tackling the problem at

the source and experiment at most with a few fragmentary reforms such as lowering voting age.

The second principle of Thriving Democracies, *the principle of continual quality-monitoring and adaption*, addresses this problem. It is based on the premise that democracies need a continuous quality assessment to identify their shortcomings and to adapt to changing circumstances. Democracies must be monitored, whether they realize the democratic promises and the tenets a community pursues—or whether adaptations are necessary. For example, a community might favor a vision of democracy with political and social equality. It must check whether its practices and procedures put this principle into reality and whether its setup has to be adapted to changing circumstances.

Current democracies already know some forms of quality monitoring. Examples are *Election Committees*, which oversee elections, Parliamentary Committees of Inquiry, which examine possible maladministration or corruption in the legislative processes, or committees, which scrutinize government work, e.g., the United States House Committee on Oversight and Reform investigating the House of Representatives. However, all these agencies are just responsible for revealing potential misconduct, mistakes and frauds of one institution or actor. We also find quality monitoring agencies installed to monitor and improve the performance in specific policy fields. For example, in Great Britain public agencies supervise the service of the National Health Service (NHS), e.g., the NHS Improvement (NHSI). These agencies were installed to ensure that policies are adapted to changing health needs and demands of society. *Yet, no agency is responsible to monitor the democratic system, its functioning and adaption. The scope of their evaluation is limited.*

The suggested approach of continuous self-monitoring has, however, similarities with the *Democratic Audit*, an endeavor started by scholars in cooperation with civil society. The Democratic Audit monitors and evaluates the quality of democracies, based on citizens' evaluations and scholarly assessment. It examines, "how democratic" elections, the parliament and "the channels for political participation" (parties, interest groups, etc.) are and whether "equalities essential for liberal democracy" are secured. Finally, it assesses the overall democratic quality and "the potential for democratic advance". Thus, it is very stimulating and instructive for the second principle of Thriving Democracies (Beetham & International Institute for Democracy and Electoral Assistance, 2008; Dunleavy et al., 2018; Gidengil et al., 2004).

But there are three crucial differences to the monitoring I suggest. The main difference is the (non-)internalization. The Democratic Audit is an external endeavor, it is not embedded in the democratic setup. In contrast, I recommend weaving and building quality-monitoring systematically and formally into democratic setups. I will discuss in detail, what this might look like below (Figure 2.1) and develop ideas for a public agency addressing this topic in Chapter 9. The second difference refers to the benchmarks. The Democratic Audit, similar to other quality of democracy measurements, checks the

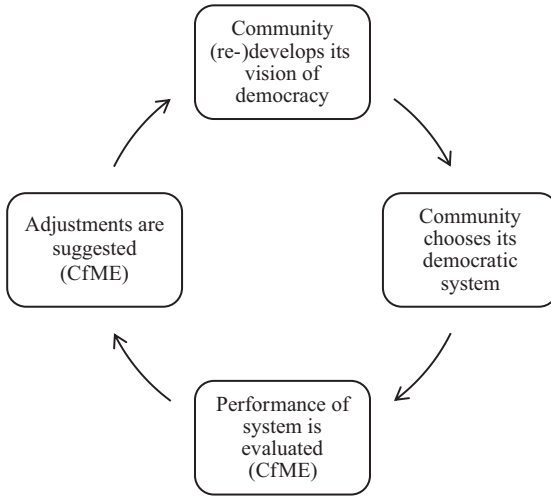


Figure 2.1 Continual adaption within Thriving Democracies. (CfME = Committee for Monitoring and Evaluation).

quality of democracy along a predefined list of indicators. In contrast, the monitoring I propose, also includes the specific democratic preferences and tenets of a community. The third difference refers to the concept of adaption. The Democratic Audit monitors the quality of democracy. But within Thriving Democracy, monitoring is not an end in itself, but the first step for adaption and improvement, as will be explained in this chapter as well.

In the following lines, I elaborate the second principle '*citizens monitor continuous adaption*'. I contradict the current notion of democracy as a static setup and argue for an understanding of democracy as an ongoing endeavor that does not end with installing a set of practices and procedures. This includes continuous, internal, formalized assessment of the overall quality of democracy and striving for adjustment.

2.1 Continuous monitoring and adaption of democracy

It is a major finding in natural science that species must adapt if they want to remain and to flourish. The ability to adapt is not only indispensable for species to survive successfully, but also for humans and human associations. For example, families adapt to the changing needs and interests of growing children and aging parents to ensure a suitable family life for all members; companies adapt to changing customers' demands to continue their businesses successfully. Circumstances are seldom stable over a long period of time. Thus, human associations, which want to persist and to thrive successfully, adjust to shifting environments. Obviously, stability and change are no dichotomies,

but they are inseparably connected. Both are two sides of a coin that can only exist together. In our daily lives, we are familiar with this phenomenon. But democracies seem to be reluctant to accept this insight. Sticking to a static system is not the best way to ensure survival and surely impedes thriving. *The democratic promises cannot be fulfilled with stagnation—in contrast, adaption and change are necessary* (see also Bedock, 2017).

The idea of democracy as an unfinished project that must be open for change is not new. It has been expressed widely—and probably most clearly by the French philosopher Derrida (2005). The main point of Derrida’s complex thinking is the notion that democracy is never ‘finished’ but involves change and transformation. This idea radically contradicts any belief that we have achieved or will ever achieve the final, perfect form of democracy. There can never be the flawless, eternally lasting democratic system, but democracy must always strive to adapt. But whereas Nadia Urbinati (2008, acknowledgement) describes representation as “the way for democracy to constantly recreate itself and improve”, *this book strongly argues for citizens’ self-governing as means for continuous adjustment*. Constant recreation of representation, as Urbinati suggests, might happen. But based on empirical evidence, the chances for change via representation are relatively small (e.g., Ansell & Gingrich, 2003; Bowler et al., 2002).

Many problems of current democracies seem to be caused by their inability to adjust. Societies change constantly. For example, the shift of societies from distinct, clear-cut groups organized along cleavages and with homogenous interests, described in the introduction of this book, is such a development. *Democracies are well advised to keep up with such changing developments and challenges*. Closing our eyes to these challenges, has negative effects. For example, political dissatisfaction has been growing in many democracies considerably over time, but not much has happened to address this. Similarly, democratic backsliding is not a recent phenomenon. Yet, it is only scandalized when the damage has been done—as for example, with the increasing endorsement of populist parties. One of the most dramatic developments is probably the fact that, as Freedom House has shown, “more than half of the countries that were rated Free in 2009 have suffered a net decline in the past decade”.¹ Such developments could have been identified and countered much earlier. Many democracies avoid facing up to the problem—until considerable damage occurs. Continuous monitoring and adaption might have prevented several dramatic setbacks.

Furthermore, in changing societies, the functioning of practices and procedures changes. What worked before might now have unintended impacts and turn out as useless or even as detrimental. As mentioned above, for example, elections are expected to guarantee political equality, but the increasingly skewed voter turnout contradicts this. Another instance are parliaments, which were installed to enable the rule of the people in large-scale societies via representation. But often they do not fulfill their intended purpose of representing the whole society (see Chapter 5). Monitoring is necessary to

identify such *dysfunctional practices and procedures*. When a practice or a procedure no longer serves the purpose it was expected to, adjustments are necessary.

Finally, *tenets can also need adjustments*. I illustrate this notion with a hypothetical instance. A community might have preferred a strong, stable government and had therefore installed a majoritarian electoral system. But later on, it realized that a strong, stable government hindered development, e.g., new parties could not emerge. Voter turnout dropped and citizens became increasingly unsatisfied. Thus, the community changes this tenet, and decides to prioritize flexibility and adapted its setup accordingly, i.e., implements a proportional electoral system.

Interestingly, many scholars, politicians and citizens agree with the notion that democracy is an ever-changing endeavor. But few have thought about how to ensure continuous self-monitoring and adaption of and within democracies. I suggest *installing an internal continuous quality evaluation process*. We might, again, refer to the corporate world, where quality management and quality assurance are standard in most companies—agencies are set up to warrant that the companies perform adequately. We need similar strategies also for democracies that ensure that the setups are adjusted to changing preferences, demands and needs of communities. In order to react properly to all changes, monitoring strategies should be formally integrated into democratic setup. They have to be ‘woven’ into the system as an internal part with a responsible public agency. Such a public agency in charge for this task could be a Committee for Monitoring and Evaluation.

Some readers may believe it is better to commission governments with the task of monitoring. But I am skeptical that a government or a departmental agency can monitor its own work sufficiently. Others might propose to commission civil society. But I am also skeptical that civil society can do the job. Resources, staff and skills are necessary for proper monitoring, which call for a more institutionalized approach (see also Section 9.1 and specifically Section 9.1.9).

Figure 2.1 depicts the procedures of continuous monitoring and adaption supported by a public agency, the Committee for Monitoring and Evaluation (see Chapter 9).

2.2 Conclusion

The second principle of Thriving Democracies addresses the risk of democratic stagnation and sclerosis in current democracies. When societies and conditions change, democracies cannot remain the same. If systems get sclerotic, they are unable to achieve what they intend to. When communities alter, parties and the party landscape have to change as well to fulfill their functions.

Thriving Democracies are based on the conviction that continuous adjustments are needed to realize democratic promises and tenets. *The second principle of self-governing involves continuous monitoring and adaption,*

surveilled systematically by citizens. This does not happen randomly but must be *woven into the system*—with public agencies ensuring continuous checking and adjusting.

Current democracies know some forms of such monitoring, but existing agencies always refer to specific institutions policies or actors, e.g., watching parliamentarians. In contrast, in Thriving Democracies, the whole system is monitored—its performance as well as potentially needed adaptations to changing contexts.

Summing up the discussion of Part A up to this point: Within Thriving Democracies, communities develop their vision of democracy, they decide about the setup for realizing their tenets, and they make sure that the democratic performance is monitored—and adapted if necessary.

Note

- 1 <https://freedomhouse.org/report/freedom-world/2020/leaderless-struggle-democracy>, accessed May 2021.

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3 Citizens' will-formation is tightly connected to decision-making

All power comes from the people.

(Preamble of many democratic constitutions)

The United States is proud of being the first democracy in the world, set up to realize a 'government of, by and for the people', as Lincoln famously announced in his Gettysburg Address (1863). This goal was to be achieved via elections of representatives. However, there are signs of severe dysfunction. Representatives are often disconnected from 'the people'. This lack of connection is illustrated vividly by the high approval rate among citizens to statements like "Elected officials don't care about ordinary citizens" or "Government is run by a few big interests".¹ And this impression is not completely wrong. Political decisions tend to please more often the well-off than ordinary citizens. Gilens and Page (2014, p. 577) showed that "majorities of the American public actually have little influence over the policies our government adopts". Piketty (2014, p. 514) even goes so far as to state that "the risk of a drift toward oligarchy is real and gives little reason for optimism about where the United States is headed".

Not only the United States, but many democracies suffer from the broken link between citizens on the one hand and 'politics'—politicians, political institutions, political decisions—on the other hand. One indicator of this disconnect is citizens' mistrust in the actors and institutions of representative democracy. For example, the Edelman Trust Barometer,² one of many surveys in this field, studied 28 democracies in the last 22 years and revealed that political mistrust has become the default in recent years. Another indicator are political decisions. As already mentioned above, political decisions are less influenced by the preferences and interests of ordinary citizens and more often serve the interests of the well-off, e.g., in Germany and the Netherlands (Schäfer et al., 2016; Schakel, 2019).

These empirical findings are no surprise: In current representative democracies, ordinary citizens are seldom invited to take part in the political will-formation of representatives nor do citizens' preferences feed systematically into decision-making. For example, when parliaments discuss legislative bills,

they consult experts, stakeholders, and interest groups (see Chapter 5). But they hardly consult ordinary citizens for advice—with few exceptions (see Chapter 6). And thus, the final decisions are less influenced by ordinary citizens. The connection between citizens and their representatives does not work as expected.

Obviously, the prevailing trustee model in representative democracies has its flaws. The trustee model declares that citizens elect their representatives as trustees with a free mandate, trusting that the trustees act in the interests of their constituencies (even if that means to act against the constituencies' likings) (Burke, 1901). But this model is no longer functioning and has obvious detrimental effects. It neglects citizens' demands in modern democracies to be heard and to also have a say between elections—and it leads to oligarchic tendencies (Piketty, 2014). The broken link between citizens' will-formation and decision-making is damaging for democracies. *We need novel approaches to reach collectively accepted decisions. I suggest improving the connection between citizens' will-formation and decision-making.*

In the next paragraphs I elaborate the third principle of Thriving Democracies: '*Citizens' will-formation is tightly connected to decision-making*'. This principle advances the seminal work by Warren (2017), who elaborated that democracy means inclusive empowerment, collective will-formation and collective decision-making. I develop this approach by insisting that self-governing means to *connect* collective, inclusive will-formation and decision-making. Each in and of itself does not suffice. You might have wonderful collective will-formation, but if it does not feed into decision-making, it is in vain (see, e.g., the critique by Lafont, 2020)—both must be systematically linked.

In the following lines, first, I discuss the rationale for and implementation of connecting will-formation practices to ensure the refinement of citizens' preferences. Second, I detail the rationale for and the implementation of connecting citizens' will-formation with decision-making—the condition sine qua non in Thriving Democracies.

3.1 Providing and connecting practices of will-formation

Within representative democracy, will-formation on legislative subjects is mainly the privilege of politicians. Will-formation of citizens can be described as a shadowy existence. Proponents of the classic vision of representative democracy such as Schumpeter hardly bother with citizens' will-formation. From their perspective, citizens just 'have' preferences, which they express in elections or via membership in parties and interest groups. Accordingly, *many current democracies do not make much effort to offer and to connect practices of citizens' will-formation.*

Why do we need refinement of citizens' preferences via will-formation? The notion of preferences insinuates that preferences actually exist in

clear-cut, solid forms. But in reality, many preferences are neither stable nor static. They often develop, when people have a chance to re-think them in the light of new information, deliberation and experience.

Let me explain this with an everyday example, the decision between a terrace made of stone or wood. We might have a spontaneous opinion, based on some kind of ‘gut feeling’ and on first, superficial aesthetical or functional impressions. But to come up with our final decision, we acquire information on the advantages and disadvantages of both materials; we surf the internet, we ask neighbors and friends about their experiences and so on. We try to grasp all the aspects. For example, we might like the looks of wood better but then we learn that wood requires more intensive maintaining than stone—and we do not want to spend time with maintaining our terrace. We learn about the different prices of stone and wood and so on. We switch from favoring stone to wood and back due to new bits of information. And we make our decision after considering all the different aspects.

The same is true for preferences considering the complex subject of how to govern a community. Ordinary citizens have probably not pondered a lot about their visions of democratic tenets and setups. Their first ‘gut feelings’ need to be *refined* with options for rethinking these preliminary likings. *Practices for inclusive will-formation enable citizens to refine their preferences based on information and debate*—as illustrated in the example of the terrace. Practices of will-formation inspire citizens to think through their original opinions from several perspectives, to hear and ponder about other arguments and finally, to develop well-grounded, reasoned preferences.

The implementation of inclusive practices for will-formation also thwarts the current danger that citizens discuss their preferences only in ‘filter bubbles’ and ‘echo chambers’ with like-minded people without taking other arguments into account. Practices of will-formation must be inclusive to ensure that all citizens are on board and in exchange, that all perspectives are brought into the debate and that as many citizens as possible hear ‘the other side’.

I am convinced that the lack of inclusiveness in current representative democracy cannot be solved via one practice alone, e.g., elections; also randomly selected mini-publics are not a panacea for providing inclusiveness (Jacquet, 2017).³ A *variety and diversity of practices* is required to ensure that all groups have the chance to get involved and that will-formation is inclusive. Different social groups are attracted by different practices. For example, online platforms and social media attract younger people, public meetings in city halls attract the ‘usual suspects’, local participatory budgeting attracts citizens engaged locally in their communities. Some citizens want to participate in face-to-face meetings in small settings, others prefer public online deliberation, some are more inclined to join an interest group and so on. My point is to refrain from advocating one practice as the only and best to enforce inclusive involvement.

A variety of practices is not only necessary, because different practices entice different participants, but also because *different practices often lead*

to different and sometimes contradictory recommendations. For example, in a community a randomly selected mini-public might prioritize keeping the public pool and closing the local theater. In contrast, the self-selected meeting in the city hall might endorse more investment in the theater—and an interest group might opt for a new golf course. The case described by Parkinson (2006, p. 33) confirms such contradictory outcomes: In the debate on hospital restructuring in Leicester, England, a citizens' jury suggested another solution than a petition signed by 150,000 citizens. And this is exactly the point! Such differences are welcome and embraced. They show that different groups have raised their voice and that all the different interests are on the table.

The provisions of such a variety of practices—leading potentially to different recommendations—are, however, just the beginning. The next action is to connect these practices in a meaningful way. (How) Can communities balance the potentially diverse recommendations? A *volonté générale* surely does not exist. Any “unitary, nonpluralist, unmediated, and unaccountable vision of society’s general interest” is certainly wrong (Caramani, 2017, p. 54). Modern communities are pluralistic, heterogenous and conflictive. Even after intense will-formation in different practices, heterogenous and competing interests remain. Intelligent means for connecting the different practices of will-formation are necessary, which “launder”, “filter” and reconcile the various recommendations in iterative ways (Boswell et al., 2016). I will make suggestion for such procedures in Chapter 8.

3.2 Connecting citizens' will-formation with decision-making

Providing and connecting different practices of citizens' will-formation is just the first step. In the next step, citizens' will-formation *has to be connected with decision-making*. It is normatively convincing that citizens' preferences have an impact on political decisions. Connecting citizens' will-formation and decision-making is a general promise in democracies. In Chapter 1, I have discussed a variety of arguments and empirical results supporting my claim for including citizens' preferences explicitly in constitution-building. Most of these arguments and results can also be applied as rationale for connections between citizens' will-formation and decision-making in a broader sense. How can this insight be implemented? How do current publications refer to such connections in tangible terms? And what can we learn from the existing literature for Thriving Democracies?

Until recently, scholars often worked within ‘pillars’—on elections, on parliaments, on deliberation, on referendums, on movements or interest groups. Some scholars even sharply distinguished themselves from other ‘pillars’. Scholars focusing on elections and parliament sometimes looked with suspicion at participatory practices. From their perspective, citizens' will-formation and decision-making are closely linked via elections. They were afraid novel, participatory practices would have negative effects

on representative democracy.⁴ Scholars promoting deliberative practices despised counting votes, aggregating ‘raw’ preferences, and majority rule, i.e., the mechanisms executed in elections and referendums. Scholars supporting referendums rebuffed the idea of policy-making via representatives. And they reminded their deliberative peers that democracy is also about making decisions.

However, some scholars have already stated years ago that practices of citizens’ will-formation and decision-making should be connected more closely to realize a well-working democratic system.⁵ Within the last years, a wave of support for connections emerged. More and more scholars are careful to advocate ‘their’ practice as the holy, the only, or the best answer. The call for a ‘connective turn’ in scholarship on democracy is emerging slowly, promoting more innovative connections between different practices instead of focusing on one. For example, Landemore (2020) suggests connecting a variety of non-electoral forms of representation—representation based on random selection, self-selection or liquid-representation with vote delegation. Lafont (2020) insists that democracy must avoid “shortcuts”, which insinuates the use of different practices. Also, Hendriks et al. (2020) proposed in their book on *Mending Democracy* to improve the connections between political actors via activities like the playful ‘Knitting Nannas Against Gas’.

However, all these suggestions a far cry from the self-governing in Thriving Democracies. Let me explain this with the example of current debates on how to connect public citizen deliberation with decision-making. Proponents of public citizen deliberation recommend increasingly that this practice must be coupled to decision-making in order to enhance democracy⁶ (Beauvais & Warren, 2019; Goodin & Dryzek, 2006; Hendriks, 2016; Kuypers & Wolkenstein, 2019). Yet, they often describe the connection as *transmission of citizens’ preferences developed within the ‘wider public sphere’ or the ‘public space’ to the so called ‘empowered spaces’ or the ‘sites of law- and policy-making’, mainly understood as the government* (Dryzek, 2010). A paper by John Boswell et al. (2016), characterizes this kind of transmission fittingly with the question “Message received?” (Bächtiger & Parkinson, 2019; Boswell et al., 2016; Curato et al., 2019, 2021; Goodin, 2005; Mendonça, 2016; Neunecker, 2016; Parkinson, 2006; Saward, 2003). Scholars in this line of thought suggest better coupling between practices of citizens’ will-formation and the ‘empowered spaces’

It seems reasonable to advocate a tighter coupling of participatory devices to the formal decision-making circuit. The tighter coupling allows better transmission between public (deliberative) and empowered (decision-making) sites.

(Papadopoulos, 2012, p. 147)

However, within Thriving Democracies, it is impossible to differentiate strictly between citizens, i.e., ‘the public sphere’, on the one hand and ‘empowered spaces’ on the other hand. Within Thriving Democracies, *the public and the*

empowered sphere are identical. When citizens determine *how* to govern themselves, they are the 'empowered sphere'. They might decide to leave decision-making on some legislative subjects to representatives (Box 8.1), but citizens are the ones in charge. Within Thriving Democracies, citizens' will-formation is systematically connected to decision-making, because citizens are the decision-making site. They have the power to determine, who decides and how.

3.3 Conclusion

The third principle of Thriving Democracies is the strong and tight connection between citizens' will-formation and decision-making. In representative democracies—according to the textbooks—this connection is guaranteed via elections. But reality often looks different. In many current democracies the link has lessened considerably or is almost lost. Free and fair elections alone seem to be insufficient to ensure the link between citizens' preferences and political decisions.

This chapter recollects this fundamental promise of democracy. Based on the normative and empirical reasons spelled out in Chapter 1, it explains and argues that self-governing means per definition that citizens' inclusive, collective will-formation feeds into decision-making. This chapter also clarifies the requirements for citizens' preferences: In modern, pluralistic communities a variety of interests exist, which have to be refined, balanced and 'merged' systematically. Practical suggestions for procedures connecting the different practices of will-formation as well as procedures connecting citizens' will-formation and decision-making are developed in Chapter 8.

Notes

- 1 www.pewresearch.org/global/2020/02/27/attitudes-toward-elected-officials-voting-and-the-state/; www.transparency.org/en/news/gcb-eu-2021-survey-people-worry-corruption-unchecked-impunity-business-politics; both accessed June 2021.
- 2 www.edelman.de/research/edelman-trust-barometer-2022
- 3 As I will discuss in more detail below, mini-publics also tend to attract highly educated, politically engaged people and specific recruitment strategies are necessary to counter such skewness (Box 7.1).
- 4 See Chapter 8, Section 8.3
- 5 E.g., already Barber (1984, p. 307) made some similar suggestions, for example, a national system of Neighbourhood Assemblies with deliberative functions, a national Civic Communications Cooperative to supervise debate and discuss referendum issues, a national Initiative and Referendum Procedure permitting popular initiatives and referendums, and local elections to local offices by lottery (see also Geissel & Newton, 2012; Mansbridge et al., 2012; Warren, 2017).
- 6 For example, Kuyper and Wolkenstein (2019) have developed a framework for how to connect—and to correct—malfunctioning representative institutions with mini-publics.

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Part B

Why existing democracies fail to realize self-governing

The understanding of democracy as self-governing with citizens deciding about their democracy entails several empirical questions. We need information about citizens' visions of democracy as well as about their competencies to govern themselves. What kind of democracy do citizens want? How competent are they politically and how can their competencies be improved? These questions will be answered in Chapter 4.

In representative democracies, several practices are applied, which are expected to ensure the rule of the people, for example, elections or interest group activities. How can these practices also be useful in Thriving Democracies? Chapter 5 will cover these topics. It will discuss the contribution of existing practices to realize self-governing according to the textbooks and scrutinize empirical evidence.

Finally, many countries have already started to implement experimental participatory procedures, for example, participatory budgeting in Porto Alegre or the Constitutional Assemblies in Ireland. What do these procedures look like? How can they contribute to realizing self-governing? Can they serve as blueprints for Thriving Democracies? Chapter 6 will answer these questions.



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4 Citizens' preferences and competencies

Helping citizens to govern themselves involves knowing what they want. The first section of this chapter discusses the crucial results: What do we (not) know about how citizens want to govern themselves? Which practices and procedures do they prefer? Which form of decision-making do they conceive as fair and just? Research in this field is booming and rapidly developing but still in its infancy. Up to now there is mainly piecemeal information available, which will be introduced in Section 4.1.

Since any debate on self-governing inevitably leads to the question of whether citizens are competent enough to govern themselves, I address this question in Section 4.2. It starts with a general debate demystifying the meaning of the term citizens' competencies. Then it discusses, which competencies citizens need to govern themselves in Thriving Democracies and provides findings on how competencies can be enhanced via participatory practices. It illustrates that citizens do not need comprehensive competencies to make Thriving Democracies work, but that they can most likely acquire the competencies they need for self-governing during participation—as Carole Pateman (1970) had assumed half a century ago based on theoretical considerations backed by Jane Mansbridge (1999) and proved in the last years with empirical studies.

4.1 How citizens want to govern themselves

Research on citizens' visions of democracy is a rather novel phenomenon and has gained increasing scientific attention. Research is dynamic offering instructive information but at the same time huge gaps remain to be closed.¹ For example, there are clear indicators that citizens want more say and that they want to be included in decision-making. But we are still missing information on specifications. Standard questions on preferences for decision-makers—politicians, experts or citizens—insinuate that respondents want the same decision-maker for any legislative subject—constitutions, constitutional amendments, salient and non-salient issues (see Figure 8.3). This is most likely not the case.² And all over the world many citizens consider referendums as an important democratic practice; but there is little information on

whether citizens want referendums to be binding or advisory or which legislative subjects they want to decide via referendum. All in all, we have increasing information on a variety of jigsaw puzzles but still little knowledge on the complex question of how citizens want to govern themselves.

Although current studies can until now only provide piecemeal results, the findings indicate that citizens actually do have and can develop ideas about the democracy they want to live in. Citizens can not only express “where the democratic shoe pinches” (Logan & Mattes, 2012, p. 471), they have preferences on the process of ‘democracy-making’. *They can articulate, how they want to govern themselves*—not in every detail but fully adequate to start with.

Two different methodological approaches are applied to grasp citizens’ democratic preferences. Some scholars apply *surveys* to get an overview. Other scholars use *discursive methods* to get information on refined preferences. I start with findings detected via surveys and then proceed to findings made via discursive methods. In the context of this book, I do not explain, why and which kind of citizens favor what, e.g., how socioeconomic factors influence procedural preferences. To cover this topic adequately would require a new book and this type of knowledge is not necessary in this volume on Thriving Democracies (Christensen, 2020; Gherghina & Geissel, 2019; Goldberg et al., 2020; Landwehr & Leininger, 2019; Werner et al., 2020; Werner & Marien, 2022).

4.1.1 Findings via surveys

Several surveys conducted around the world include items on citizens’ ideas about what democracy should look like. In general, these surveys either focus on preferences for certain practices (e.g., referendums or elections), for decision-makers (politicians, citizens or experts), or for certain models of democracy (e.g., electoral, deliberative, social or direct democracy). Respondents are asked to answer questions with yes-no options or to rank their preferences. For example, citizens can give their opinion on whether referendums should be part of a democracy—yes or no—or how important they rank referendums on a scale from not important (1) to very important (10) (e.g., Ferrin & Kriesi, 2016).

One of the first comparative surveys on citizens’ political attitudes was the Civic Culture Study conducted by Almond and Verba (1963) in five Western countries.³ Almond and Verba’s work was followed by the Political Action Study by Barnes and Kaase (1979), who revealed increasing mass participation beyond elections in Western democracies.⁴ Although all these authors were not interested in citizens’ concepts of democracy, they were the impetus for works in political science on citizens’ democratic attitudes and behavior.

Today, several national as well as cross-national, European and worldwide surveys ask questions on citizens’ democratic preferences. Surveys like the World Values Survey (WVS), the International Social Survey Program

(ISSP; modules on citizenship 2004, 2014), the different Barometer Surveys (Eurobarometer, Latinobarometer, Afrobarometer, etc.), or the European Social Survey (Round 6, 2012) offer increasing empirical data (Democracy Barometer, 2014; European Social Survey, 2012; Ferrín & Kriesi, 2016; International Social Survey Programme, 2004; WVS Data, 2015).⁵

These surveys indicate clear preferences. Citizens around the world want to live in a democracy with participatory options.⁶ They express democratic preferences that are not in line with a representative model of democracy. They consider free and fair elections as essential, but they express far spread disenchantment with representation and strongly desire ‘more say’. The general desire for ‘more say’ and for more participatory involvement is widespread. Citizens score democratic systems with options for participatory involvement higher than purely representative ones. This general desire is also substantiated in national surveys. For example, surveys in Finland illustrated that citizens favor democratic procedures that involve ordinary citizens; studies in Germany, France and Spain confirm these results. Werner and Marien (2022, p. 429), analyzing data on Dutch and Swedish citizens (total N = 5,352), showed that perceived legitimacy increased when political procedures involve citizens and that citizens observe “higher fairness for a participatory process than for a representative process” (Werner, 2019). The “opportunity to participate before a decision is reached increases people’s perception of procedural fairness” (Nakatani, 2021, p. 13). All in all, citizens endorse participatory democracy (Bengtsson & Christensen, 2016; Canache, 2012; Christensen et al., 2020; Fernández-Martínez & Font Fábregas, 2018; Ferrín & Kriesi, 2016; Font et al., 2015; Gherghina & Geissel, 2015; see also Goldberg et al., 2020; Neblo et al., 2010; Schedler & Sarsfield, 2007; Webb, 2013; Zorell & van Deth, 2020).

Citizens' preferences in detail

But what exactly do citizens want? Which practices do they favor or consider as just and fair? Whom do they want as decision-makers? The following discussion gives an overview with a focus on findings instructive for the development of Thriving Democracies (Part C).⁷

Until recently, most studies focused on attitudes of citizens toward *referendums* and confirmed overwhelming support. Some figures might suffice here: Citizens all over the world rank referendums as essential, indispensable characteristic of democracy—only free elections, gender equality and civil rights were valued as more important (Shin, 2015). According to the WVS Data (2015), the majority of people strongly endorse the demand that ‘people can change the laws in referendums’.⁸ Looking only at Europeans, the findings are almost the same: Europeans assess referendums as essential as free opposition, media freedom or minority rights. They regard referendums as even more imperative for democracy than the item ‘parties offer alternatives’ (European Social Survey, 2012).

Lately, surveys also scrutinize the attitudes of citizens toward *deliberative practices*, with specific focus on mini-publics. They reveal moderate to high support with clear specifications. Most studies indicate stronger endorsement for *advisory* mini-publics than for decision-making ones (Bedock & Pilet, 2019; Christensen, 2020; Rojon et al., 2019). A study on Belgian citizens detected fairly high support for mini-publics particularly among respondents discontent with politicians and current political processes (van Dijk & Goldberg, 2022). In a comparative survey of 15 countries, approval of advisory mini-publics was moderate⁹ and varied according to different policy fields (Pilet, Bol, et al., 2020). Respondents perceived advisory citizens assemblies as more legitimate for the redistribution of social benefits than for topics like European integration or immigration.¹⁰ A study on Northern Ireland proved endorsement even for decision-making by randomly selected citizens' assemblies among Irish citizens (Garry et al., 2021). Summing up, *citizens seem to like deliberative practices in general. Support, however, differs substantially considering advisory versus decisive assemblies, different policy fields or countries.*

Recently, a few surveys compared the preferences for *different participatory practices* with somewhat mixed results. For example, a survey with US citizens compared the support for referendums versus public meetings and proved stronger endorsement for referendums (Rojon et al., 2019). A study on UK citizens scrutinizes citizens' preferences for *direct democratic versus deliberative practices* (Gherghina & Geissel, 2020). The respondents favored both referendums and deliberative practices strongly and to a similar extent.¹¹ Citizens are able to discern participatory options; they express specific tastes for one option or another in context-specific ways (similarly, see Zaslove et al., 2021).

When it comes to *preferences on decision-makers*, only few respondents wish for politicians as the only deciders. Most citizens favor a mixture of citizens and politicians as deciders, supported by experts. In the United States the findings were explicitly telling. The study by VanderMolen (2017) discovered that respondents wanted citizens to be the primary political decision-maker (51%), as opposed to independent experts (27%) and elected politicians (13%).¹² Also in a survey with German citizens, politicians turned out to be the least popular decision-makers (Gherghina & Geissel, 2015). A Finish survey experiment revealed that Fins endorse strong involvement of experts and citizens when politicians decide (Christensen et al., 2020).

These findings also indicate an increasing role of *experts*. As Bertson and Caramani (2022, p. 20) showed in a recent study on nine European Democracies, citizens prefer more popular involvement but also more independent expertise over decision-making solely by elected politicians. As the authors point out, these are not necessarily signs for increased populism or technocratic attitudes but “a rejection of the current workings of representative democracy as both nonresponsive and irresponsible” (p. 21).

In spite of the rather uniform and consistent worldwide consensus for more participatory democracies, *variations between countries* can be discerned

(Canache et al., 2001; Chu et al., 2008; Crow, 2010; Ferrín & Kriesi, 2016; Hansen & Goenaga, 2021; Pickel, 2016, p. 334; Schedler & Sarsfield, 2007). The findings described above already illustrate some differences. And there are more examples: Finish and Dutch citizens endorse referendums less than their Swiss counterparts. Around 60% of citizens in Switzerland describe referendums as an absolutely essential characteristic of democracy. But only 14% of Finns and 17% of the Dutch rank referendums as a top priority. Swedish citizens are more in favor of party-democracy than Italians and Polish citizens; Romanians reject purely representative models much stronger than Dutch citizens. Citizens' democratic preference differ from country to country (Bengtsson & Christensen, 2016; Bertou & Caramani, 2022; Canache, 2012; Doorenspleet, 2015; Geissel, 2016; Mattes & Bratton, 2007; Oser & Hooghe, 2018).

Finally, a few studies look deeper into *controversial concepts of democracy within communities*. For example, Pilet, Talukder et al. (2020) exploited data from the Belgian Election Survey 2019 and searched for the “models of governance” citizens endorsed. They found preferences for seven different models among Belgian citizens. Some favored representatives as decision-makers with elections as main practice; others opted for citizens as decision-makers with referendums as a crucial option; some preferred experts or a mixture of different decision-makers and practices.¹³ Similarly, Bengtsson (2012) found different concepts of democracy favored among Finns. “One of the most intriguing findings is that the role of citizens in decision-making appears to constitute a dividing element; while some are strongly in favor of enhanced citizen involvement, others prefer anything but that” (p. 62). Distinct patterns among the Finish respondents clustered around a predilection for ‘direct citizen involvement’, and this was the majority. ‘Technocratic government’, and ‘representative democracy’ were favored by a minority. Bengtsson (2012) insists, this is not the end of the story: “However, when measuring peoples’ preferences for political processes, it is necessary to proceed with caution. Measuring peoples’ opinions toward political processes should hence be done carefully and answers to single items should not be taken as a stable attitude” (p. 63). And this is important for Thriving Democracies. Communities do not share a common understanding of democracy from the outset. Differing preferences are probably the default (see Chapter 1, Section 1.2). Complex and intricate procedures are necessary to develop an understanding of and a democratic setup that communities can agree on (see Chapter 8).

4.1.2 Findings via discursive methods

Survey findings provide informative data, but they lead to a dilemma, which is running through the whole debate on citizens’ preferences. Survey findings cannot tell us whether questions on democratic preferences are just hastily answered, spontaneous hunches or whether the answers are based on

sophisticated considerations. For example, asking a prima facie plain question like ‘do you want more say in politics’ might produce answers, which insinuate actual, fixed, thought-through considerations. But respondents might only express an ad-hoc ‘gut feeling’ without thinking through what ‘more say’ would look like. And surveys cannot grasp, what citizens would prefer after will-formation.

Discursive methods give participants the chance to deliberate on their preferences before expressing them. Information and discussion enable participants to form a more sophisticated opinion on the complex and intricate subject of democracy. Thus, we can gain knowledge about citizens’ refined preferences.¹⁴ *Via discursive methods we learn about citizens’ refined visions of democratic tenets and setups.*¹⁵

Normally, we develop preferences on complex subjects, which are of some importance to us, based on information and experience as described above in the terrace example. This is however a problem. For most citizens, political topics, including the question of how they want to govern themselves, have barely even entered into their consciousness. Up to now they have had little to no influence in this arena. Considering this, it is reasonable and rational if they don’t wish to waste time on subjects over which they have no influence. But within Thriving Democracies, they will decide on how to govern themselves. Accordingly, it is crucial to find out, what citizens’ refined democratic preferences look like after thorough will-formation. This research is still in its infancy. The few studies, however, illustrate that citizens can make up their mind about the kind of democracy they want to live in (Stoker et al., 2014; Wessel, 2010).

Among the most famous scholars in the field of discursive methods is James Fishkin. Fishkin (2009) is interested in the question of how opinions of people change when they receive balanced information and deliberate. He developed the tool ‘Deliberative Polls’ to measure these effects. His experiments confirmed again and again that participants refine their opinions and come up with more sophisticated judgments after informed deliberation.¹⁶ Unfortunately, democracy itself was seldom the topic in Deliberative Polls.

A few citizen assemblies, which include information and deliberation, cover subjects related to democratic self-governing, e.g., the Belgian G1000 or the Irish Constitutional Assembly (see Chapter 6) (Jacquet, 2019). One of the most recent and prominent examples is the ‘Bürgerrat Demokratie’, conducted in Germany in 2019. The Bürgerrat is worth being investigated in more detail because it focused explicitly on the future of democracy (see [www. Bürgerrat.de](http://www.Bürgerrat.de)).¹⁷ It was organized by civil society and consisted of 160 randomly selected citizens, who deliberated over two weekends. The participants were briefed by experts on several related topics and supported by neutral moderators. They deliberated in small groups and finally they agreed (per voting) on recommendations for decision-makers.

In the concluding report, the participants summarized a list of concrete proposals. They suggested with overwhelming majority that more options for citizen involvement in politics are needed. Explicitly they recommended more direct democratic practices linked with deliberative practices such as randomly selected mini-publics at all levels (local, regional, federal). These mini-publics should reflect the composition of society regarding, for example, gender, age and educational level. The government should act responsively to the recommendations made by these mini-publics. The Bürgerrat also proposed to install the option for citizens' initiatives at all levels, including the right to veto laws via referendum, and to allow for online voting. Additionally, it opted for establishing a state-funded, politically independent agency that coordinates, implements, and informs civic participation and referendums nationwide. It also commissioned the state to ensure that understandable and neutral information on referendums is offered via a variety of channels. Referendums should be preceded by a council of citizens (mini-public) in order to prepare the questions and to summarize information. Finally, it agreed on the dynamic nature of democracy by demanding that results of referendums should be reversible (see Box 1.5).

The recommendations balance the wish for 'more say by citizens' with several 'safety-nets'. For example, the Bürgerrat concluded that having mini-publics before referendums would guarantee sophisticated public will-formation. This recommendation proves that the participants were well aware of the dangers of potentially 'raw', thoughtless opinions expressed in referendums. Also, the dynamic aspect with the option of repeating referendums might count as a 'safety-net'. With such intricate, comprehensive and sophisticated suggestions, the Bürgerrat goes far beyond the usual features covered in surveys. The recommendations also confirm that ordinary, randomly selected citizens favor a future democracy that gives citizens more say and to connect citizens' will-formation closely to decision-making with combinations of elections, referendums as well as deliberative practices while ensuring dynamic adaption.

4.1.3 Conclusion considering citizens' preferences

Research on how citizens want to govern themselves is booming but still only provides piecemeal information. Here are summaries of the main findings: (1) citizens want more say on how to govern themselves, (2) citizens can develop sophisticated ideas of how they want to govern themselves and (3) different communities show different democratic preferences. In detail:

- 1 Citizens no longer accept that their democratic role is limited to electing their representatives. They want democracies with participatory features in which they have more say. They want practices, in which they can discuss and refine their preferences and they want to be included in

decision-making. These results are straightforward, unambiguous and clear-cut, no matter which methods are applied.

- 2 Citizens can develop sophisticated ideas about how they want to govern themselves, which go far beyond the standard yes-no answers on specific practices or decision-makers. When supported by information and deliberation, they can create instructive, intricate visions of the democracy they want to live in.
- 3 Different communities prefer different ways of how they want to govern themselves. They consider different practices as just, fair and appropriate for decision-making. For example, some citizenries strongly endorse referendums but others less so; some citizenries choose to have only advisory citizens' assemblies, others favor decisive assemblies. Some communities stick to representatives as main decision-makers, others have more faith in a mixture of citizens and experts.

Which questions are still open? Current empirical findings are too piecemeal to build a comprehensive vision for Thriving Democracy. As instructive as they are, they all cover only parts of the picture. What could such a comprehensive vision involve? Democratic systems consist of many components, e.g., practices, procedures and agencies (see Figure 7.1), and a variety of legislative subjects, e.g., constitutional amendments and policy issues (Figure 8.3). Current research only gives answers to partial questions. For example, studies ask, whether citizens think referendums are a good idea in democracies. But they mostly do not take into account that citizens who consider referendums in general as a good idea do not necessarily want referendums on all legislative subjects. Respondents might want to have a say on constitutional matters and on salient issues, but they don't want to be bothered with issues not salient to them (Box 8.1). It is possible that they want to decide on international treaties but not on the technical specifications of the local sewage disposal—or the other way round. Or they want more say on health policies but not on foreign policies—or the other way round or on both or on none. Citizens' participatory demands are not uniform. Their preferences for 'having more say' are nuanced. Scholars have only begun to examine such differences. Within Thriving Democracies, such debates will be crucial. Citizens will be invited and inspired to think in detail and as specific as possible on how they want to govern themselves.

4.2 On citizens' competencies to govern themselves

In Thriving Democracies, citizens' competencies are essential. Are citizens sufficiently competent and skilled enough for self-governing? Discussing citizens' competencies brings me into a seemingly contradictory situation. I argue that citizens are competent to govern themselves and at the same time I argue that their competencies need refinement. I am not the only one struggling with this dilemma (Disch, 2011).

The works by Pateman and Mansbridge help to solve this *prima facie* paradox. Pateman argued that citizens learn all competencies required for participation via participating and Mansbridge indicated that participation “makes better citizens” (Mansbridge, 1999; Pateman, 1970). I build on these claims and show that Thriving Democracies do not require citizens with sophisticated competencies. I strengthen my arguments referring to empirical studies, which prove how citizens’ competencies are enhanced during political involvement. These studies illustrate that comprehensive competencies are not a prerequisite for involvement but develop by participating as ‘learning by doing’. And this suffices. Special attention is given in this section to the politically deprived, i.e., the not currently involved citizens.

4.2.1 Thriving Democracies do not require sophisticated competencies

A fierce debate is ongoing about citizens’ competencies in contemporary democracies. Some scholars paint a gloomy picture (e.g., Achen & Bartels, 2017; Foa & Mounk, 2016), others are rather confident about citizens’ competencies (Mansbridge, 1999).

But what exactly do scholars mean when they talk about (supposedly missing) citizens’ competencies? Citizens’ competencies are complex phenomena, obviously meaning different things to different people (Colombo, 2018). *Authors discuss a variety of often rather specific attitudes, capacities or activities under the semantic umbrella of ‘competencies’,* for example (lack of) political knowledge and interest (Converse, 1972; Delli Carpini & Keeter, 1996; Zaller, 1992), external and internal efficacy (Karp & Banducci, 2008), political trust (Citrin & Muste, 1999), critique (Geissel, 2007, 2008) or civic involvement (see debate by Westheimer & Kahne, 2004).

A broader perspective is helpful to get a better understanding of the competencies, citizens need for self-governing. In order to provide an overview, I simplify a scheme, Quinton Mayne and I have developed, which distinguishes competencies as (a) democratic attitudes, (b) political capacities, including cognitive, organizational and other capacities, and (c) political participation (see Mayne & Geissel, 2018).¹⁸ This scheme helps us to *demystify, which competencies different models of democracy expect from ‘their’ citizens.* For the purpose of this section, it suffices to juxtapose the two most contrasting models, i.e., elite-oriented representative democracy versus Thriving Democracy, based on participatory models (see Table 4.1).

The *model of representative democracy* naturally focuses on competencies required in representation- and elite-oriented systems. Several decades ago, Schumpeter (1976, p. 262), one of the most pronounced proponents of this model, was convinced that

the typical citizen drops down to a lower level of mental performance as soon as he enters the political field. He argues and analyzes in a way which we would readily recognize as infantile.

Table 4.1 Citizen competencies in representative vs. Thriving Democracies

	<i>Representative democracy</i>	<i>Thriving Democracy (based on participatory models)</i>
Democratic attitudes	<ul style="list-style-type: none"> • Acceptance of elected elites as primary decision-makers. • Trust in and support for representatives. • Acceptance of democracy as best form of government. 	<ul style="list-style-type: none"> • Endorsement of self-governing. • Acceptance of democratic core values. • Acceptance of democracy as best form of government. • Support for the democratic system of the community.
Political capacities	<ul style="list-style-type: none"> • Moderate capacities required to choose candidate or party at time of election, e.g., knowledge. • Capacity to engage with interest groups between elections. 	<ul style="list-style-type: none"> • Willingness to: <ul style="list-style-type: none"> - live self-governing, - develop refined preferences, - acquire political knowledge, - learn skills required for deliberation. • Internal and external efficacy. • Political interest.
Political participation	<ul style="list-style-type: none"> • Active engagement in electoral campaigns and elections. • Engagement with interest groups, including intermittent interest-group activism. 	<ul style="list-style-type: none"> • Willingness to: <ul style="list-style-type: none"> - get involved in will-formation, - make meaningful decisions. • Active involvement in political will-formation and decision-making.

Source: Authors own creation (inspired by Mayne & Geissel, 2018).

Due to this ‘lower level of mental performance’, political decisions should be firmly in the hands of politicians. Support for political representatives is the most important attitude citizens are expected to deliver. Citizens should trust their representatives and accept political decisions. They should be informed enough to evaluate politicians and to choose the best candidate. They might be involved in activities around elections, parties and representation, e.g., donate to campaigns or contact their representative. And they might get involved in interest groups. But their involvement in any political decision-making beyond elections is undesirable. Summing up, the competencies of citizens defined in this model of democracy emphasize the acceptance of elected elites as primary decision-makers, citizens’ capacities to get involved in elections and citizens’ withdrawal from politics between elections (see Table 4.1).

Which competencies would we expect in Thriving Democracies? Participatory, including deliberative and direct democratic models might be of greater help to answer this question. In these models, citizens are willing to develop political knowledge, internal efficacy, and tolerance of other opinions. They get involved in a variety of participatory practices, e.g., they deliberate,

organize interest groups or initiate referendums. All these competencies also apply to Thriving Democracies.

Within Thriving Democracies, however, one competency is crucial. *The main a priori competency is the endorsement of and the willingness to live self-governing.* Citizens support the idea that they deliberate and make decisions about the democracy they want to live in. They are willing to develop refined preferences, to get involved in will-formation and in decision-making.¹⁹ They are willing to participate in the political life of their communities and to be actively involved in democratic practices at least temporarily. Further sophisticated competencies are not required beforehand (see Table 4.1).²⁰

As you might have noticed, trust in politicians as well as support of government or other institutions of representative democracy are not included in the list of citizens' competencies required in Thriving Democracies (see Table 4.1). I do not consider trust in politicians per se a necessary democratic attitude (Geißel, 2011). As empirical studies show, democracies work better when citizens are politically attentive and critical. Countries with citizenries who regard critical attentiveness as a civic duty display superior qualities of governance to countries with less attentive citizenries (Geissel, 2008, p. 868). In Thriving Democracy, citizens are attentive toward politicians and governments. Yet, Thriving Democracies require support for the democratic system of their community. Since citizens decide themselves about their democracy, support for the tenets and setups of their communities is axiomatic.

4.2.2 How participation enhances citizens' competencies— empirical studies

Pateman assumed already in the 1970s, as mentioned above, that citizens learn everything they need to know for participating during participation. What seemed like a bold statement turned out to be true in many respects. More and more authors “put forward the hypothesis that citizens become more politically competent once they are given the opportunity to participate in political decisions” (Colombo, 2018, p. 789). For example, Michels (2011) concluded her empirical study on several participatory practices with the finding that citizen participation has positive effects on many citizens' competencies. An array of authors confirms these findings. They have proved the ability of citizens to gain competencies during political involvement (Andersen & Hansen, 2007; Delli Carpini et al., 2004; Farrar et al., 2010; Grönlund et al., 2010a, 2014; Lupia & Matsusaka, 2004; Neblo et al., 2018).²¹

In order to strengthen my argument that Thriving Democracies are possible, the following lines discuss crucial findings on how involvement in direct democratic and deliberative practices enhances citizens' a) democratic attitudes, b) capacities and c) participation.

a) Democratic attitudes

Many democratic theorists are convinced that participation in direct democratic,²² deliberative and participatory practices has strong positive impacts on citizens' democratic attitudes (e.g., Mansbridge, 1999). Empirical studies on these effects are still scattered. But the topic has gained more and more scientific attention in the last several years.²³ Exploring a three-wave panel and a data set with more than 3,000 Belgian citizens, Quintelier & van Deth (2014) found out that political participation nurtures the development of attitudes such as the endorsement of democratic norms of citizenship. Based on a detailed, multi-method study in a German state (*Demokratie Monitor*,²⁴ Baden-Württemberg), Zorell & van Deth (2020) demonstrated that participation enhances the understanding of democracy considerably. Also research on deliberative practices like mini-publics indicates again and again that participants increase several democratic attitudes like the acceptance of democratic core elements (Grönlund et al., 2014). Although these findings are still scarce, most studies prove that citizens acquire democratic attitudes when they can take part in participatory practices (see also Altman, 2019; Dyck & Lascher, 2009; Peters, 2016).

b) Political capacities

Looking at the educative effects of *direct democratic practices*, several empirical studies point to rather positive impacts on political capacities. Among the best researched capacities are political knowledge and interest (Mendelsohn & Cutler, 2000)—although the findings are not consistent (Talpin, 2017, p. 20).²⁵ Considering Switzerland, authors like Vatter (2007), Freitag and Wagschal (2007), or Kriesi (2012) have repeatedly concluded that citizens in cantons with strong direct democracy are better informed on political topics. Benz and Stutzer (2004) revealed that citizens living in Swiss cantons with strong direct democracy also show more political interest than citizens in less direct democratic cantons. Bowler and Donovan (2002) compared US-states with more or less direct democratic practices. They found out that citizens in more direct democratic states “are more likely to claim to have a good understanding of political issues” (p. 383). Similarly, also based on surveys within the United States, Tolbert et al. (2003) stressed that direct democratic practices increase citizens' political knowledge and Tolbert and Smith (2005a) showed that the use of direct democratic instruments led to better informed citizens, specifically on issues to be decided on the ballot. The comparison of countries, in which referendums were held on European treaties, is equally instructive. Citizen living in countries, where ballots are casted, were better informed about European issues than others. However, the findings are not uniform. Voigt and Blume (2015) scrutinized a data set encompassing over 90 countries and did not find a significant correlation between the frequency of initiatives and political interest. Schlozman and Yohai (2008) found modest

effects for voters and none for nonvoters. Obviously, the provision and the use of direct democratic practices imply strong options for increasing citizens' capacities, particularly knowledge and interest. But such improvements might not necessarily be a matter of course.

What about deliberative practices? Research on the impacts of *deliberative practices* indicate that deliberation has positive impacts on several democratic capacities. Again, political knowledge and political interest seem to benefit from involvement in deliberative practices, as experimental research depicts (Fishkin, 2011; Grönlund et al., 2014). Studies on real-life procedures confirm these findings, e.g., the comparative study by Sintomer et al. (2016) on participatory budgeting (similarly, Talpin, 2011; Geissel and Joas 2013). And deliberation has also positive effects on other capacities. Scrutinizing the deliberative AmericaSpeaks 21st Century Town Meeting and applying longitudinal survey data, Nabatchi (2007) identified increased efficacy and deliberative skills among participants. Many, yet not all, participants affirmed that they improved their ability to deliberate and to come up with reasoned decisions.

All in all, many studies confirm positive effects of direct democratic and deliberative practices on many political capacities, mainly on political knowledge and interest, but also on efficacy or deliberative skills.

c) Political participation

If Pateman and Mansbridge were right, that participation leads to more participation, then, when citizens are invited and encouraged to participate, their involvement in politics would increase over time. Is that true?

Some authors find little support for mobilizing effects of *direct democratic practices* on politically passive citizens (Donovan & Karp, 2006; Ladner & Fiechter, 2012). Voigt and Blume (2015) detected that the frequency of citizens' initiatives has negative effects on voter turnout. In the Swiss case, higher numbers of referenda go hand in hand with lower turnout in elections of representatives (Freitag & Stadelmann-Steffen, 2007; Linder & Mueller, 2005). In contrast, other authors report positive, increasing effects (Childers & Binder, 2016; Smith & Tolbert, 2010; Tolbert & Smith, 2005b). Voter turnout in presidential elections is higher in US states with direct democratic options and practices (Schlozman & Yohai, 2008; Tolbert et al., 2001, 2003). Also Donovan et al. (2009) detected a clear mobilizing effect of direct democratic practices. In particular, citizens with lower education were mobilized via direct democratic practices within the US context (Tolbert & Smith, 2005a).²⁶

In spite of the mixed results on turnout rates, direct democratic practices seem to have positive impacts on the involvement in civil society activities (Freitag & Stadelmann-Steffen, 2007). Several studies have shown that the option or the involvement in direct democratic practices often leads to more civic engagement (Barth et al., 2020; Benz & Stutzer, 2004; Fatke, 2015; Kern, 2017; Tolbert & Smith, 2005a; Voigt & Blume, 2015).

What about involvement in *deliberative practices*? Advocates of deliberation argue that deliberation, particularly deliberation in mini-publics, inspires political involvement (Mansbridge, 1999, p. 291). Several studies, which surveyed participants before and after deliberation found mobilizing effects. Participants reported an increase in participatory interest and willingness to engage in other political practices, which hold in some cases even months after the deliberation had taken place (e.g., Fishkin, 2009; Knobloch et al., 2020; Luskin & Fishkin, 2003). In contrast to these findings, a field experiment with several mini-publics in Michigan, United States, did not find any impact of deliberation on the willingness to engage politically (Myers et al., 2020). We might conclude that although many studies confirm the effect of deliberation on the willingness to participate, involvement in deliberative practices might not suffice. Other conditions play a role, which have an impact on the willingness to participate and on further participation.

Summing up, citizens can acquire many competencies required for meaningful will-formation and decision-making via participation—although this is not always the case (Grönlund et al., 2010b; Jäske & Setälä, 2019). Citizens might not necessarily be fully competent when they enter the political world, but they learn a lot during the process of participation. The findings indicate that Pateman’s bold statement is rather realistic. Participatory practices are great ‘schools’ for developing citizens’ competencies.

However, certain contexts and conditions seem to be necessary to achieve these benefits (Schlozman & Yohai, 2008). Supporting circumstances are crucial for the development of competencies via participation (Bächtiger & Parkinson, 2019, p. 50ff.). For example, examining citizen juries in Spain, Font and Blanco (2007) discovered that participatory procedures, which were perceived as legitimate, consequential and inclusive, have a higher probability to increase citizens’ competencies (similarly, for Finland, see Karjalainen 2015). In contrast, when citizens considered participatory procedures as manipulative and without influence, positive effects on their competencies were small or non-existing.

This is good news for Thriving Democracies. When citizens decide on the democracy, they want to live in, they most likely consider their system as legitimate. When their engagement is consequential, chances are high for improving their political competencies. In other words, *Thriving Democracies provide the perfect context for ensuring educative effects due to their legitimate, consequential and inclusive participatory practices and procedures*. They offer immense opportunities to improve citizens’ political competencies via continuous involvement inducing iterative, incremental developments of democratic attitudes, capacities and participation.

4.2.3 *But do (all) citizens want to participate?*

Participation refines citizens’ opinions and enhances their competencies.²⁷ But do (all) citizens want to participate? In current representative democracies,

citizens' interests in participating seems to be low, volatile and skewed. Some people are more involved than others (e.g., Bartels, 2008; Schlozman et al., 1999). If this would also be the case in Thriving Democracies, most citizens would just ignore all the beautiful participatory options—and involvement would be even more unbalanced than today. Thriving Democracies would just be an unrealistic phantasy—nice to think about but an illusion.

I approach this potential danger from three different angles, which should give a clear picture of citizens' involvement and their participatory interests. (1) I discuss findings on why citizens do or do not participate in current democracies; (2) I examine more specifically citizens involvement in different participatory practices; (3) I exemplify real-life examples of well-working inclusive citizen participation, which are instructive for Thriving Democracies.

1 Why citizens participate or not in current democracies

The question of why citizens don't participate in current democracies has troubled political science for decades. What most authors find particularly troublesome is the clear bias of involvement. In their seminal study on "why people don't take part in politics", Brady et al. (1995, p. 271) answered famously "because they can't, because they don't want to or because nobody asked". Let me explain these insights in detail.

Among the most well-known findings in political science is the fact that people do not participate, because *they can't due to lacking resources* necessary to participate (time, money, certain capacities, etc.). Brady et al. (1995) confirmed, as many other scholars, that these resources, which correlate with socioeconomic status, are distributed unequally among citizens. The socioeconomic status is the most powerful predictor of participation. Participation was always and is increasingly biased toward the well-off. But this unequal distribution is not the only reason for dramatically biased participation.

People might also *not participate because they don't want to*. Hibbing and Theiss-Morse (2022) detected, two decades ago, that many US-Americans were hardly interested in political involvement. Respondents preferred 'Stealth Democracy', i.e., an efficiently working government without much citizen involvement. These findings inspired a long-lasting debate on citizens' willingness to participate (Fernández-Martínez & Font Fábregas, 2018; Gherghina & Geissel, 2017; VanderMolen, 2017; Webb, 2013; e.g., Zwartbol, 2012). It turned out that the findings by Hibbing and Theiss-Morse cannot be generalized. For example, VanderMolen (2017) restudied the process preferences of US citizens and nuanced the findings by Hibbing and Theis-Morse, showing that citizens actually want some kind of involvement. And the WVS (2006) (www.worldvaluessurvey.org/WVSDocumentationWV5.jsp) as well as several national surveys demonstrate that many citizens are not oriented toward stealth democracy (e.g., Zwartbol, 2012). It became obvious: Whether citizens want to participate differs during space and time. When Hibbing and Theis-Morse (2002,

p. 1) argued “the last thing people want is to be more involved in political decision-making”, this might have been true for US citizens two decades ago but is not true for many citizens around the world today.

Finally, *citizens do not get involved, when they are not asked*. When citizens are asked, they engage. For example, studies on female party members revealed that they are willing to engage when they are invited explicitly (Geißel, 1999; Geissel & Hust, 2005). Similarly, the current approach to invite citizens to participate in mini-publics via random selection proves partly successful at encouraging participation. I will discuss the advantages and disadvantages of mobilization via ‘being asked’ in randomly selected practices in more detail below.

All in all, the famous quote by Brady et al. (1995) seems to be partly right. People do not participate when they lack the necessary resources, when they don’t want to (sometimes) and when nobody has asked them. I will discuss in the next paragraphs that a lack of resources and of ‘want’ can be partly compensated for by being asked. I will also investigate some other activating tools. But let us first look at the actual involvement of citizens in different practices.

2 Citizens’ involvement in different (participatory) practices

Today, the most common form of involvement is surely *voting*. Even in countries with low voter turnout, electing is still the most applied practice. Involvement in *direct democratic practices* is widespread in countries with these options. Yet, turnout in these practices varies and seems to be similarly biased as in elections—with some differences according to different factors such as the issues at stake. Comparable findings can be found for *deliberative practices with self-selection* (see for more details Chapter 5).

Recently, with the introduction of *random selection* in mini-publics, involvement has changed. Whereas empirical studies on participation in direct democratic instruments has been around for decades, studies on the involvement in deliberative practices with random selection are still in their infancy. Research on the topic is rather new. What do we know?

Since mini-publics try to reflect the composition of society, equal involvement is crucial. Random selection seemed to be the solution for providing inclusive involvement. Via random selection, citizens were invited, who normally abstained from political involvement. However, a high percentage of people invited to participate in a mini-public rejected the invitation. Between 70% and 95% of invitees refused to take part (Jacquet, 2017; Karjalainen and Rapeli, 2015). Nonparticipation is far more widespread than participation. Although random selection motivated some politically marginalized citizens to get involved, simple random selection could not balance skewed participation: The acceptance of the invitation turned out to be distorted in many cases. Highly educated middle aged or older men (‘usual suspects’) are more inclined to accept it. Although a few authors like Neblo et al. (2010, p. 574)²⁸ presented the opposing findings that “younger people, racial minorities, and lower-income”

citizens “expressed significantly more willingness to deliberate”, in most cases actual involvement remained skewed. Asking citizens to get involved via random selection can have encouraging effects, but additional efforts are necessary. Novel tools were developed to achieve descriptive representation in mini-publics, namely stratified sampling, mobilizing strategies, reserved seats and easy accessibility (Box 7.1).

- 3 Real-life examples of self-governing—citizen want involvement
Are citizens actually willing to govern themselves? Do we have well-working examples? Several real-life examples refute the argument of citizen disinterest in self-governing. They prove that citizens are willing to govern themselves with enthusiasm under certain circumstances. In New England Town Meetings, for example, citizens “participate—and often at great cost to themselves—when ... there are issues at stake that really matter to them” (Bryan, 2004). Today, such decisive citizens’ assemblies, are seldom but exist. One example comes from the Swiss state Glarus. Similar to the New England Town Meetings, Swiss citizens living in Glarus can express their voice on the issue at stake and after their speeches, they decide via majority vote. Gerber & Müller (2018) portray the surprisingly well working processes of self-governing in these communities.

What can we learn from all these findings and experiences for Thriving Democracy? We might conclude that citizens get involved, when they are mobilized to engage, when they are asked and when they have meaningful, consequential options to have a say. *Citizens get involved when it makes sense to them, when they find participation important ('issues they care about'), and when their involvement has an actual impact.* Thriving Democracies provide the crucial motivating factor: Citizens decide themselves about the practices applied in their community. Their engagement is meaningful and consequential. This will be a crucial motivation to get involved also for those citizens abstaining from politics today.

4.3 Conclusion

This chapter lays clear citizens’ visions of how to govern themselves and it discusses the matter of citizens’ political competencies. In the first part, I summarize empirical findings on what citizens consider as crucial for democracy, what democratic decision-making should look like within their community, which practices and procedures they prefer and who should be the decision-makers from their perspective. The findings confirm that citizens have clear preferences. Worldwide, they want more involvement and more say, although these demands are not uniform. For example, in some countries, a large majority of citizens consider direct democratic practices as an indispensable component of democracy; in other countries, citizens’ endorsement of this component is less pronounced. Studies with discursive approaches show furthermore, that citizens are able to develop sophisticated concepts

of democracy as well as well thought-out suggestions for future democratic systems.

This finding leads to the second section of this chapter, which covers citizens' competencies to govern themselves. The section demystifies the meaning of the term 'competencies'; it discusses the competencies necessary in Thriving Democracies; and finally, it puts empirical flesh on Pateman's (1970) bold statement that citizens learn everything they need know for participation via participation. It illustrates, how participatory practices enhance citizens' competencies and shows: We do not have to wait for the 'perfectly competent citizenry' before we can introduce Thriving Democracies. It is the other way round: When citizens experience lived self-governing, they adopt and develop all necessary competencies during participating. This chapter cannot prove unequivocally that citizens can and will deliberate, decide and live self-governing as promoted in the vision of Thriving Democracies. It does, however, provide a multitude of indications that render the vision as realistic and viable.

Notes

- 1 With few exceptions, studies do not differentiate between tenets or practical setups. Surveys mix both and ask respondents, for example, to rank how essential referendums, free elections, or gender equality are for democracy—although referendums and elections are practices and gender equality is a tenet.
- 2 For example, when citizens opt for referendums it is not clear, which legislative subjects they want to decide or whether and under which conditions popular vote "should prevail over decisions by representative institutions" (Gherghina & Pilet, 2021, p. 5).
- 3 That is, the United States, Germany, Mexico, Italy and the UK. Almond and Verba identified three political cultures, i.e., the participant culture, where citizens see themselves as active part of political life; the subject culture, where citizens see themselves not as participants but focus only on the output side of a system, and the parochial culture, where citizens are neither interested in the input side of the system nor in its output.
- 4 Namely in the UK, the Netherlands, West Germany, the United States and Austria.
- 5 Additionally, surveys conducted on single countries and states include items on citizens' preferences, e.g., in Germany the Baden-Württembergische Demokratie-Monitor. For research on citizens' attitudes on participatory practices, see, for example, the projects by Sofie Marien (www.kuleuven.be/english/research/EU/p/horizon2020/es/erc/newdemocracy) and Jean-Benoit Pilet (www.ulb.be/en/erc/projects/erc-research-project-cureorcourse-jean-benoit-pilet).
- 6 Foa and Mounk (2016) argued that young citizens are less eager to live in a democracy, which started a lively debate on attitudinal democratic deconsolidation. Other authors did not detect an erosion of support for democracy and most recent comparative research proved that citizens in most consolidated democracies provide stable support for a democratic system with, however, some variation of what citizens associate with democracy (see also Mounk, 2018; Wuttke et al., 2022).

- 7 Scholars also examine the factors influencing democratic preferences. Besides socioeconomic characteristics or party affiliation, the question of whether engaged or dissatisfied and enraged citizens support participatory practices and concepts has been scrutinized (Bedock & Pilet, 2019, 2021; Bowler et al., 2007; Gherghina & Geissel, 2019, 2020). For example, based on survey data Survey from the 2012 European Social Survey (29 countries), Werner et al. (2020, p. 538) showed that “dissatisfaction with the ability of governments to listen to their citizens is associated with higher support for referendums”. Preferences for referendums also depend on the expected outcome (Werner, 2019; Wojcieszak, 2014). In the context of this book, however, the backgrounds and reasons for specific democratic preferences are not of interest. What is important are the preferences themselves.
- 8 This refers to rankings 6–10 on a scale of 1 to 10. Almost 40% rank referendums as a main importance (10 on a scale of 1 to 10).
- 9 The average support for randomly selected Citizen Assemblies was “slightly below the midpoint of the 0–10 scale (where 0 means ‘very bad idea’ and 10 ‘very good idea’)”.
- 10 Rojon and Pilet (2021) examined citizens’ support for and their willingness to participate at the local level in four democracies. Support and willingness to participate were slightly above 5 on a 1–10 scale.
- 11 Only around 10% wanted neither the one nor the other. Supporters of direct democracy were animated by greater political interest and political dissatisfaction and they also had more experience with direct democracy. Support of deliberative practices is more often related to experiences with these practices and internal efficacy.
- 12 The question was: “Our government would run better if decisions were left up to which type of people?”
- 13 Most citizens combine support for different actors and would favor the presence of more than one actor to govern, either both experts and citizens as policy-makers, elected representatives and experts or citizens and experts (p. 16). Very few citizens want decision-making by one single actor.
- 14 Other scholars apply in-depth interviews to get deeper insights. Based on such interviews, for example, Bedock (2020) identifies four competing aspirations among French citizens, i.e., entrustment, participation, identification and control of sanctions. These four types refer to the questions of how the democratic system “legitimizes itself, what types of procedures it should lay on and what types of outcomes it should produce” (Bedock, 2020, p. 2). Some citizens consider participation as a main source of legitimacy, others see control of sanctions on representatives as an ideal form of democracy. Such methods are important as well but do not include information and deliberation.
- 15 The discursive approach is specifically prominent among proponents of deliberative democracy. They conducted myriads of experiments with different types of deliberative mini-publics to find out whether, how and under which circumstances participants change their opinions and attitudes after discussions.
- 16 Deliberative Polls have been organized in many countries, including non-democracies such as China. One of the most famous Deliberative Poll is ‘America in One Room’ with more than 523 randomly selected Americans gathering for three days (2019).

- 17 See for a similar Citizens' Assembly in the UK: www.ucl.ac.uk/constitution-unit/research/deliberative-democracy/democracy-uk-after-brexit/citizens-assembly-democracy-uk
- 18 See also Hladschik et al. (2020) for a different systematization of citizens' competences, which covers, however, similar competencies.
- 19 In line with Pateman and Barber, Buck and Geissel (2009) put forward the idea that a "good citizen is a citizen who participates in politics" (p. 226), whereby participation can be learned by participating (see also Westheimer & Kahne, 2004).
- 20 For example, it is not necessary that every citizen understands every line and detail when deliberating and deciding, e.g., an international treaty or a budget plan. Not even every member of parliament understands everything. Citizens need a general idea of the main direction.
- 21 The following discussion of the state of the art focuses on citizens' competencies. The increasing debate on the (lack of) competencies of representatives is not included (Lloren, 2017).
- 22 See Kern (2017) for a discussion of the differences between the availability and the use of direct democratic instruments.
- 23 For reasons described above, I do not refer to political trust in politicians, governments or other institutions of representative democracy (see Kern 2017; Grönlund et al., 2010a; Grönlund et al. 2014).
- 24 The Demokratie Monitor asked whether the respondent has participated in the last 12 months in one of the following activities: "contacted a politician, written a letter to newspaper editors, signed a petition, participated in a demonstration, or joined another form of organised citizen participation". Additionally, it includes two questions on online participation.
- 25 See for impacts of direct democracy on citizens' political support, e.g., Marien and Kern (2017).
- 26 The difference between the United States and Switzerland might be due to two facts. First, Swiss citizens have more options to decide on legislative subjects via referendum than US-Americans, which makes elections of representatives less important. Second, Swiss is a consociational democracy with a very specific formation of its government ('Zauberformel'), which might render elections of parties less significant.
- 27 Whereas a few theorists have welcomed citizens' nonparticipation between elections due to dangers of overload (Schumpeter, 1976) or specifically nonparticipation of citizens with low political literacy (Brennan, 2016), most scholars advocate broad involvement. See for an interesting debate on the benefits of reflective nonparticipation MacKenzie and Moore (2020), who discussed that "the integrity of a democratic process or system may be better served if some people reflectively decided to not participate for democratic reasons" (p. 431).
- 28 Neblo, referring to his empirical works on this topic, summarizes "that people's willingness to deliberate is much more widespread than expected and that it is precisely people who are less likely to participate in traditional partisan politics who are most interested in deliberative participation" (Neblo, 2015, 12).

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5 No established practice suffices to realizing self-governing

This section focusses on the contributions of established practices for realizing self-governing. Since this book aims to suggest established as well as novel practices for Thriving Democracies, we have to know how existing practices actually perform. Equipped with this knowledge, we can suggest practices for Thriving Democracies (Chapter 7). But what exactly are practices and how do I define them? The following box provides detailed explanations and considerations (Box 5.1).

Box 5.1 Practices in Thriving Democracies—the ‘nonhierarchical approach’

I conceptualize ‘practices’ as an umbrella term for a variety of options of exercising political activities. Practices include, for example, elections, referendums, citizen assemblies, parties and interest groups activities, but also parliamentary actions. I am well aware that from the perspective of today’s representative democracies, the term ‘practice’ as applied in this book covers a rather broad scope. Some readers might even say its scope is too broad. But such an umbrella term comprised of different activities is adequate considering the objective of this book, which intends to inspire communities in their search for novel ways of self-governing.

The term ‘practice’ has recently received considerable attention in the literature on democracy and particularly in the literature on democratic innovations. Warren (2017) identified seven activities, which he calls “generic practices”, meaning “ideal-typical social actions that are commonly organized or enabled by institutions that serve democratic functions” (p. 43). Warren’s “generic practices” include the following ones: recognizing, resisting, deliberating, representing, voting, joining (producing association), exiting.

I find Warren’s list of practices inspiring but I consider them as partly too expansive and partly not expansive enough. While the practices of

deliberating, voting and joining are clearly defined, activities like recognizing or exiting seem to stick out without fitting into the list. Both are rather private activities, and it is not clear how they function within democratic setups. I am also not sure about the practice ‘representing’, which seems to combine electoral representation, i.e., an activity performed by elected politicians, as well as activities by nongovernmental groups claiming to represent somebody or something (Guasti & Geissel, 2019a). The term representing might also be understood as descriptive representation, i.e., the representation of groups according to their sociodemographic characteristics, e.g., women claiming to represent women, workers claiming to represent workers or foreigners claiming to represent foreigners (Guasti & Geissel, 2021) (see also Box 1.1).

Besides these unclear practices, the list lacks practices Warren himself considers as crucial. Missing is the practice of deciding, either via referendum or by elected representatives. Deciding might be ‘hidden’ behind the practice ‘representing’, but both are very different pairs of shoes. Also, the current, highly praised practice of sortition, i.e., recruitment by lot, might be mentioned. Finally, for the purpose of this book, I structure Warren’s instructive list along his own categorization of will-formation and decision-making. For example, the practices of joining, resisting and deliberating refer to forming and expressing ‘wills’, whereas voting refers to decision-making.

Warren’s suggestions were picked up and advanced by several authors. Felicetti (2021, p. 1589) even advocates a “practice-based approach to democracy” and assumes that “scholarship on democratic systems would greatly benefit from enhanced attention to the extant variety of democratic practices”. He defines “democratic practices” as “an array of human activity that addresses political problems and is centrally organized around a shared practical understanding”. The use of the term practices would help us to “counter the tendency” to think that democracy means or “should be organized” around a certain practice, e.g., voting or deliberating (Felicetti, 2021, p. 1589). Similarly, Kuyper and Wolkenstein (2019) praise Warren’s approach, because it “treats practices like voting and deliberating as means that allow political systems to perform those basic democratic functions, rather than as definitive components of a model of democracy that are to be prioritized over other functions” (Kuyper & Wolkenstein, 2019, p. 657).

I agree with Felicetti’s, Kuyper’s and Wolkenstein’s implicit critique that practices are organized in a *hierarchical ranking* within representative democracies. In representative democracies, the most important practices are elections and parliamentary activities. The next on the list are parties and party activities. Then come interest group actions,

which are considered as crucial in pluralist societies. Finally, there are practices of citizen deliberation and referendums, which are in most democracies not highly ranked on the hierarchical list.

In contrast, *I do not structure practices along this hierarchy and apply a 'nonhierarchical approach'*. Within Thriving Democracies, hierarchical ascriptions are obsolete. There is no predefined, predominant normative hierarchy. No practice is privileged a priori. Communities and citizens decide the practices they want to perform to govern themselves. For example, they determine whether within their context, decision-making on certain issues via referendum is more suitable than decision-making by parliament. Within Thriving Democracies, no practice is 'better' or 'necessary' per se. Practices are 'good' when they contribute to achieving self-governing of the community.

Practices and institutions

Some people might understand the term practices as the opposite of institutions. Yet, this distinction is misleading. In the world of politics, practices are not the opposite of institutions. On the one hand, as Saward (2021, p. 69) explains, institutions are 'made', defined and sustained only through continuous practices. For example, a parliament makes sense when it does not only 'exist', but when it serves its functions for democracy, i.e., deliberation and decision-making. On the other hand, political practices can only be performed within institutional settings.¹ For example, casting a vote is only meaningful in the institutional setting of elections. Also, political practices performed outside of political institutions can only be effective in the context of institutions. Social movements, for example, approach legislative institutions and ask them to consider their interests. Practices always "imply institutions" (Warren, 2017, p. 43) in order to be executed.²

Participatory, deliberative or direct democratic practices

I have already talked a lot about participatory, deliberative or direct democratic practices. What do they mean and how are they systemized? The literature is still rather confusing on the terminology and the systematization (e.g., Elstub & Escobar, 2019). Most authors distinguish between deliberative and direct democratic practices, some combine both under the term 'participatory' and others consider 'participatory' as an extra category referring to forms of public mass participation (Geißel, 2013; Michels, 2011; Smith, 2009). I apply the term *participatory* as an umbrella term for all practices of citizens' involvement beyond the traditional election- and party-oriented practices. Accordingly, *participatory practices include public deliberation, deliberative practices with*

randomly selected citizens, all direct democratic instruments, as well as different forms of participatory involvement like participatory budgeting.

Practices not included in this book

The focus here is on the activities of citizens in the context of legislative procedures. The following lines explain, why some practices are not included although they might have a political connotation:

First, I do not talk about what Frank Hendriks called the “do-it-yourself-democracy” (F. Hendriks, 2019), another term for ‘community-work’ or ‘coproduction of services’. This means that civil society groups and citizens deliver public goods themselves. Examples are public swimming pools and community centers run by local groups, or voluntary citizen groups cleaning the streets in their neighborhood. Such practices improve the life of communities significantly. But this book focusses on collective citizens’ involvement in legislation. Community-work activities fulfill other purposes. They have no direct impact on legislative procedures and are thus not included.

Second, the list excludes private activities like, for example, listening (Bächtiger & Parkinson, 2019) or deliberative self-reflection. These activities—as important as they are—can hardly be planned and organized as involvement in legislation. A democratic system might offer opportunities and spaces, where activities like listening or self-reflection can be exercised. But such activities cannot be included as a formal part of a legislative procedure.³

Finally, I also do not talk about educational democratic practices, for example, democratic management in classrooms at schools or democratic education in the context of social work. Such activities are important for creating the democratic spirit within a community. But they are not part of political legislation and are thus not incorporated in this book.

The term practices serves as an umbrella term for options of exercising political activities within or in relation to political institutions, as explained in detail in Box 5.1. For readability, I, sometimes, just name the institution, but I always mean the activities performed in these institutions. For example, when I talk about parties or interest groups, I actually mean practices, i.e., party activities or interest group actions.

In the following evaluation, I organizing practices along their two main functions, which are will-formation and decision-making, as explained in Box 5.1. Parliamentary activities should contribute to both and are therefore discussed separately. For each practice, I first summarize the *expected* contributions for self-governing. To this end, I reference proponents who have emphasized advantages as well as opponents who have emphasized

disadvantages. Then, I elaborate on the *empirical* findings. We are fortunate, today, to have empirical results at our fingertips, e.g., on the effects of elections, direct democratic and many deliberative practices.⁴ Finally, I discuss briefly whether and how these practices might be applied in Thriving Democracies. The findings are the base for the development of practices conducive to Thriving Democracies in Chapter 7.

5.1 Practices of will-formation—expected contributions and empirical findings

Citizens' will-formation consists of expressing interests as well as deliberation. In today's democracies *practices expressing interests* are key and I start with these. But increasingly *practices of citizen deliberation* are applied as well, which are discussed afterwards.

5.1.1 Practices expressing interests

Practices expressing citizens' interests include a variety of political activities. Most important in (theories of) representative democracy and today's pluralist societies are parties and interest groups, for example, trade unions, conservative parties or animal protection groups.⁵ Parties and interest groups, which are also called intermediary bodies, serve many purposes—e.g., meeting like-minded individuals and sharing leisure activities, but in the context of this book I am only interested in their contributions to self-governing.⁶

In the ideal model of representative democracy, most societal interests can be and are organized in *interest groups*. Interest groups are expected to foster or even guarantee self-governing by organizing and representing all societal groups, expressing the interests of their members and informing decision-makers about these interests (e.g., Fraenkel, 1974).⁷ However, there are also opponents strongly questioning these alleged advantages. They point out that capabilities for organizing and expressing interests are distributed unequally. Some interests are organized easily, e.g., employer associations. Other interests can hardly be aggregated; for example, homeless people do not form interest groups. Similarly, some interest groups have affluent resources and access to politics; they can influence political decisions heavily. Other interest groups have no resources and no access. From this perspective, interest groups are severely skewed toward the well-off.⁸

What about *empirical findings*? At first sight, the critical voices seem to have more convincing proof than the proponents. Interest group activities are more often performed by citizens with high socioeconomic status as Schattschneider had summarized already in the 1960s: “the flaw in the pluralist heaven is that the *heavenly chorus sings* with a strong *upper-class accent*” (Schattschneider, 1960). This finding has been proven repeatedly, across countries and across time (Geißel, 2012; Marien et al., 2010; Schäfer, 2010). The lack of equality and inclusion is the most obvious flaw, meaning that the opponents were right

to a large extent. Not all interests were organizable, not all people were willing or able to join, resources of interest groups were distributed unequally, and representatives prioritized interests of some groups over those of others.

Since about the 1990s, significant changes occurred in the world of interest groups. Traditional, established groups like trade unions lost ground. Increasingly, new interest groups emerged, advocating novel interests such as animal rights or environmental protection. The concept of interest groups—often associated with rather selfish lobbying for their own interests—was broadened by the concept of civil society groups and nongovernmental organization (NGOs) pursuing ‘civil’ goals benefitting all (Geißel, 2008; see Schoenefeld, 2021 on the different terminologies).⁹ Academia reacted to this shift and put many hopes on civil society groups as warrantor for democratic progress (Gosewinkel et al., 2004; Kocka, 2001).

How did the established interest groups together with the new ones (civil society groups) contribute to self-governing? It is probably safe to say that the standard idea of interest mediation via interest groups does not work as expected in reality. The success of all interest groups, including civil society groups, seems to depend largely on their resources and on their abilities to mobilize (Geißel, 2008).¹⁰ Although civil society groups successfully put novel, common-good-oriented issues on the political agenda, e.g., environmental protections, they have not always fulfilled all the expectations. The idea, that (old and new) interest groups as intermediary bodies ensure that all interests are taken into account, was and is only partly confirmed. However, interest groups and their activities are essential for citizens’ will-formation. They will most likely play a crucial role also in Thriving Democracies since they bundle interests, provide information and can mobilize citizens (see Part C).

What about *political parties*? Parties are central for the functioning of representative democracies (Gauja & Kosiara-Pedersen, 2021; see, e.g., Kuyper & Wolkenstein, 2019; Muirhead & Rosenblum, 2020). According to the textbooks, they serve a variety of tasks: They are expected to represent citizens’ interests, to interact closely with the public, to act as mouthpieces for social groups and to operate as a kind of transmission belt disseminating information on citizens’ preferences to decision-makers (Caramani, 2017, p. 57).¹¹ Additional functions include the wise selection of candidates running for political offices (Campbell et al., 1980, p. 128; Kriesi, 2007a; Slothuus & Bisgaard, 2021, p. 897).¹² Critical voices question that parties still realize all these functions. They criticize that parties are less and less embedded in society and that fewer and fewer citizens feel an affiliation with parties. Most citizens would consider parties as untrustworthy associations.

Within the context of this book, I focus on the contributions of parties to self-governing. How do parties contribute? Can they fulfill the contributions as described in the textbooks of representative democracy? I approach this question empirically considering four contributions (due to the availability of empirical research): a) parties’ interaction with public will-formation,

b) parties' performance as transmission belts, c) citizens' level of trust in parties as well as d) party membership and party affiliation.

Ad a) Parties' *interaction with public will-formation* seems to be rather disturbed. Recently, a few studies explored the actual connection "between public opinion and the policy positions of political parties" as for example, Romeijn (2020), who examined over 100 policy proposals in Germany. The findings are revealing: "While there is a link between general public preferences and the positions of political parties, this connection weakens considerably once political parties are in government" (p. 426). A comparative study by Tom O'Grady and Tarik Abou-Chadi (2019, p. 1) showed even more disappointing results. Comparing data on parties' policy positions and public opinion on several issue dimensions in 26 countries from 1981 to 2016, they "found virtually no evidence that European political parties respond to public opinion on any issue dimension".¹³

Ad b) Similarly, the *performance of parties as transmission belt* can be doubted. Based on comparative research already two decades ago, Dalton and Wattenberg (2002) developed the "partisan de-alignment thesis". This thesis is still true. Most citizens rate parties' performance as transmission belts with skepticism. They feel that parties do not really cover their interests, preferences and needs. From their perspectives, parties hardly transmit what citizens want. For example, Invernizzi-Accetti and Wolkenstein (2017) concluded their research on parties stating that parties are "losing touch with society" (p. 98).

Ad c) In line with these results, the findings on *citizens' trust in political parties* might not come as a surprise. Sanhueza Petrarca et al. (2020) detected in their comparative study of 30 countries and 137 elections from 1998 to 2018 that trust in political parties in general and particularly trust in parties that have "traditionally governed" is rather low. Although trust differs tremendously between countries—e.g., in Finland and Denmark, on average around 30% of citizens and at times almost 50% reported trust in parties, in Italy trust was most of the time below 25% and in Latvia around 20% (Petrarca et al., 2020, p. 7)—it is safe to say that trust in parties is a far cry from the theoretical expectation described in theories on representative democracy.

Ad d) *Party membership and affiliation* reflects this distrust. It diminished dramatically with very few exceptions; in most democracies, only a small fraction of citizens is organized in or affiliated with a political party.¹⁴ Also the dramatically changing party landscape in many countries during the last decade with new parties continuously emerging (and dying) proves the considerable loss of stable affiliations between citizens and parties.

To sum things up, theories on representative democracy describe parties as warrantors of self-government assigning them several tasks. Yet—and in spite of all the differences between countries and parties—there are many signs that reality looks different than the theory insinuates (Invernizzi-Accetti & Wolkenstein, 2017). In line with Mair (2013) we might conclude (see also

Bonotti & Weinstock, 2021; for a more positive perspective, see Muirhead & Rosenblum, 2020):

The age of party democracy has passed. Although the parties themselves remain, they have become so disconnected from the wider society, and pursue a form of competition that is so lacking in meaning, that they no longer seem capable of sustaining democracy in its present form.

More and more traditional parties as well as newcomer and movement parties have recognized that they might improve their functioning by introducing participatory innovations (Biale & Ottonelli, 2019; Invernizzi-Accetti & Wolkenstein, 2017; Kuyper & Wolkenstein, 2019). They *apply such innovations for internal advancements* (Gauja & Kosiara-Pedersen, 2021; Martin et al., 2021; Romeijn, 2020; e.g., Scarrow, 2021; Wuttke et al., 2019). They experiment increasingly with direct democratic instruments for internal decisions, e.g., the German Social Democrats (SPD) recently chose their party leaders by popular vote of party members, with deliberative practices, e.g., the Danish Alternativet or the Romanian Demos (see Gherghina et al., 2020), and with sortition (Sintomer, 2018).

Parties also experiment with a variety of *tools to improve their interactions with citizens and to strengthen their linkages to the public* (e.g., Scarrow et al., 2017). They implement different online and off-line formats,¹⁵ including interactive online platforms (Abbott, 2020).¹⁶ Several examples are inspiring for Thriving Democracies. For example, the international Pirate Parties make digital innovations their hallmark experimenting with novel online tools to cooperate with citizens on policy development (liquid democracy). The regional party *Barcelona en Comú* ('Barcelona in common'), which is closely connected to the movement Indignados, provides with *Decidim.Barcelona* a collaborative digital participation platform open for all citizens. Many parties foster public deliberation on political issues on Twitter, Facebook and Instagram in open networks (for the debate on party membership see, e.g., Biezen and Poguntke 2014). To get involved in such processes, formal membership is not necessary (see, e.g., Gerbaudo, 2018).

Despite these developments, parties do not suffice to fulfill all the functions assigned to them by the theory of representative democracy—let alone to realize self-governing. As a consequence, as Dalton put it, “the number and variety of access points that people can use to influence political outcomes” had to be and was increased with novel participatory practices beyond parties.¹⁷ Among the most prominent ones are practices of citizen deliberation.

5.1.2 Practices of citizen deliberation

Proponents of deliberative theory advocate practices of citizen *deliberation*. For example, John Gastil and Robert Richards (Gastil & Richards, 2013, p. 274) applause deliberative practices as “feasible alterations to existing

institutions that make substantial strides toward increasing citizens' capacity for self-government". Deliberation would lead to better decisions based on good arguments (epistemic goal); it would improve civility, mutual respect and empathy as well as other competencies such as listening or giving reasons; it would clarify and transform citizens' preferences and opinions (ethical goals); and it would increase legitimacy. Practices of citizen deliberation with *random selection*, so called *mini-publics*, are often considered as the most promising innovation. Such mini-publics seem to be an answer to the increasingly skewed political will-formation and to guarantee equal involvement (Bächtiger & Parkinson, 2019; Geissel & Newton, 2012; Mansbridge et al., 2012).

Opponents warn against practices of citizen deliberation along two lines. One line is the danger of exclusiveness. Deliberative practices would be rather exclusive because well-off societal groups can argue better for their interests than people with lower educational backgrounds. Accordingly, opponents fear that deliberative practices, even randomly selected ones, are dominated by resourceful groups (Schäfer & Merkel, 2020). The other line of critique emphasizes that democracy is not deliberation, and deliberation is not democracy. Ultimately democracy has to come up with collectively binding decisions and theories of deliberation would turn a blind eye on this necessity (see also Elstub, 2010). Accordingly, current forms of citizen deliberative practices would contribute to self-governing only to a limited extent.

Empirical research on practices of citizen deliberation is confronted with the huge challenge that these deliberative practices vary tremendously. The main difference refers to randomly selected versus self-selected practices; but there are more differences: The number of participants in deliberative practices varies from only a dozen participants to a couple of hundreds. Also, the time frame differs. Deliberative practices can last from a two-hour meeting to several months with numerous gatherings. Finally, some deliberative practices are connected to decision-makers; yet most are detached from political decision-making (see Chapter 6).

Due to the multifaceted, polymorphic character of deliberative practices, it is demanding to summarize general results. As reviewed by Zarembeg and Welp (2019, p. 1), the variety of practices and, at the same time, the tendency of scholars to generalize findings based on a specific practice, area or country "has led to sometimes contradictory conclusions". Whereas some scholars portray deliberative practices as utopia, for others they symbolize dystopia (Zarembeg & Welp, 2019). Besides the difficulties of developing generalizable conclusions—and crucial in the context of this book—most empirical studies are not interested in answering the question of whether and how deliberative practices foster self-governing. Studies mainly focus on effects on participants—e.g., whether participants improve competencies (see Chapter 4)—and on the process itself, e.g., on the deliberative quality.¹⁸

Among the few studies centering on the political impacts of deliberative practices on collective will-formation and on political decision-making, is the work by van der Does and Jacquet (2021). Evidence is still very limited

but indicates that “mini-publics tend to stimulate the wider public to engage in and support discursive activities” (van der Does & Jacquet, 2021, p. 13). As far as the effects on decision-making, Goodin and Dryzek (2006) provide some examples, where practices of citizen deliberation led to “macro impacts”, which can however only be described as anecdotic. Recently, a few comparative studies dug deeper (Geissel & Hess, 2017, 2018; Ryan, 2021). The findings are surprisingly coherent. Whether practices of citizen deliberation have an actual effect on political decisions depends on the political representatives, e.g., whether and how they have institutionalized respective practices, whether they supply sufficient resources and whether they appreciate (or ignore) citizens’ recommendations. Within today’s representative democracy, the commitment of political representatives is the condition *sine qua non*.

Although the contributions of deliberative practices for self-governing seem to be rather limited, some findings give useful advice for the setups of Thriving Democracies. Since inclusion and equality play important roles in most research on deliberative practices, the studies inform about supportive conditions for fostering political inclusive involvement. Deliberative practices seem to have some potential to involve the politically deprived, the passive and the disenfranchised citizens. What is needed to achieve inclusive and equal involvement? A recruitment strategy with random selection is the first step. During deliberation, neutral and careful moderators and facilitators are necessary who balance inequalities within the group and make sure that all participants can raise their voice and are heard. These are useful hints for developing setups in Thriving Democracies (see also Section 4.2, Box 7.1 and Section 8.4).

And another development provides instructive insights for the development of novel procedures in Thriving Democracies. For a long time, deliberative practices were considered as incompatible with practices expressing interests, because both follow different logics. Deliberation requires the ability to put aside own’s one interest for the common good, whereas the expression of interests aims at pushing through these preferences. However, it turned out that deliberation and the expression of interests are less dichotomous. The expression of interests in the public sphere can enhance deliberation and at the same time, public deliberation shapes political interests. Furthermore, several interest groups initiate and organize mini-publics in order to foster public debate (Zarembek & Welp, 2019). Interest groups with their “mobilization, outreach and strategic activities” (C. M. Hendriks, 2019, p. 249) combined with deliberative practices seem to be a useful combination for fostering self-governing.

5.2 Practices of citizen decision-making—expected contributions and empirical findings

Within representative democracies, citizens have decision-making power in elections; in a few countries they can also decide via referendums and recall. These practices are presented in the following lines.

5.2.1 Elections

Proponents of representative democracy assure that *elections* are the best way to achieve self-governing. If at least two parties compete, if elections are fair, free and equal, elections would be the best warrantor of the rule of the people. Citizens can choose the representatives they want, and they can punish those representatives doing a bad job (whatever that means in their eyes). Elections would also be the mechanism to guarantee responsiveness, because elections enable voters to sanction the parliamentarians who are unresponsive. With the promise of ‘one person one vote’, elections would also provide political equality. Thus, elections would generate decisions in line with the majority of citizens.

Opponents, however, argue that elections do not necessarily realize the rule of the people. The influence of citizens is tiny. For example, citizens can only choose among a given set of candidates, they can punish unresponsive representatives only in the next election—after four, five or six years, and they have little influence on actual policymaking. Finally, elections are criticized for being increasingly dysfunctional in achieving political equality (e.g., Achen & Bartels, 2017; Behnke, 2016; Van Reybrouck, 2016).

Empirical findings paint an unenthusiastic picture of elections. Elections are still the backbone of democracy, but they have lost their shine. Although electoral systems differ vastly (see Chapter 7, Section 7.2.2), most democracies share similar challenges described in the following discussion of five disappointing evidences. First, the *decline of voter turnout* indicates that many citizens living in representative democracies do not perceive elections as the best practice to be represented adequately. For example, in Slovakia, Slovenia and the Czech Republic less than 30% of citizens cast their ballot at the election of the European Parliament in 2019. Also in the United States, on some national elections, less than 50% of Americans participated. Some readers might argue that citizens abstain from voting, because they are completely satisfied with politics and trust all candidates. However, the contrary seems to be true. Although research on nonvoters is scarce, works on European nonvoters show that mainly citizens who are dissatisfied with politicians and the political system tend to abstain from casting their ballots (Hadjjar & Beck, 2010).

Second, today *elections became less inclusive* than expected, and they involve exclusion and marginalization. Even in countries, which had a rather inclusive voter turnout in the past, elections are applied increasingly unequally, e.g., in Germany. The underprivileged consider the use of the ballot box as futile. Third, elections seem to be *no warrantor for responsiveness*, as studies on policy congruence between voters and representatives prove (e.g., Wlezien, 2017). Here, I don’t want to discuss in detail scholarly debates on the differentiations between congruence and responsiveness (Louwerse & Andeweg, 2020), between ideology, policy and issue attention (Beyer & Hänni, 2018), or between egocentric and sociotropic congruence

(Mayne & Hakhverdian, 2017). At this point it suffices to cite a recent comparative study of 22 consolidated, representative democracies revealing that “levels of policy congruence in major spending domains are low”: “across the 463 country-issue dyads in the data, only 11% are in a situation of congruence”¹⁹. In other words, the study indicates very few “policies in congruence with citizen preferences” (Ferland, 2021, pp. 355, 360). Obviously, elections can hardly guarantee responsiveness as expected.

Fourth, *elections do not guarantee policy-making for the benefit of the majority*. A recent comparative study on 10 European democracies showed a clear bias toward the privileged groups of society: “governments pay more attention to what high-status citizens consider important in their legislative agenda and pay less attention to the issues of low-status citizens” (Traber et al., 2021, p. 1). This finding holds true in democracies with different electoral systems, types of government or turnout rates. In other words, parliaments take care of the issues, which high-status citizens regard as priority, but are less concerned about the issues paramount for less affluent citizens. Consequently, political decisions are skewed in favor of the well-off (Schäfer et al., 2016; Schakel, 2019).

Finally, *the entanglement of choosing a party candidate as well as a party program seems to be increasingly dysfunctional*. Although research is scarce, everyday observations insinuate that only few voters read party manifestos before elections; and electing a party candidate does not necessarily involve the endorsement of the whole party’s programs. No voter electing a certain party candidate agrees with all policies described in the party’s program. Voters might just like the candidate or a few of the party’s policies. But in elections, choosing a party candidate and voting for policies are entangled in one procedure—although this entanglement is increasingly nonsensical. Furthermore, it is not only nonsensical, because voters neither know party manifestos nor do they agree with all policies. It is also nonsensical, because elected representatives do not necessarily stick to the manifestos of their parties.

All in all, elections are increasingly insufficient for citizens to express their interests, to take control and to govern themselves. Yet, in spite of all the shortcomings, democracies seem to be unthinkable without elections. Therefore, elections will also most likely play a certain role in Thriving Democracies.

5.2.2 *Referendums*

Proponents of direct democracy applaud *referendums* (see for terminology Box 5.2). They emphasize that popular voting is the only way to give citizens the option to govern themselves directly. Since all voters can cast a ballot, this practice seems to stand for self-governing. However, opponents argue that referendums are also exclusive because the well-off parts of society would more often cast ballots than the underprivileged. They emphasize that

popular voting might increase inequality because minorities and the less well-off lose ground. And scholars of deliberation stress the danger of aggregating uninformed, superficial, raw ‘gut feeling’ opinions without sufficient public will-formation. Referendums would lead to bad decisions due to the lack of deliberation (Cheneval & el-Wakil, 2018; see for the development of this debate, e.g., el-Wakil, 2017).

Abundant empirical studies are available on referendums, mainly focusing on Switzerland and US states. However, similar to deliberative practices the evaluation of referendums is a difficult task due to their polymorphic forms. Some referendums are mandatory, others are initiated top-down or bottom-up by civil society. Referendums can be binding or advisory. Some democracies allow citizens to propose a new law and to reject a bill as well as an existing law, others do not. Different quora rules for participation and/or for acceptance are applied. Depending on regulations, the effects of referendums differ vastly (see Chapter 9, Section 9.2). Thus, evaluating referendums

is like measuring the speed of cyclists by taking all kinds of cyclists – from toddlers to racers, ... from the lowland to the alps – into account and calculating the arithmetic mean.

(Geissel, 2012, p. 214)

And finally, referendums have different effects in different countries. For example, Switzerland and California both offer and conduct referendums extensively. Yet, Switzerland displays healthy financial performance, whereas California came close to bankruptcy several times. Generalizations are difficult.

Although findings differ partly across time and space, they give instructive hints. Some common impacts on self-governing can be identified, which I summarize in the following lines. Considering *inclusiveness and equality*, referendums seem to have more positive than negative effects. Generally, referendums can promote or hinder equality in two ways: participation can be equal or unequal, and decisions can increase or decrease equality. Findings considering participation are mixed (Fatke, 2015; Gabriel & Walter-Rogg, 2006; Neijens et al., 2007; Vetter & Velimsky, 2019). Comparing Swiss cantons, Fatke (2015) finds “no evidence that SES (socioeconomic status, B.G.) affects participation in direct democracies significantly more or less than in representative systems” (p. 112). Examining over 200 Swiss popular votes, Kriesi (2005, p. 133) concluded that “the least competent and least interested typically participate least in direct-democratic decisions” (Kriesi, 2007b; Merkel, 2015; Schäfer & Schoen, 2013). All in all, the *bias of participation seems to be similar to the bias known from elections of representatives*. Considering decisions, a large-N comparative study showed *direct democratic procedures are more likely to foster equality* (Geissel et al., 2019), but this is not an automatism. For example, the same-sex marriage proposal, which

provides more equality for homosexuals, was accepted in Ireland but rejected in Slovenia (2015).²⁰ However, all votes considered, the general trend indicates equality-promoting decisions via referendums (Krämling et al., 2022).

Referendums also enhance *responsiveness*. The history of Switzerland after the introduction of direct democratic instruments illustrates these positive effects. Today, Swiss politicians enforce comprehensive public discussions before policy-making, because they know that hasty decisions are prone to be challenged by referendums. And—as discussed in Chapter 1 on *participatory constitution-making*—also participatory involvement in *policy-making* goes hand in hand with more *legitimacy* (Freitag & Wagschal, 2007; Lloren, 2017; Setälä & Schiller, 2009).

Summing up, we can conclude that referendums can contribute to self-governing. When conducted rightly, they have a potentially inclusive, equality-promoting effect, enhancing responsiveness and legitimacy. Thus, they are a crucial practice in the toolbox of Thriving Democracies.

Box 5.2 Referendums—comments on the terminology

A variety of different terms describe citizens' direct voting on legislative subjects. The most well-known terms are referendum, popular vote, plebiscite or direct democratic instrument. The definitions of these terms vary from country to country and there is no consistent usage (see for this debate also el-Wakil & McKay, 2020).

In this book, in line with the literature, I *apply mainly the term referendum referring to all kinds of ballots pertaining to political subjects* (Jäske & Setälä, 2019, p. 91). I use the term referendum because all other terms are confusing or awkward: For example, the term popular vote refers in the US context also to the votes cast for a presidential candidate by citizens—in contrast to the Electoral College votes. Other authors use the term popular vote as a general term covering the electorate vote on candidates or subjects. The term plebiscite is often applied in the context of authoritarian systems, or it is used to label explicitly referendums initiated by authorities. Finally, the term direct democratic instrument covers all forms of voting on political subjects but can sound clumsy.

5.2.3 Recall

Recall has a historical background dating back to the ancient democracy in Athens but was in a deep sleep until recently. It is a mechanism that removes a political representative from office before her term has ended. Recall can be initiated as well as decided either by citizens or by representative bodies, e.g., parliament or city council. Today only a few democracies allow recall at the

national or state level, e.g., Peru and some US states, but several democracies have implemented recall at the local level (Serdült & Welp, 2017; Vandamme, 2020; Welp, 2016; Welp & Whitehead, 2020).

Recall has been praised by some authors as a means to improve representation. Recall would force politicians to be more responsive to citizens' preferences and also avoid unfair influence by lobbying groups. This would also increase citizens' political support and ensure a better quality of political decisions. But there might also be downsides. The option of recall might undermine the independence of representatives; recall can be instrumentalized and might lead to polarization or to permanent campaigning (for a discussion of more potential risks see Vandamme, 2020).

Empirical studies on recall are scarce. Vandamme (2020, p. 1) emphasized rightly, that the empirical and theoretical study of recall has been vastly neglected by political theorists as well as by empirical scholars. He tried to assess the validity of arguments for and against recall and asked whether recall has “the capacity to improve the quality of representation or at least the perception of representative institutions' legitimacy” and came to the conclusion, that we can answer this question “with a moderate ‘yes’”.

However, generalizable findings are difficult. Similar to referendums and deliberative practices, the effects of recall seem to depend “on the details of the rules and on broader contextual factors” (Serdült & Welp, 2017; Welp & Whitehead, 2020, p. 21) All in all, however, recall sounds like a useful tool in Thriving Democracies, because it most likely supports tight connections between citizens' will-formation and decision-making and hinders stagnation.

5.3 Parliament as practice of will-formation and decision-making— expected contributions and empirical findings

Within most representative democracies, *parliaments have the monopoly on legislative decision-making*.²¹ Parliaments are the final authority for deciding on all legal subjects from laws to constitutions. A variety of theoretical arguments are put forward, why parliaments are the best option: The strongest arguments for the decision-making monopoly of parliaments are that they are legitimized, representative, accountable and deliberative—with, however, critical voices casting doubts on each of these arguments. What are the empirical findings?

As discussed in Chapter 1, *legitimacy* can have a variety of different meanings (see Box 1.3). The main argument for the legitimacy of parliaments are elections (procedural legitimacy). Parliaments are considered as legitimized because their members are elected. Besides this procedural dimension, parliaments show mediocre or low performance in most other dimensions of legitimacy—i.e., perceived legitimacy or output-legitimacy.

Considering *representation*, current findings cast some doubt as to whether parliaments can fully achieve this function (see Box 1.1). When we define representation in its performative meaning as a process of making, accepting,

or rejecting representative claims (Disch, 2015; Saward, 2017), the malfunction becomes obvious. The standard assumptions, that elections guaranteed representation and that elected parliaments warrant representation, turned out to be problematic (for more empirical findings see, e.g., Tormey, 2015). Representation in and via parliaments does not function as expected (Guasti & Geissel, 2019b, 2021).

Empirical studies show that *accountability* also does not work exactly as anticipated (see Box 1.5). Elections are not necessarily a sufficient mechanism for guaranteeing democratic accountability (Warren, 2014). Elections can ensure the core ingredients of democratic accountability only to a limited extent. For example, elections can hardly ensure control, since there is only one way to sanction politicians, i.e., the threat of not being reelected. What a blunt sword. Candidates can make promises before elections but might not even intend to fulfill them—and voters can do nothing to keep them on track after elections. Or politicians might already have more lucrative job offers from outside of politics and do not even plan to run for a seat in parliament in the subsequent election. Accountability might be a theoretically convincing argument for representative democracy, but reality tells a different story (Landmore, 2020).

Finally, parliaments are expected to identify the best possible solutions via extensive *deliberation*. In most democracies, parliamentary law-making is organized in several readings with hearings of stakeholders, interest groups and experts. These hearings are expected to guarantee inclusive information.²² Opponents criticize that parliaments are biased and influenced by resourceful lobby groups (for the debate see, e.g., Geißel, 2008). *Empirical findings* on will-formation within parliaments are ambiguous. Hearings with stakeholders, interest groups and experts as it turns out are insufficient to cover all interests and needs in a community. From the perspective of citizens, deliberation within parliaments is often skewed leaning toward the interests of the well-off parts of society or is even driven by lobby groups (Kotler, 2016, p. 76ff.; MacLean, 2017). And in fact, most studies on political decisions confirm this perception: Parliaments more often serve the interests of upper classes than the interests of lower classes (Bartels, 2008; Schäfer et al., 2016; Schakel, 2019).

When talking about parliaments, we must also consider that national parliaments have lost some of their decision-power due to supra-, intra- and transnational developments. For example, individual member states of the European Union can no longer decide themselves in many policy fields (see also Chapter 9). Furthermore, as Colin Crouch (2004) and Wolfgang Streeck (2015) have pointed out, political decisions are more and more made outside of parliaments by nonelected, economic players.

Summing up, parliaments can contribute to some aspects of self-governing. But there are considerable gaps between the functions assigned to parliaments by textbooks on representative democracy and the functioning of parliaments in reality. In spite of all these shortcomings, democracy is unimaginable

without parliaments. Therefore, parliaments will most likely also play a role in Thriving Democracies.

5.4 Conclusion

This chapter discusses practices applied in today’s democracies and asks how they contribute to realizing self-governing. It sheds light on the theoretical expectations attached to each practice and takes stock of empirical findings, which sometimes contradict or nuance these expectations. It illustrates that practices contribute in different ways; all practices provide potential benefits but also have limitations. Practices of citizen deliberation profoundly improve sophisticated will-formation. But collectively binding decision-making is hardly possible via these practices. The same is true for practices expressing interests. They add substantially to citizens’ will-formation but cannot be decisive. Furthermore, they are often rather exclusive. Referendums are obvious means to let citizens decide. Binding decisions can be reached. The entire electorate can take part, potentially providing inclusiveness. But the simple aggregation of citizens’ preferences is not necessarily the best solution, since the preceding refinement of citizens’ preferences is rather underdeveloped. The contribution of elections is ambiguous. They can add to the realization of citizens’ self-governing, but due to the indirect character of elections this is not always achieved. Elections can contribute to political equality, but this is not a matter of course and only reached under certain circumstances. Recall could be a powerful tool but is still a rather blunt sword. Finally, parliaments as practices of will-formation as well as decision-making can hardly fulfill the high expectations that theories of representative democracy promise. And current practices do not connect (citizen) will-formation and decision-making in systematic and effective ways (Table 5.1).

Obviously, none of the established practices alone can guarantee self-governing. Each practice is useful for realizing some aspects, but none can realize all. Each practice is insufficient and has shortcomings. Each must be

Table 5.1 Contributions of practices to self-governing (schematic)

	<i>Expressing interests</i>	<i>Citizen deliberation</i>	<i>Elections</i>	<i>Referendums</i>	<i>Recall</i>	<i>Parliaments</i>
(Citizen) Will-formation	+	+	0	0	0	0
(Citizen) Decision-making	0	0	+	+	+	+

Notes:

0 = No (clear) contribution.

+ = Potentially positive contribution, depending on the design and context.

balanced and complemented. Practices performed in isolation do not suffice in today's multilevel, large-scale, complex societies (el-Wakil, 2017; e.g., Jäske & Setälä, 2019; Vandamme et al., 2021). And established practices have to be accomplished with new ones. Novel practices and new procedures combining novel and established practices are required to achieve self-governing in better ways than today. Chapters 7 and 8 entail suggestions for novel practices and novel combinations.

Notes

- 1 Obviously, I apply the political science definition of the term institutions and not the sociological definition.
- 2 Some people might consider practices as the opposite of discourse. Again, this distinction does not hold. Theories on deliberative democracy consider discourse as the core democratic practice and deliberation is one of the practices referred to in this book.
- 3 I do not include media in my list of practices. Media are without doubt fundamental for every democracy. However, in this book I focus on citizens and communities and consider media as a means to support public will-formation.
- 4 The plethora of studies cover a multitude of aspects—the main findings in the context of this book are discussed below (Andersen & Hansen, 2007; Baiocchi & Ganuza, 2014; Boehmke & Bowen, 2010; Boulianne, 2018; Cabannes, 2015; Damore et al., 2012; Dyck & Lascher, 2009; Farrar et al., 2010; Fatke & Freitag, 2013; Geissel, 2019; Geißel et al., 2019; Geissel & Newton, 2012; Grönlund et al., 2015; Hess & Geissel, 2016; Jäske & Setälä, 2019; Lindell et al., 2017; Lupia & Matsusaka, 2004; Sintomer et al., 2016; Stutzer & Frey, 2006; Suiter et al., 2016; Swaner, 2017; Tolbert & Smith, 2005).
- 5 In the context of this chapter, it is not necessary to differentiate between neo-corporatist and pluralist systems of interest intermediation. Although both types connect interest groups in different ways with the state as well as with citizens, they all pursue the same goal of expressing societal interests.
- 6 Other forms of expressing interests, for example, signing petitions or joining demonstrations, play a minor role in standard theories of representative democracy and are therefore not considered.
- 7 Sometimes interest groups are categorized along certain interests, e.g., economic, public, private or institutional interests. These differentiations are, however, not necessary in the context of this chapter. The same is true for the different tactics and funding strategies interest groups employ as well as for the different frameworks regulating such organizations (see Bolleyer et al., 2020).
- 8 Accordingly, “regulating interest groups’ access to and interactions with decision-makers constitutes a key dimension of a legitimate and accountable system of government” (Bunea, 2018).
- 9 See also the debate on civil society as promoter of democracy supported by the findings by Putnam (1993) and the discussion by Habermas (1982) emphasizing civil society as the public sphere for rational will-formation.
- 10 For example, topics like environmental protection or climate change are able to mobilize large numbers of citizens although financial resources of respective interest groups are moderate.

- 11 This task can even be explicitly assigned to political parties via constitution as for example in the Basic Law in Germany.
- 12 In the context of this book, I only refer to those aspects of research on parties, which relate specifically to self-governing and the linkage with citizens. See for other questions like structure and internal organization, funding and other resources, left-right positions etc., for example, Scarrow et al. (2017), Döring and Regel (2019) and databases such as Party Facts (www.partyfacts.org) or the Political Party Database (PPDB).
- 13 Experimental studies on ‘party cues’ indicate that parties can influence public will-formation (Bullock, 2020), but since trust in parties varies tremendously such findings can hardly be generalized. For example, parties enjoy relatively high trust in Denmark and Danish parties can shape public opinion (Slothuus & Bisgaard, 2021).
- 14 And membership is heavily skewed towards the well-off (e.g., Heidar & Wauters, 2020).
- 15 See publications by IDEA on different “political party primer”: www.idea.int/publications/catalogue?keys=innovation+primer&field_news_date_value%5Bmin%5D%5Bdate%5D=&field_news_date_value%5Bmax%5D%5Bdate%5D=, accessed January 2022.
- 16 For the debate on how liquid democracy would change political parties see for example, Valsangiacomo (2021).
- 17 <https://blogs.lse.ac.uk/politicsandpolicy/is-citizen-participation-actually-good-for-democracy/>
- 18 As already described in Section 4.2, studies show that citizens with less formal educations are also able to deliberate when encouraged by facilitators. However, without specific support, women and participants with lower education tend to be less able to influence deliberative practices (Himmelroos, 2017).
- 19 Respondents were asked “whether they prefer their government to spend (much) more, (much) less or about the same as now in each spending area”. The author assumed congruent policy “when a respondent says that she prefers spending to be kept at about the same level as now” applying a threshold of 50% (Ferland 2021, p. 352).
- 20 The role of the Slovenian Constitutional Court, citizens attitudes (Kuzelewska, 2019) or cleavages between the rural and urban population (Krasovec, 2015) were among the factors prohibiting an equality-promoting outcome.
- 21 In presidential systems such as the United States, the president can make certain decisions via decree. But since this book is mainly concerned about decisions on all legal norms from constitutions to laws, which are the fields of parliaments, I focus on parliaments.
- 22 And parliaments are also advocated as perfect actors to guide public will-formation.

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6 No existing experiment suffices to realizing self-governing

In this section, I present and analyze *existing experimental participatory procedures*. I am interested in these experiments, giving citizens more influence or even more say, because they might be instructive for developing procedures for Thriving Democracies. In the last years, democracies have increasingly experimented with novel participatory procedures, e.g., ‘America Speaks’ or the Conference on the Future of Europe. The OECD (2020) database, Participedia, as well as several datasets, collecting such experiments, give us dozens of examples.¹ Can these experiments serve as blueprints for procedures to be applied in Thriving Democracies?

6.1 Novel participatory procedures connecting citizens’ will-formation with decision-making

The ‘universe of experiments’ is multifaceted and at first glance it looks rather chaotic. In order to learn from these participatory experimental procedures as potential sources of inspiration, I start with a systematization. In line with the principles of Thriving Democracies, I focus on experiments connecting citizens’ will-formation and decision-making.

Most of existing participatory experiments *link citizens’ will-formation to representatives*. Outputs drafted by citizens’ assemblies are handed over to and decided by bodies of electoral representation. Among the most famous examples is the French Citizens’ Convention on Climate (*Convention Citoyenne pour le Climat*). A few experiments *connect citizens’ will-formation to citizen decision-making via referendums*. Examples for this type are the Canadian Citizens’ Assembly on Electoral Reform in British Columbia—which was authorized to draft the bill for a referendum, the Irish Constitutional Assembly—where suggested constitutional amendments were decided by a referendum, or participatory budgeting in Porto Alegre (see below for details).

We can also differentiate the experiments considering their *level of formalization*. Most experiments are insular, onetime events, some are formalized as long-term endeavors, e.g., the National Public Policy Conferences, Brazil

(Pogrebinschi & Samuels, 2014) or the Observatory of the City in Madrid (see also OECD, 2021).

Linking the criteria of decision-making by representatives versus citizens with the criteria of onetime procedures versus formalized experiments results in the following systematization.²

- 1 Citizens' will-formation with decision-making by representatives, onetime event
- 2 Citizens' will-formation with decision-making by representatives, formalized
- 3 Citizens' will-formation with decision-making by citizens, onetime event
- 4 Citizens' will-formation with decision-making by citizens, formalized³

In each table field of the following four-field table you find famous and instructive examples (Table 6.1). Although most examples refer to policy issues, they are also inspiring in regard to the search for self-governing. The following paragraphs describe these experiments and summarize the main empirical findings.

- 1 *Citizens' will-formation with decision-making by representatives, onetime event*

Connecting practices of citizens' will-formation with decision-making by representatives as a onetime event is the currently most widespread type. For example, mini-publics produce recommendations on the issue/s at stake, which they transmit to parliaments, city council or other bodies of representation with decision-making power. In recent years, such connections have proliferated throughout the world (Dean et al., 2020; Hendriks, 2016; Kuyper & Wolkenstein, 2019; OECD, 2020; Setälä, 2017).

Table 6.1 Existing experiments connecting citizens' will-formation and decision-making

	<i>Citizens' will-formation + decision-making by representatives</i>	<i>Citizens' will-formation + decision-making by citizens</i>
Onetime event	French Citizens' Convention on Climate Citizens' Assembly of Scotland UK Climate Assembly	Irish Constitutional Citizen Assemblies British Columbia Citizens' Assembly on Electoral Reform
Formalized	Citizen Council in East-Belgian parliament Partly: Brazil's National Public Policy Conferences	New England Town Hall Meetings Participatory Budgeting, Porto Alegre, Brazil Citizens' Initiative Review, Oregon

Most of these procedures are onetime events designed for one specific purpose. We can, for example, put the Citizens’ Assembly of Scotland (Citizens’ Assembly Scotland, 2022) and the UK Climate Assembly (Climate Assembly UK, 2022) as well as the French Citizens’ Convention on Climate in this category. For example, the French Citizens’ Convention on Climate consisted of 150 self-selected citizens from a pool of randomly selected citizens and developed a list of proposals for better climate protection. Before the start of the convention, the French President had committed to submitting the recommendations to parliament. It was then in the hands of the president and the parliament to decide about how to proceed with the recommendations.

- 2 *Citizens’ will-formation with decision-making by representatives, formalized*
The onetime character of such connective procedures changes slowly. There are still not many formalized practices of citizens’ will-formation, which are connected routinely to decision-making by representatives. I present two of the few examples, the National Public Policy Conferences, Brazil, and the East-Belgian City Council.⁴

The *National Public Policy Conferences in Brazil* have been in existence since 1941 but were active mainly between 2003 and 2011 with more than 7 million participants. National governmental departments can initiate these conferences, when they plan a new law and want information about the preferences of ordinary citizens. The Conferences work in a *multilevel* scheme: Civil society, administration and politics commence local meetings to discuss the issue at stake. The local meetings elect delegates, who transmit the recommendations to the conferences of delegates at the level of the federal states. Here, the local delegates share and deliberate on the different recommendations. Finally, they elect their delegates for the National Conferences. At the National Conferences, the recommendations are collected, weighted and bundled. The results of the conferences feed in into the bills drafted by the respective governmental departments and are decided by parliament (Figure 6.1). More than 80 such Public Policy Conferences have taken place (Pogrebinschi & Samuels, 2014).

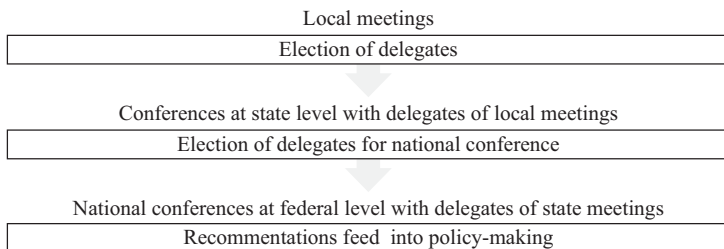


Figure 6.1 National Public Policy Conferences, Brazil.

The National Public Policy Conferences are inspiring in several ways. They organize public consultation in a *multilevel* way that guarantees iterative citizens' will-formation bottom-up. This multilevel setup gives ideas on how to scale up recommendations in large communities. The *formalized* setup of coupling the multilevel consultation with institutions of representative democracy is similarly inspiring. Once the process is started, it follows a certain sequence automatically and feeds the recommendations into decision-making bodies. However, there are two disadvantages: Only political and administrative authorities can initiate the process; ordinary citizens or civil society have no option to get it started. And the final decision about the recommendations lies in the hands of the government—citizens and delegates have no control.

The *East-Belgian City Council* is the second example and was recently implemented. It is one of the most complex experiments connecting citizens' will-formation and decision-making by parliament in a formalized way. The East-Belgium state parliament established a Citizen Council with Citizen Assemblies in order to receive advice from citizens' perspectives routinely. The Citizen Council consists of 24 randomly selected citizens. One-third of the Citizen Council is renewed every six months. The Citizen Council does not deliberate on legislative subjects itself, but initiates, supervises and assists Citizen Assemblies, which are set up to deliberate on a chosen legislative subject. The parliament decides on the recommendations and gives a 'motivated response'. To keep the procedure going, a full-time Permanent Secretary is in charge, who organizes the Citizen Council and the Citizen Assemblies (Figure 6.2).

The East-Belgian Citizen Council is instructive for Thriving Democracies. It is *set up permanently according to law* and its functioning is thus independent from random decisions by politicians. The procedures involve a large number of ordinary citizens and provide a lot of options for advising parliament. However, the East-Belgian Citizen Council is embedded in the system of representative democracy and politicians decide whether they pick up the recommendations. In other words, the power for decision-making remains firmly in the hands of political representatives, who can accept or ignore any of the suggestions developed by the Citizen Assemblies.

3 *Connecting citizens' will-formation with decision-making by citizens, onetime event*

Up to now, citizens' will-formation is seldom linked to referendums. But it happened in a few cases. Among the most famous and interesting examples are the Irish Constitutional Citizen Assemblies and the British Columbia Citizens' Assembly on Electoral Reform.

The *Irish Constitutional Citizen Assemblies*⁵ were based on a longer history, starting with a mini-public initiated and organized by civil society groups, which was well received in public. Inspired by this experience, activists and politicians campaigned for implementing participatory

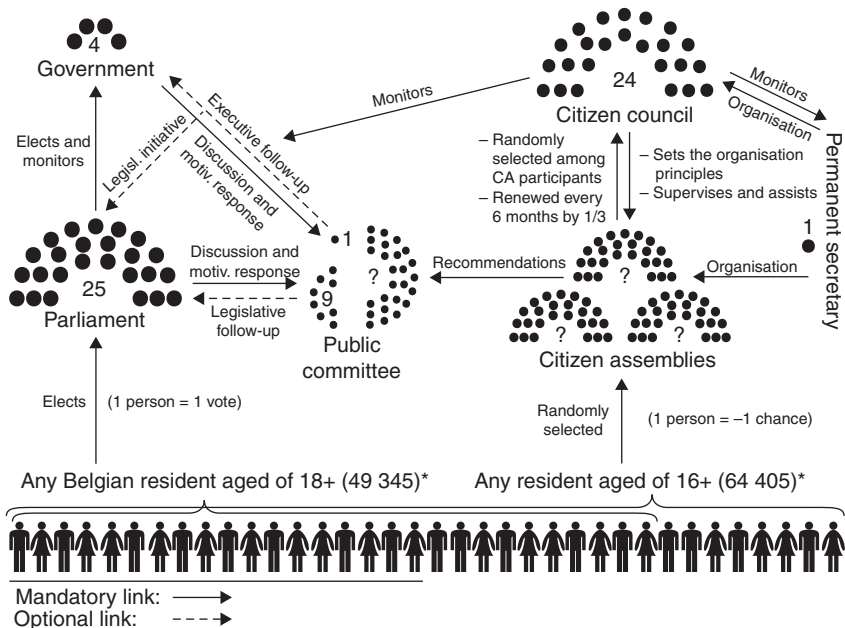


Figure 6.2 The East-Belgian Citizen Council.

Source: Niessen & Reuchamps, 2019, p. 10.

deliberative practices, when Ireland started to revise its constitution. In reaction to these demands, the Irish parliament established two Constitutional Conventions (2012–2014) with two Citizen Assemblies set up to discuss constitutional matters. The first assembly was made up of 66 randomly selected citizens and 33 elected politicians. The second assembly consisted exclusively of citizens. Civil society, interest groups, politicians and media could take part in the assembly as observers, as experts and as advocates, but not as members. Both assemblies developed recommendations, which were discussed within civil society and the parliament. Two recommendations, i.e., equality for same-sex marriages and liberalization of abortion, involved major constitutional amendments, which in Ireland require referendums mandatorily. Both referendums passed legislation. It might also be mentioned that Ireland is moving toward more formalized, routinized and institutionalized participatory involvement.

The Irish case presents an especially exciting example for Thriving Democracies due to the linkages between different practices of citizens’ will-formation with referendums. It included deliberation within randomly selected mini-publics, extensive and vivid deliberation within the public sphere, active involvement of interest groups, parties and social movements as well as parliamentary debates, which were followed by

decision-making via referendums (Caluwaerts & Reuchamps, 2018; Farrell et al., 2019; Fournier et al., 2011). Especially the connection of broad public deliberation with referendums is inspiring for Thriving Democracies.

Another example is the *Citizens' Assembly on Electoral Reform, British Columbia*. For almost a year the randomly selected, deliberative mini-public discussed a recommendation for an electoral reform in British Columbia and finally suggested alternative voting rules. This case was unique because the government had agreed in advance to put the recommendation developed by the mini-public to a referendum.⁶ This a priori coupling of citizens' deliberation and citizen decision-making is instructive for Thriving Democracies as we will see in Part C.

4 *Citizens' will-formation with decision-making by citizens, formalized*

Formalized linkages between citizens' will-formation and citizen decision-making are rare. Among the most well-known examples are the traditional *New England Town Hall Meetings*. In spite of their 'age', they are an inspiring model in the search for novel ways of self-governing. In these meetings, the whole community joins, discusses political issues and finally votes on the matter. In the Town Hall Meetings, Frank Bryan (2004, p. 200) attended in Vermont, "citizens come together and make laws face-to-face. Budgets are adjusted, passed, or defeated. Officers are elected. Town property is bought or sold. Taxes are levied. This is done legislatively under rules of practice designed to protect minorities and to ensure that the procedure is orderly and predictable."

The participants in the Town Hall Meetings consisted of potentially all citizens living in the respective communities. Similar ways of direct self-governing in town halls or market squares are still alive in some Swiss villages. Such procedures are, however, only working in small communities.

But large communities also have linked citizens' will-formation with citizen decision-making in formalized, routinized ways. Among the most famous examples is the *Citizens' Initiative Review Commission, Oregon*. Generally, Citizens' Initiative Review means that a commission of randomly selected citizens reviews bills, which were suggested by citizens for a referendum, i.e., by citizens' initiatives. The Citizens' Initiative Review Commission collects information, summarizes arguments, and develops balanced recommendations for their fellow citizens. Oregon is one of the few states, which have formalized a Citizens' Initiative Review Commission as a permanent part of its referendum procedures. This Commission consists of around 20 citizens and appointees from state authorities (governor, senate). It checks the bills of ballot initiatives and organizes Citizen Assemblies, which review the bills. These Assemblies are supported by moderators and policy experts. They draft 'Citizens' Statements', which inform the voters about the pros and cons of each bill. Voters consider these statements as unbiased and very helpful. They have more trust in the 'Citizens' Statements' than in recommendations made by their representatives and parties (Gastil et al., 2018; Knobloch et al.,

2019, 2020). The Citizens' Initiative Review is a useful tool to inform voters before they cast their ballots. Such Citizens' Initiative Reviews might also be useful in Thriving Democracies.

In the third example, the case of *participatory budgeting, Porto Alegre, Brazil*, the mayor and elected local councilors had agreed in advance to decide on the city budget in cooperation with the citizens. How did it work? In the early 1990s, the then mayor started to involve citizens in the budget plan of the city in a specific way in order to thwart corruption in the city administration. The process of participatory budgeting starts at the local level with neighborhood and regional assemblies as well as thematic assemblies, e.g., on water or garbage. These assemblies discuss the needs, interests and preferences of their local neighborhoods; they elect delegates and send them to the regional and municipal Budget Forums and Councils. Finally, the delegates decide together with the mayor and the elected councilors on the city budget. This connection of multilevel citizens' assemblies with joint, collaborative decision-making was novel and unique. Participatory budgeting in Porto Alegre turned out to be a successful experiment: The poorest regions of the city received more spending than before, civil society flourished, corruption was diminished, and even tax compliance increased (Figure 6.3) (Wright, 2010, p. 158ff).

Participatory budgeting as invented and practiced in Porto Alegre is encouraging for Thriving Democracies. Its multilevel setup, its focus on inclusive participation, and its collaborative decision-making provides useful hints.

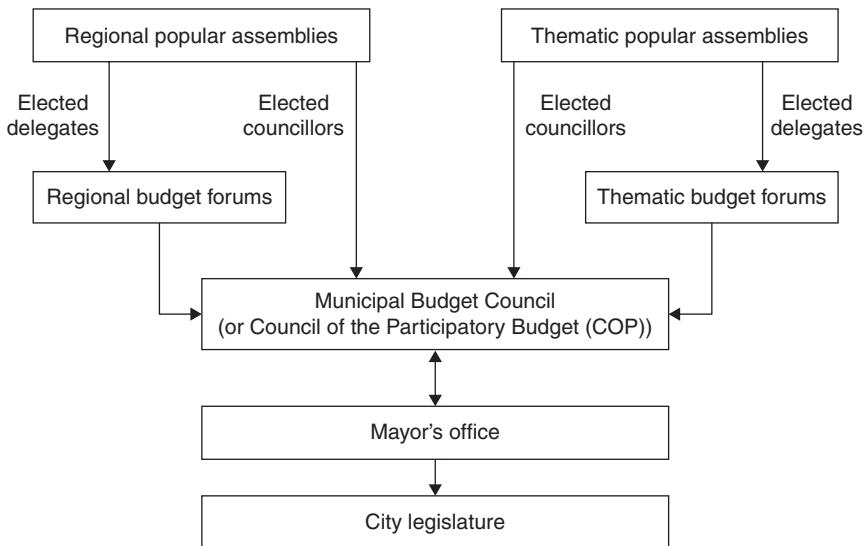


Figure 6.3 The setup of Participatory Budgeting, Porto Alegre, Brazil.

Source: Smith, 2009, p. 36.

The experiment in Porto Alegre was well-received in the global public and the idea of participatory budgeting spread fast around the world—however, changing its rationale and design significantly during its journey. Worldwide, many communities implemented procedures labeled as participatory budgeting; but often these procedures looked different than the original one in Brazil. In many cases, citizens are not involved in the whole budget plan but can just discuss and/or prioritize specific, sometimes preset issues, e.g., renovation of the public pool versus longer opening hours for the public library. Sometimes citizen groups receive a small amount of money (‘funny money’) to be spent for projects within their municipalities or country (e.g., in Portugal); they choose between project proposals and then assign money to the selected ones (Caluwaerts & Reuchamps, 2018; Curato et al., 2021; Fournier et al., 2011). The approach of allowing citizens to discuss and prioritize (preset) issues as well as the ‘funny money’ scheme are, however, unsatisfactory in our search for instructive procedures for Thriving Democracies. It is not self-governing, when citizens’ decision-making is limited to prioritizing given issues or to spending small amounts of ‘funny money’.

6.2 Existing experiments—no prototypes for Thriving Democracies

The experiments introduced and discussed above are inspiring. However, they cannot serve as prototypes for Thriving Democracies. *These experiments do not empower citizens to decide about how they want to govern themselves.* They do not pursue self-governing as the ultimate goal. Without exception, they take place under the roof of representative democracy, in which they are embedded (Figure 6.4). The participatory experiments are just added and subordinated to the representative system. Representatives, be it mayors, city councils, parliamentarians or presidents, set and change the rules. They determine the scope, purpose, content and limits of citizen involvement. They allow, initiate, implement or cancel participatory experiments. And in most cases, they accept, select or ignore the results of citizens’ will-formation. The

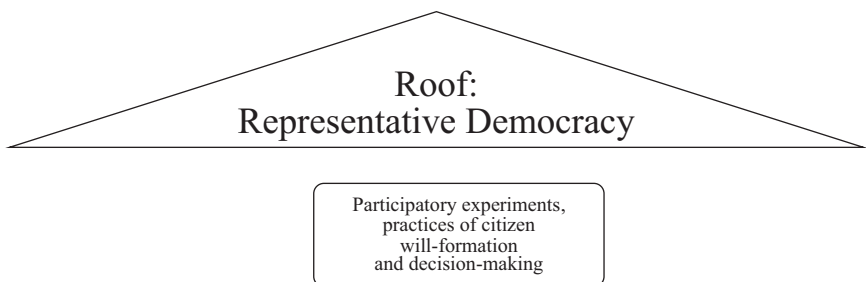


Figure 6.4 Practices and procedures—‘under the roof’ of representative democracy.

final say lies firmly in their hands. The ‘dominance of representation’ is always kept in place.

What is the problem with the ‘dominance of representation’ all these experiments are embedded in? The plain answer is: Because the dominance hinders the search for systems, which might be better equipped to guarantee self-governing—or in bolder words, the dominance of representation prevents self-governing. All experiments maintain practices of representation as the most important ones. Organized under the roof of representative democracy, they are confronted with well-known problems of the representative model mentioned throughout this book (Alonso et al., 2011; Merkel, 2015; see also Papadopoulos, 2013; Schmitter, 2015; Tormey, 2015).

What are the most obvious flaws in the context of participatory experiments? The most prominent flaws are probably *symbolic participation*, ‘*particitainment*’—which means participation as entertainment without influence, *distracting participation*, *cherry-picking*—politicians choose citizens’ recommendations they like and neglect those they dislike—and finally, *pacifying and co-opting*. In the following lines, I explain these shortcomings in more detail. Finally, I present experiments, e.g., the constitutional process in Iceland, which illustrate the limitations of participatory experiments within representative democracies vividly.

Symbolic participation is probably among the most widespread of all deficiencies: Citizens are invited to get involved, but this involvement has no effects on actual political decisions. Closely related to symbolic participation is *particitainment*. This term was invented by Klaus Selle, a German scholar. He observed that participation takes places in many municipalities as an entertainment for citizens. Citizens are kept busy in participatory feel-good events, but their involvement is in vain. For example, communities hosted well-designed mini-publics and participants developed recommendations with enthusiasm. But—their involvement had no impact on decisions because decision-making bodies were not interested. Such events led Curato and others to ask the rhetorical question: “What use are intelligent recommendations from deliberative mini-publics if these recommendations are silenced by politicians?” (Curato et al., 2021, p. 22). Such events might be fun for the participants, which is of course a good thing. But they are far from self-governing.

Distracting participation follows a similar logic. Citizens are invited to discuss topics of little importance, e.g., where to put a park bench. At the same time, they are excluded from decision-making on important issues, such as the vast destruction of parks in the country or international treaties. Another term that illustrates this phenomenon is ‘wallpaper democracy’, which means:

sophisticated procedures for enlisting citizens in arguments about the color and the pattern of the wallpaper; obscuring the fact that they have had little say about the design of the house; and none about housing policy more generally.

(Bächtiger & Parkinson, 2019, p. 82f)

In other words, citizens can decide about some crumbs of the cake, or maybe even about the whole cake. But the bakery belongs to the representatives, who determine, which cakes are baked and when they are baked. They also determine whether they shut the bakery down or to whom they sell it.

‘*Cherry-picking*’ is another well-known deficiency of citizens’ political involvement within representative democracy. Based on observations of hundreds of participatory experiments in many countries, Graham Smith and Juan Font detected this feature: Politicians pick those citizens’ recommendations, which fit into their own political agenda. And they ignore ideas they do not agree with (Font et al., 2016). Finally, participatory experiments are sometimes nothing more than *pacifying and co-opting strategies of governments*. For example, participatory budgeting procedures can be used to channel protest and to avoid counterpower activities. Decision-makers ‘manipulate’ the procedures and instrumentalize them for their own purposes (Bua & Bussu, 2020). Similarly, Hudson (2021) illustrated vividly, that citizen participation in constitution-making is not seldom instrumentalized by the political elite. As he summarized based on the analyses of 19 processes of (supposedly) participatory constitution-making: “It is clearly in the interests of politicians to give the impression that public participation was far more meaningful than it actually was” (p. 181). Sintomer’s (2019, p. 157) poignant question summarizes this critique: “How could one imagine that top-down devices whose existence depends upon the arbitrary will of those who have the power will be able to challenge structural inequalities in politics and society?” (see also Abbott, 2020).

6.2.1 No blueprints for self-governing

Obviously, the implementation of top-down innovations cannot suffice for real change toward self-governing. The following examples illuminate this impossibility—and confirm the need for transformation decided by citizens themselves.

The *constitutional process in Iceland* illustrates prominently, how participatory experiments can end in representative democracies. The experiment failed because the parliament stopped the process and put all recommendations ‘on ice’. What was the story?

Iceland was hit hard by the financial crisis of 2008, which ignited a lot of protest and finally led to the formation of a new government in 2009. The new government started a process of constitutional revision. Similar to Ireland, the then parliament wanted to involve citizens in this process and developed a rather intricate experiment (Figure 6.5). Almost 1,000 randomly selected citizens gathered in a one-day National Forum. They discussed the topics they wanted to change in a revised constitution. The recommendations were passed to the Constitutional Committee, consisting of seven appointed experts. This Committee proposed suggestions for the constitutional revision, which were handed over to the Constitutional Council consisting of 25 members, elected

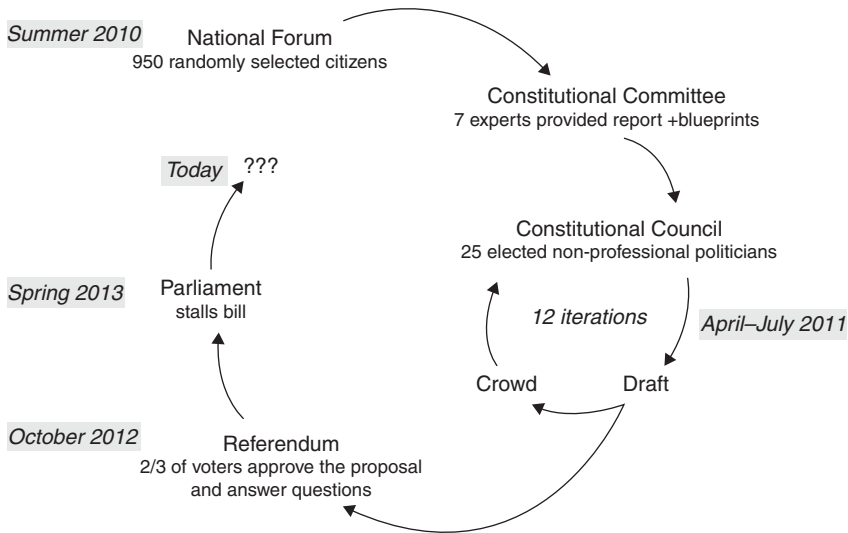


Figure 6.5 Icelandic experiment of participatory constitution-making (2010–2013).
 Source: Landmore, 2020, p. 157.

by a nationwide ballot. Politicians were not allowed on this ballot. The elected members came from different occupational backgrounds such as priests, professors, lawyers, labor union leaders or nurses. The Constitutional Council met and discussed over several months using online crowdsourcing methods in several iterations. At the end, the Council drafted a so-called ‘crowd-sourced constitution’ that was sent to parliament, which developed a draft constitution. In 2012 an advisory referendum was held on this draft, which was approved but needed the endorsement of parliament. The 2013 elections were won by opponents of the new constitution and the entire process was put on hold.

The participatory involvement in drafting a novel constitution in *Chile* is the second example. This experiment also had its strengths but cannot serve as a blueprint for self-governing.⁷ In 2015, Michele Bachelet, then president, launched a constitutional reform process that stipulated consultative citizens’ involvement. The participatory process consisted of four stages: (1) online individual questionnaire; (2) local meetings (*encuentros locales autoconvocados*); (3) Meetings at the province level; and (4) Meetings at the regional level (Raveau et al., 2020). Almost 2% of citizens were involved, mainly citizens residing in Santiago and Valparaiso (Raveau et al., 2020).

In the wake of this process, several novel agencies were installed (OECD, 2017). The first was the *Citizen Council of Observers* (*Consejo Ciudadano de Observadores*), implemented by Bachelet and comprising of 17 people appointed in person, e.g., lawyers, scholars or former athletes. The council was commissioned to oversee the process and to “guarantee the transparency,

openness and inclusiveness (i.e., the lack of political bias) of the consultation process” (OECD, 2017, p. 12). The second agency was the *Systematization Committee* (Comité de Sistematización), a group of experts whose task it was to process the ideas provided by citizens via the different channels and to draft the report. It systemized all ideas and produced the *Citizen Bases* report that was presented to the president in 2016. Third, almost 200 *Territorial Facilitators* (Equipo Territorial de Facilitadores) were selected by Chile’s Civil Service Office and trained in order to help communities to conduct local meetings (see also Raveau et al., 2020).

The questionnaire and the meetings focused on four aspects with the option of open comments: (1) What should be the main *values* and *principles* that inspire and support the Constitution? (2) What should be the fundamental and universal *rights* contained in the Constitution? (3) What universal *duties* and *responsibilities* should be established in the Constitution? (4) What *state institutions* should the Constitution include and what characteristics should they have? The findings and discussions led to the *Citizen Bases* report, which included several features that have not been included in the constitution, e.g., respect for environment and natural resources, decent housing, human rights, gender equality and public participation including plebiscites and consultation mechanisms (OECD, 2017).

In 2020, Chileans demanded via a referendum that a new constitution should be drafted by a *constitutional convention* with directly elected members and declined the suggestion of filling half of the constitutional convention with members of parliament (voter turnout 51%, approval rate almost 80%). In 2021, citizens elected the members of the constitutional convention via a referendum. Recently, the proposed new constitution was submitted to President and in September 2022, there was a referendum, which rejected the draft. Citizens had only a ‘yes or no’ option on the whole draft and could not express specific preferences or prioritize issues.

We find a comparable, supposedly participatory, but at most partly successful case of participatory constitution-building in South Africa (Hudson, 2021). Saati (2017) reported a similar case in Nepal. He concluded: “When major decisions relating to the content of the constitution have already been decided by political elites, one might wonder if it is fair to label the inclusion of the public as participation” (p. 37). Similar Hudson (2021, p. 7) demonstrated in his “large-scale comparative analysis of the impact of participation on constitutional texts” that “it is highly unlikely that what citizens submit or propose will be included in the constitutional text”. Even if the participatory procedures were well-intentioned, they seemed to be little more than democratic fig leaves.

6.3 Conclusion

This chapter describes and discusses experimental participatory procedures that were tried out in a variety of countries. The procedures pursued different

purposes, e.g., working out a new constitution, new laws or budget plans, and they were set up in different ways (see Table 6.1). They provide wide-ranging insights into the functioning and impacts of different procedural setups.

What can we learn from these cases for Thriving Democracies? Existing experiments are partly encouraging and stimulating. For example, the participatory budgeting process in Porto Alegre, Brazil, demonstrates that collective will-formation among citizens feeding into cooperative decision-making with elected representatives can be effective and inclusive. The Brazilian National Policy Conferences indicate that such practices can be organized meaningfully in a multilevel structure. The Irish Citizens Constitutional Assemblies as well as the British Columbia Citizens' Assembly on Electoral reform prove that citizens can deliberate on complex issues and make convincing recommendations. These cases pioneered our thinking about how to connect citizens' will-formation and decision-making.

However, the inspiring effects of these participatory experiments have their limits. Many experiments were constrained to one or a few issues, e.g., the electoral system, and did not cover self-governing as a whole. And even participatory procedures in the context of constitutions building remain piecemeal. All these participatory procedures took place under the roof of representative democracy. They were considered—at most—add-ons, which elected representatives can grant, change or take away. Their impact remains on the goodwill of the representatives. Within current representative democracies, the power to accept or to reject citizens' recommendations, i.e., the power of final decision-making, rests firmly in the hand of politicians. In none of the experiments, citizens were able to deliberate and decide *how they want to govern themselves*.

Thriving Democracies go beyond these limitations of piecemeal involvement and the precast superiority of electoral representation. Communities decide how they want to govern themselves, be it by referendums, mini-publics, elections and representation or by a mixture of all. Accordingly, ideas for visionary systems should offer a broader, unlimited horizon. I develop suggestions next in Part C.

Notes

- 1 See e.g., <https://airtable.com/shrHEM12ogzPs0nQG/tbl1eKbt37N7hVFHF/viwxQgJNyONVHkmS6?blocks=hide>; <https://oidp.net/distinction/en/>, accessed June 2021.
- 2 Another systematization relates to different kinds of connections, namely transmission (Boswell et al., 2016; Parkinson, 2006), coupling (Hendriks, 2016; Kuyper & Wolkenstein, 2019) or sequencing (Goodin, 2005). Transmission refers to the one-sided flow of suggestions or more general the flow of discourses from one practice to another, e.g., recommendations produced by citizens' assemblies are handed over to politicians. Sequencing means the temporal combination in a certain order, e.g., a mini-public is implemented before a parliament decides. Coupling describes the

bidirectional linkages between a participatory procedure and a decision-making body as an ongoing, interactive process. More terms can be found in the literature, e.g., consecutive practices (Goodin, 2008), interaction, linking (Setälä, 2017), inter-connecting (Saward, 2021) or interlinking, which are, however, not yet defined clearly.

- 3 This list excludes the few Polish cases, where a few mayors had committed to implementing the recommendation agreed by mini-publics in broad consensus (Gerwin, 2018, pp. 14–15). The inclusion of these few cases would make the table overly complex.
- 4 A specific case is the National Institute for Health and Care Excellence (NICE) Citizens Council, UK. The NICE Citizens Council is a recurring process and advises the National Institute with the perspective of citizens on a variety of legislative subjects. The Citizen Council reflects broadly the adult population of the UK. It provides reports on questions set by NICE (Dean et al., 2020).
- 5 In addition to the Constitutional Citizen Assemblies, further assemblies were implemented, e.g. Irish Citizens' Assembly on Climate Change (2016–2018) and the 2020 Citizens' Assembly on Gender Equality (2020).
- 6 However, the threshold for binding referendums was high (requirement of 60% participation rate) and not reached. Thus, the recommendation was not accepted.
- 7 See also, e.g., <https://constitutionnet.org/news/citizens-participation-chilean-constitutional-convention-balancing-expectations-and-efficiency>, accessed June 2021.

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Part C

Thriving Democracies

Visionary setups for realizing self-governing

By believing passionately in something that still does not exist, we create it.
The nonexistent is whatever we have not sufficiently desired.

(Franz Kafka)

The realization of Thriving Democracies requires visionary yet practicable setups. Up to now we only have experience with representative democracy enriched with some participatory dots as icing on the cake—a deliberative citizen assembly, a referendum or a participatory budgeting procedure every now and then. Moving on from these experiences to novel citizen-driven setups, which do not necessarily revolve around elections and representation, will be demanding.

As of the moment, few scholars and activists have started to develop instructive and inspiring suggestions, but none puts citizens in the center. As briefly discussed in the introduction of this book, most of them praise either an abstract ‘grand idea’ (e.g., *Deliberative Systems*, Parkinson & Mansbridge, 2012) or a specific practice such as mini-publics (e.g., Curato et al., 2021; Della Porta, 2013; Tormey, 2015). They might intend to help communities. But they do not include the whole breadth of options, because they focus on their favorites—sometimes in a one-size-fits all manner. Visions of setups for self-governing, which integrate a wide range of practices and procedures, are largely missing up to now.

This gap goes hand in hand with a second shortcoming. Existing proposals often address single flaws of representative democracy but do not attempt to heal the potentially dysfunctional systems as a whole (e.g., Geißel, 2008). For example, reforms try to enhance the communication between citizens and politicians, but citizens might want to have more direct influence on decision-making. Translating my critique into medical terms, many reforms are about illness management and not about illness cure. They are just band-aids mending one flaw or another—without a vision of how to heal the whole body. This fiddling with symptom-abatement with a patch here and there does not suffice. A good medical treatment would take the whole system with all flaws and dysfunctions into account instead of mending one isolated symptom. The

same is true for democratic systems. Comprehensive, connective solutions are needed, which go beyond sporadic onetime reforms and innovations. Broad ideas for connective, inclusive setups fostering self-governing from the outset are missing.

The following chapters fill these gaps. They make practical suggestions, which can be adapted according to the needs, preferences and resources of communities. The chapters of Part C provide innovative ideas inspiring the imagination of communities and citizens in their search for new ways of governing themselves. As mentioned several times, the following ideas are not prescriptive but intend to foster creativity. They are like an abundant, well-organized ‘buffet’ full of options and possibilities. Communities might focus on some proposals and drop others. They might even develop new practices, procedures or public agencies no one has thought of yet.

The components of democratic setups

I have talked a lot about something I call democratic setup. But what exactly do I mean? What does a democratic setup include? A democratic setup consists of several components, which are not just accidentally linked but organized and connected in order to realize certain tenets. Let me illustrate these components with an example. A community might decide to put specific focus on equal inclusion of all its members in will-formation and decision-making. It introduces randomly selected citizens assemblies as an inclusive *practice* of will-formation and develops *procedures* connecting their recommendations systematically to referendums. Finally, it becomes obvious that organizing these practices requires specific skills, time and resources. For example, random selection, professional moderation and all the other operations cannot be performed by existing public agencies. To ensure a smooth running of the practices and procedures, the community installs new *public agencies*, which are responsible for fulfilling all these operations. But this is not the end of the story. It turns out that many people invited to participate in randomly selected assemblies decline to become involved because they cannot leave work for the meetings. The community recognizes that *new laws* are necessary to achieve its tenet of inclusive involvement. It passes a law allowing for leave of absence to participate in citizen assemblies and works on regulations for referendums, which should make them as inclusive as possible, e.g., enable online voting.

This example illustrates the different components of what I call the setup of democracy. The core component are *practices* (Box 5.1). Most current publications focus on this component, e.g., on referendums or citizens’ assemblies. But practices are not enough to organize a community, they must be linked systematically. For example, a citizens’ assembly that meets in isolation and is detached from any other political practice might be interesting for the participants but contributes little to the self-governing of a community. The citizens’ assembly becomes meaningful and consequential when it is linked

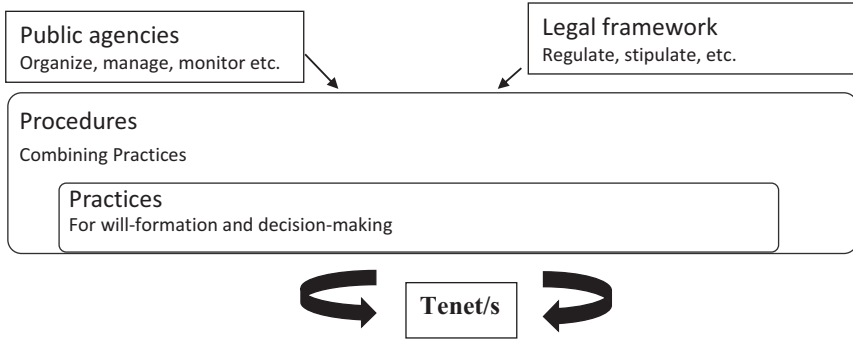


Figure 7.1 Components of democratic setups (schematic).

to other practices thus contributing one jigsaw piece to the joint puzzle of collective will-formation and decision-making. Within Thriving Democracies, these linkages are stipulated in *procedures* with clearly defined steps for connecting, e.g., in sequences (see also Saward, 2021, p. 100ff.). Several of the practices and procedures described in the following chapters are novel. They cannot succeed within the current public agencies and laws, which are designed for representative democracy, but require novel *public agencies* and *legal frameworks*. These components are interconnected and build on each other to realize the democratic tenet/s of communities. Figure 7.1 illustrates the components and the composition of a democratic setup schematically.

On the following pages I provide ideas for such democratic setups. I look at established and novel practices and offer ideas for connecting them in novel procedures. And I propose novel public agencies as well as legal frameworks, which may provide the smooth functioning of all practices and procedures.

This part starts with a detailed description of practices that can be potentially applied in Thriving Democracies (Chapter 7). It proceeds with developing proposals for how to combine practices in novel procedures (Chapter 8), suggesting different procedures for different legislative subjects as I explain below (Figure 8.3). The novel public agencies and legal frameworks are depicted in Chapter 9.

I end this introduction of Part C with a citation by Erik Olin Wright because he summarizes the intention, in which I wrote this book.

it would be impossible to come up with detailed plans of actual institutions which would fully embody all of our ideals.

Our real task is to think of institutions which themselves are capable of dynamic changes, of responding to the needs of the people and evolving accordingly, rather than of institutions, which are so perfect that they need no further change.

(Wright, 2010, p. ix)

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7 Practices for will-formation and decision-making

In Chapter 3, I argued for applying *multiple practices* putting forward several arguments. I reasoned that the implementation of multiple practices ensures inclusive involvement of different groups, fosters comprehensive refinement of citizens' preferences and promotes the development of collectively acceptable solutions. Accordingly, this chapter provides suggestions for a multitude of different practices.¹ Some of the practices described below are well-known, for example, voting. Some practices have already been applied but are less common, for example, mini-publics or the Deliberation Day. And some practices are completely novel, e.g., the Multi-Issue Referendum and the randomly selected chamber of parliament.

How do I systemize and present the variety of practices? Within representative democracies, practices are organized in a hierarchical system with elections and parliaments as the main practices. But *within Thriving Democracies such hierarchical ascriptions cannot exist a priori*. No practice is considered as more important than another one; none is believed beforehand as the only or best practice for realizing self-governing. Therefore, in this chapter any hierarchical organization of practices makes no sense (see Box 5.1). As in Chapter 5, I organize practices along the two main functions of will-formation and decision-making with parliaments as special practices. Will-formation takes place in practices of deliberation as well as in practices of expressing interests, e.g., interest group or party actions. Decision-making is closely connected to voting²—mainly in elections, recalls and referendums. Parliaments have a distinguished position. I discuss them separately (Figure 7.2).

Cutting across this systematization is the recently rediscovered selection mechanisms of *sortition*—other terms are random selection, civic lottery or representation by lot. The revival of random selection emerged out of the dissatisfaction with elections and elected representatives. Several scholars consider sortition as a suitable alternative for selecting participants (Gastil & Wright, 2019; Guasti & Geissel, 2019, 2021; Landemore, 2020; McCormick, 2017). Sortition would improve *inclusiveness* because all citizens have the same probability of being selected. Also, citizens who would and have never participated in any political practice, are invited to be engaged. Accordingly,

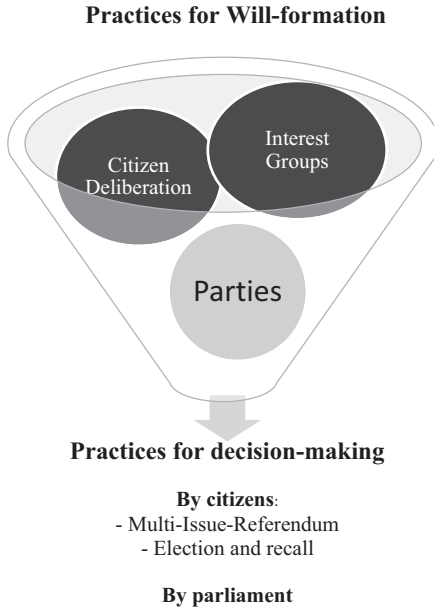


Figure 7.2 Will-formation and decision-making with examples of practices.

random selection involves more *diversity* than provided by elections or self-selection.³ Such diversity would enhance *deliberation* and improve *decisions* (see also Chapter 1). This chapter presents ideas for applying sortition in will-formation, i.e., mini-publics, as well as in decision-making, i.e., in a randomly selected chamber of parliament.

I included several boxes with excursions in this chapter for readers with specific interest. Some boxes provide information and suggestions for practical implementation and specifications, which might be useful for practitioners planning to install one of the practices. A few excurses reiterate academic debates, which might mainly be interesting for scholars.

7.1 Practices for citizens' will-formation

As already explained in Chapter 5, citizens can form and refine their preferences in practices of expressing interests as well as in practices of deliberation. Whereas practices for expressing interests are at the core of the representative model of democracy (Fraenkel, 1974), Thriving Democracies might put more emphasis on citizen deliberation. Therefore, I, first, propose several practices of citizen *deliberation*. They include randomly selected practices such as mini-publics as well as public deliberation with open practices of self-selection—and a Deliberation Day as the cherry on the cake. Second,

I discuss *practices of expressing interests*—activities of interest groups, parties and civil society involving New Social Movements. I also include petitions, which might play a more crucial role in Thriving Democracies. The following list itemizes the practices:

- 7.1.1 *Practices of citizen deliberation*
 - Randomly selected practices (mini-publics)
 - Public deliberation with practices of self-selection
 - Deliberation Day
- 7.1.2 *Practices of expressing interests*
 - Interest groups
 - Political parties
 - Civil society including social movements
 - Petitions

These will-formation practices are explained in detail in the following lines.

7.1.1 Practices of Citizen Deliberation

Practices of citizen deliberation come in different shapes, forms and sizes (see Chapter 5). The fundamentally distinctive feature is the mechanism of recruitment—random selection versus self-selection. I start with the discussion of randomly selected practices due to their novelty and their potential significance in Thriving Democracy; then I proceed to practices with self-selection.

Practices of citizen deliberation with random selection (mini-publics)

Practices of citizen deliberation with random selection have been labelled with different and often confusing terms, e.g., Citizen Assemblies or Citizen Juries (OECD, 2020); but the most clear-cut and unambiguous term is probably the label ‘*mini-public*’ (Curato et al., 2021). As mentioned above, the main arguments for mini-publics are their inclusiveness, the diversity of participants, the high quality of deliberation and the potential to improve decisions. In order to achieve these expected benefits, the two following core design features have to be fulfilled: (1) mini-publics ‘mirror’ the composition of the population of the community, and (2) they are designed in a way, which guarantees informed, respectful discussions. Let me explain these two core design features in more detail (Curato et al., 2021).

First, mini-publics ‘*mirror*’ the *population of the community*. But what exactly does this mean? A mini-public reflects the composition of the community considering sociodemographic characteristics, meaning for example that about half of the participants are women, that the participants’ level of education is similar to the educational level of the community, and that all age groups are included accordingly. This ‘mirroring’ is also called ‘descriptive

representation'. Recently, however, some scholars have bid farewell to the concept of descriptive representation and refer to the idea of diversity. Descriptive representation would not be necessary—as long as the group is diverse (e.g., Landemore, 2013). The strategies of recruitment for achieving descriptive representation and diversity are described in Box 7.1.

Box 7.1 Mini-publics—strategies for recruitment

How can we reach descriptive representation and diversity in mini-publics? When mini-publics started to be implemented a couple of years ago, random selection was the recruitment method considered as the gold standard. However, as it turned out random selection was not sufficient. A high percentage of invitees rejected the invitation, whereas the already active strata of society accepted it (see also Chapter 5). Therefore, mini-publics were often skewed. This skewed participation posed a serious threat to the promise that mini-publics would solve the problem of political exclusion. The basic idea of mini-publics—to broaden the circle of active citizens and to ensure that all perspectives are involved—would fail. If only the politically active invitees take part, mini-publics would just serve as an additional channel for the well-off to raise their voice and to be heard.

Scholars and practitioners realized that supplementary, more complex strategies of recruitment are necessary to achieve equal, inclusive participation. Today, such additional strategies are increasingly applied, mainly stratified sampling, mobilizing strategies, reserved seats and easy accessibility. What do these strategies mean?

Stratified sampling works in the following way: A large number of randomly selected citizens is invited to take part in a mini-public. The invitees, who are willing to participate, are asked to fill out a form with information on age, gender, education and other characteristics of interest. From this pool of interested people, the organizers compose a mini-public with descriptive representation or diversity. People with lower education and younger participants are sometimes invited even over-proportionally to ensure sufficient representation of these groups, which are normally politically abstinent.

Mobilizing recruitment can be applied to encourage citizens belonging to politically disadvantaged and inactive groups. I discuss general mobilizing strategies for different practices in the section 'How to guarantee political inclusion and equality?' (Section 8.4). Some of these strategies can also be applied for the recruitment of mini-publics, e.g., active mobilization by disseminators. Specific incentives might be offered to mobilize participation in mini-publics, such as childcare during meetings or generous amenities, e.g. hotel or dinner.

Seats can be reserved for certain groups to guarantee that all groups living within a community are on board. Since the probability that specific groups like people with disabilities or minorities are recruited via random selection is rather small, the reservation of seats might be useful. For example, when policies for wheelchair users are discussed, wheelchair users should be involved. Finally, *easy accessibility* of mini-publics also enables the participation of people with physical or other disabilities, including, for example, the use of easy language.

Most of these recruitment strategies are up to now applied in the context of face-to-face practices. But they can also be used for *online* mini-publics: Stratified sampling, mobilizing strategies, reserved seats and easy accessibility are similarly possible in the digital world. For example, volunteers offering to participate in an online mini-public would fill out a form with information on age, gender and education. Based on this information, the organizers would select a composition of participants, which mirrors the composition of the community. Easy language would be used in online platforms. People without access to the internet would get special offers to take part for instance at public libraries.

All these strategies are, however, just preliminary suggestions. More strategies of recruitment for online as well as off-line mini-publics will most likely be developed in Thriving Democracies, especially in communities putting specific emphasis on inclusive involvement.

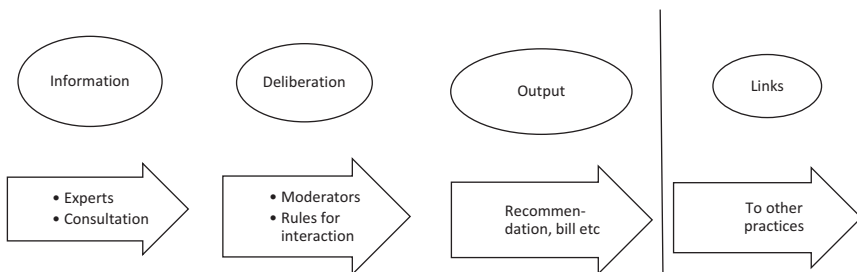


Figure 7.3 Design of mini-publics.

The second core characteristic of mini-publics is a *design, which fosters informed, respectful discussions*. In order to reach this goal, mini-publics are organized in three steps: information, moderated deliberation and output (Figure 7.3). In the *information* phase, experts deliver balanced information and often remain at hand to answer upcoming questions during the whole procedure. Additionally, a body of scientific assistants might be available to provide information on scientific controversies and facts. Interest groups and

members of movements might be invited for informed consultation. During *deliberation*, well-trained, neutral moderators make sure that the discussions follow the rules for respectful interaction, so that no group or individual dominates and that people with lower education or otherwise underprivileged participants are not silenced. These moderators guarantee that citizen deliberation is not the privilege of the well-educated. Finally, the mini-public works on the *output*, which might look different depending on the task of the mini-public. For example, mini-publics might identify new topics for the political agenda, develop recommendations or draft a bill (see also Figure 8.1 and Section 8.1.1). The agreement on the output is either based on majority decision or on consensus with or without the option of revealing dissenting opinions. Within Thriving Democracies, the output is always linked to other practices of will-formation or decision-making. Figure 7.3 depicts the phases of a mini-public.

When mini-publics are organized, further design questions need to be considered: How many people should participate, how long and how often should they meet? Generally, the *number of participants* as well as the *time frame* depend on the legislative subject and the task. Complex subjects and tasks require more participants and a longer time frame with more information, consultation and discussion than simple ones. Small local subjects, e.g., where to put the bus station, can be addressed faster and with less people than large-scale issues. When the legislative subject discussed in a mini-public involves a variety of aspects, e.g., the revision of a constitution, the time frame has to be extended significantly (Renwick & Hazell, 2017).

And one more consideration: I regard mini-publics as practices of will-formation not decision-making. In line with Lafont (2020), I am very skeptical about policy-making competencies for mini-publics (for this debate see also Setälä & Smith, 2018). Similarly, most citizens reject the idea of decisive mini-publics (see Chapter 4; also Bedock & Pilet, 2021; Pilet et al., 2020). However, there might be communities that would like to commission mini-publics with decision-making as it is the case in some Polish communities (Gerwin, 2018). Again, my suggestions are not set in stone but a start for developing novel approaches.

Public deliberation including self-selected ('open') practices

Thriving Democracies make an effort to involve the whole community comprehensively in deliberative will-formation in a variety of practices including self-selected, public ones. Civil society and public agencies might organize a wide range of such practices to foster public deliberation. Public deliberation might take place in several formats, e.g., citizen meetings in City Halls, public workshops, discussions in traditional and social media including interactive online platforms. Public deliberation might involve hearings with experts, interest groups, parties, political representatives and movements. Citizens can meet in face-to-face meetings or in virtual rooms. The list of potential practices

is endless. A multitude of publications suggest and describe a plethora of ideas, which I do not want to repeat here (e.g., OECD, 2020). The main point is that many channels, venues and avenues are provided to ensure broad public deliberation in Thriving Democracies.

Deliberation Day

Two political scientists, James Fishkin and Bruce Ackermann, came up with the idea of a *Deliberation Day* two decades ago (Ackerman & Fishkin, 2005). The main rationale of a *Deliberation Day* is to boost broad and in-depth deliberation within a community on a prominent, salient legislative subject. This includes broad, balanced a priori information in preparation of the *Deliberation Day* in traditional as well as social media. On the *Deliberation Day*, schools, universities, churches, sports clubs, unions, kindergartens and workplaces discuss the subject in detail. Politically marginalized groups and other citizens are specifically invited, and mobilizing strategies are applied to incentivize their involvement.

On *Deliberation Day* *Democracy Games* might be employed.⁴ *Democracy Games* cover a variety of topics, e.g., creating a constitution for a fictional state or discussing rules for referendums. They allow for learning about many aspects of democracy and are available for all educational levels, from kindergarten to adult education. They have the potential to inspire also the politically less interested people, who learn in a playful way what democracy entails. Also, citizen without interest in politics may start to reflect what democracy means to them.

Up to now, there are few examples of such *Deliberative Days*. The Estonian *Deliberation Day* (*Rahvakogu*) is one of them. In 2013, all Estonians were invited to propose ideas on certain issues, e.g., funding of political parties, on an online website. The activities in the context of this *Deliberation Day* included the consultation of scholars and practitioners as well as an off-line workshop.⁵ The Estonian *Deliberation Day* was embedded in a complex setup of public discussion, described in detail by Jonsson (2015). However, as Jonsson (2015, p. 20) put it, the impacts of the Estonian *Deliberation Day* were moderate since it was only weakly connected to parliament. Accordingly, the Estonian case may count as “an example of ‘too loosely coupled’ institutions, i.e. not ideal but not a total failure either ... where representative institutions have the final, exclusive power to make the ultimate decisions”. In contrast, within *Thriving Democracies*, *Deliberation Days* might be more consequential; they might be embedded in sequences of public will-formation and closely linked to decision-making via referendums (see Chapter 8).

7.1.2 Practices of Expressing Interests: Interest Groups, Parties, Civil Society Including Movements, Petitions

In representative democracy, *interest groups* and *political parties* have rather privileged positions as discussed in Chapter 5. Within *Thriving Democracies*,

interest groups and parties might lose some of their privileges but most likely remain crucial components of will-formation (Landemore, 2020). In some communities, interest groups as well as parties might even remain the main practices of public will-formation. Other communities put perhaps more emphasis on encompassing citizens, who are not willing or able to join interest groups or parties.

Some communities might rely strongly on civil society activities and social movements. We know since Putnam's study on *civil society* and Rucht's as well as Della Porta's work on *New Social Movements* how important these practices can be for well-working democracies (Della Porta, 2013; Putnam, 1993; Rucht, 1996). Thriving Democracies might pick up these threads and put more emphasis on respective activities, where citizens meet, discuss, refine their preferences and express their interests in informal settings. Communities might, for example, put a lot of faith in civil society practices and consider them as more important than the establishment of mini-publics. Especially inclusive, nonpolarized communities with strong bridging social capital (Geißel & Kern, 2000) might prefer to strengthen these activities.

Finally, I add *petitions* under the umbrella of interest expressing practices. Within representative democracies, signing a petition is a widespread political activity, however, with limited impact since petitions can easily be ignored by representatives. Within Thriving Democracies, petitions might have more significance. Petitions might serve as a legislative 'actor': they might have agenda setting power as well as veto-power hindering or changing bills discussed in parliament. For example, a community can decide to start a legislative process when 50% of the community members signed a petition putting a new topic on the political agenda (see, e.g., Figure 8.8). Communities might also provide more options for starting a petition and for collecting signatures. Petitions might become a crucial and frequently applied practice for citizens to express what they want.

7.2 Practices for decision-making

Within Thriving Democracies, citizens will have a variety of options to be included in decision-making. Most likely, they will elect their representatives, because modern large-scale democracies are hardly conceivable without parliaments. But they will have more options. Recall might be installed to ensure more responsive parliaments, as will be discussed in more detail below. Vote delegation and other elements of liquid democracy—mixing representative and direct democracy supported by digital tools—might be applied. And decision-making will most likely be shifted partly toward referendums. Since current referendums are imperfect as discussed below, I introduce a novel practice, the Multi-Issue Referendum.

The following list itemizes the practices: Due to its novelty, I start with the description of the Multi-Issue Referendum.

- 7.2.1 Multi-Issue Referendum
- 7.2.2 Elections of representatives
- 7.2.3 Recall
- 7.2.4 Vote delegation (liquid democracy)

These practices are explained in detail in the following paragraphs.

7.2.1 *Multi-Issue Referendum*

Decision-making via referendum is available in some democracies. However, referendums are up to now mostly limited to ‘yes or no’ options on singular legislative subjects. These are rather crude devices to identify citizens’ preferences.

Within Thriving Democracies, a more sophisticated and informative practice for citizen decision-making might be applied. This novel practice, which I call *Multi-Issue Referendum*, was developed at the Research Unit Democratic Innovations, Goethe University Frankfurt, by Jonathan Rinne (2020). The Multi-Issue Referendum unlocks new options for direct decision-making. It allows citizens to express their preferences more accurately and precisely than in standard referendums. Citizens can prioritize a large number of topics and show, which are most important to them.

How does it work? The ballot sheet of each Multi-Issue Referendum contains several topics with different alternatives each. For example, the topic of minimum wage has the three options of \$15 per hour, \$12 per hour or no minimum wage. Voters get a certain number of votes they can allocate. When voters consider the topic as important enough, they can not only choose between three options but also decide how important the topic is—worth one, two or three votes. If voters favor one topic strongly, they can give it up to three votes (‘cumulative-voting’).⁶ If voters consider the topic as irrelevant, no votes are given on any options. Topics not important can be left unmarked.

Figure 7.4 illustrates a Multi-Issue Referendum ballot sheet.⁷

I realized that the Multi-Issue Referendum voting procedure is difficult to understand for many readers and therefore I explain in detail, how it can be applied. The ballot sheet below is an example with votes (Figure 7.5). Our example voter has 20 votes to distribute on the ballot sheet. She strongly favors minimum wage with \$12 per hour and liberal abortion by giving them each three votes. She is for mail-in voting, but this topic is of less importance for her as her one vote shows. The topic ‘same-sex marriage’ received no vote at all because the topic has no salience to her. She wants no change of voting age, and this topic is worth two votes from her perspective. The same is true for raising taxes of the well-off by 1%, which also gets two votes. As you can see below, our example voter has used up all her 20 votes, clearly indicating whether a topic is very important (three vote), important (two votes),

<i>Proposal</i>				<i>Counter-proposal</i>				<i>Counter-proposal</i>			
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Minimum wage: \$15/h	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Minimum wage: \$12/h	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No minimum wage
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Same-sex marriage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No same-sex marriage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Same-sex marriage with less rights than heterosexuals
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Abortion liberal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Abortion restricted	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Abortion very restricted
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Mail-in vote allowed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Mail-in vote not allowed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Mail-in vote under restricted conditions
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Campaign funding unlimited	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Campaign funding limited	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No private campaign funding
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Speed limit in inner cities of 20km/h	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Speed limit in inner cities of 15km/h	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Cities can decide about speed limit in inner cities themselves
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Increase of state budget for education by 20%	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Increase of state budget for education by 10%	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No increase of state budget for education
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Lower voting age to 16 years	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Lower voting age to 17 years	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No change of voting age
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Raise taxes for income over 1 Mio. per year by 3%	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Raise taxes for income over 1 Mio. per year by 1%	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No raise of taxes for income over 1 Mio. per year

Figure 7.4 Ballot sheet of Multi-Issue Referendum (without votes). (Adapted from Rinne 2020.)

moderately important (one vote) or not important at all (no vote). The filled in ballot sheet gives us very specific and clear information about the preferences of our example voter—more detailed than it would be possible in standard referendums, let alone elections.

Similar to elections, Multi-Issue Referendums can be set up at all political levels. There might be local, state, national and supranational Multi-Issue

Proposal				Counter-proposal			Counter-proposal				
X	X	X	Minimum wage: \$12/h	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No minimum wage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Minimum wage: \$15/h
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Same-sex marriage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No same-sex marriage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Same-sex marriage with less rights than heterosexuals
X	X	X	Abortion liberal	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Abortion restricted	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Abortion very restricted
X	<input type="radio"/>	<input type="radio"/>	Mail-in vote allowed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Mail-in vote not allowed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Mail-in vote under restricted conditions
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Campaign funding unlimited	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Campaign funding limited	X	X	X	No private campaign funding
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Speed limit in inner cities of 20km/h	X	X	X	Speed limit in inner cities of 15km/h	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Cities can decide about speed limit in inner cities themselves
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Increase of state budget for education by 20%	X	X	X	Increase of state budget for education by 10%	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No increase of state budget for education
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Lower voting age to 16 years	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Lower voting age to 17 years	X	X	<input type="radio"/>	No change of voting age
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Raise taxes for income over 1 Mio. per year by 3%	X	X	<input type="radio"/>	Raise taxes for income over 1 Mio. per year by 1%	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	No raise of taxes for income over 1 Mio. per year

Figure 7.5 Ballot sheet of the Multi-Issue Referendum with votes. (Adapted from Rinne 2020.)

Referendums covering various legislative subjects. For example, the *local* ballot sheet might cover topics like local public transport, the local library or local energy production. Ballot sheets on *national* subjects might relate, for example, to international treaties, membership of the country in international organizations and military missions abroad.

Box 7.2 How to initiate and to organize Multi-Issue Referendums?

In representative democracies, the question of ‘*who can initiate a referendum*’ is crucial. Can only politicians start a referendum or also citizens? Are some topics to be decided by referendums mandatorily? These questions must also be decided for Multi-Issue Referendums in Thriving Democracies.

Communities might consider certain legislative subjects to be decided mandatorily via Multi-Issue Referendums, e.g., constitutional amendments. Proposal and (counter-)proposals on these subjects are put on the ballot sheet obligatory. Further subjects might be put on the ballot sheet via multiple channels. They can be initiated by petitions, mini-publics, the chambers of parliament or the government. For example, a petition can suggest putting additional taxes on the Multi-Issue Referendum taking place at the national level. If the petition receives sufficient signatures—the threshold is decided by the community—the topic is put on the ballot sheet. Once a topic is on the sheet, different practices might suggest different options: the petition might, for example, suggest additional taxes of luxury goods; an agenda-setting mini-public might propose additional taxes on real estate; and the elected chamber of parliament might recommend ‘no additional taxes’.

Multi-Issue Referendums can either be *organized periodically recurring* like elections, for example, once per year. Or they can take place after initiation, e.g., via a citizens’ initiative or by parliament (see also Chapter 9).

Based on my experience with the Multi-Issue Referendum, I suggest implementing Multi-Issue Referendums with *computer-assistance* (Rinne, 2012). Such computer-assistance has several advantages: Pull-down menus with additional information can be instructive for voters; the ballot can be programmed to detect contradicting votes; voters can be informed about the savings and costs of their choices; and finally, the counting and calculation of this complex practice is much easier than by hand.

Some skeptical questions might arise in this context. One critique is that the Multi-Issue Referendum might lead to distorted decisions. Picking up the example of minimum wage (Figure 7.5), 36% of voters might opt for ‘no minimum wage’, 33% for \$15 per hour, 31% for \$12 per hour. Although the majority of citizens endorses some kind of minimum wage, the option ‘no minimum wage’ would win. In this example, such false results can be avoided by using ballot sheets, which start with *filter questions* (‘yes’ or ‘no’) and then proceed to specifications (‘\$12 or \$15 per hour’). Items requiring such

filter questions can easily be identified and the ballot sheet can be adjusted accordingly.

But doesn't decision-making via the Multi-Issue Referendum entail the *danger of inconsistencies and contradictory results*? What happens when two features win, which seem to be not compatible? For example, the majority of voters endorses the idea of a directly elected president and at the same time a majority opts for a presidential office with hardly any power. The high legitimacy the presidents received by being elected directly is seemingly contradicted by her/his lack of power. However, this inconsistency is not as pernicious as assumed at first sight. As Fruhstorfer (2019) has illustrated, the danger of inconsistency in political setups is less dramatic than expected. In fact, many constitutions have inconsistent features and some of these inconsistencies have even positive effects. Fruhstorfer (2019) demonstrated in her study that states with inconsistent constitutions often perform even better than states with consistent constitutions.

Yet, Multi-Issue Referendums might lead to unclear or *contradicting results that have to be solved*. One option would be a second voting procedure. I have discussed above, that in Thriving Democracies accountability can mean revising a decision made via referendum (Box 1.5; similarly, see Trechsel, 2010). Accordingly, a second round of decision-making might be necessary. A Committee—comprising, for example, of one-third randomly selected citizens, one-third experts and one-third parliamentarians—might draft a new ballot sheet for the legislative subject, which is designed to produce clear, consistent results (Figure 7.6).

A community might also determine, how to cope with *narrow majorities*. For example, if one side wins only by 2% or 3%, a reelection might be stipulated, or the same question will be placed on the next Multi-Issue Referendum. Maybe, the community needs more time to discuss the subject or maybe more options are needed for the will-formation of the community (similarly, see Rinne, 2012).

Finally, we might discuss the *problem of polarization*—as sceptics of referendums put forward. Yet, as studies on referendums in today's democracies

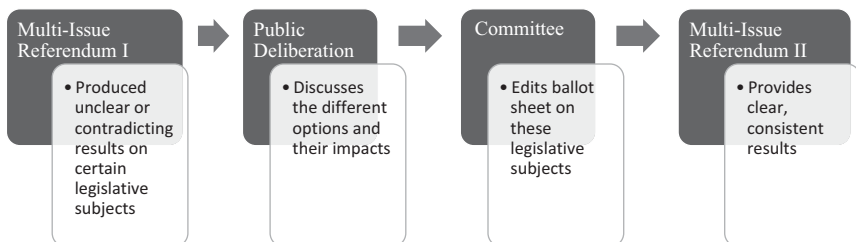


Figure 7.6 Multi-Issue Referendum—second round of decision-making.

show, the gap between winners and losers is less polarized than in elections of representatives (Leemann & Stadelmann-Steffen, 2022). This will be even more true for Multi-Issue Referendums. Of course, in the context of Multi-Issue Referendums some people will lose. But in contrast to elections of representatives or in one-issue referendums, voters have a say on a multitude of policies. The chances of winning and losing are mixed within the Multi-Issue Referendum. Voters can win and lose at the same time in one voting process. Winners and losers are not divided by a clear gap but diffused in a web of crisscrossing fissures. Thus, *the Multi-issue Referendum might even result in less polarization* than we experience today in representative democracies.

7.2.2 *Election of Representatives*

Within Thriving Democracies, citizens will most likely neither be willing nor able to make all decisions themselves and they will probably not have sufficient time to keep the everyday business of politics running. There are good arguments that an elected chamber of parliament will be useful in Thriving Democracies. The most feasible option might be similar to the procedures we know today: Communities apply a chosen electoral system; the candidates belong to parties, they campaign and are elected for a certain term.

In current representative democracies, citizens live with an *electoral system* without being able to influence and to choose. In contrast, in Thriving Democracies, citizens can select the electoral system they want to apply. When choosing an electoral system, it is not necessary for all members of the community to understand all the variations and intricate specifications of the different systems (Box 7.3). It is more important to have a general idea about the purpose of elections. Communities might agree on some basic preferences, for example, whether their parliament should mirror the share of votes with a multiparty cabinet as in the Netherlands or whether they favor a one-party cabinet as in the United States. Based on these decisions and supported by experts, they can decide which electoral system fits best to their preferences.

Box 7.3 *Cursory overview on electoral systems*

A huge variety of electoral systems exists all over the world. The main divide goes along majoritarian versus proportional systems.

In most *majoritarian* electoral systems only few parties—mostly just two parties—are represented in parliament, for example, in the United States. *Proportional* systems aim to reflect the different interests in society more accurately and a larger number of parties sits in respective parliaments. Countries with proportional systems have often installed thresholds. For example, Turkey has a 10% threshold, which means that parties have to gain at least 10% of all votes in order to get seats

in the Turkish parliament. All votes cast for parties polling under 10% are lost and parties scoring higher than 10% get more seats than correspond to their share of votes. In contrast, for example, the Netherlands has no threshold. Seats in parliament mirror the share of votes, with the result being that Dutch parliaments consist currently of 17 parties (2021).

The different electoral systems effect the construction of government with either coalitions of several parties, as for example, in the Netherlands, or cabinets consisting of one party as in the United States.

Electoral systems also differ on the question of *which politicians are elected directly or indirectly*. In most *parliamentarian democracies*, the president is elected indirectly; in *presidential democracies*, citizens can elect and sometimes recall the president; and in some Swiss cantons, citizens elect all members of the cabinet directly (Eichenberger et al., 2021). Each of the various electoral systems has specific impacts, advantages and disadvantages (Behnke, 2016; Farrell, 2011; Ferland, 2021; Lösche, 2004). Again, when communities select their electoral system, it is not necessary to understand all details. They just have to agree on the main goals they want to realize with the chosen electoral system.

7.2.3 Recall

The option of recall allows voters to get rid of those representatives and representative bodies, with whom they are not satisfied—for whatever reason. Recall might be initiated by politicians as well as by citizens. The specifications, for example, the number of citizens' signatures for initiating a recall or the quorum to render a recall valid vary substantially (see, e.g., Courant, 2019, p. 237ff).

I have discussed the arguments for and against recall briefly in Chapter 5, for example, the argument that recall is a mechanism that might help to ensure responsiveness of elected representatives throughout their legislative term (Serdült & Welp, 2017; Welp, 2016; Welp & Whitehead, 2020; Whitehead, 2020). The option of recall might be even more important for the randomly selected parliamentarians (see next section for more detail). Whereas elected politicians have been 'filtered' through several rounds of party selection, which guarantees that they have some competencies, members of the randomly selected chamber are not 'filtered' accordingly. And whereas—at least in theory—elected politicians try to perform reasonable to be reelected, randomly selected citizens do not have this incentive. They might neither be willing nor able to function adequately; they might just take the salary and never turn up or even impede discussion and decisions. Accordingly, recall must be possible to get rid of those individuals.

I also want to hint at potential problems of recall. The elected chamber might try to get rid of popular—or ‘difficult’—members of the selected chamber. And the selected chamber might try to recall popular—or ‘difficult’—members of the elected chamber. The option of recall might also be a thread for minority groups in both chambers, because representatives of minorities might suffer from recall more often than representatives of majority groups. Up to now all these considerations are hypothetical since we have little experience with recall (see Chapter 5).

7.2.4 Vote Delegation (Liquid Democracy)

Thriving Democracies might include elements of liquid democracy, specifically the delegation of votes. Citizens would then not (only) elect their representatives, but (also) delegate their vote/s to someone they consider as appropriate to decide on their behalf with clearly defined limitation. In representative democracies the delegation of votes is absolute—citizens elect a representative to act on all topics on their behalf for several years. In contrast, delegation in Thriving Democracies can also be issue- or policy-specific—citizens transmit their vote to a person for a singular issue or policy field, and delegation of vote/s can be terminated for a certain period of time. The delegation of vote/s might even be taken away “at any time (instant recall component)” (Blum & Zuber, 2016). Such procedures can be realized more easily with the support of digital tools and communication technologies (Valsangiacomo, 2021). Up to now, large-scale experience with these practices, tools and technologies are scarce, but the ideas are worth considering in Thriving Democracies.

7.3 Parliaments as practices of will-formation and decision-making

The crucial difference between Thriving Democracies and representative democracy is the division of power between parliaments and citizens. Although a few communities might decide to make all decisions via referendums, most communities will probably install parliaments. Parliaments serve important tasks, which citizenries can most likely not cover, like taking care of the everyday business of political life. However, in all communities parliaments might experience a variety of adjustments.

In the following lines, I first introduce ideas on potential *changes of the functioning of parliaments*. Second, parliaments in Thriving Democracies might consist not only of an elected chamber, but also of a *randomly selected one*. The idea of randomly selected chambers is currently in vogue and will be discussed in detail below. Finally, I briefly cover the notion of *supplementary chambers*, which today represent mostly federal states but might also represent specific social groups.

7.3.1 *Changing functioning of parliaments*

The division of decision-making power between parliament and citizens will most likely imply several changes of the functioning and working of parliaments. Here, I cannot summarize all potential modifications (see, e.g., Abizadeh, 2021), but exemplify three:

When communities choose to make many decisions via referendums, the position and employment of the members of parliament will change significantly. Being a politician may no longer be a full-time position. This is the case in today's democracies with strong direct democratic features. For example, in the Swiss Federal Assembly and in most of the 26 Swiss states ('cantons') being a member of parliament is a part-time job, and politicians mainly make their living by jobs outside of politics.

When decision-making power is divided between citizens and parliaments, negotiation between parliamentary groups about 'policy-packages', so called political 'horse-trading', will become more difficult. Such agreements are often applied between parliamentary groups to reach consensus on controversial policies—parties give up one or more policy preferences to push through other policies. Such agreements would entail elements of uncertainty. Within Thriving Democracies, every bill politicians introduce and every law they decide, might be subject to a referendum and thus be overthrown by citizens. In this case, a 'sword of Damocles', i.e., a referendum, is hanging over each decision. Without the option of 'policy-packages', decision-making within parliament will become more demanding.

The potential loss of parliaments' decision-making monopoly might also change the influence of lobby groups. When referendums are more common, lobby groups need to change their strategies. It no longer suffices to convince (or bribe) parliamentarians.

7.3.2 *Randomly selected chamber*

The idea of a randomly selected parliament is rather novel for us. Selecting decision-makers by lot sounds strange to most people today. But the inhabitants of the Athenian Polis, the origin of today's democracy more than two millennia ago, preferred sortition as the most democratic choice—and considered elections as a bad way of selecting people for political office. Today, the idea of a randomly selected parliament inspires scholars as well as politicians. Although public support for legislative decision-making by randomly selected associations is rather low (see Chapter 4), such a chamber could gain more interest in the future. For example, Cédric Villani, a French politician, had promised to select 20% of his campaign candidate list from ordinary Parisian citizens, in case he were elected to the municipality in Paris (for more examples, see Sintomer, 2018).

I start with the potential advantages of a randomly selected chamber and proceed to critical voices. For readers who are interested in practical aspects such as salary or term, I provide detailed descriptions and suggestions in Box 7.4 (Gastil & Wright, 2019; for a more critical voice see Malleson, 2018; Van Reybrouck, 2016; Vandamme & Verret-Hamelin, 2017).

Box 7.4 Randomly selected parliamentary chamber: recruitment, salary, terms

Recruitment for the randomly selected chamber might take place via stratified sampling (see Box 7.1). Additionally, seats can be allocated to specific groups, e.g., indigenous people, people with disabilities or other minorities.

Members of the randomly selected chamber might receive the same *salary* as elected parliamentarians. They might serve the same or a different *term* than the elected chamber. Owen & Smith (2018, p. 429) even suggest “rotation of membership and limited mandate” in order to “realize political equality and deliberative reasoning”. For example, every second year one-third of the selected chamber can be replaced by a new cohort. But rotation also has a downside. Selected members will need a lot of time to understand how the parliamentary life works—and as soon as they understand they leave. The Green Party in Germany had implemented rotation at the beginning of its existence to avoid the creation of a ‘political class’. But soon the Green members of parliament learned how long it takes to work effectively in a parliament and they got rid of rotation. Rotation might work in small parliaments, which are easy to understand. But for more complex societies, rotation might not be ideal.

As already discussed in the section on recall, mechanisms for getting rid of selected members, who do not perform adequately, are necessary. Recall is a useful mechanism for this purpose. Also, a code of conduct might be a good idea.

Why do several scholars recommend a randomly selected chamber of parliament? I have already discussed the benefits of random selection in the context of will-formation (mini-publics), namely inclusiveness, diversity, ‘good deliberation’ and improved decisions. Let us look at these benefits as well as additional ones *in the context of decision-making*.

First, similar to mini-publics, a randomly selected chamber of parliament, if recruited properly, will *mirror the composition of society* (descriptive representation, diversity). Most parliaments today are heavily skewed toward well-off men. Random selection would mend such inequalities. Members will

come from different contexts and backgrounds and will thus be familiar with the needs, preferences and interests of ordinary citizens. A second potential benefit is the option for *deliberation beyond party lines*. Whereas members in current parliaments are often bound by party and caucus discipline, randomly selected members can discuss without these restrictions (Sintomer, 2018). They would decide based on arguments—not just according to party lines (Setälä, 2021).

Additionally, we might argue that *elected politicians utilize a tremendous amount of energy and financial expenditures to secure their political career*. They need skills for campaigning such as “fund-raising, glad-handing, ground-gaming, and speechmaking” (Heller, 2020). In order to be reelected they have to please the media, to satisfy their party and to establish a favorable public image. This is not necessary for randomly selected members. They do not want to be reelected. They also will most likely not seek a career within a party and do not need to build up a reputation. Thus, they can put all energy into their parliamentary work. A final potential positive aspect might be the *diminished access of lobby groups*. Lobby groups cannot rely on party discipline, and it might be more difficult to influence (or ‘bribe’) randomly selected members.

But there are also critical voices. One critique is the *presumable lack of accountability and legitimacy*, because members of the selected chamber are not elected. The classical mechanism for supposedly achieving legitimacy, i.e., elections, cannot be applied in a randomly selected chamber. I have already discussed the concepts of legitimacy and accountability within representative democracy (see Boxes 1.3 and 1.5). These concepts sound reasonable in the theoretical model but do not work as expected in reality. Some authors even argue that selected chambers could be more legitimate than elected ones, because citizens would provide them more perceived legitimacy and feel better represented by selected members of parliament, who are ‘like them’. Up to now, empirical evidence is still scarce.

Another critical voice addresses the challenge that the members of the selected chambers *lack competencies* necessary for parliamentarians. Randomly selected ordinary citizens would, for example, not be able to deliberate meaningfully on complex subjects, have no experience with politics and political strategies, and do not know how to interact with the media. They miss the long phase of ‘apprenticeship’ professional politicians pass before they enter parliament. Accordingly, randomly selected members have to complete a steep learning curve within a relatively short time. Comprehensive training and professional assistance are necessary to enforce such a learning curve. And whereas elected parliamentarians have access to a whole party backing their work, the randomly selected citizens lack such a helpful environment. Again, professional assistance might balance this shortcoming.

Finally, I want to remind you that a randomly selected chamber is only one module of the suggested complex setups. Communities will choose practices which fit their preferences, needs and resources. A randomly selected chamber might fit very well for a community with a long history of strong political distrust and an exclusive political class. Such a community might consider the idea of a randomly selected chamber instructive and functional. It would break up its sclerotic parliamentary system. In contrast, a community with responsive leadership and high political trust might opt against a randomly selected chamber. Or it might opt for a mixed chamber, consisting of elected as well as randomly selected members.

7.3.3 Second Chambers Representing Special Entities, e.g., Federal States or Societal Groups

Almost 70 countries in the world have bicameral parliaments, i.e., second chambers. Such second chambers are crucial especially in states with a federal setup, where they represent the specific features of the individual federal states, e.g., the US Senate, the German Bundesrat or the Swiss Ständerat. Second parliamentary chambers do, however, also represent different groups within society, e.g., the British House of Lords, or could potentially serve other purposes. Most famous in this context is probably the South American revolutionary Simón Bolívar, who advocated the idea of three chambers assigned with diverse tasks. Few countries have established three chambers, e.g., the former Yugoslavia with (temporarily) the Socio-Political Council, the Council of Municipalities, and the Council of Associated Labor. Such bi- or even tricameral systems can add additional, important perspectives and also provide further checks and balances.

Currently, scholars are discussing new ideas on supplementary chambers. They argue that the concept of territorial representation—as it is the case in second chambers representing federal states—is based on wrong assumptions. Territorial representation insinuates that a territory is homogenous, and that its interests can be represented by representatives. But federal states are often rather diverse. Furthermore, most people do not necessarily feel territorial attachment. People often feel more attached to groups, which are not defined by territory, but by ethnic, social or cultural features; they might consider themselves, for example, preliminary as member of the LGBT* community or the Catholic church. The concept of liquid democracy (Valsangiacomo, 2021), i.e., delegating ones vote to a person who represents your interests, refers to these considerations. These considerations might be materialized even better in the representation of such groups in an additional chamber. Why not construct a chamber that consists of members representing such different ethnic, social or cultural affiliations? Such a chamber does not exist anywhere in the world, but the idea has already attracted some attention (Blum & Zuber, 2016; Valsangiacomo, 2021).

7.3.4 Combining Several Chambers

Within Thriving Democracies, parliamentary decision-making might be dispersed among two or more chambers. All chambers might share the same competences and rights; no chamber might be allowed to overrule the other one; each chamber might have the right to veto. Potential *shortcomings* come immediately to mind when legislative competencies are shared in such ways. Some readers might think of the potential danger of *gridlock*, well-known in countries with two parliamentary chambers, as for example, the United States. One chamber favors a bill, another chamber opposes it. To avoid gridlock, several countries have successfully introduced *conciliation committees*. Conciliation committees mostly comprise of delegates from both chambers and aim at finding compromises (see Chapter 9).

Some people criticize that a second chamber would slow down the procedure of decision-making significantly. Yes, this might happen. However, slowing down legislative procedures can be very functional, because it prevents post-decisions protests and counterpowers. In the bicameral system of Switzerland, for example, political decisions are made after a long procedure of will-formation. This procedure takes time, but it ensures fast implementation once the decision is made. All in all, decision-making with more than one parliamentary chamber is not without challenges, but in some communities the benefits might outnumber the disadvantages.

7.4 Conclusion

This chapter introduces a large variety of practices for collective citizens' will-formation and decision-making. Some practices are completely novel, for example, the Multi-Issue Referendum or the randomly selected chamber of parliament. Other practices are well-known in representative democracies, but I 'reshaped' them to make them more suitable for Thriving Democracies. For example, parliaments have specific tasks and functions in representative democracies, which might, however, look different when communities decide how to govern themselves. I have speculated about various options, advantages and disadvantages of different practices and without doubt this is not the end of the story. Communities will choose some of the suggested practices and will adapt them to their contexts, their preferences, needs and resources. Some communities might opt for a variety of diverse practices, perhaps similar to the 'visionary Thriving Democracy' I described in the introduction of this book. Other communities might select only a few practices. However, practices are only the first step. Practices have to be combined intelligently to ensure comprehensive, inclusive, collective refinement of citizens' preferences, which feed systematically and automatically into decision-making. Such connections are provided in Chapter 8.

Notes

- 1 I refer to practices, which can be formalized at least to a certain degree (see Box 5.1).
- 2 Decision-making is also possible via consensus, which is however difficult to reach (see debate on *volonté générale* in the introduction of Part A).
- 3 Self-selection means that individuals ‘select’ themselves for participation. This is mostly the case in open citizen assemblies, where people can take part as they want. Within the world of politics, such self-selecting groups consist mostly of so-called ‘usual suspects’, which are well-educated, older men. In other words, such ‘open’ assemblies are rather biased and skewed.
- 4 E.g., <https://demokrative.ch/index.php/en/projects/let-s-play-db>, accessed December 2021.
- 5 See for further information: www.kogu.ee/en/activity/peoples-assembly/, accessed December 2021.
- 6 Only logically compatible choices can be made. For example, you cannot choose both \$15 per hour minimum wage as well as \$12 per hour.
- 7 The Multi-Issue Referendum was successfully tested under real-life conditions in the city of Filderstadt. All voters, even those with only basic education, understood the ballot and were able to articulate their preferences clearly. See a similar suggestion for a so called preferendum: <https://www.theguardian.com/commentisfree/2018/dec/17/britain-second-referendum-preferendum-brexite>, Accessed Oct. 2022.

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8 Procedures connecting will-formation and decision-making

This approach enables us to think about democratic decisions being taken in the context of a variety of ... practices ... interacting together.

(Parkinson & Mansbridge, 2012, p. 2)

Thriving Democracies are citizen-driven and connect citizens' will-formation closely to decision-making as elaborated in Chapter 3. This chapter will now develop procedures realizing this principle of connecting will-formation and decision-making—systematically, meaningfully and inclusively. I start with suggestions for (1) how to connect practices to realize collective will-formation; then I proceed to proposals of (2) how to feed refined citizens' will-formation into decision-making. I will mention some novel public agencies, for example, a Coordination Office, necessary to make the procedures work smoothly. These public agencies are explained in Chapter 9.

Let me just repeat what I have emphasized throughout this book. The procedures described below are meant to serve as inspirations. Communities should alter them according to their context, select procedures, develop novel ones, and combine them in any way useful for them. There is no limit for the number of procedures, neither a minimum nor a maximum. It goes without saying that procedures must be in line with the core elements of human rights and civil liberties (see Section 1.3).

8.1 Procedures connecting practices of will-formation

Within Thriving Democracies, inclusive, collective citizens' will-formation is key. When citizens decide on crucial legislative subjects, it is essential that they refine their preferences before they make their decisions. Several practices must be provided, which incentivize and foster this refinement. But providing a multitude of practices does not suffice; they must be linked in meaningful ways. Procedures are needed, which “launder”, “filter” and reconcile all the recommendations developed in different practices in iterative ways as argued in Chapter 3 (Boswell et al., 2016).

In this section, I illustrate visionary procedures for such connections. The section cannot cover all potential options for connections but suggests, as examples, *linkages between mini-publics* (mini-publics with different tasks, multilevel mini-publics) and *linkages between political parties and public deliberation* via digital tools.

8.1.1 Linking mini-publics with different tasks

Installing a variety of mini-publics is a useful way for achieving broad public will-formation. These mini-publics can, for example, be implemented to identify political issues important to citizens but neglected by politicians and to set these issues on the political agenda. Mini-publics might be commissioned to discuss potential solutions for a specific problem supported by experts, to draft legislative bills or to assess bills drafted by the government. In parliamentary debates, mini-publics can serve as an additional option for consultation, similar to the traditional hearings of interest groups and experts. Finally, mini-publics can scrutinize and observe existing practices, monitor the implementation of laws or evaluate performance (e.g., Setälä, 2021). Depending on their purpose, mini-publics generate different outputs like a proposal for the political agenda, recommendations on how to solve a specific problem, a prioritization of policy suggestions or a legislative (counter-)bill.

Installing such a multitude of mini-publics might, however, be just the beginning. When each mini-public simply performs in isolation, its contribution is limited, arbitrary and ad-hoc. In order to render will-formation inclusive, collective and comprehensive, the different mini-publics must be systematically and consecutively connected. One way of connecting is sequencing, which means that the output of one mini-public feeds into the next one. Within Thriving Democracies, it might be a good idea to prescribe such sequencing by default ensuring permanent and continuous refinement of public opinion. Figure 8.1 illustrates potential linkages of mini-publics with different tasks.

As mentioned above, mini-publics serve here as an example. Such consecutive connections are similarly possible with most other practices. For example, communities with a lively, inclusive civil society might include civil society groups and movements in similar sequences in addition to or instead of mini-publics. The main point is that all voices are heard and intelligently linked to ensure that the debate is inclusive, collective and comprehensive.

8.1.2 Linking mini-publics in multilevel systems

Inspired by the *multilevel setup* of the Brazilian National Public Policy Conferences and the participatory budgeting in Porto Alegre (Figures 6.1 and 6.3), I also suggest a multilevel approach for linking mini-publics.

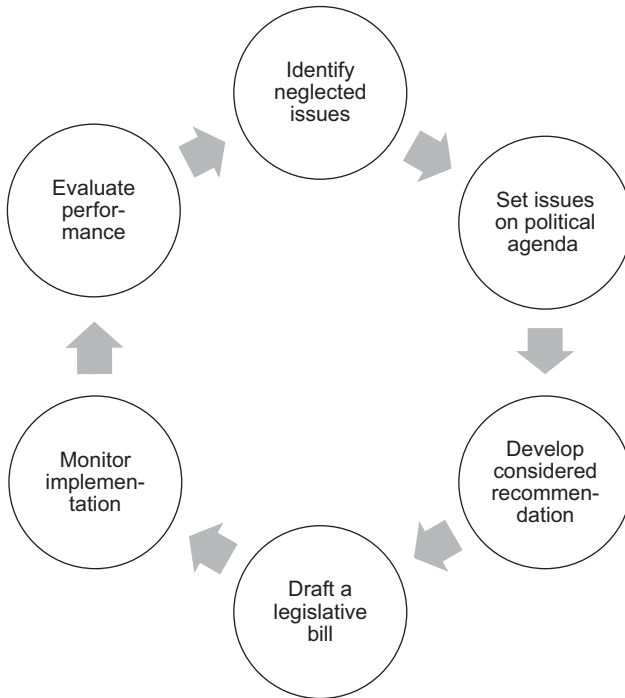


Figure 8.1 Example of linking mini-publics with different tasks.

Such multilevel mini-publics offer several benefits. They guarantee that regional differences are taken into account, and they allow people to get involved, who are not able or willing to travel far. Thus, they make sure that a variety of voices with several regional and other backgrounds are included.

How does it work? The process starts with several local mini-publics discussing the subject at stake supported by experts. The local mini-public selects a delegate and commissions her to transmit the outputs to the next level. The delegates have a so-called imperative mandate, which means that they are bound to instructions from their local mini-publics. The Assembly of Delegates summarizes the different ideas and develops proposals, which can also include dissenting opinions. Depending on the subject, the outputs are then transmitted to the next level, i.e., the State, National, Supranational or Global Assembly of Delegates. Experts and scientific support are provided at all steps (Figure 8.2).

Multilevel mini-publics are of course time-consuming and expensive. They can obviously only be applied to subjects with far-reaching implications, for example, constitutional amendments.

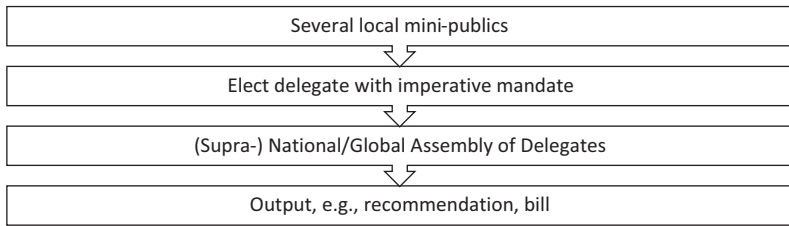


Figure 8.2 Multilevel mini-publics.

8.1.3 Linkages between political parties and public deliberation via digital tools

In Chapter 5, I have mentioned a few digital tools applied by parties to increase their interaction with the public. Although some of these tools might aim primarily at seeking votes or encouraging party membership, Thriving Democracies can build on these experiments. For example, interactive platforms like *Decidim* and social media channels can be used to link debates in parties with public will-formation. Elements of liquid democracy can be tested as tools to connect will-formation within parties with practices of public deliberation (e.g., Gastil & Richards, 2017). Many parties, foundations and start-ups are currently developing and testing digital tools in this context. These experiments provide a plethora of digital options and formats for Thriving Democracies, which might advance and adjust these tools according to their contexts.

Summing up, Thriving Democracies aim at inclusive, collective and comprehensive will-formation. They connect various practices in different ways in order to reach and refine public opinion, to clarify preferences and to enlighten the public. The next section suggests procedures for the long voyage from such comprehensive, refinement of citizens' preferences to political decision-making.

8.2 Procedures connecting will-formation and decision-making

Most people would probably agree that in democracies “collectively formed political agendas” have to be “translated into binding decisions” (Kuyper & Wolkenstein, 2019, p. 658). Yet, it is an obvious pervasive flaw in most modern democracies that citizens' will-formation is too often detached from decisions. In contrast, I suggest that Thriving Democracies rigorously and systematically connect both as the third principle requires. What might these connections look like?

Although abundant publications discuss some of the practices described in Chapter 7, not all of them spell out links to decision-making. The deliberative camp, for example, often stays within the realm of will-formation and the direct democratic camp in the realm of decision-making. Ideas for combining both beyond anecdotal examples are still rare (el-Wakil, 2017; LeDuc, 2007) and this book fills this gap. It suggests procedure connecting citizens' will-formation systematically with decision-making on different legislative subjects.

8.2.1 Order of legislative subjects

Legislative subjects vary according to their significance and their complexity. The most important legislative subject is the *constitution*, which in general includes a community's democratic tenets and the setup conducive to realize these tenets. The constitution is the groundwork and describes the 'goals and the rules of the game' for solving political conflicts and for reaching decisions on all other legislative subjects (Figure 8.3). When the community agrees on the tenets and rules in its constitution, decision-making on all other issues will be accepted to a greater extent than in communities without agreement. When the constitution is perceived as fair, transparent and legitimate, policy-making and problem-solving can function smoothly. In other words: A well-conceived constitution is the prerequisite for well-working legislative procedures on policies. Accordingly, most democracies apply higher requirements for building or revising a constitution than for passing simple laws. Constitutional matters often require supermajorities whereas simple laws can be passed with simple majorities.

Some countries also differentiate between salient subjects and non-salient subjects. For example, in Ireland issues of social importance or international treaties must be decided by citizens via referendum. Also in Thriving Democracies, it might make sense to differentiate between salient and non-salient issues, as described in more detail in Box 8.1.

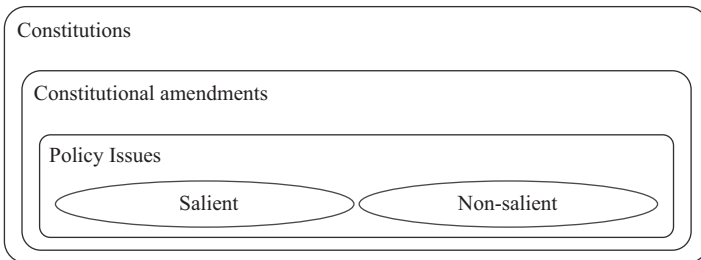


Figure 8.3 Order of legislative subjects.

Box 8.1 Salient and non-salient issues in Thriving Democracies

A differentiation of policy issues might be useful, namely the difference between salient and non-salient issues. Why? Today, in most democracies around 100–200 laws are passed every year—and more bills are put forward. It would be virtually impossible for citizens to cope with such an amount of bills and laws. There is just not enough time in a day. Citizens' involvement should not be overstretched and overburdened by less salient issues. Selection is needed. It is intuitively convincing, that citizens may want more say on those subjects that are of political, financial, economic, moral, ecological, social or cultural *salience* to them and their communities. As Barber wrote in his book “Strong Democracy” “citizens govern themselves directly, not necessarily ... in every instance, but ... in particular when basic policies are being decided” (Barber, 1984, p. 151).

Generally, we can assume that issues are salient when they address matters of broad scope. For example, issues like minimum wage, retirement age or the introduction of a new currency are intuitively more salient than the question of where to put a park bench in the local public park. Countries like Ireland and Switzerland have rules, which are instructive for this discussion. *Moral questions of societal scope*, such as same-sex marriage or abortion, are potential candidates for issues, which are considered as salient a priori. Also, *international treaties* often count as salient.

These considerations are, however, just preliminary examples. Salience can mean different things to different communities. Communities might agree on an a priori salience list organized, e.g., along policy areas (health, environmental, foreign, etc.) and political levels (national, state, local). For example, issues on foreign policies or national health policies might always be considered as salient. Communities might think also about the predefined salience of *appointing (e.g., federal) judges and important public offices*. *Public budgets* might be considered to be of special salience, because they prescribe the activities of the government and allocate resources. Communities might also refrain from defining salience a priori and install an agency or a strategy for *salience-assessment*. I provide proposals for such agencies or strategies in Section 9.1.

Due to the difference in scope, complexity and relevance, decisions on constitutions, constitutional amendments, and (non-/salient) issues require different procedures. I start with the most complex procedure—the procedure for decision-making on constitutions. Then I proceed to procedures for decisions on constitutional amendments and procedures for salient issues. Finally, procedures for non-salient issues are discussed.

I will not repeat here the discussion on citizens' competencies for making decisions on constitutions and constitutional amendments or on salient subjects such as budget plans or international treaties. I have addressed this subject at length in Section 4.2 ('On citizens' competencies to govern themselves'). For illustrative reasons, here I will simply refer to anecdotal evidence: Experiences in Ireland with referendums on constitutional amendments indicate that citizens can make up their mind on complex legislative subjects.

Again, the following suggestions are meant as support for communities to develop their own ideas. Communities will most likely opt for different choices of how to govern themselves. They can, for example, agree to leave all or most issues to parliamentary decision-making. Or they can initiate referendums on most issues. There will be no one-size-fits-all choice (see Chapter 9, Section 9.2.2).

8.2.2 Procedure for decision-making on constitutions

How can a community build a new constitution in the spirit of Thriving Democracies? How can it develop and decide on a shared vision of its democracy? How can it come up with a setup for realizing this vision? Inclusive, comprehensive will-formation and collective decision-making are key. *Procedures must inevitably be complex and intricate*—due to the complexity and importance of constitutions. Various practices are required enabling all citizens to refine their preferences and to ensure enlightened decisions. In this section I suggest two different procedures (Figures 8.4 and 8.5).

The first procedure might start with the decision of a community to become a Thriving Democracy. Parliament installs a *Constitutional Assembly*, which might, e.g., consist of 60% randomly selected citizens, 20% politicians, and 20% experts. The Constitutional Assembly drafts a first proposal for the constitution. The draft might include ideas for the tenets the community wants to achieve, e.g., socioeconomic equality, the practices and procedures to be applied as well as issues considered as worth being codified in the constitution, e.g., healthcare or minimum wage. A first *public deliberation* with several citizen meetings, organized by civil society as well as by public agencies, encourages and fosters discussions. Interest groups, parties, and movements are invited to get involved and to turn in their proposals. Experts are available to discuss experiences in other countries, empirical findings as well as academic controversies. The discussions then feed into a *multilevel mini-public* (Figure 8.2). The Assembly of Delegates drafts a second proposal based on the discussion in the different local mini-publics and supported by experts. This second proposal is discussed in the *parliamentarian chambers*, which draft a third proposal. If chambers cannot come to terms, each chamber drafts its own proposal. The *second public deliberation* discusses the third proposal/s, again with advice by experts. Based on the second public deliberation, the *chamber/s of parliament* suggest a fourth proposal. This proposal is discussed

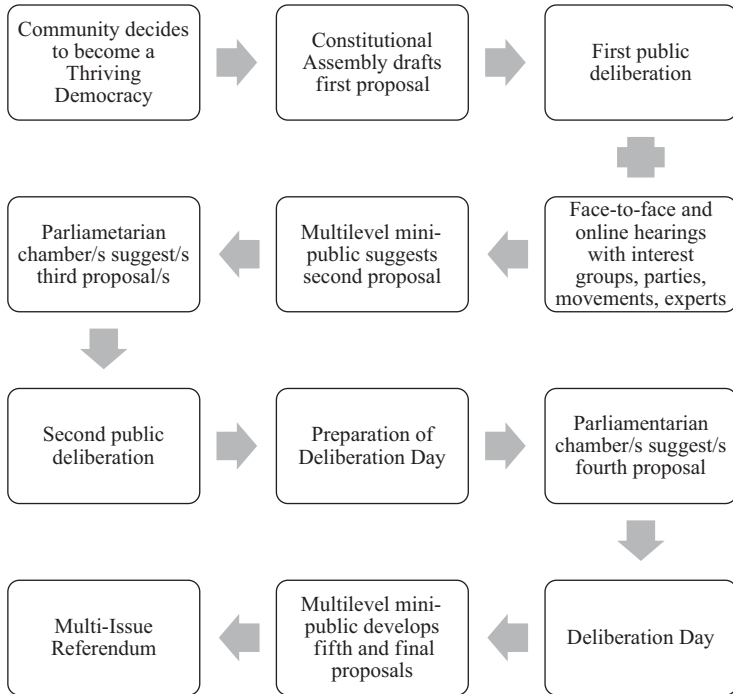


Figure 8.4 Procedure for decision-making on a constitution I (example).

on the *Deliberation Day*. During the *Deliberation Day* schools, universities, civil society, and even workplaces deliberate on the proposal. The discussions of the *Deliberation Day* are picked up by the *second multilevel mini-public*, which develops the fifth and final draft that most likely includes competing proposals. The proposals and the ballot sheet of the *Multi-Issue Referendum* (Figure 7.4) are distributed to all household and are disseminated broadly with different media formats. Citizens make the final decision via the *Multi-Issue Referendum*, which allows them to prioritize the proposals and to shape their constitution.

In summary, will-formation includes several sequencing practices with two rounds of public deliberation, two multilevel mini-publics, parliamentary debates and a *Deliberation Day*—all these practices receive advice from experts. Citizens decide via the *Multi-Issue Referendum*.

The procedure illustrated in Figure 8.4 puts most of its emphasis on participatory practices. Yet, another procedure might be implemented, which puts more emphasis on experts and parliaments. Such a procedure is depicted in Figure 8.5. In this case the government commissions a *multilevel mini-public*, supported by experts, to brainstorm about a new constitution. The multilevel mini-public suggests first proposals. These proposals are discussed

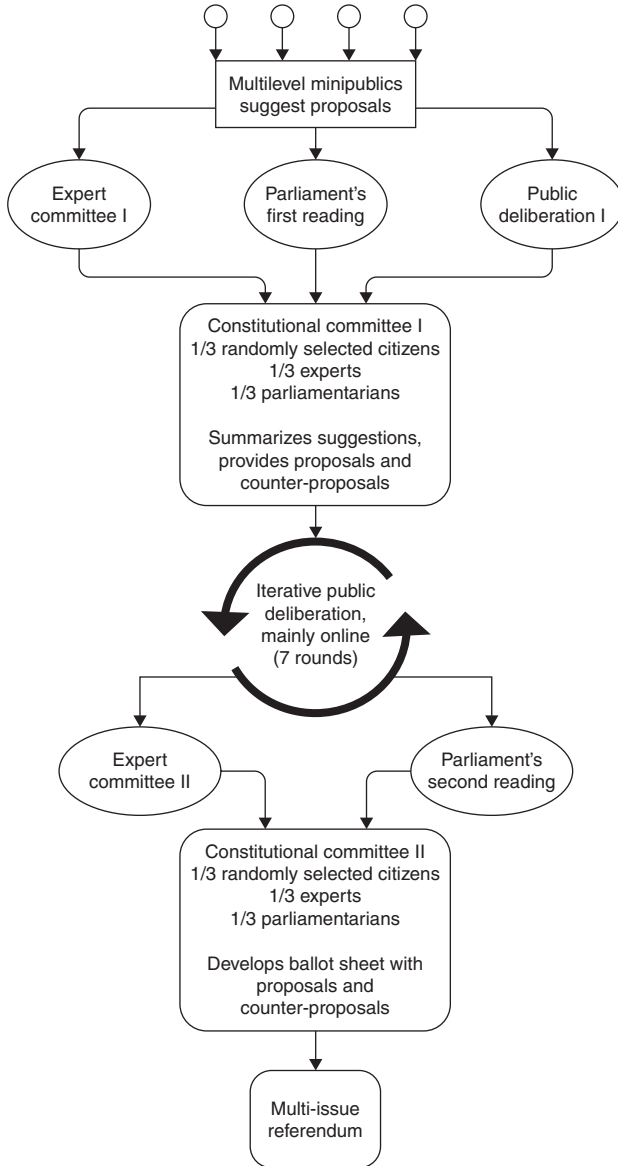


Figure 8.5 Procedure for decision-making on a constitution II (example).

in parallel by an *Expert Committee*, by parliament and in public deliberation. All the suggestions provided by experts, parliamentarians and the public are summarized and structured by a *Constitutional Committee I*, which might consist of one-third randomly selected citizens, one-third experts and one-third

parliamentarians. The Committee creates a document with proposals and counterproposals based on the proposals by the experts, the parliament and the public. This document is, again, discussed in *public deliberation*, mainly online, in iterative processes. The Constitutional Committee I continually systemizes and summarizes the proposals made by the public. The final version of the ‘crowd-created’ report is, again, discussed in parallel in a second *Expert Committee* and in *parliament*. A second *Constitutional Committee II*, again consisting of one-third randomly selected citizens, one-third experts and one-third parliamentarians, discusses the drafts developed by experts and parliament. The Constitutional Committee II develops the ballot sheet with proposals and counterproposals for the *Multi-Issue Referendum*. Also in this procedure, the ballot along with a ballot information sheet is distributed broadly to all household and to media. Citizens have the final say on their constitution via the Multi-Issue Referendum.

As you might have noticed, no matter which procedure I suggest, I always advocate *final decision-making on constitutions via the Multi-Issue-Referendum*. I strongly encourage this practice. Thriving Democracies should avoid giving citizens only the option of agreeing or disagreeing on the constitution at large. Citizens should have the option to express their preferences considering all controversial aspects at stake. Citizens should have the choice between different tenets of their community, practices, procedures and all additional substantial matters. Decision-making via Multi-Issue Referendum is a novel and powerful method ensuring that the constitution is in line with all aspects of communities’ preferences.

Without doubt, both procedures involve extraordinarily multifaceted endeavors, which could take upwards of a year. However, building a constitution has always been a long-term process, taking months or even years. And it is a necessary endeavor. It is worth the effort to spend the time, energy and resources. When citizens personally identify with the tenets, practices and procedures defined in their constitution, their democracy will very likely function smoother. A well thought out constitution, which is accepted by all members of the community, is a warrantor of self-governing and perhaps of a more enlightened and civilized society.¹

8.2.3 Procedure for decisions on constitutional amendments

Within Thriving Democracies, citizens do not only develop their constitution; they are also involved in constitutional amendments. Such amendments are crucial but obviously less comprehensive than drawing up a new constitution or substantially revising an existing one. Therefore, I suggest two procedures that are complex but less elaborate than the procedures described above. These procedures should ensure that a *constitutional amendment is deeply rooted in the community, that all interests are taken into account and that the final decision is in line with citizens’ refined preferences*.

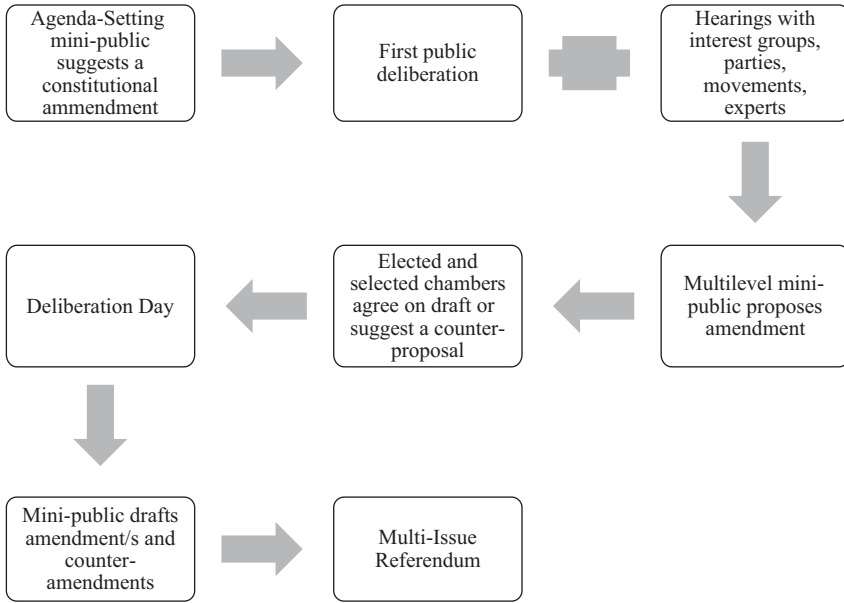


Figure 8.6 Procedure for decision-making on amendments I (example).

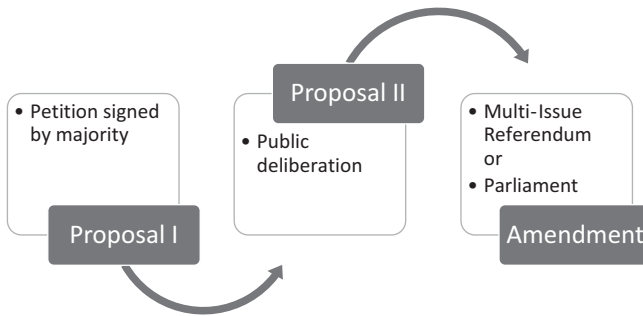


Figure 8.7 Procedure for decision-making on amendments II (example).

The two procedures illustrate what decision-making on amendments might look like (Figures 8.6 and 8.7). The first procedure (Figure 8.6) would start with an issue identified, for example, by an agenda-setting mini-public or a petition signed by a large number of citizens. The issue turns out to require a constitutional amendment and the procedure proceeds with the first *public deliberation*. The problem is discussed broadly in public including online and off-line hearings with interest groups, parties, movements and experts. A *multilevel mini-public* is commissioned to draft an amendment, supported

by experts. The *parliamentarian chambers* discuss and agree on the proposed amendment or develop a counter-proposal. All proposals are discussed on *Deliberation Day*. A *mini-public* summarizes the discussion of the Deliberation Day supported by experts and drafts the final suggestion for the options on the amendment. Citizens decide via *Multi-Issue Referendum*.

The second procedure on a constitutional amendment follows a different logic. When a petition for an amendment is signed by a supermajority of citizens, e.g., 70%—and is in line with human rights and civil liberties—the procedure might be curtailed. The petition might be followed by *public deliberation*. Considering decision-making, the community might either agree to make the decision via a *Multi-Issue Referendum* or may give (the chambers of) *parliament* the final say (Figure 8.7). Since the amendment was already agreed on by a supermajority of the community in the petition, this shortcut might be possible.

8.2.4 Procedure for decisions on salient issues

As discussed above, referendums on all issues would overburden citizens tremendously. Therefore, I suggest distinguishing between salient and non-salient issues—and to stipulate distinct procedures for both. I have introduced that thought in Box 8.1.

Procedures on salient, yet nonconstitutional issues, might not require such long procedures as described above. But also these decisions must be firmly anchored in the community and require enlightened judgment, which involves practices and procedures (potentially) involving all community members. Again, I provide two different procedures for decision-making.

A procedure on a salient issue might look as depicted in Figure 8.8: A *petition*, a *mini-public* or *parliament* may bring up a neglected issue and draft a first bill. When the issue is identified as salient by the Salience Assessment (see Chapter 9), the procedure starts with the first *public deliberation*. The recommendations of these debates feed into a *multi-level mini-public*, which drafts a second bill. This bill is transmitted to the *chambers of parliament*, which deliberate and draft an advanced, third bill, eventually including a counter-bill. The (counter-)bills are discussed in the *second public deliberation*. Based on all debates a *mini-public* drafts a fourth bill and potentially a counter-bill. The decision is made via a *Multi-Issue Referendum*.

Another procedure might look like the one illustrated in Figure 8.9, which gives more power to parliament. The procedure starts similar as the one described above with the suggestion for a new bill, which is evaluated as salient (Bill 1). The suggestion is discussed in *public deliberation* and a *multi-level mini-public* develops a second bill based on public discussions (Bill 2). Now the procedure takes a different route. A *committee* consisting of experts, randomly selected citizens and parliamentarians enters the procedure, which drafts and advances a third bill (Bill 3). *Parliament* decides on the bill after

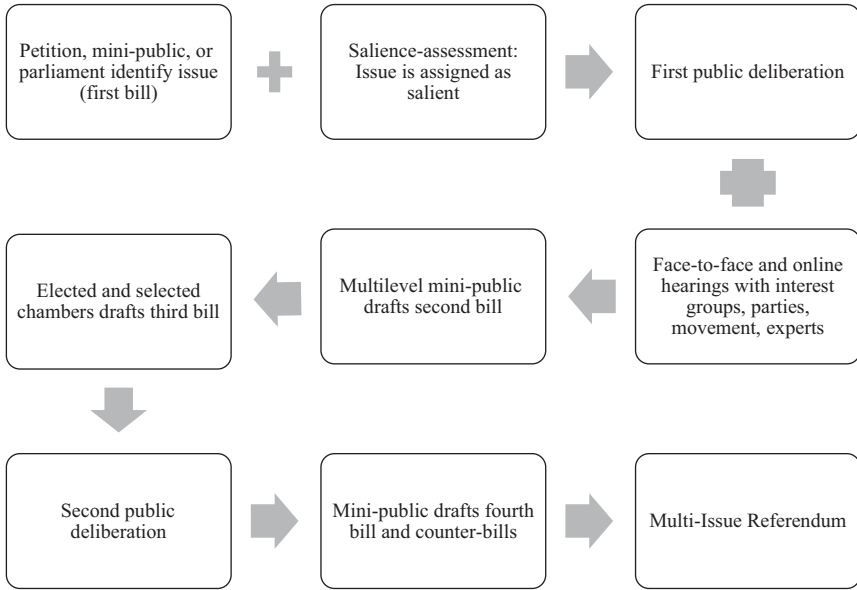


Figure 8.8 Procedure for participatory decision-making on salient issues (example).

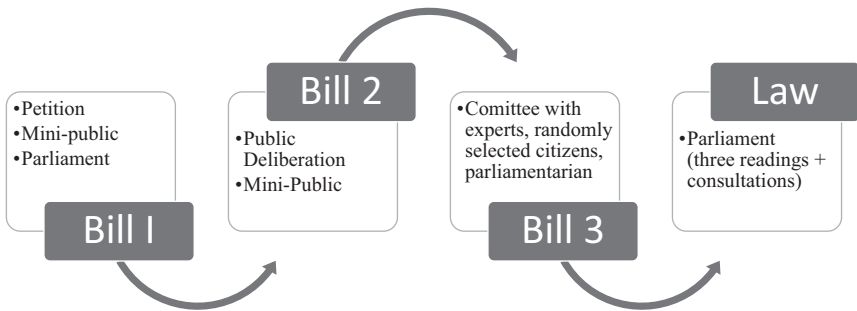


Figure 8.9 Procedure for mixed decision-making on salient issues (example).

three readings with consultations with interest groups, experts and citizens. However, the community can overthrow the parliamentary decision by initiating a referendum, if the decision deviates from the preferences of the community.

As stressed several times throughout this book, the suggested procedures might be changed and adapted by communities. Communities might omit the multilevel mini-public and just commission a normal mini-public to propose a bill; they might leave out the parliamentary chambers or ask them to draft the final bill. They can emphasize online or face-to-face deliberation, and they

might put more emphasis on civil society activities. The variety of procedures is almost without limits.

8.2.5 Procedure for decisions on non-salient issues

Non-salient issues might run through less complex procedures and can be decided by the parliamentary chambers. However, I suggest that decision-making by parliament on non-salient issues is also connected to participatory practices and citizens' refined preferences (Chapter 3). A procedure might resemble the following one.

The proposal put forward, for example, by a petition is judged as non-salient, which starts the legislative process with *public deliberation*. Based on the different claims put forward, a *mini-public* drafts a recommendation. Finally, the chambers of *parliament* pass the bill after several hearings. If the chambers disagree, a Conciliation Committee comes into play and develops a compromise the chambers can agree on. The parliament justifies its decision publicly (Figure 8.10).

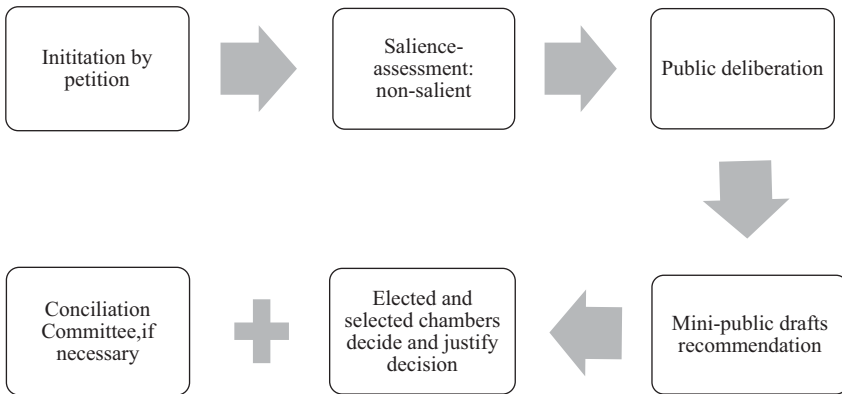


Figure 8.10 Procedure for decision-making on non-salient issue (example).

Box 8.2 Excursus: Procedure for decision in state of emergency

Finally, a couple of words on *emergency legislation*. Almost all countries entitle the executive, i.e., the president or the prime minister with the cabinet, to make decisions in a state of national emergency. External attacks, natural disasters or pandemic risks are examples of such emergencies. The powers of parliament are suspended to enable fast action. The state of emergency gives the executive the power to decide on urgent legislative subjects.

Within Thriving Democracies, executive emergency power should be limited to a minimum and the following questions must be determined beforehand: Who can decide whether there is a state of emergency? How long can a state of emergency last and who is entitled to extend it? Can the executive suspend all civic and political rights? Do decisions made by the executive require ex-post legitimization—by whom? And what happens if ex-post legitimization is refused? Let me answer these questions preliminary.

Who can decide whether there is a state of emergency? In potential emergency, fast action is required. Referendums are less adequate, as it takes too long to get them done. Therefore, the parliamentary chambers might declare that a state of emergency should start. Only in very few, clearly defined situations, may the executive be in charge to proclaim this.

How long can a state of emergency last and who is entitled to extend it? Temporal limitation of a state of emergency is necessary to keep up the rationale of self-governing. A state of emergency should be restricted to a short period of time, e.g., 60 days, with the option of being extended. The extension should be passed by parliament and only in clearly defined cases by the executive.

Can the executive suspend all civic and political rights? No, all civil and political rights are valid. If they have to be suspended for whatever reasons, they can only be suspended for a short period, e.g., 14 days. There are clear rules, under which conditions parliament or the executive can extend the suspension.

Do emergency decisions made by the executive require ex post legitimization? Yes, all decisions require ex post legitimization via referendum. What happens if ex-post legitimization is refused? If the community refuses to legitimize the emergency decisions ex-post, emergency decisions are stopped immediately. Furthermore, a committee of inquiry is set up, which investigates who benefitted from the emergency measures. If corruption, undue advantages or unfair benefits are detected, the politicians in charge are held accountable and brought to justice.

When I present the procedures described above in academic or public lectures, I often hear two critical questions, which I address in the remainder of this chapter.

8.3 Do participatory practices weaken practices of representation—and is this a problem?

What about the potential problem that participatory practices might contradict, disrupt, and even weaken practices of representation? For example,

referendums would reduce voter turnout in elections of representatives: When people consider it more important to decide directly on legislative subjects, their willingness to elect representatives might diminish. Another instance: A mini-public criticizing or even contradicting a parliamentary decision might weaken the reputation of the parliament; citizens might lose political trust. Some people argue that such competition must be avoided because practices of representation could lose their hegemonial superiority. However, *this critique makes only sense in the frame of representative democracy, in which practices of representation must be ‘saved’*—and their reputation and dominance must be maintained by all means.

Within Thriving Democracies, this critique is invalid because institutions and practices of representation are not the most valuable ones per se. Thus, they do not have to be ‘saved’ from weakening influences. The question is not ‘how can representation be saved?’. The only question of interest is: *Which practices and procedures contribute to realizing self-governing?* Within Thriving Democracies, all practices, whether representative or not, are evaluated only according to their contributions to self-governing. When a practice does not contribute to self-governing, it has to be altered or abandoned—irrespective of whether it is representative or participatory. If for example, a community decides to govern itself in a more participatory way, the potential weakening of practices of representation cannot serve as a counterargument. The only argument for participatory or representative practices is that they serve the democratic tenets of a community.

8.4 How to guarantee political inclusion and equality?

Thriving Democracies explicitly aim at *inclusive* self-governing with just and fair procedures providing political equality. They encourage all citizens to get involved. Accordingly, the question of how to achieve political inclusion is a noticeable thread throughout this book. The intricate and sophisticated procedures suggested above aim at incentivizing and empowering especially the deprived, least engaged parts of society. They are based on empirical studies, which detect a variety of factors leading to equal involvement (see Section 4.2). They intend to make sure that all voices are heard, and that no interests are left behind. They are organized in a way to *attain inclusive collective will-formation and decision-making* by employing the following strategies.

First, I suggest applying *sortition* with *stratified sampling* extensively (see explanation in Box 7.1). Applying stratified sampling when recruiting participants for mini-publics and the randomly selected parliament ensures broad involvement of all societal groups.

Second, I propose to use *mobilizing strategies* to activate those citizens, who are normally not involved in politics. Such mobilizing strategies consist of active and passive tools. In active mobilization, disseminators and multipliers play a crucial role. They go to places, where politically disadvantaged and

inactive groups of people meet, for example, vocational schools or sport clubs, and encourage them to participate. Among the passive tools for mobilization are, for example, the dissemination of flyers or invitations on webpages. Up to now, research on the effects of the different strategies and tools is scarce. However, conversations with politicians and activists indicate that the context is crucial. In small communities, mobilizing strategies like direct, personal invitations are often very effective. In large communities, for example, disseminators and multipliers have to be activated.

And finally, the *actual impact* of participatory practices can also have an enticing effect. Citizens with little interest in (formal) politics are mobilized by referendums on issues salient to them (Lacey, 2005; Sciarini et al., 2016). Accordingly, we can assume that the Multi-Issue Referendum attracts potentially all citizens. When citizens experience that their vote makes a difference, they might be stimulated to get involved (see also Sections 4.2.2 and 4.2.3).

8.5 Conclusion

This chapter develops procedures, which enable communities to materialize self-governing. It proposes a variety of ideas for connecting practices of citizen will-formation with practices of decision-making. It suggests procedures, which give the decisions about how to govern themselves back into the hands of citizens. But it also takes into account that not every political issue can be decided via complex participatory procedures—this would lead to awful overburdening of citizens. Therefore, it recommends applying different procedures for different legislative subjects according to their salience. It proposes complex, intricate participatory procedures for constitutional and salient issues and less demanding procedures for non-salient ones.

This chapter suggests connecting a variety of practices in novel ways without advertising one practice or procedure. Some of the connections, sequencings, feedback-loops and iterations projected in this chapter are well-known, e.g., hearings in parliaments, others are combined in novel ways, e.g., coupling mini-publics with parliaments and referendums, and some are completely new, e.g., sequencing multi-level mini-publics and Multi-Issue Referendums.

The proposed procedures are, as repeatedly mentioned throughout this chapter, suggestions, which might be changed, altered or mixed. When this chapter inspires citizens and communities to deliberate on how to reshape their democracies, it has served its purpose.

Note

- 1 In current democracies, constitutions are generally developed and decided at the federal or state level. But similar procedures can also take place at the local level creating local guidelines or at the supranational and global level.

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9 Novel public agencies and legal norms

In the previous chapters, I have already mentioned a few novel public agencies and legal norms. These novelties are necessary because the described procedures cannot operate smoothly and effectively within the current public agencies and legal frameworks designed for representative democracy. For example, the organization of multilevel mini-publics or the maintenance of permanent public deliberative internet platforms require public agencies with specific skills and budgets. And the potentially comprehensive involvement of citizens in politics entails a legal framework with rules facilitating the engagement, e.g., the right to be released from work for participation in a mini-public.

This chapter, first, suggests and illustrates novel public agencies. It, second, discusses legal norms, which might be part of novel legal frameworks in Thriving Democracies. Finally, it considers the challenge of a ‘legal rag rug’, which might occur when communities decide about their own legal frameworks. Due to the visionary approach, many questions remain open and will require some trial-and-error testing.

9.1 Novel public agencies

Public agencies fulfill the same tasks within Thriving Democracies as they do within representative democracy, i.e., organizing and implementing legislation. To fulfill these tasks, however, the following *novel* agencies are necessary, which are described in detail below. Participatory practices and procedures might be implemented and coordinated by an *Office for the Coordination of Democratic Practices and Procedures* (Coordination Office). To ensure that the Coordination Office works transparent and trustworthy—and is accepted by citizens as well as by politicians—it is supervised by an *Advisory Board*. A *National Online Participation Platform* provides online information as well as options for public exchange and deliberation. A *Conciliation Committee* might mediate when the chambers of parliament cannot agree on a compromise. A *Scientific Service* supports all participatory practices with scientific information—like the scientific service existing in many current parliaments. As emphasized several times throughout this book, within Thriving

Democracies no system is considered as eternal. Accordingly, practices and procedures are monitored and evaluated continuously. A *Committee for Monitoring and Evaluation* might be responsible for fulfilling this task. Also, a strategy for assessing the salience of an issue might be required, i.e., a *Salience-Assessment Strategy*. Finally, a *Department for Self-Governing* could be established.¹ The following list summarizes the suggested public agencies, which are explained below.

- Office for the Coordination of Democratic Practices and Procedures (Coordination Office)
- Advisory Board for the Coordination Office
- National Online Participation Platform
- Conciliation Committee
- Scientific Service for all practices
- Committee for Monitoring and Evaluation
- Salience-Assessment Strategy
- Department for Self-Governing

9.1.1 Office for the Coordination of Democratic Practices and Procedures (Coordination Office)

The Coordination Office oversees a variety of tasks necessary to make the practices and procedures applied within Thriving Democracies work. For example, it:

- Installs mini-publics including provision of balanced information and neutral moderators,
- Arranges multilevel mini-publics,
- Collects, publishes and disseminates outputs developed in practices of will-formation,
- Organizes open, self-selected citizen assemblies,
- Manages the Multi-Issue Referendums.

A well-equipped, independent Coordination Office is essential to fulfill this wide range of demanding tasks. It most likely comprises of staff members with different expertise from hands-on community organizers and moderators to solicitors and democracy scholars. The Office should be supplied with sufficient finances guaranteeing independence—independence from politics as well as from (resourceful) interest groups or powerful individuals. Financial contributions from lobby groups are forbidden. All activities are reported in the most transparent way.

The Coordination Office has a lot of power. It must be well embedded in the community. Its efficiency and integrity are key. Only when it is well-accepted, does it have the (perceived) legitimacy necessary to fulfill all its

tasks. The slightest hint of manipulative activities or corruption would destroy its reputation.

9.1.2 Advisory Board for the Coordination Office

An Advisory Board helps to gain and keep acceptance and legitimacy. It advises, supervises and monitors the Coordination Office. It checks the activities of this Office, makes sure that all activities are transparent and informs the public about problems. It may publish regular reports about its actions. The Board might, for example, consist of randomly selected citizens, delegates of interest groups, experts and members of the parliamentary chambers. Another option might be a composition of only randomly selected citizens supported by experts.

Since the Coordination Office is of tremendous importance for the functioning of self-governing, additional mechanisms for ensuring its integrity might be installed, e.g., an independent online complaints body, where citizens can file manipulative or corrupt activities. Communities might add additional mechanisms to ensure transparency and integrity.

9.1.3 National Online Participation Platform

The National Online Participation Platform provides online information as well as online options for public deliberation. For example, it:

- Publishes neutral and balanced information on the legislative subject at stake,
- Broadcasts the outputs of the different practices of will-formation and decision-making,
- Creates and supports platforms for public debates,
- Builds and maintains platforms for collecting signatures for citizens' petitions and initiatives.

The Platform should be easy to access, easy to understand and easy to navigate. Easy language must be used, and also people with little digital experience should be able to work with it. Schools, community centers and centers for adult education would teach how to operate the platform. The staff of the National Online Participation Platform is in continuous exchange with the citizens to understand their digital needs. The platform works in close cooperation with the Coordination Office.

9.1.4 Conciliation Committee

Conciliation Committees might be established in communities with two or more chambers of parliament. When the chambers support disparate

legislative options, solutions are necessary to avoid gridlock. Democracies with more than one parliamentary chamber are familiar with such conflicts. In Germany, for example, many laws must be passed by the German Federal Parliament (Bundestag) as well as by the Council of Constituent States (Bundesrat). To avoid gridlock, when the two chambers do not agree, a Conciliation Committee was implemented. It is composed of delegates from both chambers of parliament in equal parts and has worked rather successfully.² Similarly, in Thriving Democracies, Conciliation Committees might be established. Via mediation they aim at amending conflictive bills in a way that satisfies all chambers. They have the task of developing compromises.

9.1.5 Scientific Service for all practices

Within representative democracies, most parliaments receive the support of scientific services. Within Thriving Democracies with its multiple practices of will-formation, such scientific assistance cannot be limited to parliaments. Also participatory practices might receive such assistance. For example, mini-publics, self-selected citizen assemblies or participants in online-discussions are allowed to approach the Scientific Service and to ask for information and advice. Additionally, temporary expert commissions might be installed for complex legislative subjects. For example, when a community discusses new democratic practices and procedures, an expert commission might be set up to provide theoretical considerations, scientific results and information on experiences in other countries.

9.1.6 Committee for Monitoring and Evaluation (CfME)

Democracy is an ongoing procedure and never finished, as described in detail in Chapter 2. The Committee for Monitoring and Evaluation (CfME) supervises the functioning of a community's setup continuously. It checks whether practices and procedures are appropriate to reach the democratic tenets of the community or whether they have to be adapted, e.g., due to unintended effects, changing circumstances or reconsidered preferences. For example, a community might have established mini-publics to improve political inclusion. But the mini-publics might turn out to be an insufficient solution because they did—for whatever reason—not enhance inclusion. The CfME would report the flaw and would propose other practices.

The CfME might also be commissioned with additional tasks. It might control the government and monitor, whether political decisions are implemented as expected. It can also serve as point of contact for complaints. It summarizes its findings in a report on a regular basis, e.g., every two or three years. It drafts suggestions for change and inspires public debates on possible adjustments and improvements.

The Committee could be *composed* in a variety of ways. It may consist of randomly selected citizens, politicians, as well as experts in equal parts. It

could comprise of delegates from different mini-publics volunteering to serve also in the Committee. Or the members could be nominated via referendum. The Committee for Monitoring and Evaluation is a completely new agency, which does not exist anywhere in the world. Trial and error might be necessary to find the best composition.

The idea of establishing a similar committee has already attracted some attention within academia. A few scholars suggested novel monitoring agencies as well (see for existing agencies Chapter 2). For example, Gastil & Wright (2019, p. 26) have suggested oversight commissions. Dawn Oliver, a member of the Royal Commission on the Reform of the House of Lords (The Wakeham Commission), has proposed to establish an independent ‘*Scrutiny Commission*’ that would, among other things, “be entitled to scrutinize and revise bills, to conduct inquiries into matters of public interest, and to debate such matters and report.”³ Such novel agencies might sound similar, but they are different from the CfME I propose. First, similar to existing agencies, they all aim at overseeing specific institutions. In contrast, the CfME aims at monitoring the performance of the democratic system as a whole. Second, the CfME takes the democratic tenets of communities as the starting point, whereas most of the suggested agencies are based on benchmarks defined by scholars. Third, similar to existing agencies, most of the suggested agencies miss the participatory components. For example, the above described ‘*Scrutiny Commission*’ is designed to consist only of experts. In contrast, within Thriving Democracies, the composition of the CfME will most likely also include or even consist of ordinary people.

Similar to the Coordination Office, the integrity and transparency of the CfME is crucial for the success of Thriving Democracies. Such a committee, however, requires careful observation. Committees as any other institutions might develop a life of their own pursuing their own goals—not necessarily the goals they have been set up for (e.g., Hall, 2010). An attentive public and an attentive media are crucial mechanisms for holding the CfME accountable. Rotation of a certain number of seats, e.g., one-third, is another option to ensure integrity. The term of serving in the CfME should also be limited and might not last longer than for example three or four years. The yearly public reports, which are available online and must be justified in public meetings, are another jigsaw piece of guaranteeing the transparent, trustworthy functionality of the CfME. Finally, a community can also install an advisory board, similar to the *Advisory Board for the Coordination Office* as well as a complaints body.

9.1.7 Salience-Assessment Strategy

I suggested that salient and non-salient issues require different procedures of will-formation and decision-making (Chapter 8). But who decides on the assessment of an issue as salient or non-salient? Several options for coming up with this decision are worthy of discussion. Generally, we might assume

that salience can only be assessed by the citizens themselves. Accordingly, a signature collecting procedure might be the first option. A large number of signatures proves a high level of salience of the issue. The exact requirements for example, how many signatures, which time frame, which venue or method of collection are questions to be decided in that context. However, communities might also think of a special agency in charge of salience assessment. Such an agency might, for example, consist of randomly selected citizens, representatives and experts in equal parts. Again, this is a new idea and communities might test a variety of strategies.

9.1.8 Department for Self-Governing

Complex democratic setups such as the ones described above might require a governmental department that connects and coordinates all the agencies under one umbrella. Examples of such departments are rare: The German state of Baden-Württemberg has a (small) department (State Counselor for Civil Society and Civic Participation) and Italy had a Ministry for Parliamentary Relations and Direct Democracy. Departments with some tasks in the context of citizen participation exist in several Latin American countries, in Canada or in Spanish regions. Also some cities have a kind of department or agency engaged in citizen involvement. For example, the ‘Participation, Communication and Equal Opportunities Department of Roma Capitale’ is commissioned to organize participatory processes and the ‘Department of Participation of the Municipality of L’Aquila’ has fostered participatory budgeting in the region. Another example is the ‘Department of Participation, Transparency, Cooperation and Democratic Quality’ in Valencia, Spain, committed to “generate bonds of trust among the citizenship and the institutions and improve their reputation and social legitimacy.”⁴

However, there are several differences between existing departments and the *Department for Self-Governing* I suggest. First, existing departments mostly emphasize the goal of strengthening trust in actors and institutions of representative democracy, which is not the goal of the envisaged *Department for Self-Governing*. Second, existing departments are set up top-down, whereas the composition and the tasks of the *Department for Self-Governing* would be constructed bottom-up. Third, most existing departments do not have much power and competencies, whereas the *Department for Self-Governing* might be one of the most resourceful departments in Thriving Democracies.

Empirical research on such departments and agencies are scarce. However, it looks like they go hand in hand with more efficient participatory practice. Communities with public agencies supporting participation apply practices such as participatory budgeting more efficiently than communities without such agencies (Geissel & Hess, 2017, 2018).

However, such departments and agencies always entail the danger described for the Coordination Office and the CfME above. Institutions always develop a life of their own. Again, an attentive public, attentive media and the other

above-mentioned mechanisms are useful to thwart corruption. Advisory boards and complaints bodies would be useful to ensure integrity.

9.1.9 Novel public agencies—no red tape but ensuring self-governing

The idea of establishing new public agencies might sound less attractive to those readers, who fear ‘additional bureaucracy’. They might argue that novel agencies should be in the hands of civil society not in the hands of ‘the state’. From their perspective, state-run public agencies are not desirable. Within a bottom-up approach, citizens and civil society would be in charge.

This critique is caught up in the logic of current representative democracies, where the state and the government on the one hand and community on the other hand are perceived as dichotomous, opposing entities. Within Thriving Democracies, such a dichotomy does not exist; the government and the state are not detached from the community but part of it. Citizens are the owners of their government and all public agencies. They perceive themselves as political authority because self-governing is realized. Accordingly, Thriving Democracy governments can be better described as the governmental branch of the community.

9.2 Novel legal framework

Any political setup requires a framework of legal norms to run smoothly and well-organized. This framework makes sure that ‘rules of the game’ can operate correctly. Obviously, Thriving Democracies also need novel coherent frameworks of legal norms. This section cannot spell out such a new legal framework. Developing such a framework is a demanding endeavor and would require a new book written by legal scholars. Here, I can only highlight crucial aspects, develop first ideas and consider potential advantages and disadvantages of different legal norms.

This section starts with a discussion of what we can learn from existing research and distills insights from juridical scholarship. Since I cannot cover all possible practices, I focus on the two practices that will most likely be prominent in Thriving Democracies, namely a) direct democratic and b) deliberative practices. Then I will consider a challenge that will most likely emerge when communities decide on how to govern themselves: Different communities will opt for different legal frameworks which will result in a legal patchwork. I briefly describe some strategies to cope with such a legal ‘rag rug’.

9.2.1 What lessons can we learn from existing legal norms for Thriving Democracies?

- (a) Scholarship on legal norms related to *direct democratic practices* fills libraries. The debates cover three related, yet distinct strands. One strand is concerned with *the potential tension between citizens’ sovereignty on*

the one hand and core democratic elements on the other hand. This debate centers around the question of whether these core democratic elements are prior to people's sovereignty or the other way around. This is a profound question, which I have already tackled in Section 1.3 ('Citizens' self-governing—on constraints and requirements in Thriving Democracies'). I argue that the core democratic elements of human rights and civil liberties are required in Thriving Democracies in order to make them work. These core democratic elements should not be negotiable and cannot be abolished.

The second strand of scholarship discusses regulations on the *initiation of referendums*, e.g., who is allowed to initiate or how many signatures are required. Myriads of different regulations exist in the real world of politics. For example, in many countries, only politicians can initiate a referendum, e.g., mayors, the president and parliaments. In a few countries citizens are also empowered to start the process. Sometimes, referendums on certain topics are mandatory, e.g., in Ireland on international treaties. In several Swiss cantons, certain government expenditures must be approved via referendum; in most states, however, budgets and finances are out of the reach of referendums. A few countries allow citizens' initiatives for referendums on all legislative subjects, others permit only a small list of issues. Also the rules for collecting signatures to initiate a referendum differ significantly. In many countries, citizens are allowed to collect signatures wherever and however they want. In other countries the collection is restricted to a few weeks and a few places, e.g., the City Hall. Some countries have rules for informing the public, e.g., each household gets a booklet with all pro- and con-arguments, others do not. Some countries have regulations for the financing of referendum campaigns, others have no regulations on this topic. Some countries demand transparency in funding of referendum campaigns; others do not. All these rules have tremendous influence on the frequency and the function of referendums and scholars have elaborated on pros and cons for most issue at length.

The third strand of publications focusses on the *validation of referendums*. *Which requirements and thresholds should be applied for accepting a referendum as binding?* The variations are almost infinite. An array of different requirements and thresholds exist, some of them focus on participation rates—the percentage of casted votes, others on approval rates—the percentage of votes expressing agreement—and some require certain participation and approval rates. For example, in some countries a simple majority of votes supporting a proposal suffices—no matter how many people cast a ballot. Other countries require high participation rates, e.g. at least 60% of all voters must have casted their votes, and high approval rates, e.g., at least 60%, of all casted votes must support the proposal. In between we find all kinds of thresholds.

What are the implications of these different requirements and thresholds? Let's start with the option of 'no thresholds' considering participation and approval rate, which means that a simple majority of casted votes is sufficient to consider a referendum as binding. This could imply, for example, that 5% of the citizens cast their votes and one side wins with a very small margin, let's say 0.1%. In this case, not even 3% of the citizens have decided the issue at stake. This sounds like a problematic way of decision-making. In contrast, extremely high thresholds make successful referendums unlikely and might impede decisions. For example, a required participation rate of 70% combined with a required approval rate of 60% would be very difficult to reach.⁵

Box 9.1 Specifications for direct democratic practices

What can we learn from these debates for Thriving Democracies? Communities might consider the following aspects when they decide on their rules for referendums:

- When a community decides to hold referendums only after *initiation*, several options are possible. When it wants to stimulate the use of referendums, it might go for minimal requirements for initiation. When it chooses to keep the number of referendums low, it will set high thresholds. Similarly, high thresholds for validation most likely lead to less referendums (or to many invalid referendums). Low thresholds for validation have more encouraging effects.
- As already suggested in Chapter 7, *Multi-Issue Referendums can take place periodically recurring and mandatorily*, at local, regional, federal and supranational levels like elections today. Periodically recurring Multi-Issue Referendums provide several benefits, e.g., citizens' initiatives for putting issues on the ballot sheet and campaigns have a clear time frame.
- Different practices might be allowed to put legislative subjects on the ballot sheets of Multi-Issue Referendums: agenda-setting mini-publics, citizens' initiatives and petitions as well as suggestions by parliamentarian chambers.
- The *financing of referendum campaigns* is often considered as the Achilles heel. Should referendums be funded only by the initiators or by the state? These rules influence the functioning of referendums fundamentally. When referendums rely entirely on private funding, the well-off groups and individuals benefit. They can invest a lot of money in campaigning in contrast to groups without these resources. Communities might decide to allow only campaigning up to a certain amount of money—similar to rules

in some democracies, which limit the private financing of electoral campaigning. Public financing of campaigns can open the door for underprivileged groups. But should the public finance all referendum campaigns? Up to now, we do not have sufficient experience to grasp all advantages and disadvantages of these different options.

- *Rules considering information* on the issues to be decided via referendum also make a difference. All households might be informed about the legislative subjects on the Multi-Issue-Referendum via a booklet, which includes the pro and con arguments. The Coordination Office and the National Online Participation Platform might give additional information and the Scientific Support could answer questions raised in public debates. Additionally, media might be assigned to send short trailers with pro- and con-information and/or campaigns—as it is the case in some democracies before elections.
- In this context, *Citizens' Initiative Reviews* might be installed to prepare balanced information for citizens before casting their votes (Knobloch et al., 2020). Such Reviews might consist of randomly selected citizens, who deliberate on bills and write a final report summarizing the pros and cons of the different options for their fellow citizens (see Chapter 6).
- Considering the validation of referendums, it might make sense to install *different requirements for decisions on constitutions, constitutional amendments, and non-constitutional issues*. For constitutional matters supermajorities are probably useful. One option is a supermajority requiring that at least 50% voters have cast their ballots with at least two-third of casted votes endorsing the proposal. Another option might be that a proposal must be accepted by at least 60% of the community, no matter how many voters actually took part. If the threshold is not reached, a second constitutional referendum might be necessary.
- Finally, it must be decided how *decisions can be overthrown*. Can decisions made via referendum be overthrown by parliament—and the other way round? Furthermore, it might also be a good idea to set the rule for a time frame, when this can happen—after one, two or three years (see Box 1.5).

- (b) What might regulations for *practices of citizen deliberation* look like and what can we learn from existing legal scholarship? The deliberative camp was less concerned about legal norms until recently. One of the few exceptions was a symposium on the 'Law of Deliberative Democracy' in 2013 (Levy, 2013), which claimed and developed a research agenda for this novel field. But the claim remained without echo for a long time.

Recently, a group of scholars picked up the threads and held a panel on ‘Legal Aspects of Implementing a Deliberative System’ (2020).⁶ The little interest in the topic is not surprising: In real-life-politics, deliberative practices are seldom legally codified and much less formalized than direct democratic ones. Deliberative practices are mostly conducted without legal frames or specifications. This is changing slowly, for example with the East-Belgian Citizen Council (Figure 6.2) and the Austrian State of Vorarlberg, which stipulates in its constitution that a citizen assembly must be installed when more than 1000 citizens require it. Although such legalized, formalized practices are still too seldom to allow for conclusions, they provide some instructive insights.

Box 9.2 Specifications for practices of citizen deliberation

Within Thriving Democracies practices of citizen deliberation might be intensively applied and require regulations on several aspects.

- Deliberative practices might be implemented *mandatorily* for a variety of purposes. They can be obligatory in will-formation on constitutional and salient matters, as discussed in Chapter 8. Communities might also implement for example agenda-setting or monitoring mini-publics mandatorily every year.
- If communities decide against mandatory deliberative practices, they might consider rules for their *initiation*. They might allow citizens or politicians or both to initiate deliberative practices. And they have to decide the thresholds for initiation. A community might prefer to keep the number of mini-publics low and thus set the requirements rather high, e.g., an initiative must be signed by 10% of the voters to be implemented. Another community might favor lively deliberation and opt for a low threshold. In this case for example just a petition signed by 0.5% of citizens would suffice to start a deliberative practice.
- *Mechanisms of recruitment* for deliberative practices should be regulated. Random selection or self-selection are the two main mechanisms, and a community must decide, which mechanism they want for which task. Random selection with stratified sampling is currently considered as the gold standard (see Box 7.1).
- Communities might decide on how to apply, integrate and sequence practices of deliberation in different phases of policy-making (Figure 8.1). I have provided a couple of suggestions for involvement in legislative procedures in Chapter 8 and additional involvement might be stipulated for monitoring and evaluation (see also Figure 2.1).

- When a community opts for random selection, several rules must be implemented to reach inclusiveness. *Leave of absence* is among the most important requirement—similar to the leave of absence for courts of lay assessors. Leave of absence might be legally guaranteed for all citizens selected by lot either for participating in a mini-public or in the selected chamber of parliament. Compensation for loss of pay and reimbursement of travel costs might also be regulated.

9.2.2 *No one-size-fits-all—multilevel and legal rag rugs*

Thriving Democracies bid farewell to an understanding of democracy with rather uniform rules. But when communities choose how to govern themselves, they might opt for very different setups. For example, a small and harmonious village is perfectly fine with representative procedures. The citizens trust their responsive, reliable and honest politicians and do not consider any participatory practices beyond elections as necessary. Another community might be heterogenous, deeply divided, conflict-prone and polarized. It prefers to apply more intricate, complex procedures with a variety of deliberative practices. It might foster the comprehensive use of mini-publics to achieve the involvement of all groups. A third community with a long-standing history of participatory practices extends its ‘democratic toolbox’ (Saward, 2021) with mini-publics, a randomly selected chamber of parliament and Multi-Issue Referendums.

But the situation is even more complex: communities are always part of a *multilevel system*. Local communities are embedded in states; states are embedded in supranational communities. Local communities decide about their local legal framework, states about the state framework, and supranational communities about the supranational ones. And all legal frameworks might look different. For example, a village might have chosen a deliberative system, the citizens of the state, in which the village is located, opted for a direct democratic system, and the supranational community for a representative democracy. The instance of voting rights can illustrate the complexity of such a legal rag rug. A city might enfranchise all people to vote, who have lived in it for longer than three years. But at the state level, only citizens with respective passports are allowed to cast their ballot. And at the supranational level other rules might apply. Each level has its own voting regulations—a patchwork of laws (Figure 9.1).

However, this is not necessarily a problem. People living in the European Union or in federal countries with highly autonomous states and in countries with rather autonomous local entities are intimately familiar with this kind of legal patchwork. Within these entities, regulations can differ

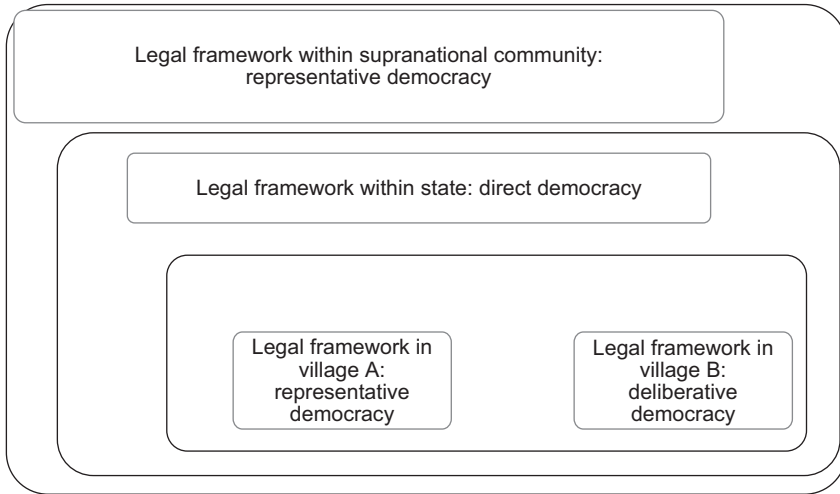


Figure 9.1 The legal rag rug—multilevel Thriving Democracies (exemplified).

substantially—horizontally as well as vertically. It is, for example, common that local entities decide on certain taxes themselves—within the same country you must pay different taxes depending on where you live. Also, democratic practices vary at different levels. In many states, for example, referendums and citizens’ initiatives are possible at the local level but not at the federal level. Legal patchworks are in fact rather common. A legal rag rug is not problematic per se.

9.2.3 Decentralization and subsidiarity

The insight that all communities are embedded in a multilevel system leads us to the topics of decentralization and subsidiarity. The paradigm of *decentralization* means basically that local levels have a lot of decision-making competencies. Some countries allow for more decentralization, other countries are more centralized, which means that most decisions are made by the national government.

The discussions on the *level of decentralization* are ongoing in many countries. Most well-known examples like Scotland, the Basque Region or Catalonia illustrate that the question ‘which political level has the power to decide on which legislative subject?’ is fiercely debated. Also, people familiar with the European Union can tell a thing or two about the challenges of assigning competencies to different levels. The solutions found within the European Union or the suggestions drafted by the Constitution Reform Group in the UK in its ‘Act of Union Bill’ are inspiring resources for dividing responsibilities and competencies between political levels. To me, it sounds

reasonable that *Thriving Democracies are organized in the most decentralized way*, giving local communities maximum decision-making power.⁷

In line with this advocacy for decentralization is the principle of *subsidiarity*. Subsidiarity signifies that decisions are to be made at the lowest level and as closely to the citizens as possible. Many democracies as well as the European Union have defined this principle in their constitutions or laws.

Within Thriving Democracies, subsidiarity should be a general, highly appreciated principle. Higher political levels might only take action, when they can address a problem more effectively than the lower levels. It makes sense to assign different political levels—local, state, national, supranational—with decision-making on different legislative subjects. It might, for example, be fine that local communities decide on their local transportation. But it would not make sense to allow them to choose their currency. For logical reasons, decisions on currencies should be made by the national or supranational community. Another example are cross-border environmental problems, which need to be addressed by intra- or supranational communities. Obviously, common rules must be applied, e.g., for rivers flowing through several countries, the substances allowed to be discharged must be regulated at the international level. We already have a lot of experience with such procedures, e.g., in the Baltic Sea region. We can learn from these endeavors how to combine subsidiarity with the need to find solutions for cross-border challenges.

But beyond such obvious examples, the specifications of subsidiarity are unsurprisingly contested. Often it is not so easy to assign the decision-making power to a certain level. A couple of examples might suffice here: Which level is the best one to set the frame for social policies? Can a community of a higher-level unit overthrow decisions on local transport made by communities at a lower level? I cannot answer these questions within one book. Here, I just point out the need to think about multilevel democracy, decentralization and subsidiarity within Thriving Democracies.

9.3 Excursus: Thriving Democracies might cost less than representative democracies

What about the costs? At this point, no proof exists as to whether current representative democracies are less expensive than Thriving Democracies or the other way round. I can only provide some ideas on the potential costs of both forms.

Representative democracies are rather expensive in at least five (and probably more) aspects. First, democracies, allowing for scarce or no referendums, spend more money on parliaments (salary of members of parliament, other related costs) than participatory democracies. For example, in Switzerland, where the number of referendums is high, parliaments cost a fraction of the money spent in France or the United States (Lindner & Z'graggen, 2004). Second, within representative democracies, the expense for consultants is skyrocketing. For example, in Germany, the government spent more than

\$500 million on external consultation in 2019, and this amount has increased in the last several years.⁸ Third, expensive, yet dubious, treaties are not seldom. For example, recently Claude Guéant, the former French Secretary of President Sarkozy and Minister of the Interior, was sentenced to one year of prison due to irregularities when awarding contracts. The damage of these irregularities added up to several million Euro. The former German Minister for Transport, Andreas Scheuer, signed contracts worth many millions of dollars—a few days later the European Union vetoed the deal. The damage was done, and taxpayers had to pay the bill.

Fourth, citizens' meaningful involvement in political will-formation and decision-making seem to improve compliance. For example, the extensive use of referendums "leads to higher tax morale and compliance" (Kirchgässner, 2007, p. 38). In contrast, expensive law enforcement might be required to ensure compliance when citizens do not agree with political decisions; they probably cheat with taxes and refuse to comply with laws. Studies on these presumptions are rare, but the following findings hint in this direction. In countries, where citizens are relatively satisfied with the functioning of their democratic system, law enforcement costs, including police operations, are lower than in countries with dissatisfied citizens. For example, Denmark, a politically relatively content country, just uses 0.9 % of its gross domestic product (GDP) for public order and safety. In contrast, Poland needs 2.1 %, Romania 2.2% and Bulgaria 2.5% of their GDPs—all countries with low political satisfaction.⁹ Finally, in many representative democracies, lobby groups seem to cost taxpayers a lot of money (see also Piketty, 2014).

What about the costs for Thriving Democracies? Depending on the communities' choices, Thriving Democracy can also require quite a lot of resources. For example, experiences with existing *deliberative practices* in France, Germany or Finland show that a well-maintained mini-public needs a budget of around \$1 million. Multilevel mini-publics naturally raise the costs, which can easily add up to several million dollars.

Depending on the size of a country, on the number of people entitled to vote as well as on regulations on campaign financing and information requirements, a *referendum* can easily cost more than several million dollars. Up to now, we have no experience with Multi-Issue-Referendums at the different levels. They might require even more resources because of the necessary software programming and provision of computers.

Also the randomly selected *second or even third chambers of parliament* will come with high costs, depending on the size of chamber. Today's second chambers vary between around 15 members (Bosnia and Herzegovina) and over 300 (France). Accordingly, the costs vary tremendously and can hardly be calculated beforehand. Finally, the long procedures of citizens will-formation and decision-making as well as the *novel agencies* require resources as well.

But Thriving Democracies can also save money. Most of the costs of representative democracies described above will be reduced drastically. Due to the

division and dispersion of power between citizens and parliament, for example lobbying will probably become more complicated. Costs for consultations as well as for irregular, corrupt treaties will be diminished. Thus, less money might be wasted for projects, which do not serve the interests of the citizens. Furthermore, citizens' compliance with rules could enhance significantly; the amount of police operations might decrease. Of course, it is impossible to give a watertight proof for these assumptions. All in all, currently nobody can prove for sure, that the costs of representative democracy are higher than the costs of Thriving Democracies or the other way round.

9.4 Conclusion

When Thriving Democracies are implemented, existing public agencies and legal frameworks will most likely not suffice. In this chapter I have suggested several novel public agencies and I have discussed legal norms, which might be useful to run Thriving Democracies effectively. For example, an agency is required that organizes participatory practices; another agency must be responsible for monitoring. Similarly, novel rules are required, which regulate novel practices and procedures, e.g. the leave of absence in case of random selection for mini-publics. I have elaborated, what these agencies and legal frameworks might look like, and which options might be considered, for example the composition of the agencies or the specifications of several rules. Due to the visionary approach, many questions remain open and will require some trial-and-error testing. I discussed the advantages and disadvantages of different options, but all potential alternatives or unforeseeable events and risks can never be anticipated. The development of democracy implicates setting foot on new grounds, as I will discuss in the following, concluding chapter.

Notes

- 1 Additional novel agencies might be decided by communities, for example an independent office for future generations as suggested by Smith (2021) or an agency protecting the rights of nonhuman beings.
- 2 www.bundestag.de/en/parliament/function/legislation/15mediproc-245880, accessed June 2021.
- 3 <https://blogs.lse.ac.uk/politicsandpolicy/house-of-lords-reform-independent-scrutiny-commission/>, accessed January 2022.
- 4 www.opengovpartnership.org/members/spain/commitments/ES0073/, accessed January 2022.
- 5 Communities might also think about installing participation and approval rates for the election of representatives.
- 6 See <https://ecpr.eu/Events/Event/PanelDetails/10126>, accessed February 2021.
- 7 In today's democracies, the multitude of political levels diffuses clarity: citizens hardly understand, which level is responsible for what. Within Thriving Democracies, however, the situation will look different, because citizens will most likely have a clearer understanding of multi-level governing.

- 8 www.handelsblatt.com/politik/deutschland/finanzministerium-bundesregierung-gab-fuer-berater-2019-mehr-als-eine-halbe-milliarde-euro-aus/25494368.html?ticket=ST-1275003-gebNSagu27oKXTQu25Ko-ap5, accessed June 2021.
- 9 https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Government_expenditure_on_public_order_and_safety, accessed October 2020.

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Conclusion

Thriving Democracies—our future

In order to carry a positive action, we must develop a positive vision.

(Dalai Lama)

The current form of democracy with its focus on elections and representation is revealing increasing dysfunctions. It is not necessarily the best way for communities to govern themselves and surely not the ‘end of history’. Attempting to provide other options, several scholars praise their favored model, practice or procedure as a supposedly better alternative advocating, for example, mini-publics or direct democracy. This book proposes a new approach. It bids farewell to the false impression that any *predetermined* models, practices or procedures are the best way of organizing every and all communities democratically. It suggests giving communities and citizens back the real power to deliberate and to decide how they want to govern themselves. It strongly advocates that citizens should be the authors and owners of their democracies.

This book supports communities in their search for democratic tenets and setups that fit their preferences—as a kind of ‘democratic midwifery’. It invites them to rethink and to reshape their democracy. It encourages them to end stagnating sclerosis and to get rid of outdated, unsuited, dysfunctional practices and procedures. It inspires them to develop their vision of citizen-driven and continually adaptive self-governing. It promotes what I call Thriving Democracies.

Thriving Democracies consider political life as collective and inclusive self-governing by incentivizing and offering options for joint citizen deliberation and decision-making. In Thriving Democracies, citizens decide how they want to govern themselves and citizens support continuous improvement of their democracies. Thriving Democracies ensure that citizens’ will-formation and decision-making are tightly connected. As illustrated in the introduction of this book, Thriving Democracies have what it takes to fulfill the promises and expectations of democracy better than today. *They have the potential to make communities livelier, happier, more inclusive, more content and more democratic.*

This book provides ideas for Thriving Democracies with novel unprecedented setups. It suggests *novel practices* like the Multi-Issue Referendum,

the multilevel mini-public and the parliamentary chamber selected by lot. It develops *innovative procedures* guaranteeing that citizens' will-formation feeds systematically into decision-making. *New public agencies* are proposed ensuring the smooth functioning of such procedures as well as warranting continuous self-monitoring and adjustment, e.g., the Committee for Monitoring and Evaluation. *All these novelties serve one higher goal—they enable communities to govern themselves.*

The realization of Thriving Democracies will give citizens a tremendous democratic boost and might solve several problems democracies are confronted with today. When citizens are empowered to decide what their democracy looks like, they will feel *authorship* and *ownership*. When they govern themselves, they will gain *political competencies* they could not dream of in representative democracies. When they recognize that political decision-making is their own business and not a detached elite-affair, they are encouraged to become informed, empowered, responsible, active, skillful and competent. These *educative and emancipatory effects* have the potential to counter troubles such as political apathy, political inequality or political polarization and to foster the rise of democratic attitudes.

For now, Thriving Democracies seem like utopia. But it is exciting to think about the next steps, which could propel the ideas forward. The following lines provide some suggestions for citizens, politicians and scholars.

10.1 How to take the vision of Thriving Democracies forward

Citizens, inspired by the vision of Thriving Democracies, can look at existing promising ventures. There are so many organizations, foundations, blogs, think tanks, activist groups and research units, which are concerned about the future of our democracy. Join them! You might perhaps want to start a group yourself. Develop your visions of democracy and connect with fellow citizens in this endeavor. Be on the lookout for like-minded fellows who want to deepen and broaden democracy. Start a dialogue with them. What do you envision for your local, regional, national and supranational democracy? Which democratic vision ignites your fire and moves you to get started? Try to bring fun to your endeavor. Be creative, as Hendriks et al. (2020) wrote: “We need creativity and enjoyment to be successful in pushing the development of democracy”.

Politicians, who are adventurous, might experiment with the visions of Thriving Democracies starting at the local level. Many city councils and mayors have already embarked to go the participatory route, as for example, in Rome, Madrid or Helsinki.¹ Or it could be the other way round. Large communities like the European Union might expand their activities and encourage citizens to discuss the kind of democracy they want to live in. The recent ‘Conference on the Future of Europe’ is probably the most advanced and far-reaching experiment, which will provide many insights for future endeavors. In short, politicians at all levels could apply some of the principles, practices

and procedures suggested in this book. They may not realize all the principles of Thriving Democracies. Yet, they can provide effective components for a common journey toward realizing the vision of citizens' self-governing.

Scholars can support and advance the transformation of democratic systems toward citizen-driven self-governing in many ways. Opinion researchers might answer some of the still unanswered questions on citizens' visions of democracy, such as for example: How do citizens imagine their ideal democracy in detail—e.g., at different political levels and considering different policy field? How do context and participatory experience influence citizens' visions of how to govern themselves? How do information and deliberation refine their preferences? Theorists on democracy might reflect on how to include citizens' visions in novel theory-building. They might make efforts to render democratic theory less aloof and more grounded in citizens' (refined) preferences. Thus, they could democratize the conceptualization of democracy. Comparativists might, for example, compare the different democratic setups applied in various countries and examine their advantages, disadvantages and performance. They can scrutinize how different democratic practices and procedures work in different contexts providing instructive information for citizens and communities. All in all, scholars might develop a sense of responsibility to support citizens and communities to govern themselves by adding their specific expertise and knowledge.

10.2 The near and far future

Thriving Democracies have not been tried out yet and do not exist in real life. And we cannot know whether they will work as envisioned. But the emergence and formation of democracy itself have always been an endeavor without the safety net of knowing in advance, whether and how the democratic idea—visionary and future-oriented at its time—would perform. For example, the Founding Fathers and invisible Mothers of the US Constitution tried to realize their visions of a democratic United States on uncertain grounds. Without knowing whether it would work, they developed a democratic system that was without precedent.

We cannot foresee how communities will develop when they choose how to govern themselves. We cannot anticipate how citizens, civil society, parliaments and politicians will transform. We have some hints, e.g., Switzerland; but such hints are, of course, no watertight proof. But if we want to get out of stagnation, we must revitalize the spirit of democracy and create new democratic passion. When we have the desire for such a change, there is no other way than going forward—whether in small steps or in great leaps.

Profiteers of the status quo will of course not be amused to lose power. They might fight for keeping their privileges. Change-initiating activities will most likely be confronted with obstacles and at times even with hostility. Tension will occur between those benefitting from the current situation and those who commence transformation.

However, history shows that also the most powerful actors and institutions cannot defend all their privileges forever. They cannot stagnate while the rest of the world is moving on (e.g., Bedock, 2017; Mahoney & Thelen, 2010). Some countries already started to become more participatory, shifting power toward citizens and giving them more say (Geissel & Michels, 2018). These developments did not happen out of thin air. We already know some factors fostering the support of politicians for participatory reforms and innovations. Changes are enforced by strong and clear demands put forward by citizens (Bowler et al., 2002; Norris, 2011; Scarrow, 2001; Vetter, 2009).² As for example, Bedock (2017) showed, political elites introduce reforms due to external events like citizens' claims—they seldom introduce them proactively. In other words, *demands initiate changes*.

We should not set limits on our visions just because they will face strong opponents. We should not curtail our dreams because they are difficult to reach. Democracy itself has started from a similar point of heavy resistance. Like today, people benefitting from the old system had little interest in giving up their privileges. But nevertheless, change happened. Democracy was victorious and prevailed throughout the world—due to the activities of courageous people bravely overcoming tremendous obstacles. And we can have some trust in humankind—look, for example, at the increasing rights for women and homosexuals. The end of legal discrimination seemed unlikely only one century ago, but changes happened in many countries. Sometimes it takes decades to transform but in the long run, democracy has moved and will (hopefully) move forward. Of course, transformation is seldom straightforward and can be at times thwarted by setbacks. Nevertheless, only increasing demands and change-initiating activities can end stagnation.

Robert Dahl wrote wisely: “The democracy of our successors will not and cannot be the democracy of our predecessors” (Dahl, 1989, p. 340) Yet, we should not wait for our successors to change democracy. We can start molding it ourselves! We are the ones who can and will transform our communities into Thriving Democracies.

Notes

- 1 E.g., <https://eurocities.eu/latest/50-cities-sign-declaration-on-citizens-engagement/>, accessed June 2021.
- 2 See for supportive institutional specifications, for example, studies by Vatter and Bernauer (2009) and Vatter et al. (2014).

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