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Designing Deliberative Democracy: The British Columbia Citizens' Assembly

Keywords

Citizens Assembly, Democratic Theory, Democratic Deliberation, Democratic Reform, Electoral Reform, Single Transferable Vote, Mixed Member Proportional

Mark E. Warren and Hilary Pearse, editors. *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. New York: Cambridge University Press, 237 pages, 2008.

The collected essays in *Designing Deliberative Democracy* provide the definitive analysis of the British Columbia Citizens' Assembly, an important innovation in the design of democratic institutions. The government of British Columbia created an Assembly of 160 near-randomly selected citizens and gave it the job of recommending the best possible electoral system for British Columbia. If the Assembly recommended a system different from the current system, its recommendation would be placed on the ballot at the next provincial election as a referendum item.

The Assembly deliberated for close to a year before making its recommendation. The deliberations occurred from January through November 2004, with the referendum in May 2005. The referendum received 57.1% of the popular vote but needed 60% to pass. After failing to pass by such a close margin, the government ruled that the Assembly's recommendation would be placed on the ballot again, at the next provincial election in May 2009.

Driving the push for citizens assembly based democratic reform is the sense that there are significant democratic deficits in advanced democracies with which existing democratic institutions are not effectively dealing. In the Introduction, Mark Warren and Hilary Pierce describe this democratic deficit "as a misalignment between citizen capacities and demands, and the capacities of political institutions to aggregate citizen demands and integrate them into legitimate and effective governance." (p. 2).

In British Columbia, the particular democratic deficit that drove the creation of the citizens assembly was an election perceived to return the "wrong" result. In 1996, the Liberal Party received the most votes of any party in the election, but the second place party won a majority of the seats in the legislature. The Liberal Leader, Gordon Campbell, then promised to create a "citizens assembly" on electoral reform if the Liberals came to power, which they did in the next election in 2000.

Campbell appointed a former leader of the Liberal Party, Gordon Gibson, to propose a detailed implementation plan for the citizens assembly (Gibson 2002). With only minor changes, the recommendations he came up with in 2002 were approved by the legislature in 2003 and institutionalized in the British Columbia Citizens' Assembly on Electoral Reform the following year.

As *Designing Deliberative Democracy* correctly reminds us more than half a dozen times, "[t]he process instituted in British Columbia in 2004-2005 represents the first time in the history of democracy that a body of randomly chosen citizens have been authorized to recommend a major change in a state's electoral system." (p. 21). This is what makes the book so interesting to students of democratic theory, deliberative democracy, electoral systems, and democratic reform more generally: the Assembly represented a historically unprecedented way of trying to eliminate a seemingly intractable democratic deficit central to the democratic process.

Campbell recognized that if the Liberal Party directly proposed changes to the electoral system, the public would likely treat the changes with great suspicion because the Liberal Party would have a blatant conflict of interest in proposing such legislation. But a genuinely independent citizens assembly would not have such credibility problems. On the other hand, there was a strong possibility the citizens assembly would come up with a referendum item harmful to the interests of the Liberal Party—a risk Campbell was evidently willing to take.

The ten chapters in the book, including an introduction and conclusion, can be divided into three categories. The first two chapters and conclusion situate the British Columbia's Citizens' Assembly in both history and democratic theory. The third through seventh chapters analyze the deliberations of the Assembly, and the eighth and ninth chapters analyze how the general public deliberated and voted on the Assembly's proposed referendum. Although the authors of the various chapters tend to be strong supporters of citizens assembly based democratic reform, they have for the most part produced even-handed scholarly accounts that do not shy away from discussing the Assembly's flaws.

Befitting the importance of the innovation it describes, *Designing Deliberative Democracy* includes chapters written by some of the most prominent political scientists in North America, including the first chapter written by Harvard University's Dennis Thompson and the closing chapter written by Stanford University's John Ferejohn. The middle chapters of the book are written by a diverse collection of mostly Canadian political scientists. The book is superbly edited by the University of British Columbia's Mark Warren and Hillary Pearce, who also both contributed chapters.

The citizens assembly process can be divided into three stages: selection of members, deliberation by members, and deliberation by the general public on the members' recommendation. As the title of *Designing Deliberative Democracy* suggests, the book's overwhelming focus is on the second, deliberation-by-member stage. In this, the authors do an extraordinarily well documented and rigorous job, making a significant contribution to the literature on deliberative democracy.

Critical to this achievement was the effort of the Assembly's Chief Research Officer, the University of British Columbia's R. Kenneth Carty, to collect rigorous quantitative and qualitative data about the Assembly's deliberations from start to finish (e.g., see British Columbia Citizens' Assembly on Electoral Reform 2004). Perhaps never before has such thorough data been collected about a citizens-based public body deliberating over a specific issue over such a long period of time.

One can quibble with parts of the methodology. Throughout the Assembly's deliberations, members were surveyed about the most important values that should be reflected in an electoral system. When Assembly members later selected an electoral system that corresponded with those values, the authors took this as evidence of the members' rationality and competence. But it's also possible that at least some members answered these survey questions strategically. They could figure out which values were associated with which electoral systems and then work back from their preference for a set of electoral systems to the underlying values that would support that choice. This is the type of strategic behavior electoral system experts argue voters routinely exhibit: voters anticipate the consequences of their actions and won't vote sincerely if they perceive it is not in their interest to do so. Given the

extraordinary amount of time the members spent deliberating on the merits of various electoral systems, surely some of this strategic behavior occurred. But the authors do not test for it.

Similarly, the authors do not acknowledge the potential significance of the private online deliberations on the members-only website. Arguably the great majority of the deliberations took place in the public forums that the academics could observe. But significant amounts also took place online during the summer of 2004, when the Assembly was not in session and the big shift in its members' preferences from the MMP to STV electoral system took place. Comparing the public, face-to-face deliberations to the private online deliberations was potentially a fruitful line of research that was not explored, probably because of the obvious difficulty in doing so.

The book is especially weak in its analysis of the first stage in the citizens assembly process, when members of the Assembly were selected. To the extent that the book is about democratic deliberation, this is not a problem. But to the extent it is about the overall citizens assembly process, it is a significant omission. Very little data on this first stage were collected. For example, we know that only 7% of the citizens randomly selected to participate in the Assembly ultimately chose to serve as members. But no data were collected on why the other 93% chose not to serve.

The data on the third stage, where the general public deliberated on the Assembly's recommendation and voted on it, are better but still much less thorough than the data collected on the Assembly members' deliberations stage. The survey data were focused on why the citizens who voted for the Assembly's recommendations did so. Less insight is provided into why those who rejected the Assembly's recommendations did so. It is true, as the authors observe, that substantial evidence exists that when voters are faced with a referendum choice between the status quo and a complex, hard-to-evaluate reform—such as changing from an electoral system based on FPTP to STV—they tend to vote for the status quo. But without gathering more evidence about why 43% of British Columbia voters opposed the referendum, we cannot know how important the status quo bias was in this particular voter decision.

Testament to the importance of the British Columbia innovation described in this book, the Netherlands and the Canadian province of Ontario have since each created a citizens assembly, citing British Columbia as a model. Many of the same authors who contributed to this volume are now doing comparative studies of these three citizens assemblies. This book, then, represents the foundation stone to an academic literature that is likely to substantially grow in coming years.

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