

BUILDING SUSTAINABLE DEMOCRACIES

Introduction

This presentation is about sustainable democracy building, community building, and capacity building. In addition, a potential solution is proposed for the problem of finding a consultation process that would allow people to make decisions themselves. I will argue against consultation processes that do not enable people to fully participate in decision-making, and conclude with a discussion of electoral reforms that might contribute to sustainable democracy.

Building sustainable democracies

Overview

So how do you build sustainable democracies? Let's start that discussion by

1. redefining the term 'democracy', and
2. thinking about how we interrupt centralised power.

To do this, we'll focus on the following two principles:

3. the way in which we can create consensus through critique, and that requires moderated deliberation, and
4. how to draw together highly representative citizens, which does not seem to happen through any sphere of governance at the moment.

I have a particular interest in the latter: representativeness through random selection. (I've written a book on random selection, with Brian Martin and I've got a website that can direct you to my interests in this area: www.hydra.org.au/activedemocracy). There you'll find some links to innovative consultation methods, many are based on Athenian democracy, without a few of the obvious Athenian flaws – since the Greeks were not too keen on foreigners, slaves or women. There were a few problems with the Greek model as well as many strengths.)

1. Redefining democracy

Democracy as the majority of us experience it is arguably an empty ritual. The NSW Electoral Office once produced some wonderful advertising that came out to alert people to the importance of registering to vote, plus the satisfaction of voting in a forthcoming state election. In it, a happy voter wakes up in the morning and thinks, "Oh, goody, today's the day I get to vote, how, when where? Isn't it exciting?" But what is particularly significant is the final caption that says "end of story". And that probably sums up democracy for us: we're allocated a certain number of votes, and that's all we get to spend in our lifetime, and sometimes you have that feeling that you're actually craving something a little more than putting a cross on a ballot paper and pretending that it's meaningful.

Delacroix's "Liberty Leading the People", although rather bloody, says something about the roots of democracy –it has a woman holding a flag, and it's incredibly passionate, reflecting the fervor that people had for democracy as a result of the French, American, and English revolutions. The sadness, however, is what we've had delivered - the homogenous politicians in Parliament. This situation reinforces the fact that what we were promised was not delivered. And it was not delivered because it was never meant to deliver *democracy*. So do not accept the term 'democracy'; we do not have a democracy, we have representative government, we have an elective aristocracy, an elected oligarchy, and we were never meant to have a democracy.

Bernard Manin once remarked that representative government was actually "conceived in explicit opposition to democracy" (Manin, 1997), and yet now the word "democracy" is invoked to describe what we're experiencing. Every country is a democracy now. The world is becoming full of democracies – but really the world is becoming full of representative governments, not of democracies. No surprise then that this is the sort of image (Bill Leak's cartoon of politicians as pigs with snouts in the trough, and voters with begging bowls) that resonates for us – they're just politicians, enjoying the fruits of their office. We hold the little begging bowls with politicians asking: "What are you bludgers doing here?" We are so outside the system that we don't even get a look in. And it's a reversal of that situation which is fascinating: how citizens can be drawn into the system in a more meaningful way.

2. Power, and interrupting centralized power

Nietzsche makes a powerful statement about the love of power, and what it can do to people:

Neither necessity nor desire, but the love of power, is the demon of mankind. You may give men everything possible—health, food, shelter, enjoyment—but they are and remain unhappy and capricious, for the demon waits and waits; and must be satisfied. Let everything else be taken away from men, and let this demon be satisfied, and then they will nearly be happy—as happy as men and demons can be.

(Friedrich Nietzsche, *The Dawn of Day*, cited by Hillman, 1995)

Almost by accident you find yourself as an elected representative falling into this habit of loving power. Power is as subtle as it is brutal, and I think we fail to acknowledge the subtlety of power. People are attracted to politics thinking they can do the right thing and something quite subtle happens. I've experienced it myself, albeit in the narrow corridors of local government when I was an elected representative. I did find that I was starting to use the language of the organisation. I started saying "we" then I realised - I'd actually forgotten my roots, where I came from, and what it was I was trying to change.

I'm interested in the way we describe power. Some people think of it as having three dimensions:

The first dimension of power

The first dimension of power is the most obvious form – who wins, who loses in a conflict arena. In fact, much of the political debate is about that. “How can we get different people into power? If we could just get The Greens into power, or the Labor Party into power...then things would be different.”

The second dimension of power

The second is who’s controlling the *agenda* – who’s making the rules here? What is this system of government we’re actually operating within?

The third dimension of power

The third dimension is far more subtle. It’s about what kinds of *storylines* are going on that mean we can’t actually challenge the rules by which we are living, and I think we are in a situation where no-one dare challenge the storyline by questioning “what is this system that we have?”

A very quick example of this comes again from my experiences in local government. When I was with Lismore City Council we had a big problem with floods. We were trying to solve this problem, and so I put forward an idea that was very democratic, in terms of bringing together a representative sample of the community for a policy jury on this very complex issue.

I put a proposal for a policy jury (or citizens’ jury) to Council and to my delight it was approved, though a recission motion was moved within 24 hours. The reason the recission motion was moved within 24 hours was because this was the headline which followed Council’s decision to support this innovative form of consultation: Jim Gallagher, notable for his involvement in the ALP in NSW, someone who I would have imagined would be a natural ally for my proposal, called the policy jury “the height of stupidity” because it challenged the storyline about how you make decisions. You influence through lobbying. You don’t do this by giving typical citizens the opportunity to actually participate in decision making. I learnt a very valuable lesson there: that my natural allies were starting to sound like they were coming from the right. I actually had to work in a very different way with the left, because they didn’t agree with my version of democracy.

3. Creating consensus through critique: deliberative designs

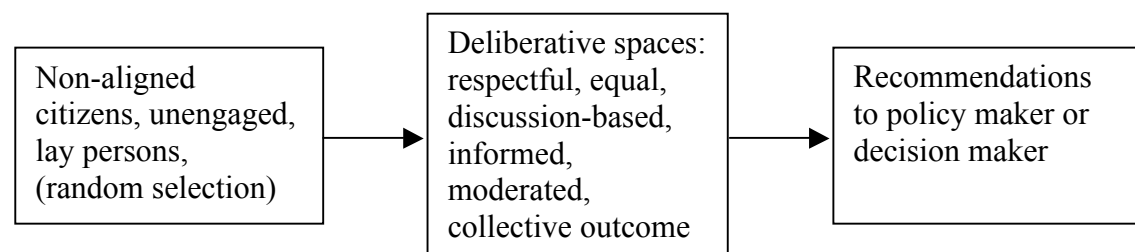
In relation to democracy, there’s a very interesting project going on at the moment through the ANU, which is doing a democratic audit of Australia (Research School of Social Sciences, ANU, 2003, <http://democratic.audit.anu.edu.au>). One particularly interesting aspect of the ANU project is this one: *participation and government responsiveness*. When democracy is being audited, to what extent do *typical citizens* have an equal chance of being heard in the political process? That is, the silent majority, the unengaged, the uninvolved, not the usual, vocal suspects – everyone. That’s the area of my current research.

Deliberative governance

This is called deliberative governance, which is essentially saying “let us recognise that the state is not the only player in decision making or in policy development, nor should it be.” There are civil actors, as well as lobbyists, as well as corporations and so on. What is important is that we engage in deliberation, or build deliberative capacity. That’s a very important principle: informed discussion or dialogue, which differs considerably from the practices we’re used to, and will hopefully remedy some of the deficiencies of representative government. I’m keen to design, test and advocate democratic problem-solving initiatives.

Deliberative designs

These experiments are also called deliberative designs, because they take non-aligned citizens, unengaged citizens, laypersons, and place these typical citizens into deliberative spaces, that are respectful and discussion based, and where a lot of information is available. They’re moderated or facilitated to interrupt the usual power games that can go on in a group, and they work towards a collective outcome. And what they come up with are either decisions themselves or recommendations for policy makers. The following diagram illustrates that process:



Deliberative designs come in many forms: citizens’ juries, consensus conferences, planning cells, policy juries, youth juries, deliberative polls. The latter, the deliberative poll, is a whole other discussion, as it has deficiencies which I’d like to draw out. We’ve had deliberative designs (or deliberative inclusive processes) for 30 years throughout the world; this is not an innovation that has not been tried. It has been, it has withstood robust evaluation. They can be *community* initiatives, there have been instances of *state* initiatives, certainly there have been *corporate* initiatives I’ve been involved in. Deliberative designs overcome the problem of ‘the incensed and articulate’, which is what happens when you convene a public meeting. You know, the sort of public meeting, the type that become “boy, have we got a deal for you!”. I’m interested in how decision makers can build a mandate through deliberative designs, to feel confident about making a decision by reflecting the views of their whole constituency. This was always my challenge in local government and, of course, it’s a very empowering experience for those formerly voiceless citizens who participate.

4. Citizens’ juries: drawing together highly representative citizens

There are many exciting and diverse case studies of citizens’ juries in practice: for example, a small scale citizens’ jury in Ballina that was a community initiative; an extremely large scale dialogue in New York that occurred post September 11, when

New Yorkers were trying to work out how to rebuild Manhattan; another small scale citizens' jury that was convened by local government in Wollondilly; some of Germany's 30 years history of planning cells; the world's first combined citizens' jury and televote which we conducted in New South Wales on the issue of container deposit legislation (about paying deposits on drink containers). Australia has also had a consensus conference in Canberra on the issue of genetically modified organisms in the food chain. As you can see, these deliberative designs vary in terms of size, they vary in terms of cost, they vary in terms of their convenors, and they vary in terms of the length of time devoted to them. The key features of each case study mentioned is outlined in the table below:

ISSUE	LOCATION	SIZE	DURATION (face-to-face)	INITIATED BY...
Town (CBD) plan	Ballina NSW	15	1 day	Community
Rebuilding Twin Towers site	Manhattan, New York	600/ 4300	1 day	Community
Social plan for shire	Wollondilly, NSW	14	2 days	Local govt
Consumer protection	Bavaria, Germany	18 x25	4 days	State govt department
Container Deposit Legislation	NSW	12 + 400	3 days	Independent reviewer
Genetically modified organisms in food chain	Canberra	14	3 days + 2 w/ends	Community

These are the principles of deliberative designs, to reiterate:

- They involve *unengaged* citizens (activists are obviously engaged, the *disengaged* are people who have experienced engagement and they've just become so cynical that they've extricated themselves from it, and the *unengaged* are those who haven't even had a taste of it);
- They are highly representative – it's about bringing diverse constituencies together and diverse viewpoints; and
- They are based on dialogue and discussion, it's about public judgment. It's not about public opinion, it's not an opinion poll or a survey; it's about working towards a meaningful judgment.

The following table gives you an idea of when you should, and when you should not, consider using a deliberative design such as a citizens' jury:

WHEN TO USE? When...	WHEN NOT? When...
It's a complex issue that requires considered debate	An expert working party would provide the answers
It's a political "hot potato" & best to let citizens decide	No decision is pending
Creative, acceptable options or priorities are needed	Organisers not willing to act on recommendations
Staff are enthusiastic about process	No independent, skilled facilitation is available
Organizers are prepared to accept recommendations	Bring pressured to include stakeholders with an agenda (so no RS)
Wanting to avoid "usual suspects"	Staff not enthusiastic about process
Needing to know what an informed general public would want	Simple issue or question & survey would do—or if pre-debate opinion is needed
Interested in diverse opinions	Diverse responses are unimportant

The next table identifies some of the opportunities and constraints a citizens' jury may offer:

OPPORTUNITIES	CONSTRAINTS
Build mandates & trust—institutionalise citizens' right to participate in decision making	Non-participants remain uninformed—need for education & promotion of issues and process
Build confidence in planning & policy decisions or service delivery	"Incensed and articulate" need to come on board—can sabotage process
Democratise organizations—'democracy skills' development	Comparatively time-consuming compared with superficial quantitative methods
Adapt to suit local or cultural conditions—can be used by staff, citizens, intra-organisation etc.	Little known, process misunderstood or distrusted; citizens' abilities are not trusted
Simultaneous CJs can confirm generalisability	Small scale invites skepticism
RS overcomes power problems	Requires independent, skilled facilitation
Stakeholders can be educated & changed	Needs agreement for briefing documents

Deliberative designs in practice

One of the important things about deliberative designs, including citizens' juries, is that the group finds its own way, under the direction of a moderator who ensures the group makes its own decisions about group processes.

Deliberative designs are one off events, so the problem of commitment from busy people with little free time is solved. These events run over one to three days, so it avoids any long-term commitment and has the added advantage of involving people who bring fresh perspectives to the issue being discussed.

Deliberative designs should be influential and this is best achieved through a contract. The decision maker and each participants should agree to certain outcomes before anyone embarks on the process. This guarantees that the process is taken seriously by both parties and inevitably leads to strengthened relationships in communities when they work well.

Democracy is not necessarily about where the political is located, it's actually about how it's experienced (Wolin cited by Blaug, 1999). Frances Moore Lappé says, that democracy is not what we have, democracy is what we do (Lappe and Du Bois, 1993). Therefore, the kinds of things that that have been mentioned here are as relevant to us in our bedrooms or kitchens as they are in a public space, in a public site. They're just principles that make good sense in terms of involving people in decisions that affect them, and doing it in a way that is very robust. Surely we can tell when we are in the midst of democracy, it makes the hair on the back of our necks stand up. Ricardo Blaug talks about not so much creating democracy but creating circumstances, or environments in which democracy can break out (Blaug, 1999). It's such a natural thing, it'll break out if you create the right circumstances with the right ingredients.

These ingredients resonate: the noise – everybody's animated and talking, or their silence, they're leaning forward and listening to each other; there's real exchange, leadership is very fluid, people assume leadership or back out of it when it becomes appropriate, they insist on others being heard, conflict is constructive and workable conflict. There are ways that we can create this and I've certainly experienced it often enough to know how achievable it is (Blaug, 1999).

It also needs to be proclaimed that this is good fun. We can have a good time with deliberative designs. People are often drawn into the space very reluctantly – no-one's ever asked them to participate before, or they are cynical or suspicious. That's fairly understandable. It becomes a dance, to encourage participation by those who are reluctant to participate and by the end of it you can't get them out the door, you have to tell them: "go home." But before then, participants are animated, democracy's broken out, they've had a good time. This *is* democracy, it's soaring, it's powerful, and it's wonderful.

Electoral reforms considered

Demarchy

One of the more radical electoral reforms proposed is called ‘demarchy’. It is an idea that was explored by John Burnheim, who was a philosopher at the University of Sydney, writing his book “Is Democracy Possible?” in the eighties (Burnheim, 1985). Demarchy is based on the idea of random selection – so if it’s good enough for a citizens’ jury, or policy jury, or planning cell, it’s good enough for running the country. That’s what I keep coming back to – if we randomly select citizens, tell me, would we be any worse off than what we are now? Please convince me that the correct answer is “yes”.

Demarchy is a very interesting system in that it is about a series of functional committees, at two levels. There are people who are in committees making decisions about transport, education and so on, and there is another level which is about making decisions about the process of how you construct that other level.

This is the kind of comparison that you could do if you looked at demarchy in relation to representative government.

<i>Group</i>	<i>Role in Decision Making</i>	<i>How Selected</i>
REPRESENTATIVE GOVERNMENT		
Elected Politicians	Make decisions	Elected by citizens
Govt bureaucrats	Advise representatives; make administrative decisions	Appointed by politicians or by senior bureaucrats
Political parties	Choose candidates	Voluntary membership
Media	Influence opinions	Privately owned or government run
Lobbyists & Activists	Try to influence politicians, bureaucrats & public opinion	Volunteers or paid by interest groups
Citizens	Vote for politicians	Satisfy legal requirements (citizenship, voter registration)
DEMARCHY		
Members of functional groups	Make decisions	Random selection from volunteers
Members of second-order groups	Make decisions about the decision-making system	Elected or randomly-selected from functional groups
Media	Influence opinion	Privately owned or government run

Lobbyists & Activists	Try to influence members of functional groups & public opinion	Volunteers or paid by interest groups
Citizens	Occasionally be a member of a functional group	Satisfy requirement set by second-order groups

Carson & Martin (1999) *Random Selection in Politics*, Praeger, Westport, CT

Some things change dramatically, like the elected politicians because it's actually people who make the decisions, but the role of the lobbyist or the activist remains largely unchanged, as does the role of the media and so on.

Citizen legislature

Citizen legislature is a different thing again. It was devised by an American pair, Callenbach and Phillips, and they suggested a model which involved the random selection of members of Congress. They wrote a little booklet about it, it's available on the web now, and it's an interesting model (Callenbach and Phillips, 1985, <http://www.context.org/ICLIB/IC11/Calnbach.htm>). But they're just saying: don't change the system, we'll have the same Congress, but we'll randomly select them. Callenbach and Phillips are disgusted by the incredible amount of money that is spent on electioneering in the US; with so much money attached to it, you've got to be a millionaire to get into Congress. The model that they devised in the 80s seems to have incredible currency right now.

Integrating people's assemblies

There is a more recent proposal put forth by Leigh Gollop at Flinders University in South Australia. At the moment you may be aware that there's been a deliberative poll in South Australia, looking at the reform of the Upper House. And this was an idea that Leigh was suggesting, and it was the notion of people's assemblies that could be integrated with the present system. There would be a Lower House and an Upper House, but the Upper House would draw on citizens to resolve contentious issues. He was also trying to get around the imperfections of citizen-initiated referenda (CIR).

CIR, and referenda generally, have many serious flaws, and there was no better example than the constitutional referendum on the republic issue in Australia. Like voting, referenda have become empty rituals in direct democracy. The government proclaims: We'll let you say yes or no to this decision, but we'll establish the agenda, and we'll tell ask the questions. The system needs overhaul.

Preferenda

Any Australian citizen, if given a choice between a referendum or preferenda on that issue would have chosen preferenda. The latter is an Irish model which enables people to prioritise and to establish parameters (Emerson, 1998). It could have started with

preferenda and culminated in a binding referendum but instead it was reduced to a superficial choice between two unsatisfactory options

Conclusion

What I have argued for is this: a system of governance that *includes* the people, not through direct democracy with its commensurate weaknesses, but via deliberative, inclusive practices. I've argued that we should settle for nothing less than this because robust systems and processes are available to us now—they have been tested and shown to work well in various countries, including Australia, for the past thirty years. Elected representatives have no excuse for *not* drawing citizens into local, regional, state, national, global decision making. These mechanisms can be used by corporations and non-government organizations as well. All that is required in the political will.

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