



# Comprehensive compilation on democratic innovation

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This compilation is the result of a pilot project at Das Progressive Zentrum, in cooperation with the Foundation for European Progressive Studies (FEPS). The pilot project accompanied the founding of the Democracy Lab within Das Progressive Zentrum, which offers a new space for a creative, interdisciplinary, and international exchange of questions on democratic innovation. The Lab operates as a platform, accommodating various interdisciplinary projects with the aim of developing concrete ideas and practical proposals for the future of democracy. This compilation provides an initial substantial overview on the debate on democratic innovation and selected best practices in the field. It is intended to serve as a starting point for deeper work on these issues and as a motivation to think about the potential of democratic innovation yet to be seized.

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## Introduction – democracy matters

The underlying structure of our current democratic systems was developed in the 19th century and mid-20<sup>th</sup> century and has been little modified in its core structure since. With a decrease in electoral participation, the dwindling membership in political parties, and the rising feeling of powerlessness of citizens, democracies are facing pressure to adapt themselves to developments within society and reflect the changes in values and mind-sets of its citizens.

While the 20th century can be considered a “golden century” for democracy<sup>1</sup> and the continuous development towards a more inclusive and participatory democratic system, this trend does not necessarily have to continue and might even be at risk of being reversed in the 21st century. Whilst more people than ever before live in countries in which free and regular elections are held, this fact does not reflect a broad success of democracy. Indeed, political rights and civil liberties decreased rather than increased in the past decade.<sup>2</sup>

This contradiction can be explained by the concept of “nominal democracy”<sup>3</sup>: Many nations describe themselves as democratic by constitution, thus, fulfilling certain democratic principles in theory, but missing the genuine character of democracy in practice and slowly sliding towards a more autocratic regime. Against this background, the governments in Turkey or Russia are considered elected and thus legitimate, but have increasing autocratic tendencies by restricting rights and the power of some democratic institutions.

Although the spread of democracy over the past two centuries is – geographically speaking – far-reaching, little effort has been made to improve democratic structures within traditional and established democracies such as Germany, France, or the United States. The success of the “Alternative for Germany” (AfD), Front National (FN) in France or President Trump in the United States can, in large part, be attributed towards waning confidence in established political institutions and a growing disconnection between citizens and their political leadership<sup>4</sup>.

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<sup>1</sup> The Economist, What’s gone wrong with democracy, URL: <http://www.economist.com/news/essays/21596796-democracy-was-most-successful-political-idea-20th-century-why-has-it-run-trouble-and-what-can-be-do>

<sup>2</sup> Puddington, A. & Roylance T. (2016). Populists and autocrats: the dual threat to global democracy, URL: <https://freedomhouse.org/report/freedom-world/freedom-world-2017>

<sup>3</sup> Keohane, R. O. (2015). Nominal democracy? Prospects for democratic global governance. *International Journal of Constitutional Law*, 13 (2), 343-353.

<sup>4</sup> All these actors explicitly ran on an anti-political establishment platform, promising an “alternative” to the current political stakeholders (AfD, FN) as well as promoting anti-establishment sentiments (“draining the swamp” promise of Donald Trump).

## Why study democratic innovation?

In the light of those developments, not only protecting democracy but adapting democracies and their institutions to the current time has become crucial. The need for transformation is both an obligation and a challenge: An obligation in order to keep up a democratic system and resist authoritarian trends, and a challenge because creating adaptable and agile institutions and processes that are, at the same time, stable and efficient requires time, effort, and courage.

Little effort has been made in the past decades to qualitatively develop democratic structures and processes and adopt liberal democracy to changing values, mind-sets and the new reality of the 21st century. Trends such as globalisation, digitalisation, and increasing complexity of political issues and decision-making processes are not reflected in the established institutional architecture. Therefore, democratic innovation has become necessary to ensure the future success of democracy. This symptom of a crisis of democracy can be traced back to both ineffective processes and overstrained structures of liberal democracies.

The first ideas and projects which can be labelled as “democratic” innovations can be traced back to the early 1980’s in Latin America. Dictatorships in Argentina, Brazil, Uruguay, Chile, and Paraguay collapsed and transitioned into liberal representative democracies. This was a fertile ground for experiments of local political participation, such as new and innovative participation structures for minorities, i.e. autonomy rules, specific regulations for minority representation, and consultation mechanisms. Instead of simply copying aspects of liberal democracies that can be found in Western Europe, local leaders explored new ways for their people to be represented and govern their localities. Latin America thus became a forerunner in innovating democratic and participatory processes at local and regional level.<sup>5</sup> Ever since, the idea to improve democratic processes was first and foremost seen as deepening citizens’ involvement in the democratic process.

In the past, democratic innovation has often been focused on formats of direct civic engagement and political participation, whereas other relevant aspects of democratic innovation, such as organisational development to ensure strong and reliable representative structures have been largely neglected.

However, although the number of direct democratic initiatives has grown over the past years, the success of direct democratic initiatives can be considered moderate: For example

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<sup>5</sup> Stoiber, M. & Heinelt, M.S. (2013). Democratic innovation and democratic quality in Latin America, URL: [https://www.fernuni-hagen.de/conpar/download/stoiber\\_heinelt\\_deminn\\_ecpr.pdf](https://www.fernuni-hagen.de/conpar/download/stoiber_heinelt_deminn_ecpr.pdf)

in Germany, the recently published “Direct Democracy Report”<sup>6</sup> of Mehr Demokratie e.V. shows that the number of direct democratic procedures finally implemented by law remain almost the same over the past years (around 12 bottom-up initiatives). Overall, only 12.5 % of direct democratic procedures have been successfully consolidated. Despite the many participatory programmes for direct legislation that have been introduced, promoted, and funded by governments, measures promoting direct democracy do not seem to be capable of closing the growing gap between society and the state’s organisations, each of them developing at a very different pace.

According to the Foundation for Future Studies, more than every second citizen had a quite pessimistic attitude towards political developments and expressed increased worries about the future of Germany in the beginning of 2016.<sup>7</sup> The same trend is documented in the rest of Europe<sup>8</sup>: More than 60 % of people in European countries think that their country is “on the wrong track” rather than going in the right direction. It needs to be studied how the growing frustration and political disenchantment is linked to the very institutions of a democracy and to the competences of politicians such as, for instance, their ability to deal with ad hoc crises.

Too much attention has been laid on various formats of direct civic engagement whereas other distinctive aspects of democratic innovation, such as strong and reliable representative structures, have been disregarded. Tackling growing distrust should therefore not only be seen as an effort to increase political participation of citizens, but also requires a renewal of structures and processes within democracies. It makes sense to expand the toolkit of democratic innovation towards more structural and organisational questions of our democratic system: How can parties be reformed to reflect citizen’s needs and desires? Is e-government the solution to an increased digitalised world? Are national parliaments fit to make decisions on increasingly global issues?

Only by constantly developing and adapting its design to a changing environment, liberal democracy will be able to gather the support of its citizens and counter populist and authoritarian forces.

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<sup>6</sup> Mehr Demokratie (2017). Volksbegehrensbericht 2017, URL: [https://www.mehr-demokratie.de/fileadmin/pdf/volksbegehrensbericht\\_2017.pdf](https://www.mehr-demokratie.de/fileadmin/pdf/volksbegehrensbericht_2017.pdf).

<sup>7</sup> Stiftung für Zukunftsfragen (2015). Was die Bundesbürger für 2016 erwarten: Rückkehr der „German Angst“, Forschung aktuell, 265, 36. Jg., URL: <http://www.stiftungfuerzukunftsfragen.de/newsletter-forschung-aktuell/265/>.

<sup>8</sup> Ipsos Public Affairs (2016). What worries the world, URL: [https://www.ipsos.com/en/what-worries-world-october-2016?language\\_content\\_entity=en](https://www.ipsos.com/en/what-worries-world-october-2016?language_content_entity=en)

## Disenchantment and political engagement

The distrust of citizens towards politicians to deal with complex and global challenges, such as climate change, regulation of financial services, the digital economy, or war and migration grows every day. However, there is little pro-active engagement of people to participate in real politics.<sup>9</sup> Even though individual citizens have the opportunity to inform themselves through various media and information channels, “critical citizens” expect their government to constantly adjust to political challenges, but are themselves less engaged in the political process.<sup>10</sup> But adjusting to hard times will be made even more difficult if the cynicism of citizens towards politics continues to grow.<sup>11</sup> This waning of citizens’ interest in politics and declining rates of political participation are the normative ground on which proponents of direct democracy base their argument for more deliberative and participatory initiatives.<sup>12</sup>

Political participation has always been a highly selective process: People with higher education and income tend to engage more in democratic processes while other parts of society are systematically underrepresented and excluded.<sup>13</sup> The relation between citizens and decision-makers is thus increasingly strained, and many people, especially in rural and economically underdeveloped areas, have the feeling of being left behind. Most people do not see their opinion and voices represented in the current political arena and lament the political system not to be responsive to their demands.<sup>14</sup> All over Europe, more than half of the national populations agree that traditional political parties don’t care about “people like them”.<sup>15</sup> There is a significant correlation between the socio-economic background of people and their participation rate and voting behaviour: The vote participation of the lowest income decile is just one-half of that of the top decile.<sup>16</sup> Public discontent can be seen far beyond typical “protest voters” for several years now. The centre of the population is

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<sup>9</sup> There are times when politics polarizes and motivates especially young people to express their opinion and to engage within the democratic process (for more information, see <http://www.faz.net/aktuell/politik/inland/junge-leute-engagieren-sich-wieder-politisch-14960300.html>). Although these political initiatives are positive, they remain reactive and responsive in their nature. Thus, they can hardly be considered as representative for the current state of Western liberal democracy.

<sup>10</sup> Lerner, J. (2014). *Making democracy fun again: How game design can empower citizen and transform politics*. Cambridge: The MIT Press.

<sup>11</sup> Rosenberg, S.W. (2007). *Deliberation, Participation and Democracy*. London: Palgrave Macmillan.

<sup>12</sup> Habermas, J. (2011) [1987]. *Theorie des kommunikativen Handelns*. Frankfurt: Suhrkamp Verlag.  
Bohmann, J. & Rehg, W. (1997). *Deliberative democracy: essays on reason and politics*. Cambridge, Massachusetts: The MIT Press.

<sup>13</sup> Petring, Alexander / Merkel, Wolfgang (2011): *Partizipation und Inklusion*, in: *Demokratie in Deutschland 2011*. Friedrich-Ebert-Stiftung.

<sup>14</sup> Warrem, M.E. (1999): *Democracy and trust*. Cambridge University Press: Cambridge.

<sup>15</sup> IPSOS, *Global Advisor, Power to the People?*, 2017, URL: <https://www.ipsos-mori.com/Assets/Docs/Polls/ipsos-global-advisor-power-to-the-people-charts.pdf>

<sup>16</sup> Milanovic, B. (2016). *Global inequality. A new approach for the age of globalization*. Cambridge/Mass. and London: Harvard University Press.

afraid of losing the achieved social and economic status<sup>17</sup>, being faced with complex societal, economic and political challenges that can neither be easily explained nor easily solved.

In conclusion, a significant share of citizens seem to be disenchanted, frustrated and seem to deeply mistrust political institutions.<sup>18</sup> There is a growing disconnection between citizens and their political leadership as numbers, i.e. in Germany, suggest: almost every second German citizen thinks that the government is run by a few big entities in their own best interests.<sup>19</sup> And more than the half of Germans and French people are convinced that their economy is rigged to the advantage of the rich and powerful.<sup>20</sup>

In his book “In Mistrust We Trust: Can Democracy Survive When We Don’t Trust Our Leaders?” political commentator Ivan Krastev<sup>21</sup> explores this decline of public trust in political institutions. It might be argued that the general trust in politicians and government has never been high – but over the last decade, trust and confidence in parties have declined significantly: In Spain, Hungary, France, and Germany more than 80 % of the populations do not trust their parties.<sup>22</sup> In his analysis, Professor Kielmansegg<sup>23</sup> considers the civic disenchantment anchored within the structures of representative democracy focusing on election as its key interactive moment between people and their politicians. In times of presidential elections, the political competition stirs up expectations and a surplus of promises emerges which cannot be fulfilled and result in dissatisfied citizens. In the next election, disenchantment is met with new expectations: an ongoing self-enforcing circle of expectation and dissatisfaction evolves.

The consequences of this interplay are reflected upon another more alarming trend, showing a significant decline of the trust of citizens in democracy. Not even every second person born between the years 1930 to 1980 in Europe appreciated living under democratic rule.<sup>24</sup> This development might be linked to the notion that, in recent years, the very institutions that are meant to provide models for new democracies have come to seem outdated and dysfunctional in countries with established democratic structures. The EU has

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<sup>17</sup> Bude, Heinz (2014): *Gesellschaft der Angst*. Hamburger Edition HIS.

<sup>18</sup> For more information, see: Standard Eurobarometer 85, Public opinion in the European Union, May 2016, QA 9.

<sup>19</sup> OECD Public Governance Reviews, Paris, 2016, p.18, based on Transparency International, Global Corruption Barometer 2013, OECD Integrity Framework for Public Investment.

<sup>20</sup> See: IPSOS, Global @dviso, Power to the People?, 2017, URL: <https://www.ipsos-mori.com/Assets/Docs/Polls/ipsos-global-advisor-power-to-the-people-charts.pdf>.

<sup>21</sup> Krastev, Ivan (2013): *In Mistrust We Trust. Can Democracy Survive When We Don’t Trust Our Leaders?* Ted Conferences.

<sup>22</sup> For more information, see: <https://www.ipsos-mori.com/Assets/Docs/Polls/ipsos-global-advisor-power-to-the-people-charts.pdf>.

<sup>23</sup> Kielmansegg, P. (2015). *Erwartungen, Enttäuschungen*, URL: <http://www.faz.net/aktuell/politik/die-gegenwart/demokratie-erwartungen-enttaeusungen-13788371.html>.

<sup>24</sup> Foa, S.R. & Mounk, Y. (2017). The signs of deconsolidation. *Journal of Democracy*, 28 (1), 5-15.

become a breeding ground for populist parties, such as Alternative for Germany (AfD), Geert Wilders' "Party for Freedom" in the Netherlands, and Marine Le Pen's "Front National" in France.

Disenchantment and mistrust by citizens were met by implementing a range of measures aimed at increasing and improving participation and deliberation in the democratic decision-making process. These measures can serve as a reservoir for developing further ideas on how to improve political processes within democratic systems. However, while all ideas can serve as inspiration, it is important to evaluate the potential and success of implemented measures with a set of criteria, in order to be able to reliably speak of "best" practices.

### **Criteria to define the potential of democratic process innovations**

The success and potential of process innovations in the political sector can be analysed according to Graham Smith's six criteria<sup>25</sup>.

#### **Inclusiveness:**

Especially in fragmented and economically unequal societies, inclusiveness is a central issue: Primarily weaker socio-economic classes feel unrepresented and disconnected from political processes. More inclusiveness therefore means to create an institutional design which incentivises the participation of citizens from different social and economic groups in the democratic process, and thus participation of a diverse group of citizens in the democratic process. In order to fulfil this criterion, two questions are essential: Who should participate in the process? Who is the target group we are trying to reach?

#### **Popular control:**

This criteria measures to which extent democratic innovation allows citizens to take effective control over elements of decision-making. Popular control can refer to different stages of a decision-making process: It might be the definition of the initial issue, voting for particular options or the implementation phase of a decision. For this criterion, two questions are essential: To which extent and in which phase of decision-making is popular control useful? To what extent does the outcome of the decision affect citizens, and thus how have decisions to be designed to include citizens?

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<sup>25</sup> Smith, G. (2009). *Democratic Innovations: Designing institutions for citizen's participation*, Cambridge University Press, URL: [http://huascarpessali.weebly.com/uploads/3/1/7/5/3175476/democratic\\_innovations.pdf](http://huascarpessali.weebly.com/uploads/3/1/7/5/3175476/democratic_innovations.pdf)

### **Considered judgement:**

Considered judgment highlights the capacity of citizens to make thoughtful and reflective judgements. It is important to nurture and support the development of an “enlarged mentality” of citizens. A key question is how democratic innovations can empower citizens with all necessary information and the ability to abstract and to reflect their own position in society among many other people that are affected by a decision or a policy.

### **Transparency:**

Transparency contains two different dimensions for citizens participating in any new democratic innovations: The internal transparency implies the participant’s knowledge about the process and structure of an institution. People need to understand the conditions of the participant selection, the organizers the possible outcomes, etc. The external transparency implies the transmission of information about the institution and its decisions to the wider public, or at least to those people who are affected by the outcomes.

### **Efficiency:**

The matter of efficiency is often neglected when it comes to democratic innovation. The gains of a new innovative measure seem to outweigh all the costs that people and institutions might face. This is why efficiency is an important criterion: What are the costs and efforts necessary to change? Does it make sense, at this point in time, for an institution to implement these measures? Thus, an important criterion to measure the success of a democratic innovation is to evaluate the material costs as well as the time it takes to implement a new innovative measure in the planning phase of such measures.

### **Transferability:**

Democratic innovations are often unique to their various contexts, and there are only a few standardised designs for certain phases. The key question then is how far these democratic innovations are transferable to different political systems or policy issues. It is necessary to find those variables that make a case either unique or transferable, such as: actors, systems, issues, outcomes, participants or technologies.

## **Overview of types of democratic process innovations**

Over the past decades, many democratic innovations in the field of participatory and deliberative democracy have been launched. Therefore, it is necessary to implement



categories of innovations, in order to systematise the existing institutional designs. Here are the main types of democratic innovations according to Smith.<sup>26</sup>

1. **Electoral Innovation:** aims to increase the electoral turnout.  
Examples: postal ballots, electronic voting, positive abstention, compulsory voting, reducing voting age, universal citizenship
2. **Consultation innovation:** aims to inform decision-makers of citizens' views.  
Examples: public meetings, focus groups, planning for real, community visioning, standing forums, standing citizens' panels.
3. **Deliberative innovation:** aims to bring citizens together to deliberate on policy issues, the outcomes of which may influence decision-makers.  
Examples: citizens' juries, consensus conferences, deliberative opinion polling, America Speaks, national issues forums, study circles, deliberation days.
4. **Co-governance innovation:** aims to give citizens significant influence during the process of decision-making.  
Examples: Chicago community policing, youth councils, participatory appraisal, participatory budgeting, Citizens' Assembly on Electoral Reform, British Columbia.
5. **Direct democracy innovation:** aims to give citizens final decision-making power on key issues.  
Examples: New England town meetings, referendum, initiative, recall, citizens' assemblies selected by sortition
6. **E-democracy innovation:** aims to use information and communications technologies (ICT) to engage citizens in the decision-making process.  
Examples: e-voting, e-consultation, e-representatives, online deliberative polling, e-petitions, e-referendum, Minnesota E-Democracy, BBCiCan, HeadsUp.
7. **Urban Planning:** aims to foster a democratic process in which community members directly decide how to create public spaces, how to use public money and how to develop their regions/cities further.  
Examples: Participatory Budgeting, Sharing City Seoul, Laboratorio Para La Ciudad

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<sup>26</sup> Smith, G. (2009). *Democratic innovations: designing institutions for citizen participation*. Cambridge: Cambridge University Press.

## Best Practices: Examples of democratic innovations

Following the earlier established categorisation of democratic innovation<sup>27</sup>, a selection of best practices was identified in the fields of

- deliberative innovation (Popular assemblies, mini-publics)
- direct democracy innovation (*direct legislation*), and
- e-democracy (*e-voting*).

These best practices serve as examples and inspiration and show the range of potential to improve already existing democratic decision-making.

### (a) Popular Assemblies

The central idea of popular assemblies is to get citizens engaged in the local or regional decision-making process through direct interaction. Thereby, popular assemblies are realised and implemented within different formats and stages. In general, these popular gatherings are characterised by their easily accessible profile which enables citizens to participate at local and regional levels.

Incorporating legislative power over a broad range of local issues, this innovation design is highly appealing and allows citizens to actively take part in the decision-making process and hold their representatives accountable. Thereby, the institutional design of popular assemblies directly approaches the request for a more participatory and deliberative society: The concept is driven by the motivation to revive citizenry, to initiate public discourse on relevant issues and to request their needs for an adequate and effective representation at a higher level.

### Participatory Budgeting

Location: Porto Alegre / Brazil

Year: Since 1989

The budgetary process in Porto Alegre has become a prototype for participatory innovation around the globe. The main goal was to enhance redistributive policies by engaging socio-economically disadvantaged classes in the financial decision-making process. Thus, the target group focused on people whose average income was significantly lower than the average income in the society as a whole. In general, participatory budgeting initiates a process through which participants have the opportunity to express their demands, articulate their priorities and have an impact on the negotiations of budget allocations installed by their municipalities.

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<sup>27</sup> Smith, G. (2009). *Democratic innovations: designing institutions for citizen participation*. Cambridge: Cambridge University Press.

The process is structured in different stages of deliberation and voting procedures: At first, in a *popular assembly*, participants have the chance to prioritise budgetary projects for their municipality and to vote representatives for the budget forums. Secondly, within the *budget forum*, a list of local projects is prioritised, as only 30% of all suggested projects can be financed later on. In the next step, a *council* of the participatory budget is installed: Its main function as a representative body is to manage negotiations about the selected projects with the administration of the local municipality.

Potential: The budgetary process is reviewed as a very successful design of local inclusive democracy; it manages to include the poorest in political participatory processes. Implementing binding negotiations on local public budgeting strengthens democratic and enhances social inclusiveness.

### AmericaSpeaks

Location: United States

Year: 1995-2014

One of the main initiators and key organisations in the field of deliberative innovation was “AmericaSpeaks”.<sup>28</sup> Founded in 1995, the organisation realised around 150 projects and reached more than 180,000 people with so-called “21<sup>st</sup> Century Town Meetings”. The established roundtables were composed of 10-12 people who discussed key political issues such as the rebuilding of lower Manhattan after 9/11; building plans for New Orleans after Hurricane Katrina and, more generally, regional planning across the United States. The unique feature of these popular assemblies was their large-scale deliberation process facilitated by digital technology: Televised and video-based services enhanced large-group engagement, enabled the public to join genuine discussions across the nation and made real-time polling and decision-making possible.

Potential: Interviews with stakeholders conducted by Columbia University researchers confirmed that the public had a significant impact on the redevelopment process of the World Trade Center area. In general, “AmericaSpeaks” launched different innovative formats for engaging large parts of society on the premise that despite diverging interests and groups of citizens, a common ground on complex policy issues can be found and improve the governance process in the long-term.<sup>29</sup>

### (b) Mini-Publics

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<sup>28</sup> For more information, see <http://www.democracyfund.org/blog/entry/farewell-to-americaspeaks>.

<sup>29</sup> For more information, see <http://www.democracyfund.org/blog/entry/farewell-to-americaspeaks>

In response to an era of fast, decentralised communication, complex political phenomena and global challenges, “drafting by lot” (sortition<sup>30</sup>) might break up with the often-repeated equation “democracy = elections”. As David van Reybrouck notes: “The words “election” and “democracy” have become synonymous. We have convinced ourselves that the only way to choose a representative is through the ballot box”.

By bringing together a cross-section of the population, mini-publics offer a platform to discuss and deliberate on an issue of public concern. Up to now they have been used at different levels of administration and in a variety of policy areas: random selection as a counterpart to the election is applied worldwide in innovations such as citizens’ juries (US and Britain), planning cells (Germany and Switzerland) and consensus conferences (Denmark).

Whereas best practices based on random selection do only complement existing institutions, there are approaches to even replace existing voting based institutions: Bruno Frey and David van Reybrouck<sup>31</sup> elaborated on the model of aleatoric democracy, based on randomness rather than elections. The main idea is to introduce deliberation, whilst participants should represent the whole public of a nation in its variety of age, gender, socio-economic background, religion, profession, etc. This deliberative process is highly relevant as it makes visible the opinion distribution within a society and gives it normative relevance. Practised in classic Athens, medieval Venice, Florence or Bologna, this method of decision-making is almost forgotten nowadays.

The central advantage of random selection is the reduction of the power of experts and political elites, whereas the self-confidence of citizens might be strengthened. Some scholars even consider sortition as a remedy against mistrust and passiveness of today’s Western democracy and its electorates. It could decrease tendencies of corruption and could bring a vital spirit to the democratic institutions: Randomly selected persons do not feel the pressure of being re-elected as politicians do. One example in this regard is the sortition practice in criminal justice systems. In many countries, juries of criminal trials select people randomly by a lot with a big trust in chosen people. Proponents of aleatoric elements aspire to transfer this model on democratic politics and to install the random selection process at the legislative branch. Arguments against aleatoric democratic approaches claim that randomly selected people have a lack of expert knowledge on certain issues and don’t have any political experience. The question cannot be answered yet if these approaches could be

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<sup>30</sup> Schulson, M. (2014). Is it time to take a chance on random representatives?, URL: <http://www.thedailybeast.com/articles/2014/11/08/is-it-time-to-take-a-chance-on-random-representatives.html>.

<sup>31</sup> Van Reybrouck, D. (2016). Why elections are bad for democracy, URL: <https://www.theguardian.com/politics/2016/jun/29/why-elections-are-bad-for-democracy>.

applied in daily political business on the federal level as a substitutional or additive role to parliaments.

### G1000

Location: Brussels

Year: 2011-2012

“G1000” was driven by the idea to renew democratic structures and to revitalise civic engagement in Belgium. The project consisted of three phases: At first, through an online consultation, around 6,000 citizens submitted their topics and questions. The potential participants of the citizens’ summit were recruited by a phone outreach technique. The response rate of those people who confirmed to join the summit was 3 %. In the end, about 700 people participated in the summit, 10% of them were from marginalised groups and had been recruited by grassroots organisations. At the citizens’ summit, participants discussed the topics of the agenda brought up in the first project phase. The participants were divided into groups and debated together with experts on topics such as social security, migration or financial crisis. Besides the summit, about 1,000 self-selected people engaged in an online side project of “G1000”. The last phase consisted of a citizens’ panel. For this panel, 32 people were recruited from the citizens’ summit, with a representative range of gender, religion, language and age. These participants elaborated further on the outcomes of the citizens’ summit.

Potential: During this project, participants worked on concrete policy recommendations. With its innovative methodology, “G1000” rose awareness on civic participation among many political institutions in Belgium. Although the project gained much attention, it is hard to measure to what extent the policy recommendation was adopted and realised by politicians. Thus, it might be that the project was successful in regards to its innovative character rather than its *de facto* political impact.

### Icelandic Constitutional Council

Location: Iceland

Year: 2011

The “Icelandic Constitutional Council” was appointed by the parliament and consisted of 25 people. The participants were supposed to revise the constitution in response to the national economic crisis in 2008. Affected by nationwide protests led by civil organisations, the governing parties decided to integrate citizens to discuss the constitutional amendments, also through digital tools. The council was expected to link its work with the results of a previous consultative citizens’ forum. After the proposal of the council was launched, there was a non-binding referendum on the question of whether the proposal

should be the basis for a new constitution or not. The referendum was approved by 67% of voters. Nevertheless, the bill was never passed because the current legislative period ended and the new government did not act upon the efforts of the constitutional council.

Potential: Despite the failed realisation of the proposal, the council achieved to implement innovative concepts and means for constitutional revision by using the Internet and by subscribing to popular social media like YouTube, Twitter, Facebook and Flickr. This project made Iceland the first country to use crowdsourcing for constitutional revision.<sup>32</sup>

### (c) Direct Legislation

For some scholars, direct legislation represents the only feasible way to approach the threat of politicians' cartel building and a tendency towards elitism and nepotism in democracy.<sup>33</sup> By highlighting the position and opinion of the individual in political decision-making, proponents argue that direct legislation involves people in the democratic process and rebuilds trust and identification with politics.<sup>34</sup> However, there are many different interpretations and conceptions of "direct democracy". In general, direct legislation means direct democracy through the ballot box. It is about strengthening the sovereignty of citizens by delegating decision-making power about relevant political issues to them. As our best practices will show, important questions remain open, i.e. to what extent/ what kind of issues/on which political level direct legislation can be applied as well as how minorities' rights considering the winner-take-it-all nature of initiatives and referenda might be protected. Best practices for direct democracy often include two forms of direct legislation: *A popular referendum* and a *statutory initiative*.

### Same-Sex Marriage Referendum

Location: Ireland

Year: 2015

In Ireland, referendums (called "Amendment to the Constitution of Ireland") are deeply rooted in the democratic system: The first one was held in 1937 and there have been about 40 conducted since then. First, an amendment must be approved by both houses of parliament. Later on, the government of Ireland can hold a referendum on the proposed issue. The referendum on same-sex marriage was a result of a consultation process which took place at the Constitutional Convention (today called "Citizens' Assembly"): Randomly selected citizens debated on an extension of civil marriage rights to same-sex couples and

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<sup>32</sup> Ibid.

<sup>33</sup> Frey, B. S. & Stutzer, A. (2006). Direct Democracy: Designing a living constitution, URL: [https://www.unibas.ch/fileadmin/wwz/redaktion/wipo/Alois\\_Stutzer/LivingConstitution\\_April05.pdf](https://www.unibas.ch/fileadmin/wwz/redaktion/wipo/Alois_Stutzer/LivingConstitution_April05.pdf).

<sup>34</sup> Mehr Demokratie e.V.: Direkte Demokratie und Partizipation, URL: [https://www.mehr-demokratie.de/fileadmin/pdf/Themen12\\_Partizipation.pdf](https://www.mehr-demokratie.de/fileadmin/pdf/Themen12_Partizipation.pdf).

provide the government with two amendments. The referendum has been approved by 62% of the Irish population.

Potential: Scholars and political activists often criticise that referenda are not able to capture the complexity of an issue. According to them, some policies and reforms should not be left to public opinion as they do not fit in a simple yes/no answer. Even worse, some referenda might be prone to populist or manipulative campaigns in which people tend to express general frustration and boycott reasonable political projects/vote for policies with harmful effects on the society as a whole. In contrast, proponents of direct legislation highlight the distinct democratic character of a decision directly made by the majority of the population: Consequently, the outcome has to be respected, no matter what consequences might follow for the society. A solution against civic irrationality might be the application of different participatory and educative tools to spread balanced information before the official referendum takes place. By doing this, the complexity and ambiguity of a political question might be acknowledged by people and considered in the public vote.

#### Popular Petitions in Switzerland: “Gegen die Abzockerei”

Location: Switzerland

Year: 2013

Initiatives of direct legislation have a long tradition in the confederate political system of Switzerland. There have been several successful examples for popular petitions during the last decades, such as the petition “Gegen die Abzockerei” (“Against rip-offs”). The initiators demanded special rules for salaries of top managers in stock-market-listed corporations. The petition “Gegen die Abzockerei” achieved a high degree of citizens’ acceptance: the participation rate was 46,7% of the population and 67,9% of the electorates voted in favour of the petition.

Potential: Worldwide, most practitioners and scholars of direct legislation initiatives refer to Switzerland as a role model for successfully institutionalised direct participation mechanisms. Since 1891, there have been 206 “Volksinitiativen” (peoples’ initiatives) on the federal level which passed the three-step process and reached the state-level. However, only 22 (about 11%) were successful. This number seems quite low. Compared to 443 “Volksinitiativen” which have been initiated but did not pass the three stages, the number seems even lower. Additionally, it is often criticised that some direct legislation initiatives approved by the electorate have not been immediately implemented.

#### d) E-Democracy

The use of information and communications technology (ICT) in politics still remains at an embryonic stage. There are several buzzwords such as “liquid democracy”, “e-

government” or “e-democracy” which might best be summarised by the term “e-participation”.

With regard to *process innovation*, the leading question is: How to use digital devices in order to engage more citizens in a user-friendly way? Forms of ICT interaction between citizens, parliaments and governments can generally include information, consultation and decision-making. In fact, ICT is a cross-section issue and can be applied in public assemblies, mini-publics as well as direct legislation. In this context, ICT is rather framed as a tool for democratic innovation rather than a separate democratic innovation.

### E-Voting Estonia

Location: Estonia

Year: Since 2005

Estonia counts as a forerunner in ICT related democratic processes. E-voting elections have been conducted in several elections, and the percentage of voters using online devices for election rose to 30, 5% in the parliamentary elections of 2015. During the pre-voting period, the voter logs into the system using an ID card or Mobile ID and casts a ballot. The voter’s identity is removed from the ballot before it reaches the National Electoral Commission for counting, thereby ensuring anonymity. Some days before the final election day, the electorate can vote and change its vote as many times as he/she likes. Thanks to its convenience, e-voting remains very popular within Estonia.

Potential: There is severe national and international criticism about the procedural and operational security. Some scholars argue that the system is not protected against cyber attacks from foreign powers, such as Russia. These attacks could have a tremendous impact on the outcome of elections.<sup>35</sup>

### Citizen Space

Location: Scotland

Year: Since 2014

“Citizen Space” is a software tool that has been launched by the Scottish government in 2014. The goal was to install an online programme with a feedback function which can be used by citizens to comment on government proposals and policies. Every Scottish citizen is allowed to participate. Previous platforms had the function to inform society; “Citizens’ Space” has the clear objective to directly involve peoples’ opinion into policy-making.

Potential: There had been some online platforms before, but these systems only allowed approximately 100 consultations annually. Thus, there was a necessity to develop a new platform enabling more people to take part in online discussions and virtual opinion formation. In this regard, “Citizen Space” is considered a successful platform in Scotland so

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<sup>35</sup> For more information, see <https://estoniaevoting.org/>.



far. The government calls the system a useful tool which enlarges digital democracy in Scotland and activates citizens in political processes.<sup>36</sup>

## General summary & Future outlook

Rising populism, increasingly radical mindsets, waning confidence in political institutions, and an eroding connection between citizens and their political leadership show: The established processes and structures of liberal democracies have, in some respects, reached their limit. Given the urgency of democratic renewal, this working paper aimed at highlighting the relevance and potential of adapting our democratic system and make it more responsive to changes in society.

Although we acknowledge the importance of the work done so far in the field of direct democracy, expanding the debate about democratic innovation beyond participative and deliberative ideas will be crucial for adequately adapting liberal democracy to our current times. Beyond the *status quo*, it is indispensable to integrate the increasingly complex, cosmopolitan, and digital mindsets of especially younger generations into democratic theory and practice.

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<sup>36</sup> For more information, see <http://participedia.net/en/cases/citizen-space-scottish-government>.