Generating Democratic Legitimacy through Deliberative Innovations: 

The Role of Embeddedness and Disruptiveness

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**Abstract:** Democratic deliberation is claimed to improve the legitimacy of democratic decision making. However, deliberation’s beneficial effects do not come about easily. If deliberative mini-publics want to contribute to the legitimacy of political decision making, they have to reflect the principles of legitimacy in their own functioning. In this paper, we set out to assess the input and output legitimacy of four deliberative events, and determine which are the favorable conditions for deliberative legitimacy. Based on a comparison of the British Columbia Citizens’ Assembly, the Belgian G1000, the Dutch Burgerforum, and the Irish We The Citizens, we argue that their institutional embeddedness and their disruptive potential strongly affect their claims to legitimacy.

Over the course of the last decades, political analysts in all Western countries discovered the contours of a widespread crisis of democracy. The alleged decline of institutional trust and political participation, and the rise of electoral volatility pointed to an increasing gap between politicians and citizens. This idea of a deep-rooted crisis of democratic legitimacy offered an excellent breeding ground for critical reflection on the role, shape and function of democracy in modern societies. It gave rise to a quest for new and innovative ways of governing a democracy.

In this turbulent period the ideal of a deliberative democracy was coined. A community of international scholars and philosophers, inspired by the work of Jürgen Habermas, started to advocate the idea that the quality of democratic decision-making is determined by extensive and inclusive argumentation about political choices before voting.
on them. By including everyone who is affected by a decision in the process leading to that
decision, deliberation was said to improve democratic legitimacy.²

What is often overlooked, however, is that if deliberative democracy wants to
contribute to the legitimacy of the political system as a whole, it has to be legitimate in
itself; that is, deliberative processes have to reflect the principles of legitimacy in their own
functioning before their outcomes can contribute to the legitimacy of the wider democratic
system. It is therefore crucial to assess how internally legitimate deliberative mini-publics
are, and to gain insight in how we can design them in such a way as to maximize their
positive externalities. In this article, we focus on two of those design features: the
institutional embeddedness and the disruptiveness of mini-publics. Our research question is
therefore: to what extent are institutional embeddedness and potential disruptiveness the
favorable conditions for the legitimacy of deliberative innovations?

In this contribution, we argue that the deliberative mini-publics’ institutional
embeddedness improves their output legitimacy, whereas a high level of disruptiveness
improves their input legitimacy. In order to reach this conclusion, we will compare four
carefully matched deliberative mini-publics: the British Columbia Citizens Assembly on
Electoral Reform, the Belgian G1000 Citizens’ Summit, the Dutch Burgerforum, and the
Irish We the Citizens in a most similar design.

However, we start this paper with the development of criteria for measuring the
internal legitimacy of deliberative mini-publics. After all, the theoretical premises on

² Cohen 1998; Dryzek 2001; Parkinson 2006.
deliberative legitimacy have rarely been translated into operational terms.\(^3\) Thereafter, we hypothesize why embeddedness and disruptiveness might be considered favorable or unfavorable to the legitimacy of deliberative mini-publics. In the third section, we develop the methodology and discuss the cases under investigation. The fourth and fifth parts offer the comparison, and try to link the specific design choices of deliberative mini-publics to their contributions to democratic legitimacy.

**Deliberative legitimacy**

A new type of democracy, such as deliberative democracy, requires a new conceptualization of democratic legitimacy. Such approach may fall back on the work of Easton who demonstrated the importance of understanding political systems in terms of its input and of its output as well as in terms of their interactions.\(^4\) These two aspects of systems’ theory have often been discussed in terms of democratic legitimacy, starting with Scharpf in the context of the EU.\(^5\) He divided democratic legitimacy into *output*, that is the effectiveness of the EU’s policy outcomes, and *input*, that is the responsiveness of the EU to citizen participation. More recently, Schmidt argued for the addition of a third normative criterion for evaluation, *throughput*:

\(^3\) Geissel 2011.

\(^4\) Easton 1965.

\(^5\) Scharpf 1970. See also Scharpf 1999.
In the case of the European Union, moreover, attention to the mechanisms of ‘throughput’ legitimacy, that is, to the efficacy, accountability, openness and inclusiveness of the governance processes, has not only been increasing among scholars but has long been among the central ways in which EU-level institutional players have sought to counter claims about the poverty of input legitimacy and to reinforce claims to output legitimacy.\(^6\)

Throughput legitimacy is thus the missing link between input and output. Interestingly deliberative democracy theories bring about the same concern for a focus on processes, in addition to the input and the output dimensions. In his seminal piece on deliberative legitimacy, Cohen contends that “outcomes are democratically legitimate if and only if they could be the object of free and reasoned argument among equals.”\(^7\) As most deliberative scholars,\(^8\) Cohen thus emphasizes the process of linking public inputs to political outputs through a certain deliberative procedure. This means that, in order to assess the quality of the deliberative process and its legitimacy, we should rely on a conceptualization of deliberative legitimacy that can fully distinguish between but also link the inputs from equal citizens and outputs, understood as the outcome produced through deliberation. Scholars working empirically on deliberative democracy’s legitimacy also stress the importance of this threefold model:\(^9\) democratic decision-making procedures have to be

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6 Schmidt 2013, 3
7 Cohen 1998, 74.
8 Manin 1987; Dryzek 2001; Parkinson 2006.
9 Bekkers and Edwards 2007; Edwards 2007; Geissel 2011.
legitimate in the input, throughput and output phases. Hereafter, we propose a conceptualization of legitimacy designed specifically to assess deliberative events.

**Input legitimacy**

Input legitimacy refers to the openness of deliberation towards demands and needs from the public. The inclusive reflection of the authentic preferences of the population at large is thus the central principle, whereas selectivity in demands has to be avoided. This type of legitimacy has to meet three central criteria in a deliberative setting, namely discursive representativeness, epistemic completeness, and an open agenda-setting, which we operationalize hereafter.

**Discursive representativeness**

Argumentative interaction between ordinary citizens is very difficult to achieve in mass democracies, and “meaningful participation in collective decision by anything more than a tiny minority is inconceivable in contemporary nation-states”.\(^{10}\) Because of this scale problem, citizen deliberation is usually scaled down to a type of mini-public. In doing so, it is important to guarantee that the opinions of the participants in some way have to be representative of the socio-demographic and discursive diversity in the larger population from which they are drawn. After all, many of the problems democracies are faced with are

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\(^{10}\) Dryzek 2001, 652.
unevenly distributed among the citizenry. Different experiences lead to different perspectives on what constitutes a social or political problem, and if certain problems disproportionately affect certain social groups, these groups should be included in the deliberations. As such, high levels of representativeness are often equated with high levels of input legitimacy. Empirically, we therefore distinguish between the following coding categories:

1. **Discursive inclusion:** The mini-public is characterized by a fair socio-demographic and discursive representation. Diverse opinions and discourses represented.

2. **Discursive bias:** There is a drop out or self-selection among traditionally vulnerable groups, and opinions are skewed.

3. **Discursive inbreeding:** There is a strong drop out and self-selection among all groups. The median views dominate, and there is little substantive contestation.

**Epistemic completeness**

Deliberation is an epistemic practice. By talking to each other, participants come to identify good arguments and sound information, which ideally leads to better decisions. The main problem is, however, that much of the information is unevenly distributed among the citizenry. Politically knowledgeable citizens are usually better informed and know the stakes. In order to guarantee equal opportunities for all participants to get informed, and to avoid that knowledgeable individuals have more power in deliberation, it is a common

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practice to give the participants the opportunity to get their facts straight and to grow their competence in dealing with the issues by offering them information.\textsuperscript{12} From an input legitimacy perspective, however, it is important that the information offered is complete, and offers balanced and objective views. We therefore code the epistemic qualities of the deliberative designs as follows:

1. **Full information**: The participants have access to all relevant information, and are competent to question independent experts, policy makers, and witnesses.

2. **Balanced information**: Trustworthy and comprehensive information booklets are available to the participants.

3. **Minimal information**: The discussion allows the participants to pool their private information, but no other information is available.

*Open agenda-setting*

Mini-publics that appeal to deliberative legitimacy also require an open agenda. If the agenda is fixed and closed, the diversity in the group will not be able to manifest itself, because citizens’ opinions will be restricted to a narrow set of issues. When the agenda is open, mini-publics will be able to approach the issues more holistically. Selectivity during the agenda setting of the event will thus undermine the input legitimacy.\textsuperscript{13} Since policy problems are often multifaceted and interdependent, a closed agenda and narrowly defined

\textsuperscript{12} See e.g. Luskin, Fishkin, and Jowell 2002.

\textsuperscript{13} Edwards 2007.
topic hinder the inclusivity of the event on the input side. Allowing the participants to explore new and adjacent problems could thus increase the input legitimacy. The coding scheme for the openness of the agenda is the following:

1. **Open agenda**: The entire population or all stakeholders are able/invited to set or vote on the agenda in an open-ended process.

2. **Semi-open agenda**: The agenda is thematically fixed, but participants can introduce adjacent issues, and question the assigned issues.

3. **Closed agenda**: The organizers set the agenda, and there is very little room for introducing new issues.

**Output legitimacy**

Deliberative events aim to transform public demands into political decisions or proposals. This means that they also have to live up to the legitimacy requirements on the output side. Their outcomes have to be in some way connected to the formal decision-making arena, and public officials have to be held responsible for what they do with the results. This means that two specific criteria have to be met: political uptake and accountability.

**Political uptake**

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14 Smith 2009.
In order for deliberative outputs to be legitimate, they have to be in some way linked to formal political decision-making processes or the process is merely a form of democratic experimentation without practical use.\textsuperscript{15} They have to be effectively implemented or at least set the political agenda.\textsuperscript{16} The output legitimacy thus increases when the effective impact of the deliberative outputs and the participants on real world politics is high. It also means that the output legitimacy increases as the deliberative outcomes become more strictly binding.

We therefore distinguish between the following operational codes:

1. **Implementation**: The decisions taken by the mini-public are implemented, or the choice about implementation is given to the wider public.

2. **Agenda setting**: The decisions set the political agenda and inform policy makers. There are references in policy documents and parliamentary debates.

3. **Information**: Party and government officials are publicly informed of the decisions, but they do not initiate action to turn them into policy.

**Accountability**

Decisions taken through deliberation should not only feed public decision-making, there should also be regular feedback to the participants.\textsuperscript{17} Those who put their heads together to come up with solutions should be kept in the loop on what happens with these solutions.

\textsuperscript{15} Goodin and Dryzek 2006.

\textsuperscript{16} Edwards 2007.

\textsuperscript{17} Bekkers and Edwards 2007.
Moreover, there should be a clear chain of responsibility. It should be clear to the participants in deliberative events who is going to take up their decisions, and who can be held accountable for the results achieved. Operationally, we will code the deliberative events as follows:

1. **Regular feedback**: Government agents report on decisions and progress made to participants and general public.

2. **Feedback on demand**: Feedback is provided only after the participants or the wider public explicitly ask for it.

3. **No feedback**: Public and participants are kept in the dark about the uptake of their proposals. Government agents remain irresponsible.

**Embeddedness and disruptiveness**

Whether or not deliberative mini-publics have a high input or output legitimacy theoretically depends on many factors. In this contribution, however, we will focus more closely on two specific structural conditions: the mini-public’s institutional embeddedness and its disruptive potential.

The deliberative innovations’ institutional embeddedness refers to the extent to which the deliberative mini-publics are tied to the political or administrative machinery through governance networks.\(^\text{18}\) When deliberative practices are embedded in the decision-making infrastructure, because they are initiated by governments or because politicians and civil

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\(^{18}\) Barth 2006.
servants explicitly support them, their decisions are more likely to be implemented by the established institutions.

Deliberative innovations that function outside of the formal decision-making realm, will also try to maximize their substantive policy impact, but the cooptation of their decisions will be less successful. After all, institutionally dissociated mini-publics will have a hard time influencing the political elites or process. They will at best be seen as a precursor to the real decision making and have little real impact on policies. Or, as Edelenbos argues: “[i]nteractive governance needs better institutional embeddedness in order to prevent the interactive process from becoming meaningless and useless in formal decision making.”

The level of embeddedness will thus mainly impact the output legitimacy of deliberative innovations. When there is no real power sharing arrangement between the elites and the innovators, elites are unlikely to listen. However, when funding comes from official instances or when politicians and public servants are part of the mini-public, the willingness to listen to the demands of citizens will be greater. Under such circumstances the weight given to the results of the mini-public will be greater. Deliberative innovations that are institutionally embedded will thus have a higher output legitimacy than their counterparts that have to function dissociated from the system.

19 Ansell and Gash 2007, 544.
20 Geissel 2011, 176-177.
21 Edelenbos 2005, 111.
23 Smith 2009.
**H1**: Embedded deliberative innovations will have a higher output legitimacy than dissociated ones.

Besides the embeddedness of mini-publics in the wider political system, we also need to look at their disruptive potential. The idea of ‘disruptive innovations’ essentially stems from the business literature where new firms enter the marketplace and redefine the standards through innovation.\(^{24}\) However, much like firms are sometimes incapable of generating appropriate functionality, so too do democracies often fail to produce public goods.\(^{25}\) Such a democratic market failure creates opportunities for ‘innovative democratic challengers’\(^{26}\) to enter the democratic market and disrupt the process of public goods production and allocation.\(^{27}\)

The disruptive potential of democratic innovations can take two forms: high-end disruptions are revolutionary and radical, whereas low-end disruptions are rather evolutionary and incremental. The less a democratic innovation resonates the core values and interests of the established democratic institutions, the higher its disruptive potential.\(^{28}\) At this point, however, it is important to stress we deliberately use the term disruptive *potential*. Much like new entrants in the economic market might never shake the

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\(^{24}\) Christensen 1997.

\(^{25}\) Newton 2011.

\(^{26}\) Saward 2008, 408.

\(^{27}\) Christensen et al. 2006.

\(^{28}\) Carayannis, Gonzalez, and Wetter 2003.
foundations of their more established competitors,\textsuperscript{29} nothing guarantees that democratic innovations will effectively disrupt the political system.

Deliberative innovations can be disruptive either by explicit aim or by implicit design. Many deliberativists set up initiatives that explicitly challenge politics as usual. They find fault with the political elites, and frame their initiatives as being radical alternatives to the existing power structures.\textsuperscript{30} Others design their events in such a way as to maximize the perceived value of their proposed alternative to mainstream politics. For instance, big, long, and highly mediatized innovations can create ripples in the democratic pond strong enough to revise the political status quo.

If these democratic innovations want to fundamentally challenge the political status quo, they have to target the perceived gap between power elites and the people, and empower the latter. The disruptive potential of deliberative events will thus most likely impact their input legitimacy. Innovations are disruptive to the extent that they improve the inclusion of ordinary citizens in political decision-making processes and disruptiveness is a measure for the ferocity with which the deliberative innovation wants to alter existing power relations.\textsuperscript{31} Disruptive innovations thus break with exclusionary decision making and empower groups that are traditionally cut off from the formal political arenas.

Low-end disruptive events, on the other hand, build on a more incremental logic, and do not fundamentally contest the status quo. They are followers in the sense that they do

\textsuperscript{29} Yu and Hang 2010, 440.
\textsuperscript{30} Cohen and Fung 2004.
\textsuperscript{31} Gawell 2013.
not offer a radical alternative to the democratic business as usual. Such incrementally innovative events sustain the existing power relations. The same power dynamics and the same stifling smell of backroom politics that often characterize representative institutions will also be likely to haunt these events, causing the input legitimacy to be rather poor.

\[H2: \text{ Radically disruptive deliberative innovations will have a higher input legitimacy than incrementally disruptive ones.}\]

If we combine these two independent variables, we reach the following scheme of hypotheses:

\[\text{Table 1 – about here}\]

\textbf{Research design}

To determine whether embeddedness and disruptiveness induce higher or lower legitimacy, we will use a comparative method. This allows us to single out those configurations of factors that are conducive to a high or low level of legitimacy. We have selected four deliberative events in a most-similar design.\textsuperscript{32} These four events are the \textit{British Columbia Citizens' Assembly}, the Belgian G1000, the Dutch \textit{Burgerforum}, and the Irish \textit{We the Citizens}. These are all sizeable and highly mediatized deliberative events gathering

\textsuperscript{32} Sartori 1991.
ordinary citizens to discuss salient political issues in a controlled and moderated setting. Moreover, they were all organized in a context with a strong sense of democratic deficit and political dysfunction. The cases are, however, matched on the independent variables, meaning they differ in terms of their embeddedness and disruptiveness.

Table 2 – about here

In the upper left cell of table 2, we find the *British Columbia Citizens’ Assembly* (BCCA). The BCCA qualifies as an inside challenger because it was strongly embedded in the decision-making infrastructure. After the 1996 elections highlighted the disfunctionality and questionable legitimacy of the province’s single member plurality system, the Liberals advocated electoral change. When the Liberal Gordon Campbell became the Premier after the next election, he was called to make good on his promise for change.\(^\text{33}\) The provincial government therefore instituted an assembly to reflect on the province’s electoral system.\(^\text{34}\) The fact that it was instituted primarily at the Premier’s request makes clear how centrally the Assembly was to be embedded in the Provincial decision-making structures. The BCCA also had a high disruptive potential. It challenged existing power structures and empowered citizens by letting them set the rules of the political game, a task a legislative body normally reserves to itself. Moreover, the BC government also gave citizens some real decision-making power by stipulating that the propositions of the Assembly be put to a

\(^{33}\text{Ratner 2004.}\)

\(^{34}\text{Fournier et al. 2011.}\)
provincial referendum. This commitment on behalf of the provincial government was remarkable, because – constitutionally – referendums could never be binding. As such, the BCCA was able to radically disrupt the political game.

The Belgian G1000 Citizens’ Summit is the outside challenger. It was a challenger because its explicit aim was to challenge Belgian politics as usual at a time when the Belgian government witnessed one of its most severe crises. In this climate of severe government instability, the organizers explicitly stated that the aim of the event was to empower citizens. Citizens would be able to reach an agreement where politicians had failed. Moreover, in a country, notorious for its highly elitist political culture, the G1000 was perceived as an open challenge to the political balance of power. The project was, however, an outside challenger because the organizers explicitly chose not to depend on government. The budget was sourced through crowd-funding, and politicians were not involved until the very end. This meant that the experiment was completely dissociated from the formal decision-making structures.

In the lower left corner, we see the Dutch Burgerforum Kiesstelsel which emerged from the Dutch government’s Agenda for Democratic Renewal. The assembly had to reflect on the Dutch electoral system for the Second Chamber. To a large extent, the Burgerforum is based on the design of the BCCA: it was installed and funded by government decree, and it was considered to be a complementary decision-making circuit. The Burgerforum was

35 Devos and Sinardet 2012.
36 Caluwaerts 2012; Caluwaerts and Reuchamps 2014a.
37 Van Den Broeck 2011.
38 Caluwaerts and Reuchamps 2014c; Caluwaerts and Reuchamps 2014b.
moreover asked to report directly to the Minister for Public Renewal which makes it clearly institutionally embedded.\textsuperscript{39} However, contrary to the BCCA, the Burgerforum had little potential to disrupt the political system. It was not framed as an alternative to Dutch politics as usual, and no final endorsement through a referendum was foreseen, which was the case with the BC referendum.\textsuperscript{40} In an interview, the Dutch Prime Minister Balkenende explicitly stated – before the Burgerforum even took place – that he was not planning on changing the system, and that he wanted to keep the existing electoral rules.\textsuperscript{41} There was thus very little political will to let the Burgerforum revise the political power constellation. As such, the Burgerforum did not take off under the best of circumstances and only constituted an incremental disruption.

The final case is the Irish \textit{We the Citizens} (WTC), which started after the 2008 financial crisis struck Ireland hard. In this climate of political and economic crisis, a working group of the Political Studies Association of Ireland launched the project, with the financial support of Atlantic Philanthropies. It was clearly an outsider in the sense that it was conceived in academic circles and did not rely on government funding.\textsuperscript{42} Moreover, the idea of the WTC was primarily to test whether a more participatory form of democracy could work in Ireland and to put alternative modes of decision-making on the new government’s agenda.\textsuperscript{43} The aim was not to radically overturn the power dynamics of Irish

\textsuperscript{39} Pechtold 2004-2005.

\textsuperscript{40} Smith 2009; Fournier et al. 2011.

\textsuperscript{41} Wansink 2005; Wynia 2005.

\textsuperscript{42} We the Citizens 2011.

\textsuperscript{43} Farrell, O’Malley, and Suiter 2013.
politics and empower the Irish citizens. This makes it an ideal example of an outside follower.

Assessing the deliberative innovations’ legitimacy

Now that we have laid down a framework to assess deliberative experiments’ legitimacy and presented the four cases under investigation, we ought to pursue our empirical analysis. In this section we assess the legitimacy of each case.

The British Columbia Citizens’ Assembly on Electoral Reform

In 2003, the Canadian province of British Columbia empowered an Assembly of 160 near-randomly selected ordinary citizens to assess the province’s electoral system and possibly recommend a new system, should they believe it necessary. The government pre-committed itself to putting the proposition of the Citizens’ Assembly (CA) to a provincial referendum and to implementing it in case of approval by the population.

The CA met from January to November 2004 to learn about electoral systems, consult with experts and politicians, deliberate, and finally recommend in December 2004 that the British Columbia’s electoral system changed from single member plurality vote to single transferable vote, a form of proportional representation. This experiment was
considered ‘the first time a citizens’ body [had] ever been empowered to set a constitutional agenda.’

From its very inception in Gordon Gibson’s *Report on the Constitution of the Citizens’ Assembly on Electoral Reform*, randomization was explicitly considered to be a necessary condition for the legitimacy of the CA. It was therefore designed to approximate a descriptive representation of the people of British Columbia, with one woman and one man from each of the seventy-nine ridings in the province randomly drawn from the voting rolls. In addition, two Aboriginal members were selected, resulting in a body of 160 plus the Chair, of which only one participant was reported to drop out. In addition to gender and regional parity as well as age diversity, this ‘near-random selection also resulted in diversity of ethnicity, formal education levels, and employment within the CA.’ Given the low drop-out and the randomization, we can say that the discursive representativeness of the event was very good. There was a fair representation of diverse opinions and discourses, which makes it discursively inclusive.

Because of the event’s embeddedness, the organizers had to stick to a rather narrowly defined agenda set by the provincial government. However, the agenda was not set in such a way as to be conducive to one proposal or the other. The deliberants knew what issue they had to discuss and where they had to start from, but they were not told where to go. There was thus a thematically fixed agenda, but with sufficient openness for the participants to

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45 Gibson 2002.


seriously consider all alternative electoral formulas. This openness contributes positively to the input side of this deliberation, and we qualify the agenda as being semi-open.

Moreover, the length of the process (almost a year) allowed the participants to investigate deeply into the issue(s) at stake, to consult the public and experts and finally to propose a long-discussed and well-thought recommendation. This was done throughout with the support of both the Legislative Assembly and the Government of British Columbia that set up a secretariat with a budget of $5.5 million. This covered the costs of eight full-time research, logistical, administrative, and communications staff, as well as part-time facilitators and note-takers, whose role was to ease the deliberation and to make sure that all perspectives were heard. No effort was spared to provide the participants with the necessary information, which means that the event is characterized by a large amount of epistemic completeness.

In May 2005, the provincial government followed-up on its promise and the CA’s proposal was put to referendum. It failed to meet the double threshold set by the government for approval: 60% of the province-wide vote and a majority in 60% of the electoral districts. While the latter was reached easily (passing in seventy-seven out of seventy-nine districts), the former fell 2.3% short gaining 57.7% of the vote, even though less than 60% of the public was aware of the CA and its recommendation.48 A second referendum was organized in 2009 but the proposal’s support did not meet the thresholds, this time gaining less support than in the first referendum. It seemed the momentum around the British Columbia Citizens’ Assembly was over.

48 Cutler et al. 2008.
The Belgian G1000 Citizens’ Summit

In 2010, the Belgian party elites from both sides of the linguistic border sat together for 541 days to form a government, resulting in little more than a complete political stalemate. In this context of strong political polarization, a group of citizens launched the G1000 Citizens’ Summit. The G1000 was a completely grassroots organization: it relied on hundreds of volunteers and the budget (€500,000) was crowd-funded with small donations from private citizens or companies in just a couple of months time. Grassroots funding was considered important to keep the agenda open. Accepting funds from government in the heated context of nationalist deadlock would prioritize issues related to the state reform, so the G1000 relied on crowd funding to create an agenda, which was open to what the citizens found important. This open agenda setting process was launched through an online idea-box in which every citizen could suggest issues. The three most salient items – social security, the financial crisis, and migration – were discussed at the G1000 Citizens’ Summit in November 2011.

To ensure a wide diversity among the one thousand participants, the selection was twofold: 90% through Random Digit Dialing and 10% of the seats through minority

49 Deschouwer and Reuchamps 2013.

50 Caluwaerts and Reuchamps 2012.
organizations.\textsuperscript{51} 90\% of the participants were thus randomly selected, whereas 10\% came from a targeted recruitment in order to maximize the inclusion of different perspectives. However, the event experienced a dropout rate of about 30\%. The final number of participants therefore amounted to only 704.\textsuperscript{52} Nevertheless, the ex-post checks showed that the final participant sample was socio-demographically fairly representative of the entire population, and the team of international observers even thought the diversity at the tables to be one of the most impressive features of the event.\textsuperscript{53} The overall discursive representativeness thus remains positive.

The Citizens’ Summit in Brussels was moreover flanked by two side projects, which boost its representativeness even more. The G’Home was a parallel online discussion open to everyone, whereas the G’offs gathered citizens who were not selected to participate at the G1000 itself, at discussion tables all over Belgium. There was thus a much larger group than the randomly selected participants in Brussels discussing the three main issues, and the conclusions reached by the G’Home and G’Offs had a striking resemblance with the proposals formulated by the participants in Brussels.

The participants were able to question experts before and during the deliberations, and all the arguments that were formulated at the tables were collected and clustered by the central desk. These clusters were then resubmitted to a plenary vote at the end of each

\textsuperscript{51} G1000 2012.
\textsuperscript{52} We should take into account that the participants of the G1000 did not receive any financial compensation for their participation.
\textsuperscript{53} G1000 2012, 102-103.
discussion round. Such a combination of substantive depth from the experts, and elaboration by citizen deliberation led to a high level of epistemic completeness.\textsuperscript{54}

Despite all good intentions, however, the G1000 Citizens’ Summit scored very poorly in terms of output legitimacy. The G1000 grew as a truly grassroots initiative but this inevitably meant that the organizers could not secure any commitment from the political elites. Rather, the final report was looked at with relative skepticism by political parties and the media, and apart from the presidents of the different Belgian parliaments saying that ‘it is important to listen to citizens’, very little specific action was initiated by politicians to take up the ideas of the G1000 in the policy process. There was thus no uptake and no feedback to the participants.

\textit{Table 4 – about here}

\textbf{The Dutch Burgerforum}

Much like the British Columbia case, the Dutch Burgerforum grew in a climate of political crisis. After the 2002 and 2003 elections, the vulnerability of the Netherlands’ extremely proportional system became obvious. Rightwing populist parties rose and fell in very short periods of time, and a thorough public discussion took place on the breach between citizens and politicians. This debate was further propelled by the fact that D66 would only join the

\textsuperscript{54} Bekkers and Edwards 2007.
coalition government in 2003 on the condition that deep changes to the country’s electoral system would take place.\textsuperscript{55}

However, there was strong opposition among MPs against a new electoral bill, which eventually led to a short government crisis. As a response to this enduring crisis, the newly appointed Minister for Institutional Renewal and Kingdom Relations, Alexander Pechtold, created his ‘Agenda for Democratic Renewal’. Among others, the Dutch government decided to fund a citizens’ assembly that would reflect on the Dutch electoral system for the Second Chamber.

From its very inception, the project seems to be shaped crucially by the government’s agenda, and the Minister imposed several criteria for the project in his inaugural decree. The project had to deal with electoral reform. It also had to consist of 140 citizens, and each adult inhabitant should have an equal chance of being selected. The need for randomization was thus considered an official requirement for a qualitative process, and it was also explicitly considered a condition for a legitimate process.\textsuperscript{56} In practice, we see that a random sample of 50,000 citizens was drawn from the official citizens’ registry, 3,000 among which attended an information session, and 1,700 among which submitted their candidacy to participate. Of those candidates, 140 were finally selected taking into account socio-demographic and territorial quota. However, the participants were biased because the selection was based on a multistage process, which means that the randomly selected

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\item \textsuperscript{55} Van der Kolk and Thomassen 2006.
\item \textsuperscript{56} Pechtold 2006.
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citizens had the chance of dropping out at several times.\textsuperscript{57} This of course led to a final participant pool that was strongly self-selected,\textsuperscript{58} which means that there was a clear discursive bias in the sample.

The initial phases of the forum consisted of information gathering and consultations of external experts, meaning that full information was available to the mini-public. After those consultations, the participants went to work to draft several proposals for changes to the electoral system. In the final weekends, votes were held in order to come up with the concluding report that would be presented to the government. Given the very large number of votes, the Burgerforum relied much more strongly on aggregation and votes than on deliberation and preference transformation.\textsuperscript{59}

The openness of the agenda was rather low. As we said earlier, the Dutch government decided from the start that the Burgerforum had to present a final report on what system the citizens preferred for electing the Second Chamber. The initiative was thus strongly tailored to this one theme, and it was obvious to the participants from the information sessions that only the electoral system, and not the wider functioning of democracy, was to be the issue.\textsuperscript{60}

Unlike the British Columbia case, the policy suggestions in the final report were not submitted to a public vote.\textsuperscript{61} The event ended with a large-scale publicity campaign, and

\textsuperscript{57} Van der Kolk 2008a.
\textsuperscript{58} Broekmeulen 2006.
\textsuperscript{59} Van der Kolk 2008b.
\textsuperscript{60} Fournier et al. 2011.
\textsuperscript{61} Smith 2009.
during the course of the meetings, there was a website that offered news on the discussions that were taking place. The level of public endorsement and public accountability was thus fairly limited.

As regards the weight of the results, we can see that very little was done to implement the suggestions of the Burgerforum.\textsuperscript{62} From the start of the project, the academic team was critically aware of the fact that the results of their efforts depended largely on the goodwill of the politicians to change the rules of the electoral game.\textsuperscript{63} They therefore put much effort into informing the political elites of the ideas of the Burgerforum as the process evolved. In the end, the results were discussed in the Parliamentary Committee for Interior Affairs, but the overall political uptake was limited.

\textit{Table 5 – about here}

\textbf{The Irish We the Citizens}

Ireland’s democracy has been experiencing an ongoing crisis with a generalized lack of trust in politics and institutions ever since the start of the financial crisis.\textsuperscript{64} To explore possible response to this political context, a working group was set up by the Political Studies Association of Ireland in 2009, which suggested to test whether a more

\begin{footnotesize}
\begin{itemize}
  \item Ten Heuvelhof and Van Twist 2007.
  \item Broekmeulen 2006.
  \item We the Citizens 2011.
\end{itemize}
\end{footnotesize}
participatory form of democracy could work in Ireland. With the financial support of Atlantic Philanthropies, a pilot deliberative process, entitled ‘We the Citizens’, was organized in association with the Irish Universities Association. ‘The rationale for this project was to very deliberately and publicly feed into the political reform agenda, the principal objective being to demonstrate the value of citizen-oriented, deliberative approaches to achieving large scale political reform.’

From the outset, it was decided that the agenda would be very open and set by the people of Ireland. To this end, seven meetings were organized around the country between May 14th and June 10th, 2011, with an open invitation, aired by radio and local media channels, to anyone willing to attend. The outcomes of this open door, open agenda platform – where 700 people shared their ideas on how to renew Ireland – helped to determine the agenda of the national Citizens’ Assembly in 2011.

The participants were drawn through a national poll of 1,242 people from whom 150 were selected to attend the national Citizens’ Assembly. Eventually only about 100 attended due to drop-out. They represented a cross-section of Irish society in terms of age, gender, region and socio-economic background, but there was some representative bias. The 100 participants were distributed into tables of eight, each having a facilitator and a note-taker.

Two main themes – political reform-related issues and taxation vs. spending – were discussed (one per day) following a typical mini-public format. Each session started with a

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66 We the Citizens 2011, 16.
presentation by several expert witnesses, followed by a period of deliberation. All the while the experts were available to answer further questions, which means that full information was available.\textsuperscript{67}

We the Citizens had no legal standing or remit. The results of the event showed that a deliberative mini-public could enhance democracy, especially at a time when Irish people felt adrift and disconnected from power.\textsuperscript{68} There was no direct political uptake from the event. None of the proposals trickled up to the formal decision-making arena. However, there was an indirect effect. In 2012, the initiative led the Oireachtas to set up the Irish Constitutional Convention, made of made of 66 citizens and 33 parliamentarians, with the task to make them recommendation on future amendments to be put to the people in referendums.

\textit{Table 6 – about here}

\textbf{Embeddedness, disruptiveness, and legitimacy}

Do embeddedness and disruptiveness affect a deliberative mini-public’s legitimacy? In the second section, we hypothesized that they would. The institutional embeddedness, would lead to a high level of output legitimacy. Deliberative innovations that are embedded within the formal decision-making institutions would have a much higher chance of political

\textsuperscript{67} Farrell, O’Malley, and Suiter 2012, 18.

\textsuperscript{68} We the Citizens 2011.
uptake and accountability. Disruptiveness, on the other hand, would influence the input legitimacy. Disruptive innovations essentially want to revise the institutional status quo and alter the power dynamics by empowering citizens. This means that they will value discursive and epistemic inclusiveness and an open agenda. To what extent do these hypotheses hold true?

Table 7 confronts the hypotheses with the reality, and the findings are interesting. The hypotheses seem to hold perfectly, but only for the radically disruptive cases. Both the inside challenger (the CA) and the outside challenger (the G1000) are high on input legitimacy. Both cases are characterized by a fair amount of discursive inclusion, full information, and an open agenda. It is moreover interesting to see that the BCCA avoids the traditional pitfall of embedded deliberative innovations, namely a closed agenda set by government, by opening up the process and allowing the participants to discuss adjacent issues.

However, for these two cases, embeddedness makes a crucial difference. The inside challenger benefits from its embeddedness in terms of output legitimacy. After all, because of its close connection to the political system, the results of the CA have received a lot of weight. The government was even willing to put them to a referendum twice. The outside challenger suffered from its institutional dissociation when it comes to its outputs. The proposals of the G1000 project were tainted by their strong anti-establishment sentiment, and its autonomous operation outside of the official structures explains its lack of political uptake and accountability.

Table 7 – about here
The two incrementally disruptive cases do not neatly follow the hypotheses. The inside follower (the Burgerforum) is low on the input side as we hypothesized but mainly because of its very closed agenda. Moreover, because of its stepwise selection process, which is prone to self-selection and drop out, the Burgerforum is biased in terms of discursive inclusion. However, despite its embeddedness, the Burgerforum did not succeed in guaranteeing a political uptake. Obviously the political will to make the project succeed, and to genuinely give citizens a binding say in the decision-making process was missing. Also, the issue of democratic reform was considered important at the moment when the assembly was set up because it defused some of the party political problems, but as soon as the initiative started the government’s enthusiasm faded strongly. In other words: the Burgerforum’s embeddedness decreased as time passed, and the organizers were critically aware of this. The Burgerforum’s low output legitimacy was thus more due to a changing political sense of urgency than to its intrinsic characteristics.

The final deviant case is the Irish experiment. As we hypothesized, the We the Citizens project scores badly in terms of direct outputs. Its proposals have not received more than an informal nod from the political elites, even though the process and its proposals did lead to a new and more embedded mini-public. As a follower, however, we expected it to score badly on the input dimension, but it performed rather well on this dimension. Its composition was slightly biased, but its agenda was very open. This doesn’t make sense in light of our theoretical expectations, but it does make sense from a practitioners’ point of view. Every organizer and methodologist of a deliberative mini-
public assumes that diversity through randomization is the best way to go. Even as a follower, the We the Citizens project appears to live up to these standards.

**Conclusion**

The aim of this paper was to determine whether institutional embeddedness and potential disruptiveness affect the legitimacy of democratic innovations. Our answer is a conditional yes. It is yes because both factors do affect the input and output dimensions of democratic innovations’ legitimacy, but it is conditional because the effects are not as clear-cut as one might have hoped. However, we do find some evidence that a high level of institutional embeddedness leads to a high level of output legitimacy. The findings would have been more consistent if the Dutch Burgerforum wouldn’t have lost some of its embeddedness along the way, but in all, institutional embeddedness fosters political uptake.

Disruptiveness, on the other hand, did lead to a high level of input legitimacy, as we hypothesized. The two radically disruptive cases – the BC CA and the G1000 – explicitly aimed at revising the political status quo, and at empowering the citizens. However, the We the Citizens project was incrementally disruptive, and yet it had a high level of input legitimacy. For the most part because that was one of the demands from the sponsor, but we cannot deny that representativeness is one of the aims of every deliberative event.

But what are the implications of these findings for democracy and public action? And which lessons should potential innovators take from our findings? A first element is that each of the ideal types of innovators has its particular strengths and weaknesses. The *inside challenger* stands the best chances of creating positive democratic externalities. As the BC
CA has shown, it is challenging enough to the power elites and it genuinely empowers the people, but it is also close enough to the power structures to give political weight to the people’s ideas. However, it might be vulnerable to changing political climates, and its impact is highly contingent on a continued political will from the elites.

The outside challenger is more often than not a barking dog with no teeth. It is potentially disruptive, but has very little practical influence, in the short run at least. Outside challengers, like the Belgian G1000, stand shouting in the desert. They actively promote a different way of doing politics, but no one in the existing power structures is actually listening. However, as Christensen’s theory of disruptive innovation makes clear, these outside challengers can play an important role in the long run if they employ the right strategy. Enduring innovations of this kind can reset the standards of the democratic game. They can change the democratic norms of appropriateness bottom-up and level out the playing field for other, future innovators.

This is to some extent what the Belgian G1000 has done. Even though it had very little political uptake, its process had a lot of social uptake. That is, other civil society actors – among which some Belgian unions and employers organizations, and even some political parties – have taken over the methods of the G1000 and many of them have actually set up deliberative groups within their own organization. The direct uptake of the G1000 as an outside challenger was thus limited, but it did create a window of opportunity

69 Christensen 1997.

70 Caluwaerts and Reuchamps 2014c.
for other innovators. An important lesson here is that embeddedness is not a necessary condition – albeit still a favorable condition – for success in the long run.

The *inside follower* is a democratic wolf in sheep’s clothes. It is often perceived as an alternative to politics as usual because it uses a new way of involving citizens and it gives the public the perception that it is listened to. In reality, however, the inside follower is merely a straw men set up by the government to deflect attention from the real democratic problems. Through organizing inside followers, governments are merely tinkering at the edges in a way that does nothing to take away the problems at the core of democracy. It creates the perception of legitimacy whereas nothing is actually changing to bridge the gap between power and the people.

And the *outside follower* is relatively powerless. Just like the outside challenger, it suffers from a lack of political uptake, but, because of its incremental nature, it rarely creates a democratic ripple effect in the long run. The outside follower is thus not powerful enough to break through the institutionalized deficit from which some representative systems suffer.

Finally, from a more theoretical point of view, our results also allow us to conclude that there are often – but not always – trade-offs in deliberative legitimacy. Innovations that explicitly opt to be dissociated from the political system they oppose might score very well in terms of input legitimacy with their high levels of representativeness and their open agendas, but their chances of actually penetrating the political realm are small. On the other hand, embeddedness and the higher chances of political uptake that follow, often lead to a low input legitimacy. Whenever this is the case, an important job for deliberative theorists is to normatively assess these trade-offs and to decide which dimensions take preference.
References


Table 1: The hypothesized impact of embeddedness and disruptiveness on legitimacy

<table>
<thead>
<tr>
<th>Disruptive potential</th>
<th>Institutional embeddedness</th>
<th>Inside challenger</th>
<th>Outside challenger</th>
</tr>
</thead>
<tbody>
<tr>
<td>Radical</td>
<td>Embedded</td>
<td>High input</td>
<td>High input</td>
</tr>
<tr>
<td></td>
<td></td>
<td>High output</td>
<td>Low output</td>
</tr>
<tr>
<td>Incremental</td>
<td>Dissociated</td>
<td>Low input</td>
<td>Low input</td>
</tr>
<tr>
<td></td>
<td></td>
<td>High output</td>
<td>Low output</td>
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Table 2: Case selection

<table>
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<tbody>
<tr>
<td></td>
<td>Inside challenger</td>
<td>Case: British Columbia Citizens’ Assembly</td>
<td>Outside challenger</td>
</tr>
<tr>
<td></td>
<td>Inside follower</td>
<td>Case: Dutch Burgerforum</td>
<td>Outside follower</td>
</tr>
</tbody>
</table>

| Incremental |
| Inside challenger | Embedded | Dissociated |
| Inside follower | Case: Dutch Burgerforum | Outside follower | Case: Irish We the Citizens |
Table 3: Legitimacy of the BC Citizens’ Assembly

<table>
<thead>
<tr>
<th>Dimension</th>
<th>Subdimension</th>
<th>Coding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Input</td>
<td>Discursive representativeness</td>
<td>1 → Discursive inclusion</td>
</tr>
<tr>
<td></td>
<td>Open agenda-setting</td>
<td>2 → Semi-open agenda</td>
</tr>
<tr>
<td></td>
<td>Epistemic completeness</td>
<td>1 → Full information</td>
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<tr>
<td>Output</td>
<td>Political uptake</td>
<td>1 → Implementation</td>
</tr>
<tr>
<td></td>
<td>Accountability</td>
<td>2 → Feedback on demand</td>
</tr>
<tr>
<td>Dimension</td>
<td>Subdimension</td>
<td>Coding</td>
</tr>
<tr>
<td>-----------</td>
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<tr>
<td>Input</td>
<td>Discursive representativeness</td>
<td>1 → Discursive inclusion</td>
</tr>
<tr>
<td></td>
<td>Open agenda-setting</td>
<td>2 → Open agenda</td>
</tr>
<tr>
<td></td>
<td>Epistemic completeness</td>
<td>2 → Balanced information</td>
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<td>Output</td>
<td>Political uptake</td>
<td>3 → Information</td>
</tr>
<tr>
<td></td>
<td>Accountability</td>
<td>3 → No feedback</td>
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Table 5: Legitimacy of the Dutch Burgerforum

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</tr>
<tr>
<td></td>
<td>Open agenda-setting</td>
<td>3 ➔ Closed agenda</td>
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<td></td>
<td>Epistemic completeness</td>
<td>1 ➔ Full information</td>
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<tr>
<td>Output</td>
<td>Political uptake</td>
<td>3 ➔ Information</td>
</tr>
<tr>
<td></td>
<td>Accountability</td>
<td>3 ➔ No feedback</td>
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### Table 6: Legitimacy of We the Citizens

<table>
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<td>2 → Discursive bias</td>
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<tr>
<td></td>
<td>Open agenda-setting</td>
<td>1 → Open agenda</td>
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<tr>
<td></td>
<td>Epistemic completeness</td>
<td>1 → Full information</td>
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<tr>
<td>Output</td>
<td>Political uptake</td>
<td>3 → Information</td>
</tr>
<tr>
<td></td>
<td>Accountability</td>
<td>3 → No feedback</td>
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Table 7: Hypothesized and effective relations

<table>
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<th>Disruptive potential</th>
<th>Institutional embeddedness</th>
<th>Embedded</th>
<th>Dissociated</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Radical</strong></td>
<td>Inside challenger</td>
<td></td>
<td>Outside challenger</td>
</tr>
<tr>
<td></td>
<td>Hypothesized:</td>
<td></td>
<td>Hypothesized:</td>
</tr>
<tr>
<td></td>
<td>High input/ High output</td>
<td></td>
<td>High input/ Low output</td>
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<tr>
<td></td>
<td>Effective:</td>
<td></td>
<td>Effective:</td>
</tr>
<tr>
<td></td>
<td>High input/High output</td>
<td></td>
<td>High input/Low output</td>
</tr>
<tr>
<td></td>
<td>Inside follower</td>
<td></td>
<td>Outside follower</td>
</tr>
<tr>
<td></td>
<td>Hypothesized:</td>
<td></td>
<td>Hypothesized:</td>
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<tr>
<td></td>
<td>Low input/High output</td>
<td></td>
<td>Low input/ Low output</td>
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<tr>
<td></td>
<td>Effective:</td>
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<td>High input/low output</td>
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