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Crackpot or Genius? Canada Steps onto the World Stage as a Democratic Innovator

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J. H. Snider

Abstract

Concluding remarks by J.H. Snider, a Fellow at the Kennedy School of Government and President of iSolon.org, delivered to Harvard University Canada Program's Conference on Comparing the Democratic Deficit in Canada and the United States: Defining, Measuring, and Fixing, Cambridge, Massachusetts, May 10, 2008. The remarks divide the substance of the conference into three categories: Democratic Deficits, Reforms to Fix the Democratic Deficits, and Reforms to Reform the Process of Fixing the Democratic Deficits. Canada's great democratic innovation, the creation of citizens assemblies on electoral reform, fits in this third category, Reforms to Reform the Process of Fixing the Democratic Deficits.

KEYWORDS: Democratic Deficits, Democratic Theory, Democratic Deliberation, Citizens Assembly, Canadian Studies

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I come from the Washington, DC think tank community, so my interests tend to be more public policy oriented and prescriptive than the folks attending this conference. All the talk about democratic deficits at this conference is interesting. But it is often frustrating for me to listen to a smorgasbord of problems when what I'm really interested in are practical policy solutions.

It's also good to learn about empirical studies of policies implemented to close democratic deficits. But I'm not convinced that all the good democratic reform ideas have yet been tried, so I feel the democratic reform imagination is seriously cramped when attention is so narrowly focused.

I divide the presentations at this conference into three categories:

1. Democrat Deficits
2. Reforms to Fix the Democratic Deficits, and
3. Reforms to Reform the Process of Fixing the Democratic Deficits—which is the category in which I'd place our discussion of Citizens Assemblies.

It is this third category, Reforms to Reform the Process of Fixing the Democratic Deficits, that I'd like to focus on in my brief comments.

But first, a few comments about Democratic Deficits.

Democratic Deficits

In David Beetham's opening comments and in subsequent comments by Pippa Norris, Neil Nevitte, and others, there were important questions raised about how to interpret the significance of the democratic deficit. It appears that the public's perceptions of a democratic deficit and objective democratic audits frequently don't coincide. We have people in countries with large democratic deficits genuinely believing otherwise and vice versa.

How should we interpret this? One explanation of the data is rising expectations. But another explanation, I would posit, is greater objective need, which is then picked up by the politically involved. One explanation focuses on subjective perceptions, the other on objective conditions.

Why is the greater-objective-need-explanation ignored? There appears to be a general assumption that if democracy is objectively improving, then the democratic deficit must be objectively shrinking, too. But the conclusion doesn't necessarily follow from the premise.

The democratic ideal is a constantly moving target that must regularly be recalibrated to a higher standard as society becomes more complex and new demands are placed on government and elected representatives.

The set of democratic institutions associated with a hypothetical ideal democracy may be static at a given point in time, but over time needs to be periodically ratched up. When it isn't ratched up, the democratic deficit objectively grows regardless of public perceptions.

To take an example with which everyone is familiar, town meeting democracy is well suited for a village of 1,000 but the institutions of representative democracy are needed for a democracy of 300 million.

Or take an analogy from the private sector: The institutional capacities of corporations have dramatically improved over time as they have had to deal with much more complex products and distribution systems. It's not enough for a company to increase its organizational capacity by 5% a year if its environment requires it to increase its capacity by 10% a year to stay competitive. In this case, an absolute improvement in organizational capacity coincides with a growing institutional deficit.

Similarly, it's not enough for the capacity of our democratic institutions, via democratic reforms, to increase by a few percentage points a year if they don't keep up with the demands of an ever more complex technological and economic environment.

Reforms to Reform the Process of Fixing the Democratic Deficits

Now let's link this insight to citizens assemblies. Might the citizens assembly be an inflection point that allows modern democracies to greatly increase their institutional capacities? I take this question as the stimulus that has led this conference to devote so much attention to citizens assembly based democratic reform.

But there is a tension between more and less modest ways of framing the question that I want to address.

How should we conceptualize the significance of citizens assemblies? It has been proposed that we think of them as a supplement to democracy, as Supplementary Democracy—to use the phrase in Amy Lang and Mark Warren's paper. Archon Fung has suggested that we conceptualize Citizens Assemblies along a continuum of civic participation.

I question this framing of what citizens assemblies represent. When I talk to elected officials about citizens assemblies, they don't think of citizens assemblies as supplementary, they think of

them as substitutes. They are substitutes for representative democracy. However narrow their jurisdiction might be, they take away important powers from elected officials—moreover, power over a set of issues elected officials may care greatly about and not want to lose control of.

So I think this is a much more radical proposal—and I use *radical* in a positive sense—than the word *supplemental* connotes. By the same token, I'm less inclined to view citizens assemblies as just one point in a continuum of participation. For example, when you move from an advisory institution such as a public hearing to one that has the ultimate authoritative power of the state, I'm inclined to see this as a qualitative difference, a fundamental change in kind.

Now I'd like to raise another point about how we conceptualize citizens assemblies. Although this is a fairly new institution, we have already become far too inclined to attach the abstract principles of a citizens assembly—for example, its principles of inclusion, deliberation, and accountability that Amy Lang and Mark Warren laid out—to its particular institutional manifestation in British Columbia and Ontario.

The citizens assembly is not a mature institution. It is a baby, and I would posit we have very little idea at this point how it might grow up.

Moreover, when we study citizens assemblies, we should keep this immaturity in mind and not be ashamed of it.

So what are the democratic deficits of citizens assemblies that need to be reformed?

These fall into three categories:

1. The selection of the citizens assembly members
2. The procedures of the citizens assembly, and
3. The transmittal of the findings of the citizens assembly minipublic to the general public.

It is this last category of citizens assembly reform that so far seems to have generated the greatest interest in the academic community. Yesterday, for example, June Macdonald told us about some of the flaws in the media coverage of the Ontario citizens assembly.

Focus on this issue is important, but it is also insufficient.

I would posit that the selection process for the citizens assembly minipublic is a significant democratic deficit. In the three citizens assemblies so far—British Columbia, Ontario, and the Netherlands—the yield, the % of people willing to commit roughly a year of their lives to become citizens assembly members, has been in the 6% to 8% range. In my opinion, that is inadequate for a public body that is supposed to attain much of its democratic legitimacy by being statistically representative of the public.

I also believe that the differences in the procedures of the Ontario and British Columbia citizens assembly have not been adequately accounted for. There has been a presumption that because the abstract principles by which they operated were the same, they were in all important respects procedurally the same. I'm not sure. And if there were important differences, the question arises: which set of procedures were better?

Here are just a few of the procedural differences:

- The size of the citizens assemblies were very different: 161 members in British Columbia vs. 103 members in Ontario. That is a big difference and may have affected the outcome.
- The duration of the citizens assemblies was significantly different. British Columbia's was more than 25% longer.
- The budgets were quite different. Although the absolute dollar amounts spend on the citizens assemblies were virtually identical, Ontario spent roughly twice as much per citizens assembly member as in British Columbia.
- The proportion of public vs. private deliberation appears to have been quite different, with much more deliberation in British Columbia conducted in private over the members' only online forum, especially during the summer months when the citizens assembly was not in session.
- The role of experts in relation to the citizens assembly was different. British Columbia chose as its academic chair someone with great expertise in election systems. Ontario chose somebody with significantly less expertise. One implication of this difference is that resolving complex technical issues could have taken substantially more work in Ontario.
- In British Columbia the experts stood outside the circle of deliberators. In Ontario, in front of them like a teacher. The experts were also named differently. Ontario's staff was called the Secretariat; British Columbia's just the staff. This may have affected the willingness of citizens assembly members to brainstorm and shape the agenda.

I'm not sure if these procedural differences are important. But one thing all political scientists know about democratic institutions is that if you rely on the formal, printed differences, you are likely to miss a lot of vital detail.

I'd also like to call attention to just how expensive citizens assemblies are for governments in comparison to their closest institutional competitors—referendums and independent commissions. I would like to see more acknowledgment of just how expensive this institution is and what democratic tradeoffs people are willing to make to keep the costs down. Citizens assemblies, I would suggest, are the Rolls Royce of institutions to reform the process of

democratic reform. I cannot imagine poor countries or small jurisdictions affording them. And I'm not confident that even the wealthiest countries can afford to do them optimally from a purely democratic standpoint.

Conclusion

In the popular imagination, it is America, not Canada, that is the daring Schumpeterian innovator. It is America that had the Revolution and sent the conservative Tories up North. It is America that launched the industrial revolution and information revolutions in North America.

But now, I would suggest that the Citizens Assembly represents a Schumpeterian moment—that is, a game-changing moment—of entrepreneurial innovation in democratic history. And it is the Canadians, not the Americans, who have seized the moment.

Despite all their negativity, I think the Canadians sense this. Last week I attended a conference at the University of British Columbia to celebrate the launch of the book Mark Warren showed to us yesterday. There were prominent political scientists from all over Canada in attendance, and I sensed a lot of pride. That pride might be more muted at this conference. But the very existence of this conference sponsored by the Canada Program is an indication that there is a sense that something momentous happened in Canada—even if we're not exactly sure what it was.

Americans, like Canadians, bemoan the state of our democracy. But it is the Canadians who have seized the reigns of innovation.

Why is it that America suffers from a democratic sclerosis? Can you think of any other large institution in America that is both so unpopular and so ridden with inertia? So prone to failures of imagination and innovation? I do not have the answer to this question. Perhaps there is no structural reason, just a quirky result of the right politician with the right advisers being at the right place at the right time.

But if there is one difference between Canada and America that I'd like to highlight: it is that Canadians took a can-do attitude and seized the reigns of innovation, while Americans' lack of trust in democratic reform leads to a sterile democratic imagination and stagnation. In the end, the Americans' democratic conservatism may prove farsighted in a Burkean sort of way. But I'm hoping and betting that the Canadians' daring pays off.