Benjamin Leruth

Politicians Beware

The Success of Democratic Innovations Cannot Be Taken for Granted

Over the past decade, democratic innovations have become a trending topic to solve the growing trust divide between citizens and their elected representatives. Data from the Eurobarometer illustrates this problem of trust: since 2007, more European citizens distrust their national institutions (parliament and government) than trust them. Deliberative models have seen the light of day to put citizens back at the centre of the decision-making stage. However, these models do not always yield the expected results.

At the University of Groningen, Léonie de Jonge, Stefan Couperus and myself developed a Master's course on these democratic innovations. In this course, we teach students theories and practices of these innovations, before asking them to develop a real-life democratic experiment on a topic of their choice to solve a societal problem, such as the current housing crisis in the North of the Netherlands. To prepare students, we draw on experiments that have worked, but also on some that have failed. At the national level, the recent experiences of two countries constitute ideal case studies for success and failure: Iceland and Ireland. Both countries attempted to review their constitutions through deliberative processes, with mixed fortunes.

The 2010-2013 Icelandic Constitutional Council: A failure

The 2008 global financial crisis played a significant role in shaping attempts to reform the constitution. The so-called "pots and pans revolution", one of the largest demonstrations in the country's history, took place between late 2008 and early 2009. Demonstrators asked for the government to resign following allegations of corruption and the mismanagement of the crisis by the right-wing government consisting of the conservative Independence Party and the agrarian Progress Party. Following the government's resignation in January 2009, early elections took place, which resulted in the very first left-wing government in Iceland's history. This new government put forward two innovative policies. The first one was submitting a formal application to join the European Union. The second one was the establishment of a citizen-led constitutional assembly to draft a new constitution and restore trust between Icelandic voters and their representatives. Neither policy produced the expected outcome: Iceland remains a non-EU member state and the old constitution is still in place.

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Why did the constitutional reforms fail? The answer lies mostly in the role played by the institutions that were supposed to guarantee the integrity of the process. Firstly, the election of the Icelandic Constitutional Assembly, an office which any citizen could run for, did not go as planned. Not only was turnout strikingly low (under 36 percent), but the result was also declared null and void by the Supreme Court of Iceland due to the use of faulty material and the lack of observers to protect the integrity of the election process. This led to the Constitutional Assembly being renamed the Constitutional Council after being appointed by the Icelandic Parliament to make up for the Supreme Court's decision. Secondly, the Council's attempt at what has often been portrayed by the international media as "crowd-sourcing" (that is, to get as much input from citizens as possible and to incorporate this into their discussions) did not succeed, as the Council only had four months to draft a new constitution. Thirdly and perhaps most importantly, this project did not receive unanimous backing from politicians: it was a process driven by the left-wing government, with right-wing parties being opposed to it from its very inception. Consequently, the opposition consistently attempted to undermine the process. Although the Council's proposals were approved by the Icelandic population in a non-binding referendum, the parliamentary opposition delayed the introduction of the bill to finalise the constitutional amendments. Ultimately, as left-wing parties lost their majority in the 2013 general elections, the reforms were canned.

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The 2012-14 Irish Constitutional Convention: A success

Just like in Iceland, the global financial crisis of 2008 was the catalyst for the Irish democratic innovation, which is widely considered a "success story". Ireland was one of the most affected countries in the Eurozone, eventually impacting the relations between citizens and their elected representatives. Ahead of the 2011 general elections, the core political parties suggested organising deliberative-driven forums that could lead to a significant reform of the constitution. Fine Gael and Labour, the two election winners, agreed to organise a constitutional convention, drawing on a pilot study conducted by Irish academics under the banner of "We the Citizens" in 2011. Consisting of 100 members (66 citizens, 33 elected representatives and one chair), the Constitutional Convention was tasked by the Irish Houses of Parliament to examine well-defined issues, such as the reduction of the voting age to 17, the reduction of the presidential term of office to five years and, more importantly, provisions for same-sex marriage. While the Convention was advisory with the government ultimately making a final decision and rejecting some proposals, it led to significant changes in Irish society. In 2015, a referendum on marriage equality was held and clearly branded as a proposal emerging from the Convention. 68 percent of the Irish electorate voted in favour of amending the constitution on the matter. Besides this significant change, the fact that the Irish government agreed to hold referendums on some of the proposals put forward by the Convention is a major success, that illustrates the seriousness of the initiative. Ultimately, the Constitutional Convention paved the way for further systematisation of democratic innovations in Ireland: in 2016, off the back of this success, a two-year citizens' assembly was set up, followed by more issue-focused assemblies in 2020-21 (on gender equality) and in 2022 (on biodiversity loss).

Lessons learned: three conditions for the success of democratic innovations

The Icelandic and Irish cases demonstrate that the success of democratic innovations cannot be taken for granted. On paper, mini-publics, citizens' assemblies or juries look like a great way to bring citizens closer to the decision-making process, and that explains why political parties increasingly tend to be in favour of such practices. However, three conditions need to be met in order to maximise their chances of success.

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Firstly, the process needs to be well thought-through, from its inception to the conclusions. Any levels of improvisation are more likely to create hurdles: some of these may prove to be fatal. As democratic innovations come in many different shapes and forms, a clear selection should be made by the organisers to follow a model that has proved to be successful.

Secondly, sufficient resources need to be provided to guarantee the integrity of the process. These resources should not only be material, but also (and perhaps even most importantly) temporal. Rushing the process is likely to yield suboptimal or even counter-productive results. Genuine consultation of and engagement with a wider audience who have the opportunity to provide input (through the form of 'maxi-publics' for instance) is also essential.

Thirdly, political structures should be fully committed to the process. One of the core reasons why the Icelandic constitutional reform failed is because its support was solely based on a fragile parliamentary majority that was overturned two years later. In contrast, all the main Irish political parties were committed to organising deliberative forums ahead of the 2011 elections. Ideally, parties sitting in the opposition should also be supportive of processes of democratic innovations. This requires the democratic innovation in question to be as depoliticised as possible, especially in countries where the election cycles are more dynamic.

Ultimately, the key challenge faced by proponents of democratic innovations is the systematisation of these practices. Several initiatives end up being "one-off" affairs. This poses a significant problem because citizens' input should be as frequent as possible. What's the best way to achieve this? Creating a permanent structure in charge of organising regular mini-publics. ◆