

Making Direct Democracy Deliberative through Random Assemblies

Executive Summary

Direct-democratic processes enjoy popular favor and will likely see greater adoption in the coming decades. These ballot-measure procedures, however, fall short of the standards of deliberative democracy. Occurring in campaign and media environments that distort citizens' policy knowledge, initiative and referendum processes tend to furnish citizens with insufficient information about policy problems, inadequate choices among policy solutions, flawed criteria for choosing among such solutions, and few opportunities for reflection on those choices prior to decision making. In this essay we suggest a way to make direct democracy more deliberative by grafting randomly selected citizen assemblies onto existing institutions and practices.

We first offer definitions of the key terms “democratic deliberation” and “deliberative democracy” that make clearer the constituent elements of deliberation and how it operates at micro- and macro-level scales. These terms are explained in terms of a conceptual framework for political deliberation, which sets forth analytical goals for deliberation (e.g., identifying a broad range of policy solutions and weighing the pros, cons, and tradeoffs among solutions) and social goals for measuring the democratic quality of political communication (e.g., adequately distributing speaking opportunities and ensuring mutual comprehension).

Next, we examine closely the problems that beset modern direct-democratic elections. These include the provision of inadequate or unusable information about ballot measures to voters; the distortion of policy information by campaigns and the media; the frequent enactment of measures that are unconstitutional or that result in unintended consequences, such as the substantial erosion of state and local tax bases; the exercise of majority tyranny; and the manipulation of public sentiment by special interests. We then review the history of randomly selected citizen assemblies, from the legislative bodies of ancient Athens through twentieth- and twenty-first century proposals, such as demarchical institutions and popular legislative branches.

Finally, we propose five different varieties of random assembly forms—Priority Conferences, Design Panels, Citizens' Assemblies, Citizens' Initiative Reviews, and Policy Juries—and explain how they can address the deliberative deficit of direct democracy. After selecting members through stratified random sampling of citizens, each of these assemblies would operate at a different stage of the legislative process, from initial problem identification through approval of a finished ballot measure. Highly structured procedures guided by professional moderators and featuring expert testimony on policy and legal matters would ensure deliberative quality and adherence to democratic standards of participant interaction. Further, these procedures would yield measures that are more likely to achieve desired policy objectives, less likely to result in unintended consequences, and more robust to court challenges than measures produced by today's flawed initiative and referendum processes.