

**“Let the People Rule”:
The Promises and Perils of Direct Democracy in the Modern World**

by

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ABSTRACT

Democracy today is widely practiced as a representative form of government. In contrast to ancient democracies such as Athens, the people vote for officials and then hope they will support legislation that aligns with their beliefs. Increasingly, however, empirical evidence suggests that most people's policy preferences have little impact on what the government actually does. Rather than acceding to the will of the people, elected leaders often enact measures according to their own political views or those of special interest groups. In light of this unresponsiveness, direct democracy offers ordinary citizens an opportunity to make their voices heard. This work examines three distinct categories of direct democracy that are prevalent in the modern world: referendums; "local democracy," which includes practices such as participatory budgeting and town meetings; and citizens' assemblies, where people come together to make recommendations on electoral reform or other policies. Each of these instantiations of direct democracy has its own unique strengths and weaknesses, which are examined through case studies from the United States, Brazil, Iceland, and elsewhere. This thesis argues that although referendums improve on representative government in some ways, their democratic potential is limited because they reproduce many of the flaws inherent in elections. Local democracy and citizens' assemblies, on the other hand, tend to increase people's autonomy, encourage productive deliberation, and provide educative benefits. While they are not perfect mechanisms, they move participants closer to experiencing the freedom of self-rule that direct democracy promises.

CONTENTS

ACKNOWLEDGEMENTS	IV
I. INTRODUCTION.....	1
II. THE FAILURE OF REPRESENTATIVE DEMOCRACY.....	5
III. REFERENDUMS	18
IV. LOCAL DEMOCRACY	36
V. CITIZENS' ASSEMBLIES	61
VI. CONCLUSION	80
BIBLIOGRAPHY	85

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Let the people rule; and if the people make mistakes remember that the people have a right to make mistakes.

—WILLIAM JENNINGS BRYAN

In a democracy, every citizen, regardless of his interest in politics, holds office.

—JOHN F. KENNEDY

I. INTRODUCTION

Demos kratia—“the people rule.” In its most literal sense, democracy has often been disparaged rather than praised by prominent authors in the canon of Western political thought. For many theorists, popular rule is not an ideal to strive toward but a plague to be avoided at any cost. In the *Republic*, for instance, Socrates criticizes the democratic man for “[living] along day by day, gratifying the desire that occurs to him . . . idling and neglecting everything.”¹ In *Leviathan*, Thomas Hobbes writes that popular assemblies are vulnerable to “those who have been versed more in the acquisition of wealth than of knowledge, and are to give their advice in long discourses which may, and do commonly, excite men to action, but not govern them in it.”² And in *The Federalist Papers*, James Madison insists that “democracies have ever been spectacles of turbulence and contention . . . and have in general been as short in their lives as they have been violent in their deaths.”³ These thinkers, along with many others, sought to limit the people’s influence on the process of governing the state.

Within the extensive body of literature on democratic theory, however, there are also a number of authors who have advocated a more direct, participatory breed of democracy. Perhaps the most famous example is Jean-Jacques Rousseau, who states in *The Social Contract*: “Sovereignty cannot be represented. . . . the people’s deputies are not, and could not be, its representatives; they are merely its agents; and they cannot decide anything finally.”⁴ For

¹ Plato, *Republic*, trans. Allan Bloom (New York: Basic Books, 1991), 561c–d.

² Thomas Hobbes, *Leviathan*, ed. J.C.A. Gaskin (Oxford: Oxford University Press, 2009), 125.

³ James Madison, “Federalist Paper No. 10,” in *The Federalist Papers*, ed. Clinton Rossiter (New York: New American Library, 1961), 81.

⁴ Jean-Jacques Rousseau, *The Social Contract*, trans. Maurice Cranston (London: Penguin Books, 1968), 141.

Rousseau, representative government is wholly undemocratic, and it is only through direct democracy that the people can truly achieve autonomy. Thomas Jefferson also expresses approval for popular rule in some of his writings, asserting that “I know no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education.”⁵ Moving into the twentieth century, political scientist Benjamin Barber states in the opening lines of *Strong Democracy*: “We suffer, in the face of our era’s manifold crises, not from too much but from too little democracy.”⁶ Indeed, in recent years, many governments have introduced efforts aimed at restoring the notion of popular rule through direct democracy.

This thesis first seeks to explain how democracy’s meaning has repeatedly changed over time. Chapter II briefly traces the historical evolution of democratic practices from Athens and Rome to the eighteenth century, and it then moves into an exploration of how modern representative systems have failed to realize the will of the people. Prominent thinkers such as Madison and John Stuart Mill argued that representation would tame popular passions while still permitting the public to have a voice in state affairs. Today, however, research indicates that the political views of most people minimally affect the behavior of their legislators. Empirical studies of the United States and other nominal democracies suggest that the preferences of

⁵ Thomas Jefferson, “Letter to William Charles Jarvis, September 28, 1820,” *Founders Online*, <http://founders.archives.gov/documents/Jefferson/98-01-02-1540>

⁶ Benjamin R. Barber, *Strong Democracy: Participatory Politics for a New Age* (Berkeley: University of California Press, 1984), xi.

average citizens have little to no impact on government policy. The idea of popular rule, then, has largely been erased from modern structures dependent on representation.

Although representative democracies have failed to produce policies that reflect the will of the people, more participatory forms of government may allow citizens to achieve some degree of self-rule. To that end, the next three chapters of this work analyze three distinct instantiations of direct democracy in the modern world. Chapter III focuses on referendums, perhaps the most well-known example, which allow people to express their policy preferences at the polls. Next, Chapter IV examines instruments of “local democracy,” a phrase taken to include processes such as participatory budgeting and town meetings. Appearing in smaller communities, these mechanisms empower participants to make important political decisions that affect their polities. Finally, Chapter V discusses citizens’ assemblies, which can be state-sponsored or organized by volunteers. In these bodies, ordinary people—usually selected at random—gather to deliberate and vote on issues of national importance.

Instead of thinking about direct democracy in monolithic terms, it is important to recognize that its implementation varies dramatically. Each chapter, therefore, evaluates and compares the democratic potential of the three aforementioned categories. While they all provide a more direct path to popular participation than representative government, they also have unique strengths and weaknesses. Ultimately, referendums may be the most common form of direct democracy, but they are also the most limited. Such ballot measures reproduce many of the flaws of electing representatives, as they are susceptible to elite influence, invite the use of misinformation tactics, and exclude the people from the agenda-setting process. Local democracy and citizens’ assemblies, however, allow for meaningful popular participation while

also providing normative and practical benefits. Although they have imperfections of their own, they offer the clearest avenue to involving ordinary citizens in government and realizing the potential of direct democracy.

II. THE FAILURE OF REPRESENTATIVE DEMOCRACY

The idea of representation is a modern one. It comes to us from feudal government, from that iniquitous and absurd system under which the human race is degraded and which dishonours the name of man.

—JEAN-JACQUES ROUSSEAU, *THE SOCIAL CONTRACT*

In the twenty-first century, representative democracy stands as the predominant form of popular government in the world. One 2017 study identified 123 countries as “electoral democracies,”⁷ while another classified 58 percent of states with a population of over 500,000 as democratic.⁸ Meanwhile, the notion of the people ruling themselves directly, as they did in ancient societies such as Athens, is widely perceived as unworkable for the issues that nations today are forced to confront. As a *Washington Post* op-ed piece put it, such a system “would be impractical given the number and complexity of laws that pretty much any state or national government is expected to enact.”⁹ Although several modern mechanisms of direct democracy exist—some of which will be examined in this thesis—they are used to complement the work of representative assemblies, not to replace them. Instead, both elites and average citizens tend to agree that representative democracy offers the best approach for realizing democratic principles while also providing an efficient and effective government. In a 2017 poll conducted in North America and Europe, 83 percent of the general public agreed that representative democracy was either a “somewhat good” or “very good” form of government, and 95 percent of foreign policy

⁷ “Freedom in the World, 2017,” *Freedom House*, https://freedomhouse.org/sites/default/files/FH_FIW_2017_Report_Final.pdf.

⁸ Drew DeSilver, “Despite Concerns about Global Democracy, Nearly Six-in-Ten Countries Are Now Democratic,” *Pew Research Center*, December 6, 2017, <http://pewrsr.ch/2kqIFEm>.

⁹ Eugene Volokh, “The United States Is Both a ‘Republic’ and a ‘Democracy’—Because ‘Democracy’ Is Like Cash,” *Washington Post*, November 14, 2016, <http://wapo.st/2fMtrWj>.

experts surveyed shared that assessment.¹⁰ In comparison, 68 percent of the public, along with only 37 percent of experts, expressed approval for direct democracy as a way of governing.¹¹ To some extent, then, the debate seems to be settled.

But how have we arrived at this consensus on the merits of representation? In antiquity, the term “representative democracy” was wholly unfamiliar. As Rousseau notes, “In the republics and even the monarchies of the ancient world, the people never had representatives; the very word was unknown. . . . Among the Greeks, all that the people had to do, it did itself.”¹² In fact, the Athenian *ecclesia* (assembly) was open to all male citizens, while women and foreigners were excluded. After the reforms of Cleisthenes in the sixth century BCE, approximately thirty thousand men were eligible to participate, though the hill where they met could accommodate only six thousand people at a time.¹³ The *ecclesia* had broad powers and essentially served as the sovereign body of the polity. Members were responsible for voting on laws, declaring war, and electing certain magistrates such as military leaders and financial officials.¹⁴ Within this legislature, there was a much smaller council called the *boule*, which consisted of only five hundred men. The members of this body were chosen by lot, and they were responsible for

¹⁰ Katie Simmons, Laura Silver, and Courtney Johnson, “Transatlantic Dialogues: In Europe and North America, Publics More Supportive Than Experts of Direct Democracy,” *Pew Research Center*, November 7, 2017, <http://pewrsr.ch/2hmKdOt>.

¹¹ Simmons, Silver, and Johnson, “Transatlantic Dialogues.”

¹² Rousseau, *The Social Contract*, 141–142.

¹³ Simon Hornblower, “Creation and Development of Democratic Institutions in Ancient Greece,” in *Democracy: The Unfinished Journey, 508 BC to AD 1993*, ed. John Dunn (Oxford: Oxford University Press, 1992), 13.

¹⁴ Paul Lucardie, *Democratic Extremism in Theory and Practice: All Power to the People* (New York: Routledge, 2014), 44.

drafting proposals that would eventually be put before the *ecclesia* as a whole.¹⁵ Citizens thus had well-defined lawmaking and agenda-setting powers in the Athenian democracy.

The Romans, likewise, gave the people a distinctive role in the business of government during the years of the Republic. In Rome's popular assemblies, citizens "elected all the regular and the plebeian magistrates . . . voted on every law proposed . . . [and voted] on the guilt or innocence of men accused of crimes against the state.¹⁶ This was decidedly not a representative system—the assembly members were not elected—and voting was conducted by tribe rather than by individual. Furthermore, women were not allowed to take part in the proceedings, while the majority of Roman citizens lived too far away to even attend.¹⁷ Still, the assemblies did provide a legitimate venue for some level of popular participation, and the ancient historian Polybius observed that both the consuls and the senate were compelled "to pay attention to the commons in public affairs and respect the wishes of the people."¹⁸

In the early history of American constitutionalism, however, "democracy" was almost exclusively used as a pejorative term. When delegates gathered in Philadelphia for the Federal Convention of 1787, many argued that the people should have only a limited role in the new government. Elbridge Gerry, for instance, proclaimed that "the evils we experience flow from the excess of democracy."¹⁹ Another delegate, Roger Sherman, asserted that "the people . . .

¹⁵ David Stockton, *The Classical Athenian Democracy* (New York: Oxford University Press, 1990), 84–85.

¹⁶ Lily Ross Taylor, *Roman Voting Assemblies: From the Hannibalic War to the Dictatorship of Caesar* (Ann Arbor: University of Michigan Press, 1990), 1.

¹⁷ Robert Dahl, *On Democracy* (New Haven: Yale University Press, 1998), 13–14.

¹⁸ Polybius, *The Histories*, trans. W.R. Paton (Cambridge: Harvard University Press, 1979), 305.

¹⁹ James Madison, "Notes on the Debates in the Federal Convention, May 31, 1787," *The Avalon Project at Yale Law School*, http://avalon.law.yale.edu/18th_century/debates_531.asp.

should have as little to do as may be about the Government. They want information and are constantly liable to be misled.”²⁰ Finally, in reference to some of the state constitutions—such as Pennsylvania’s 1776 framework—that expanded political participation, George Mason “admitted that we had been too democratic.”²¹ These sentiments encapsulated the prevailing wisdom of the time: political elites, rather than the people, should be responsible for governing.

In much of Europe, as well, democracy was a derogatory word throughout the late eighteenth century. Even the heroes of the French Revolution attached a negative connotation to the term in their speeches and debates. In the spring of 1789, Jacques Pierre Brissot declared: “The word democracy is a scarecrow which the mischievous use to trick the innocent.”²² Another leading Girondin, the Abbe Sieyès, opined that “citizens [in a democracy] make their own laws and appoint their public officials directly. In our plan, citizens choose . . . their representatives in the Legislative Assembly. Legislation thus ceases to be democratic, and becomes representative.”²³ For Sieyès, there was a clear distinction between his preferred model of representation and the practice of direct democracy common in Athens. In the later stages of the revolution, Jacobins began to use the term more favorably. Maximilien Robespierre stated in 1794, “Not only is virtue the soul of democracy, but virtue can only exist within that form of government.”²⁴ But this was still a representative account of democracy, as he added:

²⁰ Madison, “Notes on the Debates, May 31.”

²¹ Madison, “Notes on the Debates, May 31.”

²² Pierre Rosanvallon, “Democratic Universalism as a Historical Problem,” *Books and Ideas*, April 8, 2008, <http://www.booksandideas.net/Democratic-Universalism-as-a.html#nh6>.

²³ Rosanvallon, “Democratic Universalism.”

²⁴ Maximilien Robespierre, “Report on the Principles of Political Morality, February 5, 1794,” in *The Old Regime and the French Revolution*, ed. Keith Michael Baker (Chicago: University of Chicago Press, 1987), 371.

“Democracy is not a state in which the people, continually assembled, itself directs public affairs . . . [it] is a state in which the people, as sovereign, guided by laws of its own making, does for itself all that it can do well, and by its delegates what it cannot.”²⁵ In fact, Robespierre’s invocation of democracy further harmed its standing, as conservatives began to associate it with the violence of the Reign of Terror.²⁶

Elsewhere on the continent, democracy also suffered from a fairly poor reputation. In his *Reflections on the Revolution in France*, Anglo-Irish statesman Edmund Burke wrote: “A perfect democracy is . . . the most shameless thing in the world.”²⁷ He continued, “I cannot help concurring . . . that an absolute democracy, no more than absolute monarchy, is to be reckoned among the legitimate forms of government.”²⁸ His former friend and eventual rival in Parliament, Charles James Fox, acknowledged the national strength provided by ancient democracies but also alleged that they “were vicious and objectionable on many accounts; their instability, their injustice, and many other vices, cannot be overlooked.”²⁹ This English backlash against democratic excesses continued into the early nineteenth century, as opponents of parliamentary reform condemned “the Demon of Democracy.”³⁰

²⁵ Robespierre, 370–371.

²⁶ R.R. Palmer, “Notes on the Use of the Word ‘Democracy,’” *Political Science Quarterly* 68, no. 2 (June 1953): 216.

²⁷ Edmund Burke, *Reflections on the Revolution in France*, ed. Frank M. Turner (New Haven: Yale University Press, 2003), 80.

²⁸ Burke, 105–106.

²⁹ Charles James Palmer, *Characteristics of Charles James Fox, as a Statesman and Orator; with an Application to the Present Stirring Times* (Bristol: Philp and Evans, 1839), 19.

³⁰ Joanna Innes, Mark Philp, and Robert Saunders, “The Rise of Democratic Discourse in the Reform Era: Britain in the 1830s and 1840s,” in *Re-imagining Democracy in the Age of Revolutions: America, France, Britain, Ireland, 1750–1850*, ed. Joanna Innes and Mark Philp (Oxford: Oxford University Press, 2013), 120.

Back in the United States, however, “democracy” experienced an uptick in popularity soon after the Federal Convention. From 1792 to 1793, usage of the word tripled in American newspapers, and then it doubled again in 1794.³¹ By 1800, candidates identifying themselves as “Democrats” had taken control of the federal government after a series of electoral victories.³² The phrase “representative democracy,” moreover, became enmeshed in the political vernacular of the era. Alexander Hamilton wrote to an acquaintance that “a representative democracy may secure the most civil and political happiness of any of the kinds of government which have yet existed.”³³ Thomas Jefferson, likewise, later asserted that “the introduction of this new principle of representative democracy has rendered useless almost every thing written before on the structure of government.”³⁴ And in *The Rights of Man*, Thomas Paine proclaimed that “the American Government . . . is representation ingrafted upon Democracy.”³⁵ Thus, although democratic language was increasingly present, it was the idea of a representative system, not direct democracy, that captured the imagination of most prominent political thinkers during this period.

Two of the most ardent supporters of representative government were James Madison and John Stuart Mill. After the ratification of the U.S. Constitution, Madison famously highlighted the virtues of republicanism—which he equated to representation—in *The Federalist Papers*.

³¹ Seth Cotlar, “Languages of Democracy in America from the Revolution to the Election of 1800,” in Innes and Philp, *Re-imagining Democracy*, 13.

³² Cotlar, 15.

³³ Alexander Hamilton, “Letter to Nathaniel Chipman, June 9, 1794,” *Founders Online*, <http://founders.archives.gov/documents/Hamilton/01-16-02-0415>.

³⁴ Thomas Jefferson, “Letter to Isaac H. Tiffany, August 26, 1816,” *Founders Online*, <http://founders.archives.gov/documents/Jefferson/03-10-02-0234>.

³⁵ Thomas Paine, “Rights of Man,” in *Common Sense, Rights of Man, and Other Essential Writings of Thomas Paine* (New York: Signet Classics, 2003), 289.

He writes that “a pure democracy . . . can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole.”³⁶ For Madison, democracies fail to protect political minorities from the whims and passions of their fellow citizens. On the other hand, he declares, “A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking.”³⁷ Mill expresses similar sentiments in his treatise *Considerations on Representative Government*, wherein he asserts that “the ideal type of government is representative.”³⁸ In his view, elected officials will be more competent at governing than the people themselves. In fact, he states that “it must be counted upon that the representative will sometimes differ in his opinion from the majority of his constituents, and that when he does, his opinion will be the oftenest right of the two.”³⁹ These theorists did not intend to eliminate any political role for the people, but they did aim to limit their influence to preserve the stability of the state.

Contrary to the hopes of Madison, Mill, and other writers, modern representative democracies often struggle to produce policies that reflect the will of the people. There are a number of factors that contribute to this problem in twenty-first century states. For one, the demographics of representative assemblies are often vastly different from the electorates for whom they are supposed to speak. The United States Congress, for example, includes a total of

³⁶ Madison, “Federalist Paper No. 10,” in Rossiter, *The Federalist Papers*, 81.

³⁷ Madison, 81.

³⁸ John Stuart Mill, “Considerations on Representative Government,” in *On Liberty, Utilitarianism, and Other Essays*, ed. Mark Philp and Frederick Rosen (Oxford: Oxford University Press, 2015), 214.

³⁹ Mill, 327.

111 women in the House and Senate, just 21 percent of the legislature as a whole.⁴⁰ African Americans, likewise, are represented at a rate of only 9 percent in Congress even though they make up approximately 14 percent of the total population.⁴¹ Moreover, the Senate is particularly unrepresentative due to the constitutional requirement that each state be given two senators, regardless of population. As a result, individual citizens in small states such as Wyoming have far more electoral power than residents in larger states like California. Nor is this development unique to the United States. Although the British Parliament has become more diverse in recent years, only 208 women—under a third of the legislature—currently serve as MPs.⁴² And according to data from the World Bank, the global rate of representation for women in national parliaments is just 23 percent.⁴³ Thus, as one scholar puts it, “Rather than serving as a faithful reflection of society, modern parliaments are representative of ‘the people’ in only the most symbolic sense.”⁴⁴

Even if legislatures are not demographically representative of their constituencies, however, some might insist that they will still reflect popular interests due to the pressure of elections. This is central to Mill’s argument, as he contends that “by refusing to elect any one who will not pledge himself to all their opinions . . . [electors] can reduce their representative to

⁴⁰ Jennifer E. Manning, “Membership of the 115th Congress: A Profile,” *Congressional Research Service*, January 17, 2018, <https://fas.org/sgp/crs/misc/R44762.pdf>.

⁴¹ Manning, “Membership of the 115th Congress.”

⁴² Cherry Wilson, “Election Results 2017: The Most Diverse Parliament Yet,” *BBC News*, June 11, 2017, <http://www.bbc.com/news/election-2017-40232272>.

⁴³ “Proportion of Seats Held by Women in National Parliaments,” *The World Bank*, https://data.worldbank.org/indicator/SG.GEN.PARL.ZS?year_high_desc=true.

⁴⁴ Roslyn Fuller, *Beasts and Gods: How Democracy Changed Its Meaning and Lost Its Purpose* (London: Zed Books, 2015), 85.

their mere mouthpiece.”⁴⁵ In other words, the people can attach certain conditions to their support and then vote out officials who fail to meet those conditions. Any legislator who wants to keep his seat, therefore, will be forced to support policies that align with the interests of his constituents. Writing in the nineteenth century, Mill claimed that this principle was readily evident in representative assemblies. He states that wealthy members of Parliament “willingly make considerable sacrifices, especially of their pecuniary interest.”⁴⁶ In this view, the demographics of legislatures are irrelevant because the prospect of reelection motivates officials to implement policies that are in the best interests of the people.

Along with regular elections, Mill also suggests that public opinion will dictate legislators’ behavior. He states: “Unbounded publicity, and an ever present newspaper press, give the representative assurance that his every act will be immediately known, discussed, and judged by his constituents, and that he is always either gaining or losing ground in their estimation.”⁴⁷ Citizens will closely scrutinize their elected officials, who will therefore be encouraged to appease them by passing laws that they support. Madison also argues that public opinion can influence policy, although he is more cautious than Mill. He contends that republics “refine and enlarge the public views by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations.”⁴⁸ In this account, the people are not completely removed from the business of government. Rather, they choose wise leaders who keep their passions in check and maintain political stability.

⁴⁵ Mill, “Considerations on Representative Government,” 326–327.

⁴⁶ Mill, 216.

⁴⁷ Mill, 322–323.

⁴⁸ Madison, “Federalist Paper No. 10,” in Rossiter, *The Federalist Papers*, 82.

In reality, however, neither elections nor public opinion tend to yield policies that align with the will of the people. Empirical research conducted in recent years indicates that legislatures are increasingly unresponsive to the views of their constituents. In *Unequal Democracy*, a 2008 study of American politics, Larry Bartels finds that “the preferences of people in the bottom third of the income distribution have *no* apparent impact on the behavior of their elected officials.”⁴⁹ This lack of responsiveness, moreover, is not attributable to any failure of poor citizens to participate in the political process. Even allowing for differences in turnout and contact with public officials, Bartels demonstrates that “significant disparities in responsiveness to rich and poor constituents *do* still appear.”⁵⁰ Thus, the electoral power of low-income voters is far less than defenders of representative democracy would suggest.

In *Affluence and Influence*, Martin Gilens reaches conclusions that are similarly pessimistic about the responsiveness of elected officials. In his introduction, he states that “under most circumstances, the preferences of the vast majority of Americans appear to have essentially no impact on which policies the government does or doesn’t adopt.”⁵¹ Like Bartels, moreover, he finds significant differences between the political influence of the wealthy and the poor. His data reveal that “when preferences between the well-off and the poor diverge, government policy bears absolutely no relationship to the degree of support or opposition among the poor.”⁵² Gilens also shows that other potential factors, such as strength of policy preference

⁴⁹ Larry Bartels, *Unequal Democracy: The Political Economy of the New Gilded Age* (Princeton: Princeton University Press, 2008), 285.

⁵⁰ Bartels, 277.

⁵¹ Martin Gilens, *Affluence and Influence: Economic Inequality and Political Power in America* (Princeton: Princeton University Press, 2012), 1.

⁵² Gilens, 81.

or preference homogeneity, are not sufficient to explain this responsiveness gap.⁵³ Finally, he argues that elections tend to increase responsiveness primarily for large donors and interest groups, “while the preferences of broad groups of constituents—even affluent ones—appear to shape policy outcomes only under limited conditions.”⁵⁴ For average citizens without deep pockets, therefore, there are few opportunities to influence government policies.

Another recent work, *Politicians Don't Pander*, takes direct aim at the notion that public opinion affects legislators' actions in the United States. Lawrence Jacobs and Robert Shapiro claim that “politicians use polls and focus groups not to move their positions closer to the public's but just the opposite: to find the most effective means *to move public opinion closer to their own desired policies*.”⁵⁵ Thus, the notion of representative government has been turned on its head. Rather than passing legislation that aligns with the policy preferences of their constituents, lawmakers are manipulating voters in order to implement their own agendas. The results of this perversion of representative democracy have been devastating for political responsiveness. As Jacobs and Shapiro observe, there is a “growing list of policies on which politicians of both major political parties ignore public opinion and supply no explicit justification for it.”⁵⁶

Illustrations of this trend are not difficult to identify in today's political landscape. Ninety percent of Americans, for example, favor expanded background checks for gun owners,

⁵³ Gilens, 88–92.

⁵⁴ Gilens, 191.

⁵⁵ Lawrence R. Jacobs and Robert Y. Shapiro, *Politicians Don't Pander: Political Manipulation and the Loss of Democratic Responsiveness* (Chicago: University of Chicago Press, 2000), xv.

⁵⁶ Jacobs and Shapiro, xviii.

yet Congress has repeatedly failed to enact such measures.⁵⁷ Polls also show that 61 percent support the legalization of marijuana in the United States, with no corresponding legislation at the federal level.⁵⁸ And only 29 percent of the population approved of the Republican tax bill—compared to 56 percent who disapproved—that passed both houses of Congress and became law in December 2017.⁵⁹ On these issues, along with many others, elected officials have left the people behind when it comes to policymaking.

These flaws are particularly evident in the United States, but they appear in other representative systems as well. In a study of twelve European countries,⁶⁰ James Adams and Lawrence Ezrow assert that political parties “appear highly responsive to the viewpoints of . . . the relatively small subconstituency of citizens that habitually discuss politics and who attempt to persuade others on political issues.”⁶¹ For these “opinion leaders,” representation provides a convenient avenue for their policy preferences to be realized. Most citizens, however, do not fall into this category. The average proportion of opinion leaders is just 13 percent, with the rest of the population classified as “other voters” who do not engage in frequent political discussion.⁶² The preferences of these individuals are largely irrelevant for policymaking purposes. Outside of

⁵⁷ Scott Clement, “90 Percent of Americans Want Expanded Background Checks on Guns. Why Isn’t This a Political Slam Dunk?,” *Washington Post*, April 3, 2013, <http://wapo.st/YvJqbH>.

⁵⁸ Abigail Geiger, “About Six-in-Ten Americans Support Marijuana Legalization,” *Pew Research Center*, January 5, 2018, <http://pewrsr.ch/2E9u3hd>.

⁵⁹ Frank Newport, “Public Opinion and the Tax Reform Law,” *Gallup*, December 21, 2017, <http://news.gallup.com/opinion/polling-matters/224432/public-opinion-tax-reform-law.aspx>.

⁶⁰ The countries studied were Austria, Belgium, Denmark, France, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, and the United Kingdom.

⁶¹ James Adams and Lawrence Ezrow, “Who Do European Parties Represent? How Western European Parties Represent the Policy Preferences of Opinion Leaders,” *The Journal of Politics* 71, no. 1 (January 2009): 218.

⁶² Adams and Ezrow, 209.

the opinion leaders, the authors found “no evidence that parties respond at all to other segments of the electorate.”⁶³ While a small number of elites are able to influence party behavior and policy, the voices of most ordinary people go unheard.

In modern representative democracies, then, there is a distinct lack of responsiveness to the will of all the people. For Madison and Mill, the purpose of representation was to control the people’s passions and allow for more effective government. To some extent, these were worthwhile goals—many would certainly find it satisfying to live in a system where elected officials always do what is best for the public. In reality, however, representative democracy has devolved into a pretense for elites to implement their own ideas—or those of wealthy interest groups—while claiming to speak for the people. In today’s political environment, the policy preferences of most average citizens have become irrelevant. Thus, with representative government failing to uphold the principles of popular sovereignty, it is worthwhile to consider more direct implementations of democracy.

⁶³ Adams and Ezrow, 206.

III. REFERENDUMS

On affairs of smaller moment, the chiefs consult; on those of greater importance, the whole community.

—TACITUS, *GERMANIA*

In a “pure” democracy such as ancient Athens, the concept of a referendum conducted by secret ballot would have been wholly foreign.⁶⁴ Athenian citizens regularly gathered in the assembly and debated issues face-to-face before casting their votes. In the modern world, conversely, referendums are used to complement the work of representative legislatures. They serve as the most common method of directly involving the people in the political process rather than trusting elected officials to faithfully represent their interests. Unlike voting procedures in pure democracies, however, referendums usually provide no opportunity for citizens to debate issues in person. Instead, they are allowed to either approve or reject a question that has been formulated in advance, with little control over the language of the proposal or the manner in which it is implemented. As such, modern referendums are “intricately intertwined with the institutions and agents of representative democracy.”⁶⁵

Historical Background

Historically, the referendum was slow to take root in democratic societies. With the eruption of the French Revolution at the end of the eighteenth century, the idea of popular

⁶⁴ The term “pure democracy” does not suggest a perfect or ideal democracy, as the Athenians excluded women and foreigners from the political process. Rather, it is used here to describe a democracy wherein the people govern themselves directly instead of through representatives.

⁶⁵ Matthew Mendelsohn and Andrew Parkin, “Introduction: Referendum Democracy,” in *Referendum Democracy: Citizens, Elites and Deliberation in Referendum Campaigns*, ed. Matthew Mendelsohn and Andrew Parkin (New York: Palgrave, 2001), 4.

sovereignty emerged to contest the status quo of monarchical rule. When France's National Convention assembled in September 1792, it declared that only the people could vote to approve a new constitution.⁶⁶ After the purge of the Girondin deputies in the summer of 1793, the Jacobins also affirmed the political supremacy of the people and sought to expand their control over legislation.⁶⁷ Subsequent constitutions, however, gradually undermined the principle of popular sovereignty and tempered the people's level of participation. The Consular Constitution of 1799 created a definitively representative government, wherein bills were initiated by the consuls and then approved by the legislature.⁶⁸ Even though this precluded the public from legislating directly, the Girondins' idea that constitutions should be ratified by a plebiscite became widely accepted. In fact, from 1793 to 1815, France held national referendums on seven separate occasions in order to approve a new constitution.⁶⁹ The French Revolution, then, foreshadowed the development of the referendum as a means for the people to complement representative institutions, but not to fully govern themselves.

In the United States, direct popular votes have also been relatively infrequent for much of the nation's history. At the state level, the referendum was present to some extent as early as the Revolutionary period. In 1778, the General Court of Massachusetts (the state legislature) proclaimed that it would draft a new constitution and submit it to the public for ratification. Richard Tuck observes that this vote, in which the people overwhelmingly rejected the proposed

⁶⁶ Markku Suksi, *Bringing in the People: A Comparison of Constitutional Forms and Practices of the Referendum* (Norwell, MA: Kluwer, 1993), 42.

⁶⁷ Richard Tuck, *The Sleeping Sovereign: The Invention of Modern Democracy* (Cambridge: Cambridge University Press, 2016), 158–159.

⁶⁸ Suksi, *Bringing in the People*, 44.

⁶⁹ Tuck, *The Sleeping Sovereign*, 180.

constitution, was “the first general referendum or plebiscite ever mounted in any state anywhere in the world.”⁷⁰ Other states soon followed Massachusetts’s example and embraced this direct method of ratification. By 1861, twenty-nine out of thirty-four states had used a plebiscite to adopt their constitutions.⁷¹ On the federal level, however, no provision existed for a national referendum. The U.S. Constitution, of course, was ratified by popularly elected state conventions, not by the people themselves.⁷² During the Progressive Era of the 1890s and early 1900s, direct democracy made a brief appearance in the form of state ballot initiatives and referendums. But by the middle of the twentieth century, these reforms had largely faded away, and a “representative account” of politics and the Constitution had become firmly enmeshed in the American political culture.⁷³

Following the tradition of canonical thinkers such as Plato and Hobbes, many twentieth-century political theorists viewed the people as unenlightened and incapable of making important decisions. Max Weber, for example, described contemporary democracy as a “dictatorship based on the exploitation of the emotional nature of the masses.”⁷⁴ In his account, average citizens merely serve as followers of quasi-charismatic leaders, and “they must obey blindly, they must become a machine.”⁷⁵ Joseph Schumpeter also captured this antipathy toward the public when

⁷⁰ Tuck, 192.

⁷¹ Tuck, 197.

⁷² Rhode Island held a referendum on the new federal constitution in 1788, but Federalists boycotted the vote and it was rejected by a wide margin. Two years later, a state convention ratified the document after the Senate threatened to impose a trade embargo. James S. Fishkin, *The Voice of the People: Public Opinion and Democracy* (New Haven: Yale University Press, 1995), 26–30.

⁷³ Tuck, *The Sleeping Sovereign*, 247.

⁷⁴ Max Weber, “Politics as a Vocation,” in *The Vocation Lectures*, ed. David Owen and Tracy B. Strong, trans. Rodney Livingstone (Indianapolis: Hackett, 2004), 67.

⁷⁵ Weber, 75.

he wrote: “Democracy does not mean and cannot mean that the people actually rule in any obvious sense of the terms ‘people’ and ‘rule.’ Democracy means only that the people have the opportunity of accepting or refusing the men who are to rule them.”⁷⁶ In this minimalist understanding of democracy, elites compete for votes while the people are left with limited political agency. For much of the twentieth century, then, this represented the consensus view: the people were unsuited for a direct role in governing.

In the 1970s, however, the referendum underwent an unprecedented revival as its use proliferated across the globe. In fact, David Altman observes that both top-down and citizen-initiated referendums “are used almost twice as frequently today . . . compared with fifty years ago and almost four times more than at the turn of the twentieth century.”⁷⁷ The United States is no exception to this trend, as referendums have become more popular than ever in recent decades. Currently, twenty-six states have some process—whether through ballot initiative or popular referendum—by which citizens vote on proposals directly.⁷⁸ Over 343 statewide initiatives appeared on ballots in the 1990s, which represented a higher total than any previous decade had seen.⁷⁹ A number of political scientists have offered varying explanations for this trend. Daniel Smith, for instance, claims that this is evidence of “faux populism,” wherein consulting firms engineer referendums for their wealthy clients.⁸⁰ Other scholars, such as Jack

⁷⁶ Joseph A. Schumpeter, *Capitalism, Socialism and Democracy* (New York: Harper Collins, 1950), 284–285.

⁷⁷ David Altman, *Direct Democracy Worldwide* (New York: Cambridge University Press, 2011), 65.

⁷⁸ “Initiative and Referendum States,” *National Conference of State Legislatures*, 2018, <http://www.ncsl.org/research/elections-and-campaigns/chart-of-the-initiative-states.aspx>.

⁷⁹ Stephen C. Craig, Amie Kreppel, and James G. Kane, “Public Opinion and Support for Direct Democracy: A Grassroots Perspective,” in Mendelsohn and Parkin, *Referendum Democracy*, 26.

⁸⁰ Craig, Kreppel, and Kane, 27–28.

Citrin, argue that anti-political sentiments and distrust of government leaders have been on the rise globally since the late 1970s.⁸¹ As a result of this discontent, “more citizens are demanding that they be permitted to play a larger role in public policy making.”⁸² Ultimately, regardless of the cause, it is clear that referendums have grown increasingly popular in recent years. The question that remains is whether this development has actually fostered a more democratic breed of politics.

Strengths

The most readily apparent strength of the referendum is its direct nature. In his critique of representation, Rousseau writes that “[the general] will cannot be represented. Any law which the people has not ratified in person is void; it is not law at all.”⁸³ The empirical research discussed in Chapter II indicates that Rousseau’s concerns about deputies being unresponsive to the people’s interests were well-founded. The referendum, however, addresses this problem by cutting out intermediaries and empowering the voters to make their will known directly. Each citizen who casts a ballot either approves or rejects the question posed, and thus the will of the community can be discerned from the aggregation of the votes. In contrast to exclusively representative governments, then, polities that employ these measures can expect a number of direct and indirect benefits.

⁸¹ Craig, Kreppel, and Kane, 30.

⁸² Craig, Kreppel, and Kane, 30.

⁸³ Rousseau, *The Social Contract*, 141.

For one, the referendum places each citizen who steps into the voting booth on equal footing. Everybody gets one vote, regardless of his economic, social, or political standing.⁸⁴ Representative institutions, on the other hand, tend to bolster the influence of elites who have significant political and financial capital. To reemphasize Bartels's findings, the poorest third of Americans currently have almost no impact on the voting patterns of their elected representatives.⁸⁵ Thus, referendums can allow these poorer individuals to make their voices heard without being drowned out by the wealthy. And when they are allowed to do so, the results are often decisive. In the United States, for example, the past twenty years have seen twenty statewide referendums on increasing the minimum wage, and eighteen of those measures have passed.⁸⁶ At the same time, Congress has not raised the federal minimum wage since 2009, even though recent polling found that 74 percent of respondents favored an increase.⁸⁷ On this issue, then, ordinary people's policy preferences have been more clearly realized by direct voting than by their national representative assembly.

The 2015 referendum in Greece provides another example of people using the ballot to make their voices heard on economic policy. After a prolonged financial crisis, the European Commission offered Greece a bailout package that included harsh austerity measures and structural reforms. The country's left-wing prime minister, Alexis Tsipras, stunned the continent

⁸⁴ Of course, this equality applies only to voting on the issue itself. The question of financial influence over getting measures on the ballot in the first place will be discussed below.

⁸⁵ Bartels, *Unequal Democracy*, 285.

⁸⁶ Adam Chandler, "Minimum-Wage Increases: Another Big Winner on Election Night," *The Atlantic*, November 9, 2016, <http://www.theatlantic.com/business/archive/2016/11/minimum-wage-2016/507158/>.

⁸⁷ Niv Elis, "Poll: Bipartisan Majority Supports Raising Minimum Wage," *The Hill*, June 1, 2017, <http://thehill.com/homenews/335837-poll-bipartisan-majority-supports-raising-minimum-wage>.

by calling for a national referendum on the plan and encouraging the people to reject it.⁸⁸ On July 5, 2015, despite the efforts of European policymakers and financial leaders, Greeks voted down the proposal by a margin of 61 to 39 percent.⁸⁹ While analysis of the referendum indicated that partisan narratives helped shaped the result, material interests also seem to have played an important role. Unemployed voters, for instance, overwhelmingly opposed the bailout package at a rate of just under 80 percent.⁹⁰ Voters between the ages of fifty-five and sixty-four, moreover, were far more likely to reject the proposal than those over the age of sixty-five, likely due to the prospect of early retirement being eliminated.⁹¹ The referendum thus allowed Greek citizens to directly shape national policy based on their own economic preferences, a possibility that is significantly curtailed—if not foreclosed altogether—by the exclusive use of representative assemblies.

Along with referendums' potential to enhance the voice of the people, some empirical research suggests that they can also influence legislators' behavior and make them more responsive to their constituents. In one study of American politics, John Matsusaka analyzed ten high-profile issues and found that states with ballot initiatives were 18 percent more likely to have policies that conformed to public opinion.⁹² Thus, elected officials in these states may be

⁸⁸ Stefanie Walter et al., "Non-Cooperation by Popular Vote: Expectations, Foreign Intervention, and the Vote in the 2015 Greek Bailout Referendum," *PEIO 2017 Conference in Berne* (January 2017), 14.

⁸⁹ Walter et al., 15.

⁹⁰ Ignacio Jurado, Nikitas Konstantinidis, and Stefanie Walter, "Why Greeks Voted the Way They Did in the Bailout Referendum," *LSE European Politics and Policy Blog*, July 20, 2015, <http://bit.ly/1fh3ABn>.

⁹¹ Jurado, Konstantinidis, and Walter, "Why Greeks Voted the Way They Did."

⁹² John G. Matsusaka, "Popular Control of Public Policy: A Quantitative Approach," *Quarterly Journal of Political Science* 5, no. 2 (August 2010): 135.

more inclined to follow the will of the people due to the pressure of possible referendums. In addition, popular initiatives at the state level have fostered tighter regulations on campaign spending, lobbying, and political parties.⁹³ There is even some evidence to indicate that “states that have adopted more governance regulations via popular initiative have significantly lower rates of public corruption.”⁹⁴ These are promising indicators of the referendum’s capacity to increase elected officials’ accountability to their constituents rather than to donors and wealthy special interests.

Allowing the people to vote on issues can also have salutary indirect effects on public policy. In 2012, for example, Colorado and Washington passed initiatives legalizing marijuana within their respective states in contravention of federal law.⁹⁵ Only a few months later, Attorney General Eric Holder met with state leaders to discuss the issue in further detail. In August 2013, the Obama administration announced that it would not challenge the laws, leading Colorado Governor John Hickenlooper to praise the federal government for “respecting the will of Colorado voters.”⁹⁶ Thus, the results of these ballot measures can show policymakers where public opinion is leaning, thereby guiding their implementation strategies. Although there was no national referendum on marijuana legalization, voters at the state level were still able to exert indirect influence over federal policy.

⁹³ Todd Donovan, “North American and the Caribbean,” in *Referendums around the World*, ed. Matt Qvortrup (London: Palgrave Macmillan, 2018), 176.

⁹⁴ Donovan, 176.

⁹⁵ Donovan, 178.

⁹⁶ Brady Dennis, “Obama Administration Will Not Block State Marijuana Laws If Distribution Is Regulated,” *Washington Post*, August 29, 2013, <http://wapo.st/17oVOft>.

Furthermore, another notable benefit of referendums is their educative potential. Prominent democratic theorists such as Rousseau, Mill, and Alexis de Tocqueville all stress the idea that political participation can increase voters' knowledge and also improve their moral and intellectual faculties. In *The Social Contract*, Rousseau writes that entering civil society “produces a remarkable change in man; it puts justice as a rule of conduct in the place of instinct, and gives his actions the moral quality they previously lacked.”⁹⁷ Likewise, Mill asserts that the democratic citizen is often called “to weigh interests not his own; to be guided, in case of conflicting claims, by another rule than his private partialities . . . He is made to feel himself one of the public, and whatever is for their benefit to be for his benefit.”⁹⁸ And Tocqueville claims that “the people cannot meddle in public affairs without having the scope of their ideas extended and without having their minds be seen to go outside their ordinary routine.”⁹⁹

Mark Smith's more recent work applies this theory to modern ballot measures, finding that “voters from states that heavily use initiatives show an increased capacity over the long term to correctly answer factual questions about politics.”¹⁰⁰ When they are asked to decide controversial questions, the people may evaluate competing policies, measure their costs and benefits, and then judge whether they are in the public interest. Thus, the opportunity to vote on issues directly can offer citizens of a democracy not only practical advantages but also educative benefits.

⁹⁷ Rousseau, *The Social Contract*, 64.

⁹⁸ Mill, “Considerations on Representative Government,” 223–224.

⁹⁹ Alexis de Tocqueville, *Democracy in America*, trans. Harvey C. Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2000), 233.

¹⁰⁰ Mark A. Smith, “Ballot Initiatives and the Democratic Citizen,” *The Journal of Politics* 64, no. 3 (August 2002): 892.

Weaknesses

At the same time, referendums also have a number of shortcomings. Indeed, numerous political leaders across the ideological spectrum have denounced their use. In March 1975, Margaret Thatcher agreed with one of her left-wing predecessors, Labour Prime Minister Clement Attlee, that “the referendum was a device of dictators and demagogues.”¹⁰¹ More recently, referendums have continued to incite vehement criticism. In 2016, citizens in the United Kingdom voted to leave the European Union (EU), while the people of Colombia rejected a peace agreement that would have brought an end to a decades-long civil war. In the wake of these results, some headlines stated that referendums “aren’t as democratic as they seem,”¹⁰² and others wondered whether they should have even been called in the first place.¹⁰³ Ultimately, although these direct votes produce more popular involvement than representative assemblies, there are still many factors that limit the people’s ability to rule themselves.

One of the most notable flaws plaguing the referendum process is excessive financial spending. Activists, politicians, and scholars alike have lamented the importance of money and the disproportionate influence of heavy donors. David Broder, for instance, argues that “it is only those individuals and interest groups with access to big dollars who can play in the arena the Populists and Progressives created in order to balance the scales against the big-bucks

¹⁰¹ Geoffrey Wheatcroft, “Europhobia: A Very British Problem,” *The Guardian*, June 21, 2016, <https://www.theguardian.com/politics/2016/jun/21/brexit-eurosepticism-history>.

¹⁰² Amanda Taub and Max Fisher, “Why Referendums Aren’t as Democratic as They Seem,” *New York Times*, October 4, 2016, <https://nyti.ms/2k5Rf93>.

¹⁰³ Uri Friedman, “Should the Brexit Vote Have Happened at All?,” *The Atlantic*, June 27, 2016, <http://www.theatlantic.com/international/archive/2016/06/brexit-vote-referendum-democracy/488654/>.

operators.”¹⁰⁴ At multiple stages in the process, financial factors significantly affect people’s ability to control the issues on the ballot. The funds pouring into referendum campaigns have thus compromised the egalitarian promise of direct democracy—namely, that every citizen should have an equal part to play in governing the state.

Early in the process, the wealthiest individuals often decide which issues will even be put to a vote. In American politics, there are several examples of millionaires or billionaires using their financial advantages to drive support for a pet cause. The 1997 Washington referendum on a new football stadium for the Seattle Seahawks serves as one of the most egregious illustrations of this trend. Microsoft cofounder Paul Allen, one of the richest men in the world, sought public assistance with the cost of building the new stadium, which estimates placed at approximately \$425 million.¹⁰⁵ The request itself was not unusual, as many other owners—both at the time and in the years since—also demanded that local communities contribute to the cost of such projects. The Seattle case, however, was unique insofar as Allen singlehandedly covered the \$4.2 million cost of holding the referendum, with the *New York Times* suggesting that it was “the first statewide general vote ever to be paid for directly by one person.”¹⁰⁶ Nor was Allen content to simply call for the vote and then leave the people to decide. Instead, he spent an additional \$6 million campaigning in support of the proposition.¹⁰⁷ The measure ultimately passed with 51.1

¹⁰⁴ David S. Broder, *Democracy Derailed: Initiative Campaigns and the Power of Money* (Orlando: Harcourt, 2000), 163.

¹⁰⁵ Carey Goldberg, “A Decision on the Seattle Seahawks’ Home,” *New York Times*, May 25, 1997, <https://nyti.ms/2FZdpSB>.

¹⁰⁶ Goldberg, “A Decision on the Seattle Seahawks’ Home.”

¹⁰⁷ Broder, *Democracy Derailed*, 171.

percent approval, and one subsequent study demonstrated that the returns in affluent counties closest to the proposed site were responsible for its victory.¹⁰⁸

The Washington example and others like it have dangerous implications for the democratic value of the referendum. Bringing issues to the ballot can be extremely costly, and the overwhelming majority of citizens do not have access to the capital needed to fund massive signature drives. As one author writes, “money sabotages the purpose of a signature requirement, which is to demonstrate intensity and breadth of popular support.”¹⁰⁹ When wealthy financiers are allowed to spend exorbitant sums in order to further their preferred causes, the egalitarian function of the referendum disappears. The playing field becomes dramatically uneven again, just as it is under purely representative systems. In a truly democratic arrangement, the questions that made it to the ballot would be those in which a large number of citizens had demonstrated interest. Instead, the lack of limitations on financial spending has fostered an environment in which elites continue to exert tremendous influence over which subjects receive a vote.

Additionally, even after issues make it onto the ballot, money continues to play a significant role in the process. In particular, those who can purchase lucrative advertisement spots have an inherent advantage over those with limited resources. One 2004 study on California ballot measures found that “an expenditure of roughly \$155,000 can purchase between a 1.1 percentage point increase when spent by supporters, and 0.6 percentage point decrease in

¹⁰⁸ Brady P. Horn, Michael Cantor, and Rodney Fort, “Proximity and Voting for Professional Sporting Stadiums: The Pattern of Support for the Seahawk Stadium Referendum,” *Contemporary Economic Policy* 33, no. 4 (October 2015): 678.

¹⁰⁹ Richard J. Ellis, *Democratic Delusions: The Initiative Process in America* (Lawrence: University Press of Kansas, 2002), 61.

support when spent by opponents.”¹¹⁰ While competing interest groups sometimes balance out each other’s influence, it is nevertheless clear that financial disparities can limit average citizens’ ability to make their voices heard. Moreover, although some countries have publicly funded referendums, the importance of money can be seen in a number of recent campaigns. In the September 2014 vote on Scottish independence, for example, the organizations and parties involved spent a total of almost seven million pounds.¹¹¹ The 2016 Brexit referendum included limits on spending, but they did not go into effect until April 15 (just two months before the vote).¹¹² Prior to that date, the “Leave” campaign had already raised £8.2 million, with “Remain” close behind at £7.5 million.¹¹³ Even more alarmingly for the democratic promise of the referendum, one stockbroker provided a donation of £3.2 million and another individual contributed £1.95 million.¹¹⁴ Again, therefore, wealthy individuals dominated the process at the expense of ordinary citizens without the luxury to make such investments. Although they had the opportunity to cast the same single vote that the financial elites did, it would be disingenuous to pretend that their influence on the process was the same.

Another related shortcoming of referendums is the potential for misinformation to affect their outcomes. Questions on the ballot are not subject to debate in public assemblies or meeting halls, but rather voters are required to educate themselves about the policies at hand. This often

¹¹⁰ Thomas Stratmann, “Is Spending More Potent for or against a Proposition? Evidence from Ballot Measures,” *American Journal of Political Science* 50, no. 3 (July 2006): 798.

¹¹¹ “Scottish Independence Referendum Campaigners Spent £6.7m,” *BBC News*, May 14, 2015, <http://www.bbc.com/news/uk-scotland-scotland-politics-32735695>.

¹¹² “Leave and Remain EU Donations and Loans Revealed,” *BBC News*, May 11, 2016, <http://www.bbc.com/news/uk-politics-eu-referendum-36267668>.

¹¹³ “Leave and Remain EU Donations.”

¹¹⁴ “Leave and Remain EU Donations.”

creates a lack of transparency on both sides of the issue, as campaigns may make misleading claims in order to try to win support. Of course, this problem is not necessarily unique to referendums. In elections for seats in representative assemblies, candidates are often accused of making false promises and untruthful arguments. Nevertheless, misinformation remains an important concern that is inherent in the process of directly voting on issues.

In recent years, this problem has arisen in several controversial referendums held in the United States and other nations. On November 4, 2008, California voters amended the state constitution to proclaim that “only marriage between a man and a woman is valid or recognized in California.”¹¹⁵ Proposition 8 passed on a narrow margin, with just 52 percent of voters in favor, and it was subsequently upheld by the California Supreme Court.¹¹⁶ In the aftermath of the referendum, however, scholars and activists fiercely debated the democratic legitimacy of the process, as many of them accused supporters of the measure of trying to mislead voters. For example, they had targeted African American communities with flyers highlighting then-Senator Barack Obama’s opposition to gay marriage, even though he had announced that he did not support the proposal.¹¹⁷ Similarly, in a May 2016 report published during the Brexit campaign, the House of Commons Treasury Select Committee stated that “the public debate is being poorly served by inconsistent, unqualified and, in some cases, misleading claims,” blaming both sides

¹¹⁵ Angela Chrysler, “Proposition 8 and the Need for California Constitutional Amendment Initiative Reform: Tolerance Requires Time and Deliberation,” *Hastings Constitutional Law Quarterly* 37, no. 3 (Spring 2010): 591.

¹¹⁶ Chrysler, 595.

¹¹⁷ Marisa Abrajano, “Are Blacks and Latinos Responsible for the Passage of Proposition 8? Analyzing Voter Attitudes on California’s Proposal to Ban Same-Sex Marriage in 2008,” *Political Research Quarterly* 63, no. 4 (December 2010): 924.

for such activities.¹¹⁸ Over 250 academics also signed a letter “[suggesting] that the level of misinformation in the Referendum campaign was so great that the democratic legitimacy of the final vote might be questioned.”¹¹⁹ Thus, these votes evinced the concerns about misinformation that are common in referendum campaigns.

In tandem with these obfuscatory strategies, referendums also allow leaders on either side to deceive the public with false promises. As the Brexit campaign unfolded, many British voters and writers criticized those in favor of leaving the European Union for making misleading claims about funding the National Health Service (NHS). The “Vote Leave” team prominently featured a bus with the slogan: “We send the EU £350 million a week. Let’s fund our NHS instead.” The morning after the referendum, however, Nigel Farage—the leader of the United Kingdom Independence Party—said he could not guarantee that more money would go to the NHS and that doing so “was one of the mistakes made by the Leave campaign.”¹²⁰ Of course, this information might have been helpful for citizens to have had before they cast their votes. But referendums provide the people with little recourse should campaigners go back on their word. In fact, this marks one area in which the referendum is perhaps more undemocratic than a representative assembly. If elected officials openly violate their campaign pledges, voters at least have the opportunity to remove them from office when they run for reelection. With

¹¹⁸ Alan Renwick, Matthew Flinders, and Will Jennings, “The UK’s Referendum and Post-Fact Politics: How Can Campaigners Be Held Accountable for Their Claims?,” *LSE European Politics and Policy Blog*, August 19, 2016, <http://bit.ly/2au1OAx>.

¹¹⁹ Renwick, Flinders, and Jennings, “The UK’s Referendum.”

¹²⁰ Kate McCann and Tom Morgan, “Nigel Farage: £350 Million Pledge to Fund the NHS Was ‘a Mistake,’” *The Telegraph*, June 24, 2016, <http://www.telegraph.co.uk/news/2016/06/24/nigel-farage-350-million-pledge-to-fund-the-nhs-was-a-mistake/>.

referendums, on the other hand, there are (usually) no do-overs, and so those on either side of the issue can employ misinformation tactics without fear of retribution.

Lastly, the narrow constraints of referendums limit their capacity to realize the goals of direct democracy. In most cases, the voters have only two options: they can either support or oppose a question that has been formulated in advance. The people's role is thus limited to approval or disapproval of the policy itself, while they have little input in the process of agenda-setting. Instead, as discussed above, wealthy individuals exert far more control over determining which issues make it onto the ballot. During the campaign, the people usually continue to play only a limited part. One study of agenda-setting in referendums states that "the flow of arguments from political elites to the media and to the public will be decisive for the campaign outcome."¹²¹ As a result of this top-down approach, the people remain passive spectators for the majority of the campaign. Until the day of the vote, political and financial elites control the process while the voices of the masses largely go unheard.

After a referendum takes place, moreover, citizens are once again left to trust that their elected officials will dutifully carry out their expressed will. The results of a referendum are often not binding, which allows representative institutions to obstruct the policy desires of the people. Additionally, there may be confusion about how to implement the policy in question, especially if the voters originally decided on very broad grounds. In the case of Brexit, for instance, the referendum was non-binding and the winning proposition simply stated that the

¹²¹ Werner Wirth et al., "Agenda Building and Setting in a Referendum Campaign: Investigating the Flow of Arguments among Campaigners, the Media, and the Public," *Journalism & Mass Communication Quarterly* 87, no. 2 (Summer 2010): 339.

United Kingdom should “Leave the European Union.”¹²² As a result, implementation of the nation’s departure from the EU has proved highly contentious and tumultuous. In fact, with debate surging about whether the United Kingdom should remain in the European single market, some leaders and citizens have expressed support for a second referendum to discern the public’s wishes.¹²³ After they vote, then, the people can only watch as power returns to their representatives, while they are left to live with the consequences.

The use of referendums is ultimately a nuanced issue, as it comes with both benefits and drawbacks for democratic government. In many ways, referendums offer an improvement over systems that exclusively rely on representative assemblies. The people are able to make their will known directly, rather than relying on unresponsive legislators to act in their interest. Referendums may also provide educative value for citizens, encouraging them to learn more about the political issues and policies that will affect their lives. At the same time, however, this vehicle of direct democracy is far from perfect. Financial elites and other powerful individuals still wield a disproportionate amount of influence, as they are often able to control which issues make it onto the ballot and then spend extravagant sums to win support for their causes. Additionally, misinformation tactics and a lack of agenda-setting power reduce the people’s role in the referendum process and lessen the likelihood that their policy preferences

¹²² Uptin Salidi, “The Brexit Ballot Wording Wasn’t Always So Simple,” *CNBC*, June 22, 2016, <https://www.cnn.com/2016/06/22/brexit-question-ballot-wording-framing.html>.

¹²³ Ashley Cowburn, “Brexit: Increasing Majority Back Second Referendum If UK Faces Leaving EU without a Deal, Finds Poll,” *The Independent*, January 16, 2018, <http://www.independent.co.uk/news/uk/politics/brexit-latest-updates-second-eu-referendum-uk-leave-no-deal-talks-poll-jeremy-corbyn-theresa-may-a8161301.html>.

will be realized. Thus, it is necessary to look beyond the referendum to other instantiations of direct democracy and evaluate whether they can better achieve its goals.

IV. LOCAL DEMOCRACY

All politics is local.

—TIP O'NEILL (D-MA)
SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES

Due in part to the prominence of representative democracy at the national level, direct democracy is often easiest to identify in local communities. Rousseau observed that “in general, democratic government suits small states . . . where the people may be readily assembled and where each citizen may easily know all the others.”¹²⁴ Thomas Jefferson, likewise, praised local governments “where every man is a sharer in the direction of his ward-republic, or of some of the higher ones, and feels that he is a participator in the government of affairs not merely at an election, one day in the year, but every day.”¹²⁵ In smaller, more confined environments, the people can gather to share their views on issues they deem important to society. Although they may still be dependent on elected officials to implement their proposals, such efforts frequently provide a more straightforward path to achieving popular participation. In doing so, they can also increase citizens’ autonomy, enhance the voices of traditionally marginalized groups, and educate the people about civic and democratic procedures.

This chapter will focus on two specific instantiations of direct democracy that often appear at the local level: participatory budgeting and town meetings. Examples of these mechanisms can be found in myriad geographic regions including the United States, Brazil, the United Kingdom, Italy, and Switzerland, among others. They offer a number of democratic

¹²⁴ Rousseau, *The Social Contract*, 111–113.

¹²⁵ Thomas Jefferson, “Letter to Joseph C. Cabell, February 2, 1816,” *Founders Online*, <http://founders.archives.gov/documents/Jefferson/03-09-02-0286>.

benefits that more fully involve the people in the political process, thereby distinguishing them from representative assemblies and referendums. At the same time, these forms of local democracy also have some common weaknesses that will be discussed at the end of the chapter.

A. PARTICIPATORY BUDGETING

Historical Background

While democracy itself has been around for millennia, participatory budgeting is a relatively new phenomenon. The practice originated in Porto Alegre, the capital city of the Brazilian state of Rio Grande do Sul. In the late 1980s, Brazil was experiencing a period of popular dissatisfaction with the government and political elites. Widespread corruption, along with the effects of a prolonged economic recession, had significantly weakened the public's trust in state authorities.¹²⁶ One 1989 survey indicated that only 9 percent of the population agreed that politicians were protecting their interests, while 60 percent believed that the people had no influence over policymaking.¹²⁷ Nevertheless, citizens were still optimistic about the possibilities of democratic government. At varying age levels, between 71 and 86 percent of respondents concurred with the statement that the country would be better “if the people had the power to decide.”¹²⁸

Within this context, the Brazilian Workers' Party (*Partido dos Trabalhadores*, PT) emerged as a viable contender for power. The PT campaigned on a strong anti-corruption

¹²⁶ Rebecca Neaera Abers, *Inventing Local Democracy: Grassroots Politics in Brazil* (Boulder, CO: Lynne Rienner, 2000), 52.

¹²⁷ Abers, 53.

¹²⁸ Abers, 53.

platform, while also emphasizing the need for more democracy and popular participation.¹²⁹ In the elections of 1988, the party gained control of mayorships in thirty-six municipalities, including Porto Alegre.¹³⁰ Soon thereafter, it introduced the concept of participatory budgeting, allowing citizens to directly allocate some of the city's monetary resources. Initially, the process was extremely limited, with just 3.2 percent of the Porto Alegre budget made available in 1989. Three years later, however, that figure had risen to 17.2 percent, and the number of citizens participating in the process had jumped from two thousand to over six thousand.¹³¹

After the success of the experiment in Brazil, other states in South America, Latin America, and elsewhere began to adopt their own models of participatory budgeting. Along with the PT in Porto Alegre, many left-wing parties—especially those supported by strong social movements—introduced similar mechanisms in places such as Venezuela and Uruguay.¹³² At the same time, leaders on the right also employed participatory budgeting (although they did not label it as such) in Bolivia, Nicaragua, and Guatemala.¹³³ As the political origins of this practice varied, so too did the justifications used by those who instituted it. Some advocates viewed this form of budgeting as an example of radical democracy, one which “would help relegitimize the state by showing that it could be effective, redistributive, and transparent. . . . an arena in which

¹²⁹ Abers, 52–53.

¹³⁰ Abers, 52.

¹³¹ Anne Latendresse, “The Case of Porto Alegre: The Participatory Budget,” in *Participatory Democracy: Prospects for Democratizing Democracy*, ed. Dimitrios Roussopoulos and C. George Benello (Montreal: Black Rose Books, 2005), 290.

¹³² Benjamin Goldfrank, “Lessons from Latin America’s Experience with Participatory Budgeting,” in *Participatory Budgeting*, ed. Anwar Shah (Washington, DC: The World Bank, 2007), 93.

¹³³ Goldfrank, 93–94.

empowered citizens could construct an alternative ‘hegemony.’”¹³⁴ But this rationale was not universal, as liberal supporters of participatory budgeting appealed to its potential to “[facilitate] market-oriented, or capitalist, development by encouraging citizens to trust government.”¹³⁵ Thus, as this instrument of direct democracy expanded beyond Porto Alegre, politicians relied on various rationales to defend its use.

The popularity of participatory budgeting also increased in European states at the turn of the century. In 1999, there were fewer than ten such experiments on the continent, but by 2012 that number had skyrocketed to well over four hundred, with some estimates placing the total at more than one thousand.¹³⁶ This trend was not confined to only a few countries, as Italy, Portugal, Germany, Spain, and Poland now have at least ten cases each (though Eastern Europe and Scandinavia tend to lag behind).¹³⁷ Nor does there seem to be any pattern to predict whether a European nation is likely to adopt participatory budgeting. Studies indicate that the only relatively common factor is the presence of a solidly left-wing coalition, while the size and socio-economic situation of the state vary regularly.¹³⁸ Of course, another similarity is that representative democracy is already entrenched in the overwhelming majority of these polities, and civic participation is frequently low. In fact, much like the United States, many European countries suffer from high levels of popular dissatisfaction with politicians, and “it is not rare to find only one-third of the adult population participating in local elections.”¹³⁹ Participatory

¹³⁴ Goldfrank, 95.

¹³⁵ Goldfrank, 97.

¹³⁶ Yves Sintomer, Anja Röcke, and Carsten Herzberg, *Participatory Budgeting in Europe: Democracy and Public Governance* (New York: Routledge, 2016), 20.

¹³⁷ Sintomer, Röcke, and Herzberg, 22–23.

¹³⁸ Sintomer, Röcke, and Herzberg, 26.

¹³⁹ Sintomer, Röcke, and Herzberg, 32.

budgeting, then, functions alongside representative assemblies in these nations to increase citizens' political presence.

Although less common, participatory budgeting also operates in some Asian and African states. Bangladesh, India, Indonesia, the Philippines, and Thailand all have some programs empowering citizens to make decisions about allocating government resources. Communities in Bangladesh and India grant citizens “full control over spending a development grant provided to each village,” and Thailand residents are allowed to choose which public projects receive funding.¹⁴⁰ Several governments in sub-Saharan Africa also feature participatory budgeting at the subnational level, including Kenya, Mozambique, South Africa, Tanzania, Uganda, Zambia, and Zimbabwe. While approaches vary widely, there are a few commonalities across the continent. For instance, most of these countries use national legislation to regulate the process at the local level.¹⁴¹ Furthermore, the public is usually consulted at an early stage rather than after an initial budget is formulated.¹⁴² African and Asian nations have thus continued the tradition of participatory budgeting that originated in Porto Alegre, albeit with modifications of their own.

Finally, participatory budgeting has become more popular in the United States over the past few decades. The idea first arrived in 2009, when a Chicago alderman invited his constituents to take part in the distribution of \$1.3 million of his discretionary funds.¹⁴³ As in other countries, the practice soon expanded to additional states and municipalities. Josh Lerner,

¹⁴⁰ Alta Fölscher, “Participatory Budgeting in Asia,” in Shah, *Participatory Budgeting*, 180.

¹⁴¹ Adrienne Shall, “Sub-Saharan Africa’s Experience with Participatory Budgeting,” in Shah, *Participatory Budgeting*, 197.

¹⁴² Shall, 205.

¹⁴³ Hollie Russon Gilman, “Engaging Citizens: Participatory Budgeting and the Inclusive Governance Movement within the United States,” *Ash Center Occasional Papers* (January 2016), 4.

cofounder and executive director of the Participatory Budgeting Project, reports that “in the United States, the number of PB participants and dollars allocated has roughly doubled each year since 2011.”¹⁴⁴ Political leaders, moreover, soon took notice of this increasingly popular institution. In October 2015, the Obama administration released its third Open Government National Action Plan, wherein it praised participatory budgeting for “[promoting] the public’s participation in spending taxpayer dollars by engaging citizens” and announced that the White House would partner with communities and local organizations to expand the practice in the United States.¹⁴⁵ By 2016, New York residents alone had used the process to allocate over \$32 million.¹⁴⁶ Thus, in the span of just a few decades, participatory budgeting grew from an obscure experiment in Porto Alegre to a global phenomenon. Over the course of this evolution, it has delivered a number of direct and indirect democratic benefits.

Strengths

For one, participatory budgeting increases citizens’ autonomy to a greater extent than representative assemblies or the referendum. The term “autonomy” comes from the Greek *autonomos*—“having its own laws.” In reference to direct democracy, it suggests that the people have some capacity for self-rule. As Rousseau writes, “A people, since it is subject to laws, ought to be the author of them. The right of laying down the rules of society belongs only to

¹⁴⁴ Josh Lerner, *Everyone Counts: Could “Participatory Budgeting” Change Democracy?* (Ithaca: Cornell University Press, 2014), quoted in Gilman, “Engaging Citizens,” 4.

¹⁴⁵ “Third Open Government National Action Plan for the United States of America,” *The Open Government Partnership*, October 27, 2015, https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/final_us_open_government_national_action_plan_3_0.pdf.

¹⁴⁶ Gilman, “Engaging Citizens,” 4.

those who form the society.”¹⁴⁷ When voting on referendums, citizens merely approve or reject proposals, and thus they are not truly the authors of the laws. Participatory budgeting, however, advances beyond this level of autonomy by empowering the people to make specific policy decisions that affect their everyday lives. At its core, the process

offers citizens at large an opportunity to learn about government operations and to deliberate, debate, and influence the allocation of public resources. . . . it has the potential to make governments more responsive to citizens’ needs and preferences and more accountable to them for performance in resource allocation and service delivery.¹⁴⁸

Of course, the people’s autonomy is still somewhat limited because their decisions only affect policies in the realm of budgeting. And as Carole Pateman observes, some implementations involve “relatively small, discretionary sums of money that may or may not continue to be made available.”¹⁴⁹ To some extent, nevertheless, the process allows citizens to move closer to true authorship of their society’s laws.

As discussed in the previous chapter, one of the main shortcomings of the referendum is that it is often exploited by political and financial elites for their own purposes, thereby weakening the egalitarian promise of direct democracy. Many examples of participatory budgeting, conversely, have allowed ordinary people to express their will over the objections of traditional authorities. In the early years of the Porto Alegre experiment, for instance, “city agencies rarely vetoed participant demands. The spirit was that ‘the people decide,’ even if the decisions were not technically advisable or economically efficient.”¹⁵⁰ Participants also refused

¹⁴⁷ Rousseau, *The Social Contract*, 83.

¹⁴⁸ Anwar Shah, “Overview,” in Shah, *Participatory Budgeting*, 1.

¹⁴⁹ Carole Pateman, “Participatory Democracy Revisited,” *Perspectives on Politics* 10, no. 1 (March 2012): 14.

¹⁵⁰ Abers, *Inventing Local Democracy*, 204.

to back down when challenged or even intimidated by government officials. In cases where their proposals were rejected, these citizens “were capable of arguing quite effectively with government personnel,” often forcing political leaders to accept a compromise.¹⁵¹ In doing so, the people took the instruments of state into their own hands and were able to express their views directly instead of relying on elected officials.

Along with the case of Porto Alegre, participatory budgeting has increased citizens’ autonomy in several European nations as well. In the United Kingdom, Labour MP Hazel Blears authored a 2003 pamphlet that emphasized popular involvement at the local level. She asserted that mechanisms such as participatory budgeting would focus on

empowering people to take decisions about the priorities and direction of local public services; giving people ownership and a stake in the running of public services; devolving power and opportunity within the public services to local communities. In short it is about taking power away from the politicians, the ‘experts,’ the bureaucrats and the officials, and passing it to the people.¹⁵²

Four years later, Blears took over as Secretary of State for Communities and Local Government, placing participatory budgeting at the center of her agenda and aiming to implement it across the country by 2012.¹⁵³ Reports indicated that her efforts were largely successful, as the changes “increased local people’s control over the allocation of resources . . . and expanded the number of local people making decisions on the use of resources.”¹⁵⁴ Participants also gained confidence in service providers and were more likely to become involved in volunteer work and other civic

¹⁵¹ Abers, 206–207.

¹⁵² Hazel Blears, *Communities in Control: Public Services and Local Socialism* (London: Fabian Society, 2003), quoted in Anja Röcke, *Framing Citizen Participation: Participatory Budgeting in France, Germany and the United Kingdom* (New York: Palgrave Macmillan, 2014), 95.

¹⁵³ Röcke, *Framing Citizen Participation*, 101.

¹⁵⁴ Röcke, 102–103.

associations.¹⁵⁵ Thus, an increase in political control can empower citizens and provide them with a sense of ownership of the state's laws. As a result, they acquire a greater stake in the governing process and politics more generally.

Another advantage of participatory budgeting is that it can help bring traditionally underrepresented groups into the political process. As noted in Chapter II, representative legislatures often include white, wealthy males at a rate incommensurate with their share of the total population. Participatory budgeting can help offset these disparities by providing a relatively level playing field for low-income people and racial minorities to get involved. In Porto Alegre, for example, empirical evidence shows that “the household incomes of budget participants [were] significantly lower than those of the population as a whole.”¹⁵⁶ Unlike many referendums, then, this instantiation of direct democracy can give poorer residents a chance to exercise political agency without being overpowered by the wealthy. Furthermore, education levels among participants were also relatively balanced. Approximately 42 percent of those involved had not completed their primary education, while only 18 percent had finished secondary school and 14 percent had reached the university level.¹⁵⁷ These findings suggest that participatory budgeting can begin to remedy the demographic imbalance that is evident in elected legislatures. Once they choose to participate, traditionally marginalized classes of society are able to make their voices heard more consistently.

In addition, this trend toward greater inclusivity is readily apparent in the United States. As in Porto Alegre, studies of participatory budgeting in New York City have revealed promising

¹⁵⁵ Röcke, 102.

¹⁵⁶ Abers, *Inventing Local Democracy*, 122.

¹⁵⁷ Abers, 121–122.

results on representation by race and income. In most communities, reports found that black and lower-income residents “were overrepresented or represented proportionally to the local census among voter survey respondents.”¹⁵⁸ Almost 27 percent of participants had annual household incomes below \$25,000, while another 19 percent reported incomes between \$25,000 and \$49,000.¹⁵⁹ Unlike Porto Alegre, the New York City process also featured greater participation for women, who made up about 62 percent of the overall sample.¹⁶⁰ Again, these findings suggest that participatory budgeting has the potential to bring broader sections of the populace into the governing process. In comparison to representative assemblies and the referendum, such budgeting experiments offer a more fiscally and socially egalitarian vision of direct democracy.

Finally, perhaps the most striking benefit of participatory budgeting is its educative potential. As citizens make decisions about how to allocate government resources, they often become more informed about political affairs. This trend appears in a number of different regions. In Porto Alegre, open budgeting forums provided an opportunity for residents to learn various democratic practices. Early in the process, one scholar reports that “the meetings were chaotic, everyone interrupted everyone, people yelled and cursed, and offended participants regularly walked out before decisions were made.”¹⁶¹ Over time, however, these gatherings became more structured and organized as people began to follow the rules set out by local council members. Participants gradually realized “that promoting personal disputes during the

¹⁵⁸ “Public Spending, by the People: Participatory Budgeting in the United States and Canada in 2014–15,” *Yankelovich Center for Public Judgment* (May 2016), 6.

¹⁵⁹ “Public Spending,” 6.

¹⁶⁰ “Public Spending,” 6.

¹⁶¹ Abers, *Inventing Local Democracy*, 184.

assemblies was to everyone's disadvantage, including their own."¹⁶² In addition, they sometimes reconsidered their opinions when exposed to new information. Delegates often visited neighborhoods to observe public works projects, and they were "known to change their positions when they [visited] a project site where social needs [appeared] much greater than at sites of other proposed projects."¹⁶³ In doing so, Brazilian citizens learned about the political issues facing their society and also had opportunities to try to remedy them.

The implementation of participatory budgeting in Argentina also highlighted its potential educative benefits. The city of Rosario adopted the practice in 2002, allowing over four thousand residents to distribute \$8 million in funds.¹⁶⁴ Through interviews with local participants, two researchers identified increases in civic and democratic education as a result of popular involvement in the political process. These advancements began at the level of rights and duties, with one individual stating: "I knew about my rights before, but through the participatory budget I learned new ways to assert my rights, for example what government offices to contact and how to contact them if certain rights are violated."¹⁶⁵ Others emphasized their social and deliberative gains, citing an improvement in public speaking, negotiation, and listening skills.¹⁶⁶ Finally, some delegates permanently changed their civic behavior, as a "majority reported doing things that were not part of their lives before, especially monitoring public budgets regularly, evaluating the quality of public works, attending community

¹⁶² Abers, 184.

¹⁶³ Brian Wampler, "A Guide to Participatory Budgeting," in Shah, *Participatory Budgeting*, 50.

¹⁶⁴ Josh Lerner and Daniel Schugurensky, "Learning Citizenship and Democracy through Participatory Budgeting: The Case of Rosario, Argentina," *Democratic Practices as Learning Opportunities* (November 2005), 2.

¹⁶⁵ Lerner and Schugurensky, 4–5.

¹⁶⁶ Lerner and Schugurensky, 5.

meetings . . . and seeking out information about political and social issues.”¹⁶⁷ These participants thus remained active members of the polity even after their direct involvement came to an end.

Lastly, European experiments with the budgeting process have often fostered more active citizens. In Rome’s eleventh city district, Municipio XI, participatory budgeting has been in place since 2003. The city’s justification for its introduction included the statement:

“Participatory budgeting is an experiment in participatory democracy which aims at the promotion of active citizenship.”¹⁶⁸ Delegates frequently debated local proposals as a group, and officials from a non-profit organization would facilitate the conversation in order to “offer an opportunity of personal development to the citizens by making individual knowledge common to all citizens.”¹⁶⁹ As in Argentina, participatory budgeting was the first foray into the political process for many of these individuals. During the experience, they steadily learned “how to write leaflets, to organise meetings, to launch petitions, to mobilise a community or to organise demonstrations.”¹⁷⁰ Finally, residents gained important technical skills previously monopolized by political elites. Most walked away from the process with an understanding of how a public budget operates, as well as more specialized knowledge related to urban development policy.¹⁷¹

Thus, in communities from Brazil to Italy, participatory budgeting has produced notable educative benefits for those who take part.

¹⁶⁷ Lerner and Schugurensky, 5–6.

¹⁶⁸ Julien Talpin, *Schools of Democracy: How Ordinary Citizens (Sometimes) Become Competent in Participatory Budgeting Institutions* (Colchester, UK: ECPR Press, 2011), 53–54.

¹⁶⁹ Talpin, 54–55.

¹⁷⁰ Talpin, 171.

¹⁷¹ Talpin, 173–174.

B. TOWN MEETINGS

Historical Background

In the United States, the town meeting is inextricably linked to the New England region, where the practice originated in the seventeenth century. As one historian writes, “The town meeting was more than a mere forum: it was the essential element in the delicate equipoise of peace and propriety which governed the New England town.”¹⁷² These meetings first appeared in the Massachusetts Bay Colony in the 1630s, where individuals elected officials and discussed local political business. Although the colonial charter did not explicitly mention such meetings, these towns were governed by “an extra-legal and informal assemblage of the freemen.”¹⁷³ While procedures varied from town to town, there were a number of common features. For example, attendance was mandatory for all citizens, though only adult males were permitted to speak.¹⁷⁴ In addition, most of these meetings focused on issues of public welfare, including “the division of land, building of a church, hiring of a minister, and admission of new inhabitants.”¹⁷⁵ Under this arrangement, people had the chance to make political decisions that would directly affect their communities.

Over the course of the eighteenth century, the town meeting gradually became a more standardized institution. In 1715, the General Court of Massachusetts passed a law requiring

¹⁷² Michael Zuckerman, *Peaceable Kingdoms: New England Towns in the Eighteenth Century* (New York: Alfred A. Knopf, 1970), 93.

¹⁷³ Joseph F. Zimmerman, *The New England Town Meeting: Democracy in Action* (Westport, CT: Praeger, 1999), 18.

¹⁷⁴ Zimmerman, 19.

¹⁷⁵ Zimmerman, 18.

each meeting to elect a moderator in order to facilitate discussion.¹⁷⁶ The length of these gatherings steadily increased as they became venues for proposing new policies instead of merely ratifying external decisions, and uniform voting procedures were introduced by 1725.¹⁷⁷ Participants gained authority and legitimacy as a result of such changes, which gave people “ample opportunity to participate in the regulation of important problems relating to their daily lives.”¹⁷⁸ By the time of the American Revolution, these meetings had become “elaborate, formal, and standard [processes].”¹⁷⁹ They were ultimately enshrined in the Massachusetts Constitution of 1780, which is still in operation today. Article XIX of its Declaration of Rights states: “The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.”¹⁸⁰

In the past two hundred years, the town meeting has continued to play a central role in New England democracy, albeit with some changes. Attendance in Massachusetts is no longer mandatory, and women are now full participants.¹⁸¹ Throughout the latter half of the twentieth century, however, fewer people took advantage of their right to be involved in the process. One 1996 study placed the average level of participation at 11.9 percent, finding that turnout was

¹⁷⁶ Edward M. Cook Jr., *The Fathers of the Towns: Leadership and Community Structure in Eighteenth-Century New England* (Baltimore: Johns Hopkins University Press, 1976), 4.

¹⁷⁷ Cook Jr., 8.

¹⁷⁸ Robert E. Brown, *Middle-Class Democracy and the Revolution in Massachusetts, 1691–1780* (Ithaca: Cornell University Press, 1955), 79.

¹⁷⁹ Cook Jr., *The Fathers of the Towns*, 8.

¹⁸⁰ Constitution of the Commonwealth of Massachusetts, Part the First, art. XIX.

¹⁸¹ Zimmerman, *The New England Town Meeting*, 53.

higher in towns with smaller populations.¹⁸² Those who are present retain many of the powers of eighteenth-century meeting attendees, as they may modify the salaries of elected officials, amend tax policy and zoning laws, authorize the treasurer to borrow funds for public projects, and approve the town budget.¹⁸³ States such as Vermont also make frequent use of the town meeting to keep citizens involved in the business of government. These gatherings usually take place on an annual basis, and the agenda must be published at least thirty days in advance.¹⁸⁴ Since 1949, over eleven thousand such assemblies have been held across the state.¹⁸⁵ Thus, the practice that philosopher John Fiske called “the most complete democracy in the world” is still alive in the United States today.¹⁸⁶

Almost four thousand miles away, meanwhile, Switzerland practices its own unique brand of direct democracy at the local level. While procedures are not uniform across the nation, one of the most distinctive Swiss mechanisms is the *Landsgemeinde*, which is translated as “cantonal assembly.” Its existence can be traced all the way back to the late thirteenth and early fourteenth centuries, when citizens gathered in the cantons of Uri, Zug, Appenzell, and Glarus to engage in communal self-government.¹⁸⁷ Rousseau, himself a citizen of Geneva, would later write: “We see among the happiest people in the world bands of peasants regulating the affairs of state under an oak tree, and always acting wisely.”¹⁸⁸ These meetings came as close as any

¹⁸² Zimmerman, 46–47.

¹⁸³ Zimmerman, 35.

¹⁸⁴ Frank M. Bryan, *Real Democracy: The New England Town Meeting and How It Works* (Chicago: University of Chicago Press, 2004), 7.

¹⁸⁵ Bryan, 3.

¹⁸⁶ John Fiske, *Civil Government in the United States* (Boston: Houghton Mifflin, 1890), quoted in Bryan, *Real Democracy*, 27–28.

¹⁸⁷ Jonathan Steinberg, *Why Switzerland?* (Cambridge: Cambridge University Press, 1976), 73.

¹⁸⁸ Rousseau, *The Social Contract*, 149.

system to realizing his ideal vision of a republic founded on popular sovereignty, with people making decisions about the state directly rather than through representatives. Popular rule was on full display in the *Landsgemeinde*, as citizens took charge of “the most important cantonal issues . . . such as amendments of the cantonal constitution, tax rates, [and] public expenditures.”¹⁸⁹ Democracy here was not a peril to be avoided, but a promise to be encouraged and cultivated within the body politic. As the canton of Schwyz’s Fundamental Law declared, “[the] *Landsgemeinde* is the greatest power and prince of the land and may without condition do and undo.”¹⁹⁰

The mid-nineteenth century, however, saw the beginning of the *Landsgemeinde*’s demise in Switzerland. Both Zug and Schwyz abandoned the practice in 1848, and Uri followed suit in 1928.¹⁹¹ In large part, these changes were due to the *Landsgemeinde*’s perceived lack of efficiency, as well as fears of mob rule. As a replacement, many cantons have turned to the “ballot-box” system, relying on referendums to involve the people in the political process.¹⁹² Instead of meeting face-to-face and governing as one body, citizens vote by secret ballot to approve or reject proposals. At the same time, two cantons continue to use the *Landsgemeinde* today. In Appenzell Innerrhoden and Glarus, the people still meet once a year to exercise their full political rights. Residents share their views on issues they deem important, while also retaining the authority to approve constitutional amendments, expenditures, and local tax rates.¹⁹³

¹⁸⁹ Hans-Peter Schaub, “Maximising Direct Democracy—by Popular Assemblies or by Ballot Votes?,” *Swiss Political Science Review* 18, no. 3 (August 2012): 306.

¹⁹⁰ Steinberg, *Why Switzerland?*, 190.

¹⁹¹ Steinberg, 74.

¹⁹² Schaub, “Maximising Direct Democracy,” 306.

¹⁹³ Lucardie, *Democratic Extremism*, 48.

Thus, these two cantons provide another venue to examine the effectiveness of direct democracy at the subnational level.

Strengths

Unlike referendums, the town meeting style of direct democracy offers citizens an extensive role in agenda-setting. In Vermont, for instance, a “warrant” listing all items of business is always made available in advance of the gathering. If any petition garners the support of at least 5 percent of the town’s voters, then it must be included on the warrant and put up for deliberation.¹⁹⁴ This allows citizens to control the early stages of the process rather than taking a backseat to political and financial elites. Once the meeting begins, moreover, they can debate these proposals and suggest changes as they see fit. Although some opponents of direct democracy claim that such open discussion is chaotic and impractical, the participants themselves tend to disagree. In one survey of Vermont town officers, 78 percent characterized the quality of debate as either “good” or “excellent,” while only 2 percent believed that it was “poor.”¹⁹⁵ Likewise, in both Massachusetts¹⁹⁶ and New Hampshire,¹⁹⁷ over 70 percent of respondents were similarly optimistic about the level of discourse. These institutions, then, can empower average residents to control the political agenda while concurrently encouraging civil and productive deliberation.

In addition, the Swiss cantonal model also allows for more meaningful popular participation. Where it still exists, the *Landsgemeinde* provides a forum for individuals to come

¹⁹⁴ Zimmerman, *The New England Town Meeting*, 85.

¹⁹⁵ Zimmerman, 98.

¹⁹⁶ Zimmerman, 49.

¹⁹⁷ Zimmerman, 72.

together as political equals. In Appenzell Innerrhoden, “the citizens of the whole canton make the laws and approve the program for the state for the coming year—voting on citizens, questioning budgets, demanding more snowplows or fewer.”¹⁹⁸ This assembly serves as the canton’s highest political authority, thereby maximizing the autonomy of the people. Furthermore, the meeting itself is an extraordinarily open process. As one constituent stated, “everyone feels they have their say; it is fair.”¹⁹⁹ In fact, any participant may make a motion and call for a vote on a certain issue.²⁰⁰ The people, moreover, can push back against unpopular policies handed down from above. In 2008, the Swiss government proposed a new education measure that had the support of the country’s major political parties. The Appenzell *Landsgemeinde*, however, rejected the plan after a mother of six spoke against the requirement to send four-year-olds to kindergarten.²⁰¹ The deliberative component of these gatherings thus distinguishes them from the more individualistic character of referendums.

Town meetings have also made an impact in places without a long tradition of direct democracy. These innovations often inspire more direct policy changes and reaffirm the people’s capacity for self-government. In the aftermath of the September 11 terrorist attacks, for instance, over four thousand people from the New York City metropolitan area gathered to discuss community revitalization efforts and plans for a memorial site. Although the attendees were not randomly selected, the group included a relatively high level of racial, socioeconomic, and

¹⁹⁸ Gregory A. Fossedal, *Direct Democracy in Switzerland* (New Brunswick, NJ: Transaction, 2002), 130.

¹⁹⁹ Fossedal, 130.

²⁰⁰ Justina Fischer, “Development of Direct Democracy in Swiss Cantons between 1997 and 2003,” *Munich Personal RePEc Archive* (July 2009), 24.

²⁰¹ Lucardie, *Democratic Extremism*, 49.

geographic diversity. Approximately 33 percent of the participants identified as non-Caucasian, 70 percent reported a household income level between \$25,000 and \$150,000, and the number of men and women was roughly the same.²⁰² Furthermore, the results of their deliberations illustrated the potential for such meetings to shape policy choices. Representatives from the Port Authority of New York and New Jersey and the mayor's office took action that was "directly responsive to citizen recommendations," as they agreed to earmark funds for a new transit hub and spread commercial development projects to diverse locations throughout lower Manhattan.²⁰³ In this case, the people themselves initiated the meeting to put pressure on government officials, although they still had to count on those politicians to actually implement their proposals. Nevertheless, it is evident that such local efforts can establish more direct paths to popular participation in the political process.

Like participatory budgeting, the town meeting also includes a strong educative component. Many early observers of the meetings identified this trend, including minister and educator Timothy Dwight, who wrote: "In these little schools men commence their apprenticeship to public life; and learn to do the public's business."²⁰⁴ Tocqueville was also captivated by the town meeting during his tour of New England in the 1830s. As he stated, "Town meetings are to liberty what primary schools are to science; they bring it within the people's reach, they teach men how to use and enjoy it."²⁰⁵ By the end of the nineteenth century,

²⁰² Carolyn J. Lukensmeyer and Steve Brigham, "Taking Democracy to Scale: Creating a Town Hall Meeting for the Twenty-First Century," *National Civic Review* 91, no. 4 (Winter 2002): 359.

²⁰³ Lukensmeyer and Brigham, 360.

²⁰⁴ Timothy Dwight, *Travels in New England and New York* (New Haven: T. Dwight, 1821), quoted in Bryan, *Real Democracy*, 27.

²⁰⁵ Alexis de Tocqueville, *Democracy in America* (Cambridge: Sever and Francis, 1862), quoted in Bryan, *Real Democracy*, 27.

other Europeans were also praising the educative capacity of this democratic innovation. In 1888, British MP James Bryce declared that “the primary assembly . . . is the most educative of the citizens who bear a part in it. The Town Meeting has been not only the source but the school of democracy.”²⁰⁶

In the modern world, town meetings continue to provide participants with a civic and democratic education. Frank Bryan, who studied over 1,500 meetings in Vermont, notes that citizens with modest incomes and little formal education “often participate in ways that most Americans of all classes can only dream about.”²⁰⁷ As they pursue this localized form of self-rule, people have the opportunity to learn democratic practices. In fact, communities that employ the town meeting may “develop civic skills among ‘lower-status’ citizens just as on-the-job experiences do for professionals. Town meeting itself . . . is the principal (but not only) institution of small-town life where this kind of on-the-job training takes place.”²⁰⁸ Additionally, this informal education performs an egalitarian function for people who attend such gatherings. Bryan finds that a community’s socioeconomic status “has little to do with verbal participation at town meeting.”²⁰⁹ Thus, citizens from less privileged backgrounds may be able to hone their political skills in town meetings and become more likely to participate in the process of communal government.

²⁰⁶ Zimmerman, *The New England Town Meeting*, 4.

²⁰⁷ Bryan, *Real Democracy*, 181.

²⁰⁸ Bryan, 181–182.

²⁰⁹ Bryan, 180.

C. WEAKNESSES OF LOCAL DEMOCRACY

Although there is much to recommend participatory budgeting and the town meeting, they also suffer from some limitations. For one, both institutions largely rely on self-selection to determine who takes part in the process. Studies on participatory budgeting in New York City, for instance, have revealed unequal levels of involvement based on education. Individuals with a high school diploma or less comprised only 19 percent of budgeting participants, a significant drop from their 42 percent of the total population.²¹⁰ At the same time, citizens with college or graduate degrees made up 67 percent of attendees throughout the experiment.²¹¹ While the demographics in Latin American and Europe were more promising, these imbalances can have deleterious effects on the democratic process. If the group making decisions is unrepresentative of the broader community, then it becomes vulnerable to the same lack of responsiveness that troubles legislatures. People who already enjoy political power can take advantage of these mechanisms to exert undue influence over local policymaking, while ordinary people no longer feel it is worth their time to attend. These practices, then, may restrict the benefits of direct democracy by amplifying the voices of elites at the expense of less-educated citizens.

Similarly, some of these local innovations are also plagued by gender disparities. In Switzerland, women did not gain the right to vote in federal elections until 1971, and they were not allowed to take part in the *Landsgemeinde* of Appenzell Innerrhoden until 1991.²¹² Even

²¹⁰ Alexa Kasdan, Lindsay Cattell, and Pat Convey, "A People's Budget: A Research and Evaluation Report on Participatory Budgeting in New York City," *The Community Development Project* (New York: Urban Justice Center, 2013), 17.

²¹¹ Kasdan, Cattell, and Convey, 17.

²¹² Clive H. Church, *The Politics and Government of Switzerland* (New York: Palgrave Macmillan, 2004), 85.

then, the change was not instituted by the *Landsgemeinde* itself. Instead, the canton was forced to comply with a ruling from the Swiss Federal Court of Justice, which found that the exclusion of women was unconstitutional.²¹³ Studies of the New England-style town meeting, moreover, have indicated that men often dominate the discussion. In Bryan's Vermont survey, women comprised 46 percent of attendees, but they made up only 36 percent of the citizens who spoke and accounted for just 28 percent of the "acts of speech."²¹⁴ As Iris Marion Young observes, some evidence suggests that "girls and women tend to speak less than boys and men in speaking situations that value assertiveness and argument competition."²¹⁵ Thus, women are showing up to take part in the political process only to have their voices drowned out, thereby limiting the ostensibly egalitarian character of town meetings.

In addition, participatory budgeting experiments have frequently failed to augment women's political influence. One study of European cases indicated that "participatory budgets in the region almost never contribute to changing the social roles of men and women. . . . in most cases, nothing much was done to facilitate equal participation."²¹⁶ Similar efforts in Africa and Asia also failed to make an impact, as "issues related to power relations in society and the equal valorization of women's voices, their ideas and their decisional and oversight capacities were

²¹³ Michelle Beyeler, "Direct and Indirect Effects of Federalism on Gender Equality Politics—Insights from Switzerland," *Journal of Federalism* 43, no. 1 (2013): 11.

²¹⁴ Bryan, *Real Democracy*, 214.

²¹⁵ Iris Marion Young, "Communication and the Other: Beyond Deliberative Democracy," in *Democracy and Difference: Contesting the Boundaries of the Political*, ed. Seyla Benhabib (Princeton: Princeton University Press, 1996), 123.

²¹⁶ Giovanni Allegretti and Roberto Falanga, "Women in Budgeting: A Critical Assessment of Participatory Budgeting Experiences," in *Gender Responsive and Participatory Budgeting: Imperatives for Equitable Public Expenditure*, ed. Cecilia Ng (New York: Springer, 2016), 35.

hardly considered.”²¹⁷ The results were no less disappointing in Porto Alegre itself, where women were “less likely than men to be elected to positions that required regular trips to assemblies outside their neighborhood and that had the decisionmaking status.”²¹⁸ All of these findings suggest that participatory budgeting has not maximized women’s political agency in the same way it has for low-income and low-education citizens. Instead, they have been largely relegated to the role of observers in such gatherings. While women may see themselves represented to a greater extent than they are in national legislatures, mechanisms of local democracy often suffer from an imbalanced playing field when it comes to gender.

Lastly, the people who participate in these institutions are still somewhat dependent on elected officials and other powerful figures to implement their preferred policies. This problem is especially evident in European practices of participatory budgeting, as one study indicates that “in the vast majority of cases . . . it was a top-down process with very weak grassroots mobilisation.”²¹⁹ Since elites usually orchestrate these experiments, they retain control over their structure and boundaries. Implementation, moreover, is largely in the hands of elected leaders, while the people return to their traditional role as spectators. One author suggests that the next step for these institutions may be “the replacement of the collective construction of demands with the collective construction of projects, which implies strengthening their autonomy and capacity of strategic planning.”²²⁰ Such reforms might gradually enhance popular involvement

²¹⁷ Allegretti and Falanga, 35.

²¹⁸ Abers, *Inventing Local Democracy*, 128.

²¹⁹ Sintomer, Röcke, and Herzberg, *Participatory Budgeting in Europe*, 42.

²²⁰ Sergio Baierle, “The Case of Porto Alegre: The Politics and Background,” in Roussopoulos and Benello, *Participatory Democracy*, 282.

at each stage of the process. As it stands, however, most governments have the authority to end these experiments at will, thereby cutting off the people's involvement without their input.

In town meetings, likewise, some individuals usually have more power than others to control how the proceedings unfold. In Switzerland, the canton's mayor or council chairman, known as the *Landamman*, is responsible for running the *Landsgemeinde*.²²¹ He or she helps facilitate the body's deliberations, and one participant observed that "our system . . . places a great importance on effective leadership."²²² To some extent, this reintroduces the threat of elites controlling direct democracy, as an overzealous *Landamman* might have too much power to drive the discussion. The same problem also appears in New England-style local democracy. In some town meetings, an elected moderator "exercises a great deal of discretion over the order of business and determines who may speak and for how long."²²³ Again, this authority means that the process is not fully egalitarian, since the moderator may let some people speak more frequently than others. To be fair, these problems are difficult to work around in practice—some kind of facilitator might be necessary to avoid total chaos at these gatherings. At the same time, the importance of individual leaders in these forums shows that they still have the potential to become more fully democratic.

At the local level, these forms of direct democracy offer many improvements over both representative legislatures and referendums. For one, they help offset financial inequalities by placing those who participate on a level playing field where wealth does not help buy political

²²¹ Fossedal, *Direct Democracy in Switzerland*, 130.

²²² Fossedal, 130.

²²³ Donald L. Robinson, *Town Meeting: Practicing Democracy in Rural New England* (Amherst: University of Massachusetts Press, 2011), 117.

support. Additionally, since its inception in Porto Alegre, participatory budgeting has steadily increased citizens' autonomy and amplified the voices of traditionally marginalized groups. Town meetings in places such as New England and Switzerland, meanwhile, provide the people with an enhanced role in the agenda-setting process, thereby improving upon the more limited scope of referendums. Perhaps most strikingly, these institutions have significant educative benefits for those involved, as they learn about politics and democratic procedures through their participation. Of course, these processes are not without flaws of their own. Elites in leadership positions may sometimes control deliberations, while men commonly make their voices heard at the expense of women in attendance. The people, moreover, often have to rely on elected officials to implement their suggestions. Nevertheless, local democracy moves beyond the referendum in many respects, and thus it provides polities with a better opportunity to realize the ideals of direct democracy.

V. CITIZENS' ASSEMBLIES

According to our present practice assemblies meet, sit in judgment, deliberate and decide . . . And as a feast to which all the guests contribute is better than a banquet furnished by a single man, so a multitude is a better judge of many things than any individual.

—ARISTOTLE, *POLITICS*

While comparable to local democracy in some ways, citizens' assemblies are distinctive enough to merit their own category. For one, they usually operate at the national or provincial level, rather than in smaller communities. In many cases, they serve as consultative bodies where citizens express their political opinions and then legislators decide how to proceed. At some point in the process, participants are often randomly selected, but there may be devices to ensure a certain level of representation for minority groups.²²⁴ These differences produce a number of democratic benefits for citizens' assemblies, although they are still somewhat limited by their reliance on legislatures for legitimation. This section delves into their strengths and weaknesses by focusing on two contemporary state-sponsored assemblies in British Columbia and Iceland, as well as two assemblies created at the grassroots level in Belgium and Ireland.

Historical Background

Citizens' assemblies represent another relatively new democratic phenomenon. Although the United States government has never sanctioned an official, state-sponsored assembly, several

²²⁴ Some assemblies reserve a number of seats due to the possibility of “a stronger dropout among the groups who traditionally feel less at ease with politics, or with social and political participation.” Didier Caluwaerts and Min Reuchamps, “The G1000: Facts, Figures, and Some Lessons from an Experience of Deliberative Democracy in Belgium,” in *The Malaise of Electoral Democracy and What to Do about It*, ed. Paul De Grauwe and Philippe Van Parijs (Brussels: Re-Bel Initiative, 2014), 18.

other countries have turned to this mechanism of direct democracy in recent years. The Canadian province of British Columbia was one of the first polities to experiment with such assemblies in the twenty-first century. After the general election of 1996, public calls for electoral reform increased due to the disproportionate distribution of seats in the legislature. The New Democratic Party, which earned just 39.5 percent of the vote, won 52 percent of the seats and formed a majority government.²²⁵ Finding itself as the official opposition, the British Columbia Liberal Party announced a plan to seek popular input for changes to the system. A 1999 document declared the party's commitment to "appoint a Citizens' Assembly on Electoral Reform, similar to how a jury is selected, that will be responsible for assessing all possible models for electing MLAs [Members of the Legislative Assembly], including proportional representation, preferential ballots, and 'first past the post.'"²²⁶ The Liberals followed through on their promise when they came to power in 2003. The government commissioned a citizens' assembly made up of one man and one woman from each of British Columbia's seventy-nine electoral districts, as well as two additional delegates of Aboriginal descent.²²⁷ All of these participants were selected at random (although they were free to decline), thereby producing "a body that was broadly representative of the province as a whole."²²⁸

The government empowered the citizens' assembly to propose real, tangible changes to the electoral system. Members could either recommend that the existing structure—using first-

²²⁵ R.B. Herath, *Real Power to the People: A Novel Approach to Electoral Reform in British Columbia* (Lanham, MD: University Press of America, 2007), 19.

²²⁶ Herath, 22.

²²⁷ Amy Lang, "But Is It for Real? The British Columbia Citizens' Assembly as a Model of State-Sponsored Citizen Empowerment," *Politics and Society* 35, no. 1 (March 2007): 41.

²²⁸ Lang, 41.

past-the-post apportionment—be maintained, or they could devise an entirely new framework.²²⁹ Any such proposal would then be submitted to the people for their approval via referendum. Under this arrangement, “the assembly had real power; its recommendation would be put directly to the electorate, and it could not be shelved even if the government was not happy with it.”²³⁰ Not only did the delegates have significant authority, but they also received extensive education from scholars and experts. Guest lecturers discussed topics such as parliamentary procedures, the province’s political history, and the impact of electoral reforms in other parts of the world.²³¹ Finally, after a lengthy period of deliberations, the assembly delivered its recommendations to the legislature in October 2004, with 123 out of 160 members supporting a new single transferable vote system—which allows voters to rank order candidates—to replace the existing model.²³² On May 17, 2005, the province held a referendum on the proposal. Although 58 percent of the people voted in favor of the reforms, the terms of the assembly’s mandate required 60 percent approval, and thus the changes never went into effect.²³³

Just a few years later, another notable citizens’ assembly convened in Iceland. The process unofficially began in the fall of 2008, in the wake of a calamitous financial crisis. After the government assumed the massive debts of the country’s three largest banks, protesters began to gather in Austurvollur Square in what became known as the “Kitchenware Protests” because participants banged together pots and pans.²³⁴ These citizens demanded changes and expressed

²²⁹ Patrick Fournier et al., *When Citizens Decide: Lessons from Citizens Assemblies on Electoral Reform* (New York: Oxford University Press, 2011), 7.

²³⁰ Fournier et al., 7.

²³¹ Lang, “But Is It for Real?,” 44.

²³² Lucardie, *Democratic Extremism*, 146.

²³³ Lang, “But Is It for Real?,” 36.

²³⁴ Hannah Fillmore-Patrick, “The Iceland Experiment (2009-2013): A Participatory Approach to Constitutional Reform,” *Democratization Policy Council* (August 2013), 2–5.

their frustration with a system that had allowed corruption to fester for so long. Political leaders gradually responded to popular calls for reform, but they were heavily dependent on temporary legislation and voluntary resignations.²³⁵ As a result, activists and elected officials began to pursue more democratic mechanisms to involve the people in the process. In June 2010, the Icelandic Parliament passed an act creating a citizens' assembly of twenty-five to thirty popularly elected delegates who would examine the nation's constitution and recommend changes.²³⁶ In addition, the act provided for a National Forum of almost one thousand randomly selected citizens to suggest points of emphasis to the assembly before their deliberations commenced.²³⁷ After a delay due to legal disputes, the Constitutional Council convened on April 6, 2011.

Once the drafting of a new constitution began, the Icelandic process was extremely transparent. In contrast to the secretive efforts of the authors of the U.S. Constitution, for example, the council kept the people apprised of its progress and actively sought their input. The delegates frequently posted their work online, and citizens could use social media platforms or email to offer input.²³⁸ This practice created an informal "feedback loop," as the assembly members integrated suggestions from the people in subsequent drafts.²³⁹ After months of this interactive deliberation, the council presented its proposal to Parliament on July 29, 2011. Their framework featured a number of democratic mechanisms, including a citizen-initiated referendum on parliamentary legislation and an allowance for 10 percent of the electorate to put

²³⁵ Fillmore-Patrick, 6.

²³⁶ Fillmore-Patrick, 8–9.

²³⁷ Fillmore-Patrick, 9.

²³⁸ Hélène Landemore, "Inclusive Constitution-Making: The Icelandic Experiment," *The Journal of Political Philosophy* 23, no. 2 (2015): 174.

²³⁹ Landemore, 174.

forth bills for the legislature to consider.²⁴⁰ In October 2012, over two thirds of the people expressed their approval of the draft in a national referendum.²⁴¹ The Icelandic Parliament, however, had the final authority to accept or reject the proposed reforms. Rather than taking a vote, legislators brought the process to a halt by shelving the bill altogether. Scholars have offered a variety of explanations for this decision, including the opposition of certain interest groups and the hostility of politicians who resented being left out of the process.²⁴² In any event, Iceland's radically democratic constitution-making experiment came to an abrupt end.

Along with these state-sponsored bodies, some citizen-initiated assemblies have also appeared in recent years. In June 2011, a group of academics launched the “We the Citizens” initiative, randomly selecting one hundred Irish citizens to debate national policy issues.²⁴³ At the time, leading political parties in Ireland were considering the establishment of a citizens’ assembly to pursue constitutional reform. The “We the Citizens” group, therefore, hoped that their experiment would “demonstrate the virtue of deliberative approaches.”²⁴⁴ Their efforts ultimately paid off, as in July 2012 the Irish Parliament officially created a convention of one hundred members—sixty-six of whom would be randomly selected citizens—to make policy recommendations.²⁴⁵ The founders of the project have suggested that their work “was influential in the move by the government to finally . . . launch the Constitutional Convention, as well as in

²⁴⁰ Baldvin Thor Bergsson and Paul Blokker, “The Constitutional Experiment in Iceland,” in *Verfassunggebung in konsolidierten Demokratien: Neubeginn oder Verfall eines Systems?*, ed. Kalman Poczta (Baden-Baden: Nomos Verlag, 2013), 162.

²⁴¹ Landemore, “Inclusive Constitution-Making,” 169.

²⁴² Landemore, 170.

²⁴³ Silvia Suteu, “Constitutional Conventions in the Digital Era: Lessons from Iceland and Ireland,” *Boston College International and Comparative Law Review* 38, no. 2 (May 2015): 265.

²⁴⁴ Suteu, 265.

²⁴⁵ Suteu, 265.

the decision over . . . how it should operate, namely along deliberative lines.”²⁴⁶ Thus, a grassroots approach to direct democracy helped pressure elected officials to institute an Irish citizens’ assembly.

At almost the same time, another mechanism of public power began to operate in Belgium. In the summer of 2011, organizers planned a forum that would bring the people closer to the political process. Like their Irish counterparts, the Belgian activists “wanted to create a large citizens’ assembly to show that citizens are more than sporadic voters and are able to deliberate together.”²⁴⁷ Importantly, the organizers themselves had no control over the agenda. Instead, they set up an online program allowing anyone to make suggestions, resulting in over two thousand proposed social, political, and economic topics.²⁴⁸ Eventually, the people narrowed these down to three main issues for deliberation: social security, welfare, and immigration. On November 11, 2011, over seven hundred Belgians gathered for the G1000 citizen summit.²⁴⁹ Ninety percent of the participants were randomly selected, and they “were invited to reflect, discuss, and argue their positions on the three issues that were put on the agenda.”²⁵⁰ Unlike the “We the Citizens” project, the G1000 did not inspire politicians to

²⁴⁶ Suteu, 265.

²⁴⁷ Vincent Jacquet and Min Reuchamps, “Who Wants to Pay for Deliberative Democracy? The Crowdfunders of the G1000 in Belgium,” *European Political Science Review* 10, no. 1 (2018): 33.

²⁴⁸ Caluwaerts and Reuchamps, “The G1000,” 13.

²⁴⁹ Although one thousand invitees committed to participating, the total number of citizens ultimately fell to 704 due to a dropout rate of approximately 30 percent. Didier Caluwaerts and Min Reuchamps, “Strengthening Democracy through Bottom-Up Deliberation: An Assessment of the Internal Legitimacy of the G1000 Project,” *Acta Politica* 50, no. 2 (April 2015): 159.

²⁵⁰ Caluwaerts and Reuchamps, “The G1000,” 14.

subsequently create a state-sponsored forum. Nevertheless, both the Irish and Belgian experiments indicate that citizens' assemblies can arise at the grassroots level.

Strengths

One of the most distinctive strengths of a citizens' assembly is the random selection of members at some stage. Although the use of lottery has largely disappeared in modern democracies, it was a prominent characteristic of the governments of antiquity. In Book III of Herodotus' *Histories*, Otanes declares that democracy "is government by lot, it is accountable government, and it refers all decisions to the common people."²⁵¹ Similarly, in Book VIII of Plato's *Republic*, Socrates observes that democracy arises "when the poor win . . . and, for the most part, the offices in it are given by lot."²⁵² And Aristotle echoes this sentiment in the *Politics*, noting that assigning magistrates "by lot is democratical, and the election of them oligarchical."²⁵³ For the Athenians and other ancient societies, then, sortition "gave expression to a number of fundamental democratic values."²⁵⁴ In contemporary citizens' assemblies, lotteries may be used at different points in the process. In the Icelandic experiment, for instance, randomly selected voters suggested topics and then the actual members of the Constitutional Council were chosen by election. At whichever stage it is used, however, sortition carries a number of democratic benefits for citizens' assemblies.

²⁵¹ Herodotus, *The Histories*, trans. Robin Waterfield (New York: Oxford University Press, 1998), 205.

²⁵² Plato, *Republic*, 557a2–5.

²⁵³ Aristotle, *Politics*, trans. Benjamin Jowett (Oxford: Clarendon Press, 1908), 1294b4.

²⁵⁴ Bernard Manin, *The Principles of Representative Government* (Cambridge: Cambridge University Press, 1997), 41.

For one, randomly selected bodies are more likely to be inclusive and representative of the polity's demographics. In mechanisms that rely on self-selection, such as participatory budgeting and town meetings, participants "are very likely to be white, college-educated, and middle-class."²⁵⁵ Lotteries, on the other hand, are designed to produce a body that mirrors the society as a whole. In the G1000 summit, for example, 52 percent of participants were female and 48 percent were male, providing "a perfect reflection of the gender composition of the population."²⁵⁶ To some extent, self-selection was still present because the people chosen could decline to take part. Some assemblies, however, have aimed to reduce traditional barriers to participation. In British Columbia, delegates were paid \$150 per day for their service, and the assembly's budget also covered meals, lodging, and travel expenses.²⁵⁷ Thus, while the institutions of local democracy discussed in Chapter IV place citizens on equal footing once they arrive, sortition goes one step further by making the selection process itself more egalitarian. In doing so, it helps ensure that members of traditionally underrepresented groups will be present to make their voices heard.

Additionally, the use of sortition tends to contribute to more productive deliberations within these assemblies. In processes that depend on self-selection, individuals with previous experience in civic activism may be more likely to attend.²⁵⁸ As a result, these people can monopolize the conversation and drown out the opinions of less vocal members. Random selection, conversely, helps ensure that a variety of personalities are present. One facilitator of

²⁵⁵ David M. Ryfe, "Does Deliberative Democracy Work?," *Annual Review of Political Science* 8 (June 2005): 52.

²⁵⁶ Caluwaerts and Reuchamps, "Strengthening Democracy," 159.

²⁵⁷ Lang, "But Is It for Real?," 39.

²⁵⁸ Ryfe, "Does Deliberative Democracy Work?," 51–52.

the British Columbia discussions identified five categories of participants: learners, speakers, researchers, advocates, and ambassadors.²⁵⁹ Although these groups were not mutually exclusive, each brought something unique to the table, thereby fulfilling the goal of “[avoiding] patterns of inequitable participation found in previous deliberative bodies.”²⁶⁰ As the assembly progressed, moreover, it benefited from the various experiences of its members. Individuals from divergent backgrounds “[brought] in their own local knowledge of the problem at hand.”²⁶¹ They were willing to see issues from the perspectives of their peers, and they frequently “worked to find common ground around which to structure their decision.”²⁶² Lotteries, then, can eliminate some of the hurdles associated with forms of direct democracy that rely on self-selection.

Random selection also fosters increased levels of cognitive diversity in citizens’ assemblies. According to scholars such as H  l  ne Landemore, democracy is an epistemically superior regime because a “[more inclusive] deliberation process can be expected to produce smarter results than a less inclusive one.”²⁶³ Unlike aristocracies or dictatorships, democracies involve large numbers of people in the political process, and therefore they include diverse “ways of seeing and interpreting the world” that allow them to make smarter decisions.²⁶⁴ To make deliberation feasible, however, smaller groups must be created. In such cases, lotteries

²⁵⁹ Hilary Pearse, “Institutional Design and Citizen Deliberation,” in *Designing Deliberative Democracy: The British Columbia Citizens’ Assembly*, ed. Mark E. Warren and Hilary Pearse (New York: Cambridge University Press, 2008), 73.

²⁶⁰ Pearse, 73.

²⁶¹ Lang, “But Is It for Real?,” 62.

²⁶² Lang, 62.

²⁶³ H  l  ne Landemore, “Deliberation, Cognitive Diversity, and Democratic Inclusiveness: An Epistemic Argument for the Random Selection of Representatives,” *Synthese* 190, no. 7 (May 2013): 1210.

²⁶⁴ Landemore, 1210.

provide the surest method of reproducing the cognitive diversity of the larger population.²⁶⁵ This theoretical argument for sortition is supported by the results of real-world experiments. One study of citizens' assemblies found evidence of "diligent participation, impressive knowledge acquisition, judgments that evolved non-chaotically, preferences based on principles rather than whim, and reasonable decisions. Citizen political decision-making proved to be of a remarkably high quality."²⁶⁶ Indeed, the British Columbia assembly developed "a sophisticated and innovative proposal on the complex topic of electoral reform."²⁶⁷ By creating groups with high cognitive diversity, random selection enhances the capacity of citizens' assemblies to produce detailed and intelligent policies.

Along with the advantages provided by random selection, citizens' assemblies also provide educative benefits for participants. In British Columbia, the process began with a "learning phase" that provided "an opportunity to the Assembly members to learn the different electoral systems that exist in democracies and how they function and contribute to the operations of their governing systems."²⁶⁸ The delegates had the chance to hear from leading political scientists and gain a better understanding of their options for reform. In fact, by the end of the experiment, "it became quite clear that many of the members of the Assembly had become expert in the technical aspects of electoral systems."²⁶⁹ Furthermore, the attendees also learned from one another throughout their time together. As one individual stated, "Misunderstandings

²⁶⁵ Hélène Landemore, *Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many* (Princeton: Princeton University Press, 2013), 108–109.

²⁶⁶ Fournier et al., *When Citizens Decide*, 150.

²⁶⁷ Landemore, *Democratic Reason*, 109.

²⁶⁸ Herath, *Real Power to the People*, 43.

²⁶⁹ John Ferejohn, "Conclusion: The Citizens' Assembly Model," in Warren and Pearse, *Designing Deliberative Democracy*, 199.

were clarified at breakfast, over coffee, lunch, and dinner, and at the bar. Everyone was helpful to each other. No question was a stupid question. We all felt we had a lot to learn.”²⁷⁰ Not only did their political knowledge increase, but they also became more engaged citizens in general. One study found that “participants report paying more attention to the news, becoming more interested in, and feeling more informed about, politics at the end of the process than they did at the beginning.”²⁷¹

Citizens’ assemblies that originate at the grassroots level can also have educative power. At the G1000 summit, experts presented on each of the three policy themes, thereby exposing attendees to various issues and proposals. Afterwards, surveys showed that participants appreciated the prevailing feeling of “openness towards new ideas and perspectives.”²⁷² The Belgian example, then, “can be considered a learning school for democracy, a setting in which ordinary citizens could meet and learn about each others’ preferences, intentions and arguments.”²⁷³ In Ireland, likewise, participation in the “We the Citizens” initiative had a positive effect on civic activism and engagement. After taking part in the assembly, members showed “more willingness to discuss and become more involved in politics.”²⁷⁴ Additionally, these citizens experienced an amplified sense of their own political capabilities. Before the experiment, the researchers “expected that exposing citizens to each other and to debate would

²⁷⁰ R.S. Ratner, “Communicative Rationality in the Citizens’ Assembly and Referendum Process,” in Warren and Pearse, *Designing Deliberative Democracy*, 152.

²⁷¹ Fournier et al., *When Citizens Decide*, 116.

²⁷² Caluwaerts and Reuchamps, “The G1000,” 20.

²⁷³ Caluwaerts and Reuchamps, 23.

²⁷⁴ David M. Farrell, Eoin O’Malley, and Jane Suiter, “Deliberative Democracy in Action Irish-Style: The 2011 *We the Citizens* Pilot Citizens’ Assembly,” *Irish Political Studies* 28, no. 1 (2013): 108.

increase efficacy.”²⁷⁵ Their hypothesis proved correct, as “more people disagreed with the statement that ordinary people have no influence [in politics].”²⁷⁶ Thus, these assemblies can improve individuals’ civic knowledge and encourage them to become more active participants in political affairs.

Like local forms of direct democracy, citizens’ assemblies can also enhance the people’s political autonomy. In Iceland, for instance, the creation of the National Forum “[allowed] people with no experience of politics and no chance of ever obtaining such an experience through regular means . . . to contribute shaping a major political document.”²⁷⁷ Instead of relying on elected officials to faithfully represent their interests, the members of the Constitutional Council and the broader public were able to directly influence the final proposal.

As Landemore observes,

The fact that regular citizens could peek in the constitution-writing process, be kept apprised of the modifications on a regular basis, and receive personal emails from the Council members in response to their suggestions and comments may have increased the perceived legitimacy of the draft, by creating a sense of ownership of the document in the larger population, including amongst those who did not even try to participate in the experiment, but, crucially, knew they could have if they had been so inclined.²⁷⁸

Such assemblies, then, have the potential to increase autonomy and ownership even for those who do not take part in the process. The mere fact that the proposals derive from the people, in tandem with the possibility of democratic participation, is enough to provide the satisfaction of self-rule.

²⁷⁵ Farrell, O’Malley, and Suiter, 109.

²⁷⁶ Farrell, O’Malley, and Suiter, 108.

²⁷⁷ Landemore, “Inclusive Constitution-Making,” 173.

²⁷⁸ Landemore, 176.

Similarly, the British Columbia assembly offered citizens significant latitude to make their own policy choices. Those who participated “were given sufficient time, space, and authority to reinterpret the information given to them by experts and develop their own set of criteria for choosing a new electoral system,” while also deciding “what tradeoffs and compromises they were willing to make.”²⁷⁹ In comparison to a referendum, individuals had far more freedom to consider various options and deliberate with their peers. Even though experts were on hand to educate the delegates about electoral systems, the people themselves determined how much weight to give their advice. Thus, the organizational structure “permitted the Assembly members sufficient autonomy to decide what mattered to them.”²⁸⁰ In fact, this proved especially important because “ordinary citizens thought differently about the issues at stake than experts or elected officials.”²⁸¹ For these participants, the experiment provided an avenue to circumvent the interests of politicians and instead make their voices heard directly. Of course, in both Iceland and British Columbia, the assemblies’ recommendations never actually went into effect. Nevertheless, including average citizens in the process of drafting these constitutional policies can empower them to develop proposals and experience the possibilities of self-government.

Weaknesses

Like local forms of direct democracy, citizens’ assemblies move beyond the referendum in many ways but still have flaws of their own. Perhaps their most serious weakness is that they

²⁷⁹ Lang, “But Is It for Real?,” 66.

²⁸⁰ Lang, 58.

²⁸¹ Lang, 58.

are usually subject to the whims of elected officials. Most citizens' assemblies are not constitutionally guaranteed—they are ad hoc creations that exist outside of standard governmental structures. Popular pressure may sometimes lead to the establishment of such assemblies, as was the case in Iceland. From there, however, politicians determine the extent of the assembly's powers and also control implementation of its proposals. When the Icelandic Parliament created the Constitutional Council in 2010, it reserved the power to change the final bill without the assembly's approval.²⁸² The Icelandic delegates produced a draft that garnered significant popular support, with 73 percent of the electorate approving it as the basis of a new constitution in a 2012 referendum.²⁸³ But legislators stopped the proposal from taking effect by declining to even hold a vote on the matter. A number of factors shaped their decision, including pressure from lobbyists and “the hostility of powerful economic interests to specific provisions of the new draft.”²⁸⁴ Regardless of the cause of this opposition, the process's dependence on Parliament for legitimation ultimately curtailed the democratic possibilities of the Icelandic experiment.

In the case of British Columbia, likewise, elected leaders initiated the proceedings due to public pressure but exerted significant control over the design of the assembly. In comparison to Icelandic officials, their influence was somewhat reduced because the body's final recommendations would automatically go to a legally-binding referendum.²⁸⁵ The government also decided, however, to set the threshold for ratification at 60 percent, a stipulation that later had fatal consequences for the proposal when it garnered only 58 percent of the vote. In fact,

²⁸² Fillmore-Patrick, “The Iceland Experiment,” 9.

²⁸³ Fillmore-Patrick, 14.

²⁸⁴ Landemore, “Inclusive Constitution-Making,” 170.

²⁸⁵ Lang, “But Is It for Real?,” 39.

that level of support was fairly impressive given that much of the electorate was completely unaware of the work the delegates had been doing. Polls taken in advance indicated that just one third of the population had even heard about the referendum or the citizens' assembly.²⁸⁶ Nevertheless, the suggested reforms failed to clear the high bar set by the legislature, and thus the diligent work of the assembly never came to fruition.

In experiments directly initiated by the people, there is usually more freedom from state control. The G1000 summit in Belgium was completely crowdfunded and organized by volunteers so that "the discussions were not shaped to fit the agenda of pressure groups or government."²⁸⁷ The trade-off, however, is that such assemblies offer no guarantee that proposals will even have a chance of being adopted. Since they operate independently, elected leaders are under no formal obligation to recognize their contributions. As one study of the G1000 reports, "The official responses of the political elites to the work of the citizens' panel were polite but they did not entail any political commitment, nor did the political elites feel that they should be held accountable in any way."²⁸⁸ In Ireland, the "We the Citizens" initiative did encourage the government to launch an official constitutional convention. Again, however, the body's democratic potential was limited because elected officials decided whether the group's proposals would be implemented. In these grassroots movements, then, the people have more control over the agenda but few assurances that their voices will be heard. As a result, "the final word [is] not vested in the citizenry or even the constitutional convention, but rather with the political elites."²⁸⁹

²⁸⁶ Lang, 36.

²⁸⁷ Caluwaerts and Reuchamps, "Strengthening Democracy," 161.

²⁸⁸ Caluwaerts and Reuchamps, 166.

²⁸⁹ Suteu, "Constitutional Conventions," 274.

During the deliberative process, moreover, experts often have a significant role in citizens' assemblies. While moderators facilitate the conversation in forms of local democracy, assemblies go a step further by giving leading scholars and other guests formal roles to provide guidance on complex issues such as electoral reform. As previously discussed, this can have productive educative benefits for participants. At the same time, however, it increases the potential for experts to influence the proceedings. According to polls conducted after the British Columbia assembly, 12 percent of respondents believed that "the presentation of options was somewhat or very biased."²⁹⁰ This was a minority opinion, to be sure, but it still demonstrates that the presence of experts can make the experience feel undemocratic for some attendees. Furthermore, the members "were not in a position, at least at the beginning of the process, to challenge the observations and claims made by the experts."²⁹¹ Thus, these presentations may have shaped people's ideas early on and curtailed their inclination to push back against opposing views.

Experts were also involved at various stages of the process in Iceland. Once the National Forum made recommendations for topics of discussion, a Constitutional Committee—appointed by Parliament—produced a report summarizing the people's findings and adding its own advice. The committee then sent that document to the citizens' assembly to guide its deliberations.²⁹² Under this framework, elites inserted themselves into the process as intermediaries between the forum and the assembly. In addition, legal experts entered the arena once the Constitutional Council had authored its final proposal. Their task was to review the draft and bring it into

²⁹⁰ Fournier et al., *When Citizens Decide*, 102.

²⁹¹ Fournier et al., 101.

²⁹² Landemore, "Inclusive Constitution-Making," 173.

conformity with foreign treaties to which Iceland was already committed. In doing so, however, “they reworded some sentences to the point where they had bended the meaning.”²⁹³ One of their changes absorbed several enumerated rights and liberties into a single article, which would have caused interpretation problems if the constitution had actually taken effect.²⁹⁴ Ironically, the involvement of these experts “did not just violate the preferences of the Council, it actually worsened the quality of the draft.”²⁹⁵

Even in the Belgian and Irish initiatives, outside elites still managed to exercise some influence over the proceedings. At the G1000, participants listened to experts speak on each of the conference’s three central themes. While about 50 percent of those surveyed claimed to have been unaffected, 23 percent stated that these presentations influenced their opinions.²⁹⁶ On one hand, this could be portrayed in a positive light—perhaps the people need experts to help them understand their options. The downside, however, is that there is no guarantee of their objectivity. As international observers of the G1000 noted, “the experts might not have shown or represented the full spectrum of perspectives on the issues at stake.”²⁹⁷ The same problem appeared in the Irish assembly, where members considered the question of raising taxes to pay for increased social spending. Before the debate began, the delegates “heard from two expert witnesses representing the two sides of this argument—Nat O’Connor, director of the left-leaning think tank TASC, and Dr. Fergal O’Brien, chief economist of the Irish Business and Employers Confederation.”²⁹⁸ The attendees may have heard from only two advocates, but there

²⁹³ Landemore, 187.

²⁹⁴ Landemore, 187–188.

²⁹⁵ Landemore, 188.

²⁹⁶ Caluwaerts and Reuchamps, “The G1000,” 21.

²⁹⁷ Caluwaerts and Reuchamps, 19.

²⁹⁸ Farrell, O’Malley, and Suiter, “Deliberative Democracy in Action,” 109–110.

are more than two sides to the argument. Like most issues, tax policy involves a wide spectrum of beliefs and cannot be boiled down to a simple dichotomy between two groups in favor of higher or lower taxes. By relying on experts, then, citizens' assemblies can exclude a broader range of viewpoints that might be popular with both participants and the public.

On the whole, citizens' assemblies provide a number of benefits in comparison to purely representative systems. They empower regular people to make meaningful political decisions, even if they have no special financial or social status. Attendees often learn important civic and political skills, while simultaneously gaining knowledge about constitutional or electoral reforms. Unlike referendums, these assemblies also provide a clear agenda-setting role for participants, as they usually have significant freedom to deliberate on issues they deem important. Most notably, these experiments employ a mechanism that was central to ancient democracies: sortition. Randomly choosing delegates can mitigate the problem of self-selection that plagues participatory budgeting and town meetings. These lotteries help ensure that the assemblies will be diverse and inclusive, thereby improving the quality of deliberation as well. Of course, like any form of direct democracy, citizens' assemblies also have certain shortcomings. The experts brought in to educate participants may influence their judgment to an undesirable extent. In addition, legislatures usually create these bodies and exercise almost total control over their structure, while sometimes reserving the right to approve or reject their final proposals. These flaws, however, do not diminish the enormous value of citizens' assemblies. The people's experiences in British Columbia, Iceland, Belgium, and Ireland indicate that such

initiatives can successfully involve ordinary citizens in politics and help fulfill the potential of democratic government.

VI. CONCLUSION

We here highly resolve . . . that government of the people, by the people, for the people, shall not perish from the earth.

—ABRAHAM LINCOLN, “GETTYSBURG ADDRESS”

Now is the time to make real the promises of democracy.

—MARTIN LUTHER KING JR., “I HAVE A DREAM”

Democracy is an old idea, but one that is constantly evolving. For the Athenians, popular rule meant that every citizen could sit in the assembly and vote on laws directly. More than two thousand years later, the authors of the U.S. Constitution denounced such democratic traditions as dangerous and impractical, while leaders of the French Revolution embraced the concept of popular sovereignty but still recognized the necessity of elected representatives. Today, democracy is perhaps the closest thing we have to a universal political value. Article XXI of the Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, proclaims: “The will of the people shall be the basis of the authority of government.”²⁹⁹ And yet, the very same line states that “this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.”³⁰⁰ The prevailing standard, then, is a representative account of democracy.

Within this status quo, however, a number of more participatory institutions have empowered ordinary people to experience some degree of self-rule. From Porto Alegre to Reykjavik, the spirit of direct democracy remains alive in the twenty-first century. In fact, such

²⁹⁹ “Universal Declaration of Human Rights,” December 10, 1948, <http://www.un.org/en/universal-declaration-human-rights/>.

³⁰⁰ “Universal Declaration of Human Rights.”

mechanisms are experiencing a surge in popularity, with national referendums becoming even more frequent in recent years.³⁰¹ The relatively new practice of participatory budgeting, likewise, has quickly spread from South America to other parts of the globe. And citizens' assemblies, whether state-sponsored or initiated at the grassroots level, have also become a popular vehicle for citizens to intensify their political engagement.

What are the implications of these experiments with participatory government? For one, they demonstrate that direct democracy is not monolithic—it takes many forms in the modern world. Thus, it is important to distinguish between these various practices and their respective merits. Many analyses, however, fail to make this distinction and instead employ critiques of the referendum to condemn direct democracy in general. Various commentators, after highlighting the flaws of referendums—and giving no mention to innovations such as participatory budgeting or citizens' assemblies—have argued that “the modern state is too complex to be run by direct democracy,” too much “direct democracy allows individuals and interest groups to whip citizens into a frenzy over issues that are unimportant,” and in California “direct democracy has become something very different and sinister.”³⁰² In the Pew poll cited earlier, moreover, the prompt defined direct democracy as “[a] system where citizens, not elected officials, vote directly on major national issues to decide what becomes law.”³⁰³

³⁰¹ Matt Qvortrup, “Introduction: Theory, Practice, and History,” in Qvortrup, *Referendums around the World*, 12.

³⁰² Alex Shephard, “Minutes,” *New Republic*, 2016, <https://newrepublic.com/minutes/134646/referendums-bad>; Charles Landow, “Direct Democracy and Its Dangers,” *Huffington Post*, January 7, 2011, https://www.huffingtonpost.com/charles-landow/direct-democracy-and-its-_b_806004.html; “When Too Much Democracy Threatens Freedom,” *The Economist*, December 17, 2009, https://www.economist.com/blogs/democracyinamerica/2009/12/when_too_much_democracy_threat.

³⁰³ Simmons, Silver, and Johnson, “Transatlantic Dialogues.”

The referendum, however, is not the epitome of direct democracy. To be sure, it offers citizens a degree of empowerment and autonomy that moves beyond the process of simply voting for representatives. The people can use referendums to express their policy preferences directly, rather than entrusting that duty to their elected officials. To some extent, this can help address the problems of unresponsiveness identified by Bartels, Gilens, and other scholars.³⁰⁴ But referendums also tend to reproduce many of the flaws that are present in electoral systems. Financial elites often wield undue influence over the process, controlling the issues on the ballot and expending tremendous resources on persuasion campaigns. Meanwhile, the voters themselves have no real agenda-setting power—they can only approve or reject the questions put before them. Thus, if direct democracy is reducible to referendums, it is likely to leave its advocates unsatisfied.

Instead, as we have seen, several modern states have adopted more egalitarian, autonomous instantiations of direct democracy. At the local level, participatory budgeting and town meetings allow regular people to set the agenda, while also offering substantial educational benefits for attendees. On a national scale, citizens' assemblies serve as another forum for public deliberation, with the additional advantages of cognitive diversity and inclusiveness that sortition provides. Of course, these institutions are not perfect executors of the people's will—they rely on legislatures for legitimation, and elites still retain influence throughout the proceedings. Nevertheless, they provide an avenue to meaningful political participation for citizens whose voices have gone unheard under representative systems. As such, these innovations help bring us closer to realizing the literal meaning of the term *demos kratia*.

³⁰⁴ See Chapter II, 14–17.

In his famous funeral oration, the Athenian statesman Pericles delivered one of the most forceful defenses of democracy ever recorded. He stated: “Our constitution is called a democracy because power is in the hands not of a minority but of the whole people. . . . We do not say that a man who takes no interest in politics is a man who minds his own business; we say that he has no business here at all.”³⁰⁵ At the same time, however, he also acknowledged the almost mystical quality of Athenian democracy, as he declared: “Future ages will wonder at us, as the present age wonders at us now.”³⁰⁶ In hindsight, his words were prescient—a return to the direct democracy of Athens seems unlikely, and perhaps impossible, for twenty-first century politics. Even Rousseau, such a fierce advocate of popular sovereignty, wrote to the citizens of Geneva in his *Ninth Letter from the Mountain*:

Ancient Peoples are no longer a model for modern ones; they are too alien to them in every respect. . . . You are neither Romans, nor Spartans; you are not even Athenians. Leave aside these great names that do not suit you. . . . Not being idle as the ancient Peoples were, you cannot ceaselessly occupy yourselves with the Government as they did.³⁰⁷

Perhaps it is necessary, then, to give up the idyllic images of antiquity and aim for more practical solutions.

But even if present circumstances prohibit the reinstatement of the Athenian agora or the Roman popular assemblies, that is not to say that modern democracies are beyond reproach. As John Dunn writes, “representative democracy as it now is cannot be all for which we can

³⁰⁵ Thucydides, *History of the Peloponnesian War*, trans. Rex Warner (London: Penguin Books, 1972), 145–147.

³⁰⁶ Thucydides, 148.

³⁰⁷ Jean-Jacques Rousseau, *Letter to Beaumont, Letters Written from the Mountain, and Related Writings*, ed. Christopher Kelly and Eve Grace, trans. Christopher Kelly and Judith R. Bush (Hanover, NH: Dartmouth College Press, 2013), 292–293.

reasonably hope.”³⁰⁸ The innovative mechanisms of direct democracy discussed herein demonstrate that a more participatory style of government is possible for modern states. Ordinary citizens are capable of educating themselves about politics, engaging in productive deliberations, and making informed decisions when given the chance. In the words of Frederick Douglass, however, “Power concedes nothing without a demand.”³⁰⁹ Changing the status quo and upsetting the hegemony of representative government will require pronounced popular efforts. And yet, to believe in democracy is to believe in the people’s capacity to effect such changes and to govern themselves—“to rule and be ruled in turn.”³¹⁰ Restoring the rule of the people will not come easily, nor will its implementation be without flaws, but it represents democracy’s everlasting promise.

³⁰⁸ John Dunn, *Setting the People Free: The Story of Democracy* (London: Atlantic Books, 2005), 185.

³⁰⁹ Frederick Douglass, “West India Emancipation,” August 3, 1857, *University of Rochester Frederick Douglass Project*, <http://rbscp.lib.rochester.edu/4398>.

³¹⁰ Aristotle, *Politics*, 1317b4.

BIBLIOGRAPHY

- Abers, Rebecca Neaera. *Inventing Local Democracy: Grassroots Politics in Brazil*. Boulder, CO: Lynne Rienner, 2000.
- Abrajano, Marisa. “Are Blacks and Latinos Responsible for the Passage of Proposition 8? Analyzing Voter Attitudes on California’s Proposal to Ban Same-Sex Marriage in 2008.” *Political Research Quarterly* 63, no. 4 (December 2010): 922–932.
- Adams, James, and Lawrence Ezrow. “Who Do European Parties Represent? How Western European Parties Represent the Policy Preferences of Opinion Leaders.” *The Journal of Politics* 71, no. 1 (January 2009): 206–223.
- Allegretti, Giovanni, and Roberto Falanga. “Women in Budgeting: A Critical Assessment of Participatory Budgeting Experiences.” In *Gender Responsive and Participatory Budgeting: Imperatives for Equitable Public Expenditure*, edited by Cecilia Ng, 33–53. New York: Springer, 2016.
- Altman, David. *Direct Democracy Worldwide*. New York: Cambridge University Press, 2011.
- Aristotle. *Politics*. Translated by Benjamin Jowett. Oxford: Clarendon Press, 1908.
- Baierle, Sergio. “The Case of Porto Alegre: The Politics and Background.” In *Participatory Democracy: Prospects for Democratizing Democracy*, edited by Dimitrios Roussopoulos and C. George Benello, 270–286. Montreal: Black Rose Books, 2005.
- Barber, Benjamin R. *Strong Democracy: Participatory Politics for a New Age*. Berkeley: University of California Press, 1984.
- Bartels, Larry. *Unequal Democracy: The Political Economy of the New Gilded Age*. Princeton: Princeton University Press, 2008.
- Bergsson, Baldvin Thor, and Paul Blokker. “The Constitutional Experiment in Iceland.” In *Verfassunggebung in konsolidierten Demokratien: Neubeginn oder Verfall eines Systems?*, edited by Kalman Poczka, 154–175. Baden-Baden: Nomos Verlag, 2013.
- Beyeler, Michelle. “Direct and Indirect Effects of Federalism on Gender Equality Politics—Insights from Switzerland.” *Journal of Federalism* 43, no. 1 (2013): 1–23.
- Blears, Hazel. *Communities in Control: Public Services and Local Socialism*. London: Fabian Society, 2003.

- Broder, David S. *Democracy Derailed: Initiative Campaigns and the Power of Money*. Orlando: Harcourt, 2000.
- Brown, Robert E. *Middle-Class Democracy and the Revolution in Massachusetts, 1691–1780*. Ithaca: Cornell University Press, 1955.
- Bryan, Frank M. *Real Democracy: The New England Town Meeting and How It Works*. Chicago: University of Chicago Press, 2004.
- Bryan, William Jennings. *The Commoner Condensed*, vol. 7. Chicago: The Henneberry Company, 1908.
- Burke, Edmund. *Reflections on the Revolution in France*. Edited by Frank M. Turner. New Haven: Yale University Press, 2003.
- Caluwaerts, Didier, and Min Reuchamps. “Strengthening Democracy through Bottom-Up Deliberation: An Assessment of the Internal Legitimacy of the G1000 Project.” *Acta Politica* 50, no. 2 (April 2015): 151–170.
- Caluwaerts, Didier, and Min Reuchamps. “The G1000: Facts, Figures, and Some Lessons from an Experience of Deliberative Democracy in Belgium.” In *The Malaise of Electoral Democracy and What to Do about It*, edited by Paul De Grauwe and Philippe Van Parijs, 10–33. Brussels: Re-Bel Initiative, 2014.
- Chandler, Adam. “Minimum-Wage Increases: Another Big Winner on Election Night.” *The Atlantic*, November 9, 2016. <http://www.theatlantic.com/business/archive/2016/11/minimum-wage-2016/507158/>.
- Chrysler, Angela. “Proposition 8 and the Need for California Constitutional Amendment Initiative Reform: Tolerance Requires Time and Deliberation.” *Hastings Constitutional Law Quarterly* 37, no. 3 (Spring 2010): 591–616.
- Church, Clive H. *The Politics and Government of Switzerland*. New York: Palgrave Macmillan, 2004.
- Clement, Scott. “90 Percent of Americans Want Expanded Background Checks on Guns. Why Isn’t This a Political Slam Dunk?” *Washington Post*, April 3, 2013. <http://wapo.st/YvJqbH>.
- Cook, Edward M., Jr. *The Fathers of the Towns: Leadership and Community Structure in Eighteenth-Century New England*. Baltimore: Johns Hopkins University Press, 1976.

- Cotlar, Seth. "Languages of Democracy in America from the Revolution to the Election of 1800." In *Re-imagining Democracy in the Age of Revolutions: America, France, Britain, Ireland, 1750–1850*, edited by Joanna Innes and Mark Philp, 13–27. Oxford: Oxford University Press, 2013.
- Cowburn, Ashley. "Brexit: Increasing Majority Back Second Referendum If UK Faces Leaving EU without a Deal, Finds Poll." *The Independent*, January 16, 2018. <http://www.independent.co.uk/news/uk/politics/brexit-latest-updates-second-eu-referendum-uk-leave-no-deal-talks-poll-jeremy-corbyn-theresa-may-a8161301.html>.
- Craig, Stephen C., Amie Kreppel, and James G. Kane. "Public Opinion and Support for Direct Democracy: A Grassroots Perspective." In *Referendum Democracy: Citizens, Elites and Deliberation in Referendum Campaigns*, edited by Matthew Mendelsohn and Andrew Parkin, 25–46. New York: Palgrave, 2001.
- Dahl, Robert. *On Democracy*. New Haven: Yale University Press, 1998.
- Dennis, Brady. "Obama Administration Will Not Block State Marijuana Laws If Distribution Is Regulated." *Washington Post*, August 29, 2013. <http://wapo.st/17oVOft>.
- DeSilver, Drew. "Despite Concerns about Global Democracy, Nearly Six-in-Ten Countries Are Now Democratic." *Pew Research Center*, December 6, 2017. <http://pewrsr.ch/2kqIFEm>.
- Donovan, Todd. "North American and the Caribbean." In *Referendums around the World*, edited by Matt Qvortrup, 147–183. London: Palgrave Macmillan, 2018.
- Douglass, Frederick. "West India Emancipation," August 3, 1857. *University of Rochester Frederick Douglass Project*. <http://rbscp.lib.rochester.edu/4398>.
- Dunn, John. *Setting the People Free: The Story of Democracy*. London: Atlantic Books, 2005.
- Dwight, Timothy. *Travels in New England and New York*. New Haven: T. Dwight, 1821.
- Elis, Niv. "Poll: Bipartisan Majority Supports Raising Minimum Wage." *The Hill*, June 1, 2017. <http://thehill.com/homenews/335837-poll-bipartisan-majority-supports-raising-minimum-wage>.
- Ellis, Richard J. *Democratic Delusions: The Initiative Process in America*. Lawrence: University Press of Kansas, 2002.
- Farrell, David M., Eoin O'Malley, and Jane Suiter. "Deliberative Democracy in Action Irish-Style: The 2011 *We the Citizens* Pilot Citizens' Assembly." *Irish Political Studies* 28, no. 1 (2013): 99–113.

- Ferejohn, John. "Conclusion: The Citizens' Assembly Model." In *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*, edited by Mark E. Warren and Hilary Pearse, 192–213. New York: Cambridge University Press, 2008.
- Fillmore-Patrick, Hannah. "The Iceland Experiment (2009-2013): A Participatory Approach to Constitutional Reform." *Democratization Policy Council*, August 2013.
- Fischer, Justina. "Development of Direct Democracy in Swiss Cantons between 1997 and 2003." *Munich Personal RePEc Archive*, July 2009.
- Fishkin, James S. *The Voice of the People: Public Opinion and Democracy*. New Haven: Yale University Press, 1995.
- Fiske, John. *Civil Government in the United States*. Boston: Houghton Mifflin, 1890.
- Fölscher, Alta. "Participatory Budgeting in Asia." In *Participatory Budgeting*, edited by Anwar Shah, 157–189. Washington, DC: The World Bank, 2007.
- Fossedal, Gregory A. *Direct Democracy in Switzerland*. New Brunswick, NJ: Transaction, 2002.
- Fournier, Patrick, Henk van der Kolk, R. Kenneth Carty, André Blais, and Jonathan Rose. *When Citizens Decide: Lessons from Citizens Assemblies on Electoral Reform*. New York: Oxford University Press, 2011.
- "Freedom in the World, 2017." *Freedom House*. https://freedomhouse.org/sites/default/files/FH_FIW_2017_Report_Final.pdf.
- Friedman, Uri. "Should the Brexit Vote Have Happened at All?" *The Atlantic*, June 27, 2016. <http://www.theatlantic.com/international/archive/2016/06/brexit-vote-referendum-democracy/488654/>.
- Fuller, Roslyn. *Beasts and Gods: How Democracy Changed Its Meaning and Lost Its Purpose*. London: Zed Books, 2015.
- Geiger, Abigail. "About Six-in-Ten Americans Support Marijuana Legalization." *Pew Research Center*, January 5, 2018. <http://pewrsr.ch/2E9u3hd>.
- Gilens, Martin. *Affluence and Influence: Economic Inequality and Political Power in America*. Princeton: Princeton University Press, 2012.

- Gilman, Hollie Russon. “Engaging Citizens: Participatory Budgeting and the Inclusive Governance Movement within the United States.” *Ash Center Occasional Papers*, January 2016.
- Goldberg, Carey. “A Decision on the Seattle Seahawks’ Home.” *New York Times*, May 25, 1997. <https://nyti.ms/2FZdpSB>.
- Goldfrank, Benjamin. “Lessons from Latin America’s Experience with Participatory Budgeting.” In *Participatory Budgeting*, edited by Anwar Shah, 91–126. Washington, DC: The World Bank, 2007.
- Hamilton, Alexander. “Letter to Nathaniel Chipman, June 9, 1794.” *Founders Online*. <http://founders.archives.gov/documents/Hamilton/01-16-02-0415>.
- Hamilton, Alexander, John Jay, and James Madison. *The Federalist Papers*. Edited by Clinton Rossiter. New York: New American Library, 1961.
- Herath, R.B. *Real Power to the People: A Novel Approach to Electoral Reform in British Columbia*. Lanham, MD: University Press of America, 2007.
- Herodotus. *The Histories*. Translated by Robin Waterfield. New York: Oxford University Press, 1998.
- Hobbes, Thomas. *Leviathan*. Edited by J.C.A. Gaskin. Oxford: Oxford University Press, 2009.
- Horn, Brady P., Michael Cantor, and Rodney Fort. “Proximity and Voting for Professional Sporting Stadiums: The Pattern of Support for the Seahawk Stadium Referendum.” *Contemporary Economic Policy* 33, no. 4 (October 2015): 678–688.
- Hornblower, Simon. “Creation and Development of Democratic Institutions in Ancient Greece.” In *Democracy: The Unfinished Journey, 508 BC to AD 1993*, edited by John Dunn, 1–16. Oxford: Oxford University Press, 1992.
- “Initiative and Referendum States.” *National Conference of State Legislatures*, 2018. <http://www.ncsl.org/research/elections-and-campaigns/chart-of-the-initiative-states.aspx>.
- Innes, Joanna, Mark Philp, and Robert Saunders. “The Rise of Democratic Discourse in the Reform Era: Britain in the 1830s and 1840s.” In *Re-imagining Democracy in the Age of Revolutions: America, France, Britain, Ireland, 1750–1850*, edited by Joanna Innes and Mark Philp, 114–128. Oxford: Oxford University Press, 2013.

- Jacobs, Lawrence R., and Robert Y. Shapiro. *Politicians Don't Pander: Political Manipulation and the Loss of Democratic Responsiveness*. Chicago: University of Chicago Press, 2000.
- Jacquet, Vincent, and Min Reuchamps. "Who Wants to Pay for Deliberative Democracy? The Crowdfunders of the G1000 in Belgium." *European Political Science Review* 10, no. 1 (2018): 29–49.
- Jefferson, Thomas. "Letter to Isaac H. Tiffany, August 26, 1816." *Founders Online*. <http://founders.archives.gov/documents/Jefferson/03-10-02-0234>.
- Jefferson, Thomas. "Letter to Joseph C. Cabell, February 2, 1816." *Founders Online*. <http://founders.archives.gov/documents/Jefferson/03-09-02-0286>.
- Jefferson, Thomas. "Letter to William Charles Jarvis, September 28, 1820." *Founders Online*. <http://founders.archives.gov/documents/Jefferson/98-01-02-1540>.
- Jurado, Ignacio, Nikitas Konstantinidis, and Stefanie Walter. "Why Greeks Voted the Way They Did in the Bailout Referendum." *LSE European Politics and Policy Blog*, July 20, 2015. <http://bit.ly/1fh3ABn>.
- Kasdan, Alexa, Lindsay Cattell, and Pat Convey. "A People's Budget: A Research and Evaluation Report on Participatory Budgeting in New York City." *The Community Development Project*. New York: Urban Justice Center, 2013.
- Kennedy, John F. *Profiles in Courage*. New York: Harper, 1961.
- King, Martin Luther, Jr. "I Have a Dream," August 28, 1963. *The Martin Luther King, Jr. Research and Education Institute*. <https://kinginstitute.stanford.edu/king-papers/documents/i-have-dream-address-delivered-march-washington-jobs-and-freedom>.
- Landemore, Hélène. "Deliberation, Cognitive Diversity, and Democratic Inclusiveness: An Epistemic Argument for the Random Selection of Representatives." *Synthese* 190, no. 7 (May 2013): 1209–1231.
- Landemore, Hélène. *Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many*. Princeton: Princeton University Press, 2013.
- Landemore, Hélène. "Inclusive Constitution-Making: The Icelandic Experiment." *The Journal of Political Philosophy* 23, no. 2 (2015): 166–191.

- Landow, Charles. "Direct Democracy and Its Dangers." *Huffington Post*, January 7, 2011. https://www.huffingtonpost.com/charles-landow/direct-democracy-and-its-_b_806004.html.
- Lang, Amy. "But Is It for Real? The British Columbia Citizens' Assembly as a Model of State-Sponsored Citizen Empowerment." *Politics and Society* 35, no. 1 (March 2007): 35–69.
- Latendresse, Anne. "The Case of Porto Alegre: The Participatory Budget." In *Participatory Democracy: Prospects for Democratizing Democracy*, edited by Dimitrios Roussopoulos and C. George Benello, 287–291. Montreal: Black Rose Books, 2005.
- "Leave and Remain EU Donations and Loans Revealed." *BBC News*, May 11, 2016. <http://www.bbc.com/news/uk-politics-eu-referendum-36267668>.
- Lerner, Josh. *Everyone Counts: Could "Participatory Budgeting" Change Democracy?* Ithaca: Cornell University Press, 2014.
- Lerner, Josh, and Daniel Schugurensky. "Learning Citizenship and Democracy through Participatory Budgeting: The Case of Rosario, Argentina." *Democratic Practices as Learning Opportunities*, November 2005.
- Lincoln, Abraham. "Gettysburg Address," November 19, 1863. *The Avalon Project at Yale Law School*. http://avalon.law.yale.edu/19th_century/gettyb.asp.
- Lucardie, Paul. *Democratic Extremism in Theory and Practice: All Power to the People*. New York: Routledge, 2014.
- Lukensmeyer, Carolyn J., and Steve Brigham. "Taking Democracy to Scale: Creating a Town Hall Meeting for the Twenty-First Century." *National Civic Review* 91, no. 4 (Winter 2002): 351–366.
- Madison, James. "Notes on the Debates in the Federal Convention." *The Avalon Project at Yale Law School*. http://avalon.law.yale.edu/subject_menus/debcont.asp.
- Manin, Bernard. *The Principles of Representative Government*. Cambridge: Cambridge University Press, 1997.
- Manning, Jennifer E. "Membership of the 115th Congress: A Profile." *Congressional Research Service*, January 17, 2018. <https://fas.org/sgp/crs/misc/R44762.pdf>.
- Matusaka, John G. "Popular Control of Public Policy: A Quantitative Approach." *Quarterly Journal of Political Science* 5, no. 2 (August 2010): 133–167.

- McCann, Kate, and Tom Morgan. “Nigel Farage: £350 Million Pledge to Fund the NHS Was ‘a Mistake.’” *The Telegraph*, June 24, 2016. <http://www.telegraph.co.uk/news/2016/06/24/nigel-farage-350-million-pledge-to-fund-the-nhs-was-a-mistake/>.
- Mendelsohn, Matthew, and Andrew Parkin. “Introduction: Referendum Democracy.” In *Referendum Democracy: Citizens, Elites and Deliberation in Referendum Campaigns*, edited by Matthew Mendelsohn and Andrew Parkin, 1–22. New York: Palgrave, 2001.
- Mill, John Stuart. “Considerations on Representative Government.” In *On Liberty, Utilitarianism, and Other Essays*. Edited by Mark Philp and Frederick Rosen. Oxford: Oxford University Press, 2015.
- Newport, Frank. “Public Opinion and the Tax Reform Law.” *Gallup*, December 21, 2017. <http://news.gallup.com/opinion/polling-matters/224432/public-opinion-tax-reform-law.aspx>.
- O’Neill, Tip. *All Politics is Local, and Other Rules of the Game*. Avon, MA: Adams Media, 1995.
- Paine, Thomas. “Rights of Man.” In *Common Sense, Rights of Man, and Other Essential Writings of Thomas Paine*. New York: Signet Classics, 2003.
- Palmer, Charles James. *Characteristics of Charles James Fox, as a Statesman and Orator; with an Application to the Present Stirring Times*. Bristol: Philp and Evans, 1839.
- Palmer, R. R. “Notes on the Use of the Word ‘Democracy.’” *Political Science Quarterly* 68, no. 2 (June 1953): 203–226.
- Pateman, Carole. “Participatory Democracy Revisited.” *Perspectives on Politics* 10, no. 1 (March 2012): 7–19.
- Pearse, Hilary. “Institutional Design and Citizen Deliberation.” In *Designing Deliberative Democracy: The British Columbia Citizens’ Assembly*, edited by Mark E. Warren and Hilary Pearse, 70–84. New York: Cambridge University Press, 2008.
- Plato. *Republic*. Translated by Allan Bloom. New York: Basic Books, 1991.
- Polybius. *The Histories*. The Loeb Classical Library, vol. 3. Translated by W.R. Paton. Cambridge: Harvard University Press, 1979.
- “Proportion of Seats Held by Women in National Parliaments.” *The World Bank*. https://data.worldbank.org/indicator/SG.GEN.PARL.ZS?year_high_desc=true.

“Public Spending, by the People: Participatory Budgeting in the United States and Canada in 2014–15.” *Yankelovich Center for Public Judgment*, May 2016.

Qvortrup, Matt. “Introduction: Theory, Practice, and History.” In *Referendums around the World*, edited by Matt Qvortrup, 1–18. London: Palgrave Macmillan, 2018.

Ratner, R.S. “Communicative Rationality in the Citizens’ Assembly and Referendum Process.” In *Designing Deliberative Democracy: The British Columbia Citizens’ Assembly*, edited by Mark E. Warren and Hilary Pearse, 145–165. New York: Cambridge University Press, 2008.

Renwick, Alan, Matthew Flinders, and Will Jennings. “The UK’s Referendum and Post-Fact Politics: How Can Campaigners Be Held Accountable for Their Claims?” *LSE European Politics and Policy Blog*, August 19, 2016. <http://bit.ly/2au1OAx>.

Robespierre, Maximilien. “Report on the Principles of Political Morality, February 5, 1794.” In *The Old Regime and the French Revolution*, edited by Keith Michael Baker, 368–384. Chicago: University of Chicago Press, 1987.

Robinson, Donald L. *Town Meeting: Practicing Democracy in Rural New England*. Amherst: University of Massachusetts Press, 2011.

Röcke, Anja. *Framing Citizen Participation: Participatory Budgeting in France, Germany and the United Kingdom*. New York: Palgrave Macmillan, 2014.

Rosanvallon, Pierre. “Democratic Universalism as a Historical Problem.” *Books and Ideas*, April 8, 2008. <http://www.booksandideas.net/Democratic-Universalism-as-a.html#nh6>.

Rousseau, Jean-Jacques. *Letter to Beaumont, Letters Written from the Mountain, and Related Writings*. Edited by Christopher Kelly and Eve Grace. Translated by Christopher Kelly and Judith R. Bush. Hanover, NH: Dartmouth College Press, 2013.

Rousseau, Jean-Jacques. *The Social Contract*. Translated by Maurice Cranston. London: Penguin Books, 1968.

Ryfe, David M. “Does Deliberative Democracy Work?” *Annual Review of Political Science* 8 (June 2005): 49–71.

Salidi, Uptin. “The Brexit Ballot Wording Wasn’t Always So Simple.” *CNBC*, June 22, 2016. <https://www.cnn.com/2016/06/22/brexit-question-ballot-wording-framing.html>.

Schaub, Hans-Peter. “Maximising Direct Democracy—by Popular Assemblies or by Ballot Votes?” *Swiss Political Science Review* 18, no. 3 (August 2012): 305–331.

- Schumpeter, Joseph A. *Capitalism, Socialism and Democracy*. New York: Harper Collins, 1950.
- “Scottish Independence Referendum Campaigners Spent £6.7m.” *BBC News*, May 14, 2015. <http://www.bbc.com/news/uk-scotland-scotland-politics-32735695>.
- Shah, Anwar. “Overview.” In *Participatory Budgeting*, edited by Anwar Shah, 1–18. Washington, DC: The World Bank, 2007.
- Shall, Adrienne. “Sub-Saharan Africa’s Experience with Participatory Budgeting.” In *Participatory Budgeting*, edited by Anwar Shah, 191–223. Washington, DC: The World Bank, 2007.
- Shephard, Alex. “Minutes.” *New Republic*, 2016. <https://newrepublic.com/minutes/134646/referendums-bad>.
- Simmons, Katie, Laura Silver, and Courtney Johnson. “Transatlantic Dialogues: In Europe and North America, Publics More Supportive Than Experts of Direct Democracy.” *Pew Research Center*, November 7, 2017. <http://pewrsr.ch/2hmKdOt>.
- Sintomer, Yves, Anja Röcke, and Carsten Herzberg. *Participatory Budgeting in Europe: Democracy and Public Governance*. New York: Routledge, 2016.
- Smith, Mark A. “Ballot Initiatives and the Democratic Citizen.” *The Journal of Politics* 64, no. 3 (August 2002): 892–903.
- Steinberg, Jonathan. *Why Switzerland?* Cambridge: Cambridge University Press, 1976.
- Stockton, David. *The Classical Athenian Democracy*. New York: Oxford University Press, 1990.
- Stratmann, Thomas. “Is Spending More Potent for or against a Proposition? Evidence from Ballot Measures.” *American Journal of Political Science* 50, no. 3 (July 2006): 788–801.
- Suksi, Markku. *Bringing in the People: A Comparison of Constitutional Forms and Practices of the Referendum*. Norwell, MA: Kluwer, 1993.
- Suteu, Silvia. “Constitutional Conventions in the Digital Era: Lessons from Iceland and Ireland.” *Boston College International and Comparative Law Review* 38, no. 2 (May 2015): 251–276.

- Tacitus. *Agricola and Germany*. Translated by A.R. Birley. Oxford: Oxford University Press, 2009.
- Talpin, Julien. *Schools of Democracy: How Ordinary Citizens (Sometimes) Become Competent in Participatory Budgeting Institutions*. Colchester, UK: ECPR Press, 2011.
- Taub, Amanda, and Max Fisher. “Why Referendums Aren’t as Democratic as They Seem.” *New York Times*, October 4, 2016. <https://nyti.ms/2k5Rf93>.
- Taylor, Lily Ross. *Roman Voting Assemblies: From the Hannibalic War to the Dictatorship of Caesar*. Ann Arbor: University of Michigan Press, 1990.
- “Third Open Government National Action Plan for the United States of America.” *The Open Government Partnership*, October 27, 2015. https://obamawhitehouse.archives.gov/sites/default/files/microsites/ostp/final_us_open_government_national_action_plan_3_0.pdf.
- Thucydides. *History of the Peloponnesian War*. Translated by Rex Warner. London: Penguin Books, 1972.
- Tocqueville, Alexis de. *Democracy in America*. Translated by Harvey C. Mansfield and Delba Winthrop. Chicago: University of Chicago Press, 2000.
- Tuck, Richard. *The Sleeping Sovereign: The Invention of Modern Democracy*. Cambridge: Cambridge University Press, 2016.
- “Universal Declaration of Human Rights,” December 10, 1948. <http://www.un.org/en/universal-declaration-human-rights/>.
- Volokh, Eugene. “The United States Is Both a ‘Republic’ and a ‘Democracy’—Because ‘Democracy’ Is Like Cash.” *Washington Post*, November 14, 2016. <http://wapo.st/2fMtrWj>.
- Walter, Stefanie, Elias Dinas, Ignacio Jurado, and Nikitas Konstantinidis. “Non-Cooperation by Popular Vote: Expectations, Foreign Intervention, and the Vote in the 2015 Greek Bailout Referendum.” *PEIO 2017 Conference in Berne*, January 2017.
- Wampler, Brian. “A Guide to Participatory Budgeting.” In *Participatory Budgeting*, edited by Anwar Shah, 21–54. Washington, DC: The World Bank, 2007.
- Weber, Max. “Politics as a Vocation.” In *The Vocation Lectures*. Edited by David Owen and Tracy B. Strong. Translated by Rodney Livingstone. Indianapolis: Hackett Publishing Company, 2004.

- Wheatcroft, Geoffrey. "Europhobia: A Very British Problem." *The Guardian*, June 21, 2016. <https://www.theguardian.com/politics/2016/jun/21/brexit-euro-scepticism-history>.
- "When Too Much Democracy Threatens Freedom." *The Economist*, December 17, 2009. https://www.economist.com/blogs/democracyinamerica/2009/12/when_too_much_democracy_threat.
- Wilson, Cherry. "Election Results 2017: The Most Diverse Parliament Yet." *BBC News*, June 11, 2017. <http://www.bbc.com/news/election-2017-40232272>.
- Wirth, Werner, Jörg Matthes, Christian Schemer, Martin Wettstein, Thomas Friemel, Regula Hänggli, and Gabriele Siegert. "Agenda Building and Setting in a Referendum Campaign: Investigating the Flow of Arguments among Campaigners, the Media, and the Public." *Journalism & Mass Communication Quarterly* 87, no. 2 (Summer 2010): 328–345.
- Young, Iris Marion. "Communication and the Other: Beyond Deliberative Democracy." In *Democracy and Difference: Contesting the Boundaries of the Political*, edited by Seyla Benhabib, 120–135. Princeton: Princeton University Press, 1996.
- Zimmerman, Joseph F. *The New England Town Meeting: Democracy in Action*. Westport, CT: Praeger, 1999.
- Zuckerman, Michael. *Peaceable Kingdoms: New England Towns in the Eighteenth Century*. New York: Alfred A. Knopf, 1970.