WHAT HAVE CITIZENS' ASSEMBLIES DONE FOR ME LATELY? EVALUATING WHETHER DELIBERATIVE DEMOCRACY IS VALUE-ADDED

Nicholas J. Caruana, The University of Western Ontario

What added value do Citizens' Assemblies bring to the process of electoral reform? Governments may consider creating such assemblies because they are frequently praised for the transparency and remarkable citizen participation they bring to an electoral reform process. Little is known, however, about whether those qualities—typically absent in élite-driven reforms—actually have independent effects on the quality of democracy and the democratic deficit after the reform process is complete and regardless of its success. Given that many reform attempts have been unsuccessful in recent years, this could be an important consideration in deciding whether to keep using this format. If the democratic legitimacy of citizen-driven reforms helps to reduce distrust in democratic institutions independently of implementation, then such processes have a distinct benefit that élite-driven reforms do not. In this paper, I develop a theoretical framework for evaluating whether an unsuccessful electoral reform process can still have an effect on the quality of democracy, and go on to compare élite-centric and citizen-centric reform processes to determine whether the latter in fact has a democratic advantage over the former. Italy's electoral reforms in 1993, Britain's attempts at reform within the last decade, and British Columbia's 2003 Citizens' Assembly on Electoral Reform will all be examined to show what, if any, value is added by using deliberative democracy to contemplate reform of electoral institutions.

To the venerable debate over electoral reform and which electoral system is superior we may now add another dimension: which method of electoral reform is preferable? From Mill and Bagehot through Duverger (1954) and up to today, discussion has been voluminous regarding whether, how, and why electoral systems matter (Cairns 1968, Rae 1971, Riker 1976, 1982, Lijphart 1994, 1999, Taagepera and Shugart 1989, Blais 1988, 1991, Courtney 2004, Ezrow 2010). This scholarship has furnished evidence both for reformers and their opponents, but it has also in recent years spawned a burgeoning literature on the politics of electoral reform (Norris 1995, Boix 1999, Shugart and Wattenberg 2001, Rahat 2004, Colomer 2004, 2005, Benoit 2006, Renwick 2010). While the effort to explain how electoral systems (and therefore electoral reform) affect the quality of democracy is well-established, scholarship on how the *process* by which reform is executed (or not) is somewhat more incipient. This paper is aimed at addressing this lacuna by making a first effort to theorise how the process by which electoral reform is undertaken affects the quality of democracy independent of whether a proposed reform is ever adopted. Essentially, the paper is meant to evaluate whether deliberative democracy has any independent value for an electoral reform process aimed at addressing the democratic deficit.

The inspiration for the study is the mid-2000s wave of electoral reform efforts involving citizens in a central role, most notably the British Columbia and Ontario Citizens' Assemblies on Electoral Reform as well as the *Burgerforum Kielstessel*, their Dutch counterpart. While the idea of curing what ails democracy with more democracy (Warren and Pearse 2008) seems inherently appealing, the success rate of such Assemblies—zero—might give would-be reformers pause. The question at hand is whether the Citizens' Assembly model is worth it. In other words, while it looks like élites can get the job done more reliably than citizens can, we must ask whether there are hidden benefits of leaving citizens to decide, and hidden costs of letting élites do so. This paper contains a theoretical framework that can be used to investigate and explain the costs and benefits of using either method of reform, so that future reformers can decide which path to take based upon more than simple trust or distrust of élites or ordinary citizens.

In order to understand why process matters, we will need to understand what is at stake in reforms like the ones to be considered below. First, a brief review of why electoral systems matter and then an overview of the democratic deficit will show what is at stake. Subsequently, a discussion of the politics of electoral reform and of deliberative democracy will introduce the two potential solutions. After this, the theoretical framework will be presented and then used to evaluate three well-studied cases of successful and failed electoral reform: a mixed bag of élite successes and failures in Italy, highlighting the threat that élite tinkering can cause citizens to tune out; perennial élite failure in Britain, showing that varying levels of élite commitment to reform can leave the issue unresolved for years; and finally, the recent grassroots failure in British Columbia's prototype Citizens' Assembly, in which a remarkable and widely-praised process still could not get the voting system changed. A short explanation will be provided of what each case means in terms of how process matters, giving a preliminary indication of which path ought to constitute a democratic-deficit-slayer's weapon of choice.

Electoral Reform Then and Now: Why It Matters

Duverger's Law spawned a healthy literature on electoral systems as the independent variable, and a non-stop discussion of their consequences (Duverger 1954, Spafford 1970, Rae 1971, Blais 1988, 1991, Lijphart 1994, Cox 1997). While such literature is critical to reformers advocating a switch to this or that electoral system, the corresponding seat-maximisation literature, which treats electoral systems as a dependent variable (Lipset and Rokkan 1967, Boix 1999, Colomer 2004, 2005, Benoit 2006), ought to attract similar attention from reform proponents, if for no other reason than the limits to electoral reform that it presents.

Though how it happens is up for debate (Ezrow 2010), the electoral system clearly has effects on the dynamics of party competition and often affects party system fragmentation. The mechanical and psychological effects of electoral rules affect how difficult élite and voter coordination are to accomplish, and influence electoral behaviour and the party system accordingly (Duverger 1954, Cox 1997). Plurality (and majoritarian) electoral rules and low district magnitudes increase the disparity between popular vote shares and parliamentary seat shares; proportional rules and higher district magnitudes decrease that disproportionality (Rae 1971, Cox 1997). Plurality rules are usually less permissive toward party proliferation whereas proportional rules are usually more permissive, but importantly, electoral systems cannot act as an accelerator of party proliferation, only a brake (Cox 1997). These direct effects may have downstream consequences for the quality of democracy.

Similarly, the literature that treats electoral systems as the dependent variable and party systems (and other considerations) as the independent variable has an important upshot, which from a rational-choice perspective is eminently reasonable: electoral reform happens when élites want it to (Benoit 2006, Boix 1999, Colomer 2004, 2005). Stability is the norm until something changes party competition so fundamentally that élites adapt in part by changing the electoral rules. The key empirical example (Lipset and Rokkan 1967) is the post-universal-suffrage rise of workers' parties in continental Europe; where the typical pair of traditional cleavage parties felt threatened with permanent irrelevancy under plurality rules, they hedged their bets by switching to proportional rules to mitigate their seat losses. Stasis will persist for as long as élites see it to be advantageous, and reform will happen only when something disrupts that equilibrium sufficiently to motivate parties to change rules with which they are familiar and under which they are accustomed to winning.

Here Be Dragons: The Democratic Deficit

It is all too easy to describe the democratic deficit by saying one knows it when one sees it. A more workable definition is a persistent, chronic sense of public distrust in the workings of democratic institutions—a sort of "democratic malaise" particular to established democracies, in which citizens are increasingly disengaged from democratic politics. The democratic deficit is a dissonance between what citizens expect of their political system and what it delivers—"a

misalignment between citizen capacities and demands, and the capacities of political institutions to aggregate citizen demands and integrate them into legitimate and effective governance" (Warren and Pearse 2008, 2). Echoing Blais (1991) on electoral systems, however, there is a value judgment inherent in this calculus; differing conceptions exist of the democracy that "ought" to be. The Canadian Democratic Audit (CDA) series offers *participation*, *inclusiveness*, and *responsiveness* as guiding values for a democracy, defining them in great detail and painstakingly evaluating the democratic deficit in Canada on this basis. They are sufficiently comprehensive and nonspecific to serve as a fair and unobjectionable benchmark for the performance of democratic institutions, as will be done in this paper (Cross 2010).

Nevitte and Kanji (2002) investigate declining confidence in governments among democratic countries, concerned that "dissatisfaction with particular governments might turn into dissatisfaction with the workings of democracy more generally" (2). Their cross-national study finds that while citizen support for the principles of democracy has not weakened, support for its institutions, which "mediate citizens' evaluations of regime support," *has* changed (20).[1] Failures in responsiveness and inclusiveness may spur mistrust and cynicism regarding politicians and political institutions (Warren and Pearse 2008). Falling voter turnout—Tanguay's (2009) "canary in the coalmine"—can result, itself a failure in participation. Echoing Nevitte and Kanji, Tanguay indicates that Canadian voters support democracy but feel it is not operating properly in practice, and that the same pattern holds in many other established democracies. These are the most evident symptoms of the disease.

Unsurprisingly, suggestions for fixing democratic institutions that no longer work or hold the public trust include reforming those institutions. But will performing major surgery on the electoral rules cure the disease? This is where the debate shifts from the characteristics and effects of electoral systems to their long-term consequences, what democratic deficiencies can be blamed on them, and what sort of changes could fix such problems. The well-known effects of electoral systems on party systems mean that if reform is possible, it could alter the party system—the dynamic environment in which political competition takes place—ideally in ways that improve it with respect to the democratic deficit and with a minimum of side effects. The choices of whether or not to engage in reform, and what reforms must be implemented, especially where electoral systems are concerned, are therefore basic choices about the shape of democracy itself (Blais 1991).

To show the link between the democratic deficit and electoral institutions, we will focus on a few political consequences critics often attribute to the *status quo* system in Canada, Single-Member Plurality (SMP). While its territorial basis offers strong local representation and its tendency to produce artificial majorities allows for clear winners and for "throwing the rascals out" when necessary, Curtice (2009) argues that the particular brands of representativeness and

---

[1] Notably, they conjecture "that public satisfaction with the quality of democratic life might be improved by institutional design" (20).

accountability that SMP offers are in fact detrimental to democracy, though Norris and Crewe (1994) defend its performance in these respects.

Cairns (1968) famously identifies SMP as exacerbating regionalism in Canada by amplifying competition over geographical cleavages; meanwhile, other cleavages are downplayed or ignored because the pattern of party competition solidifies over time through repeated applications of the psychological effect (Ware 1996, Mair 2002, Duverger 1954, Cox 1997). This is entirely aside from questions of the "fairness" of rules that consistently produce artificial majorities and questionable proportionality; such questions can often dominate the debate (see, for example, Henry Milner's 1999 and 2004 edited volumes, or Blais 2008). If a given voting system rewards one type of cleavage and suppresses another, some social forces may go unexpressed while others are overrepresented. Voters might become disillusioned that their particular interests never seem worth the major parties' attention (Milner 1999, 2004), and in some cases simply stop participating (Downs 1957, Riker and Ordeshook 1968, Blais 2000; Blais and Carty (1990) suggest that plurality rules are consistently associated with lower turnout). Other voters choose the lesser of n evils and vote strategically; though still participating, they may feel dissatisfied that they have to "hold their noses." Accountability is largely reduced either to a local affair or the nuclear option of wholesale electoral turnover when the rascals finally need throwing out, and sitting governments may become very difficult to dislodge, fostering concentration of executive power (Farrell 2001, Savoie 1999, White 2005, Russell 2008). This is a less than ideal picture of participation and a consequence of collapsing many decisions (party, candidate, etc.) into one vote choice.

Time and Chance Happeneth to Them All: The Politics of Electoral Reform

The literature on the politics of electoral reform modifies the debate still further. It is concerned with what permits reforms to happen, given the rational-choice perspective of Benoit (2006) and the related work of Boix (1999) and Colomer (2004, 2005) showing that because élites want stasis and have the power to ensure it, stasis is the norm. Rahat (2004) argues that rational choice is good at explaining why systems stay the same, but that it is less adept at dealing with the instability that can produce electoral change.

Norris (1995) notes that many recent reforms that actually changed the voting system have not been grand designs but rather "messy compromises" and duct-tape solutions influenced by the politics of the time; successive literature (Rahat 2004, Renwick 2010) underscores the importance of veto players, actors who can shut down the process. A reform must navigate many veto points (critical junctures at which the process could fail); each veto point corresponds to a necessary condition for the reform to succeed and a sufficient condition for it to fail. In other words, successful reforms are all alike, but failed ones are all failed in their own ways.

What is necessary in order for a reform to run such a gauntlet, with only one way to win and many ways to lose? Rahat (2004) notes that élites like predictability and stasis, so there must be

some instability introduced into the usual patterns of political competition to make élites receptive to a reform; sometimes it may come in the form of a crisis that disperses power even further. Renwick (2010) suggests successful reforms go through three main stages: one in which electoral reform has low political salience or traction, but its proponents produce prior art in terms of electoral design; a second in which some systemic political crisis calls into question the performance or legitimacy of existing institutions, attracts the public's attention, and promotes the view that electoral reform is the solution; and a third in which veto players are shut down, for example by the potential consequences at the next election of being seen by voters as having been part of the problem (see also Shugart and Wattenberg 2001, Rahat 2004). During this process, power is dispersed. The primary advocates and designers may be different people as the process passes through different hands; they have different information and different needs, and thus the final reform tends to feature some continuity along with the change. This way both established élites and reform proponents can feel like they got something out of the process (Rahat 2004),[2] hence Norris's (1995) contention that a completed reform is often an improvised solution riddled with compromises, "a fudge designed to maintain a loose coalition for enough time to produce reform" (4).

<u>The Voter Decides About Deciding: Deliberative Democracy and Electoral Reform</u>

If electoral reform is an important step in restoring the quality of democracy, élites interested in being a part of the solution now have an additional choice to make, namely which path to reform is preferable now that deliberative democracy is an established alternative to the previous pattern of élite-generated reforms. The aim of this study is to shed more light on which path, élite-centric or grassroots-centric, produces better results in terms of the quality of democracy *independent of the reform's success*, thereby addressing a lacuna in the scholarship on electoral reform. Without this discussion, the choice of which process to use when electoral reform once again lands on the agenda will be made in the dark.

What distinguishes citizen-driven reform from its élite counterpart? Many reform efforts in various provinces (Wilson 2009) or other countries centre upon something similar to a Royal Commission, a blue-ribbon panel of experts tasked with producing a recommendation *in part* based upon public input. In the case of a Citizens' Assembly like that used in BC, Ontario, or the Netherlands, while the scope and mandate as well as the broad structure of deliberation are all set up by élites, the deliberation itself is done by citizens given a crash course in electoral systems and turned loose to select the most important values that electoral institutions should embody, and subsequently which system does the best job. A simple analysis might conclude that "more democracy = good" and stop there. While the unprecedented level of participation that comes with a Citizens' Assembly (CA) confers a great deal of legitimacy[3] on the process, there is more

---

[2] Kingdon's (1984) work on "policy windows" is also instructive on this issue.
[3] Which, of course, has its critics; non-populists are less sympathetic to the idea that a group of ordinary citizens can make logical decisions about electoral systems; if they supported reform in BC, it was likely because they knew about STV and approved the Assembly's choice thereof (Cutler *et al.* 2008).

to this question. CAs are only a "better" path to reform if that bonus dose of democratic legitimacy actually does something, and if it does, it ought to be separate from whether the proposed reform ever reaches implementation. Depending on who is looking at it, an Assembly could constitute anything from an airing of a democracy's institutional grievances to a sign that democratic debate and participation are alive and well, and that the debate over electoral systems was not cut off abruptly by an unwilling executive but rather given closure by the public itself (or at least a representative chunk of it).

Thus, we are left with a difficult trade-off; memorable successes in electoral reform in established, stable democracies all seem to be highly élite-driven affairs, while Citizens' Assemblies currently have a success rate of zero. Do we prefer an élite-centric process that gets the job done (some of the time), or a citizen-centric process that in the small sample we have to date has never done so? The choice seems easy until one recognises that any reform process causes ripples and consequences beyond the simple yes-or-no question of "did the system change or not?"

A Theory of Paths to Democratic Reform

What is needed to make this decision easier is a framework for evaluating how the effects of a reform process vary on the type of reform that was used. What follows is a theoretical model that allows the outcome of a process—was the reform implemented or not?—to be separated from other downstream effects. While the veto points affect whether the reform is ever implemented, other effects can get around these veto points and affect the quality of democracy. Three factors stemming from the process that could have effects on democracy (and therefore, the democratic deficit) are *outcome*, *input legitimacy*, and *output legitimacy*.

Figure 1: EFFECTS OF PROCESS ON QUALITY OF DEMOCRACY
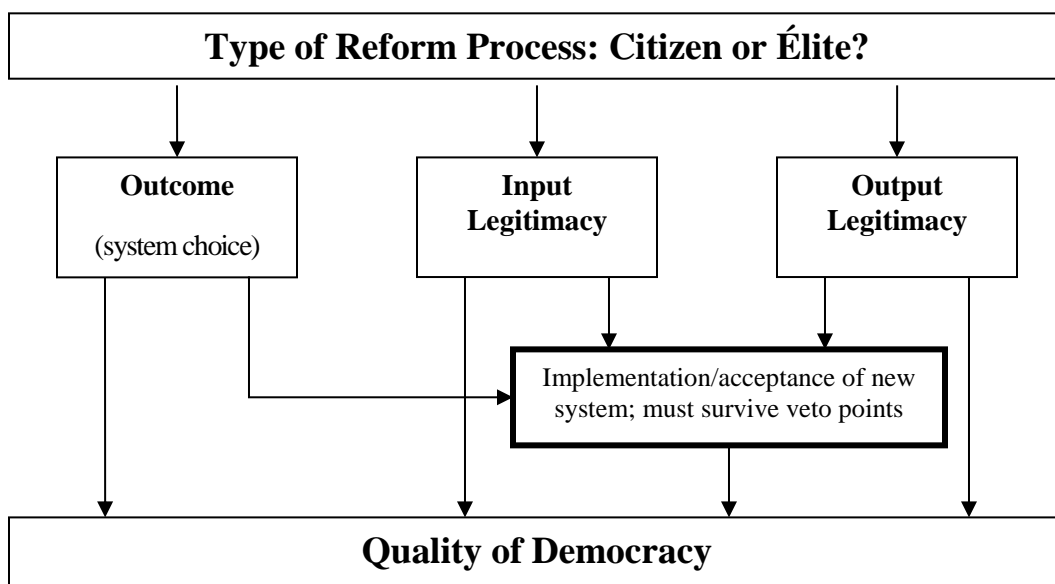
We are familiar with the effects of one of these factors, namely outcome; it constitutes the bulk of the work on the consequences of electoral systems. Such consequences are noted above and need not be revisited. The point is that the outcome of electoral design, in other words what system is to be adopted, has profound effects on political competition and on democracy, which is a good reason to study it. A traditional analysis would in fact stop here. But other ways in which the path to reform can influence the quality of democracy must be introduced.

The terms *input legitimacy* and *output legitimacy* are borrowed from Sharman (2008), who uses the former to denote the level of public/electoral participation in staffing an institution (in this case the Canadian Senate) and the latter to indicate the legitimacy of that body in terms of the quality of its work and the acceptance of that work. The upshot is that there is more to democratic legitimacy than counting the members of the public who were included in a decision-making process, and that holds for paths to electoral reform as well. While the public participation inherent in a Citizens' Assembly seems to be its defining feature, it is not the only way to measure legitimacy, and an important thing to keep in mind is public evaluation of the work done by a reform body (either an assembly or a legislature) and whether the output itself is legitimate and represents a logical decision (Cutler *et al*. 2008, Blais, Carty and Fournier 2008). This, for example, could highlight the nuance in a Citizens' Assembly with high levels of input legitimacy thanks to the nature of the body, but low output legitimacy because the populace never accepted that the Assembly could do good work—for example, because the members were too ordinary, or not ordinary enough, or unelected, or coaxed by academics or even politicians. Simply evaluating how much participation there was gives an oversimplified view of legitimacy.

Noteworthy in the above model is that while implementation of a proposed reform requires running the gauntlet of veto points, input and output legitimacy as theorised herein have paths to quality of democracy that are free of veto points. This represents a reform process type's *independent* potential to influence public perceptions of democratic institutions, the quality of democracy, and the democratic deficit in general. Note that this influence may be for better or worse; it may reassure citizens that their democracy isn't pretty but gets the job done, or it may solidify an existing feeling that the system is broken. Again, these are the stakes of democratic reform, and this is why it is so important that the choice of reform process be an informed one.

Veto points merit further explanation. As mentioned earlier, the list of veto points constitutes a list of necessary conditions for success and sufficient conditions for failure. Unsurprisingly, there is a literature on veto points that details some typical challenges that reform proposals must face (Kingdon 1984, Norris 1995, Rahat 2004, Renwick, Hanretty and Hine 2009, Rahat and Hazan 2011, Hooghe and Deschouwer 2011, Massicotte 2012). These include necessary conditions like initial reform proponents, crisis, dispersal of power, shutdown of veto players, and circumstances of instability, risk, and imperfect information. Potential reform killers include a lack of prior art, insufficiently acute crisis, loss of public interest, concentration of power, élite indifference to

evaluations of the current system, and absence of perceived risk to veto players and élites generally. Structural and institutional veto points are also found where there is constitutional entrenchment of electoral rules, a supermajority requirement for change, a chief executive or cabinet approval requirement, a legislative approval requirement, a judicial approval requirement, a voter approval requirement (usually a referendum), and other constitutional or institutional arrangements (like consociationalism or federalism) that add even more veto players. While this seems like an insurmountable gauntlet, not every factor is present in every case—for example, Britain's efforts were uncomplicated by federalism or consociationalism.

Finally, the ultimate consequences of the reform effort, successful or not, should be evaluated. Aside from whether the reform succeeded or failed, what happened to citizens' trust in their democracy? Was democratic dirty laundry allowed to air out? Was there losers' consent (Blais 1993, Anderson *et al*. 2005) in the case of a failed reform? Or were discouraged citizens and supporters of reform doomed to perpetual frustration? Were they turned off of democracy even further by a process they did not see as legitimate, or a result that seemed unfair?

Consider the exposure given to electoral reform as the result of such an initiative. Even a failed attempt at reform can set people talking about electoral reform and democratic issues generally, as we have seen (Skogstad 2009, Wilson 2009). But an élite process aimed at democratic renewal, yet scuttled for reasons perceived as cynical, could have the effect of increasing dissatisfaction with democratic institutions, while on the other hand, a citizen-based process that failed to get reform implemented might still be good for confidence; *i.e.*, "we examined the options and decided that our current system is not so bad after all." As then-Premier of Ontario Dalton McGuinty (2004) argued at the Dialogue on Democracy conference, foreshadowing Ontario's own Citizens' Assembly, even a process which resulted in the maintenance of the *status quo* would be worthwhile because it would prompt public deliberation regarding the voting system and democracy as a whole. Output legitimacy helps to determine what sort of "aftertaste" is left by the proceedings, and this can have lasting effects on confidence in democratic institutions. This is not to say that the cure for democratic malaise is to bring it out into the open every ten years and not do anything else about it, but it is still important to recognise that reform initiatives can have effects beyond which system is chosen and whether it is adopted. Again, this means that even the process by which reform is pursued must be chosen carefully, and certainly not in the dark.

Here we will focus on three cases. Italy's successful reforms in 1993, as well as the subsequent abortive efforts at "completing" that reform and the surprise Berlusconi power-grab of 2005 will be treated first. After this, we will examine years of inaction in Britain following the Jenkins report, and the subsequent brief flirtation with the Alternative Vote (AV), defeated in a 2011 referendum. Finally, we will use the model to evaluate the prototype case for using deliberative democracy in democratic renewal, the 2003-2005 British Columbia Citizens' Assembly on Electoral Reform process. A brief background will be given for each case, and then a discussion

of a traditional outcome-based evaluation of the reform will be followed by one that considers input and output legitimacy, and therefore the independent effects of process type.

If It Ain't Broke, It Probably Doesn't Exist: Italy

The first case is a successful élite-driven reform. The Italian reform has its origins in the 1980s, but matters came to a head in 1993. After the corruption-scandal-induced collapse of the party system and the election of a cobbled-together caretaker government under Giuliano Amato in 1992, an abrogative referendum—the only sort permitted to modify existing legislation in Italy—deleted a portion of the upper house's electoral rules. This effectively replaced a thoroughly proportional system with a parallel voting system elected partly by single-member plurality rules and partly by proportional rules, though there was no way for the public to express a positive preference for any alternative (Katz 1995, 2006, Mershon and Pasquino 1995, Corbetta and Parisi 1995, Bardi 1996). The incomplete reform spelled disaster if élites did not finish the job; Italy's dual-confidence system means parliamentary incoherence if the two chambers do not have a very similar partisan composition (Corbetta and Parisi 1995, Katz 1995, 2006). Meanwhile, amid the *Tangentopoli* (Bribesville) and *Mani Pulite* (Clean Hands) scandals, the old party system had fallen apart, responsiveness was nowhere to be found, and the electoral system itself was being blamed for single-coalition dominance and *partitocrazia*,[4] which led to clientelism and eventually to almost-cartoonish levels of rampant corruption (Mershon and Pasquino 1995, Corbetta and Parisi 1995, Donovan 1995, Bardi 1996).

With the political class decapitated, the party system in collapse, and the parties themselves the target of public revulsion (Mershon and Pasquino 1995, Katz 1995, Bardi 1996, Koff and Koff 2000), President Scalforo appointed a technocratic government under Carlo Azeglio Ciampi, the sole mandate of which would be to fix the broken, mismatched electoral system before the next election threw everything into irretrievable disarray (Donovan 1995). With time running out and myriad interests at stake in a shattered political system, the situation was precarious, and élites had been committed to a reform whose shape was as yet unknown, but whose goals were at least clear. Donovan (1995) describes this as "institutional engineering with one's hands tied" (57).

The outcome is deceptively simple at first blush. The most convenient answer was the "photocopy solution"—just repeat the deletion that had been executed in the electoral rules for the upper house, this time for the lower chamber (Katz 1995). This solution was chosen because it solved multiple problems inherent to Italian electoral rules, problems which can be grouped in three categories. Each was essentially a problem of survival. Politicians would have to ensure that they produced a system the public found appropriate, and behaved appropriately doing so, or they would be defeated at the next election; as such, their own survival was at stake, limiting the extent to which they could engage in any sort of self-serving politicking (Katz 2006). Limiting their reforms to matching what the citizens had already chosen for the upper chamber seemed the

---

[4] Roughly, "partyocracy," this signifies the dominance of powerful and entitled political parties over the workings of the political system (Koff and Koff 2000).

safest bet. Not only that, but the survival of the political system was at stake both in the short term and the long term. The technocratic government would have to produce a solution that could prevent the parliamentary collapse certain to happen after the next election if the two chambers were populated differently (Mershon and Pasquino 1995, Donovan 1995). And in the long run, the new institutions would have to address the perception that the old system had caused clientelism, *partitocrazia*, and the raft of corruption and rot that had followed. Ideally, it would do so by promoting a bipolar party system with alternation in power, suggesting that a plurality-heavy solution could work (Corbetta and Parisi 1995, Gambetta and Warner 2004). Despite its being a messy, eleventh-hour solution, the new system was indeed adopted, so this reform would be termed a success by traditional measures simply because the reform stuck and it worked. It allowed politicians to try to save their skins, solved the dual-confidence issue, and with its heavy reliance on plurality rules—75% of the seats in both houses would be elected by plurality in single-member districts, with only 25% populated under proportional rules—it was well-suited to promote bipolar partisan competition and alternation, improving responsiveness and inclusiveness (Katz 1995, Corbetta and Parisi 1995).[5]

How does the Italian reform look when input and output legitimacy are considered? That the reform itself was precipitated by a referendum suggests at least some degree of input legitimacy, though it came in an unorthodox form; many other cases save the referendum until the end. But the referendum itself was made possible by public initiative, in an effort supported by former Christian Democrat Mario Segni's electoral reform pressure group, COREL (Koff and Koff 2000). While the design of the new system was entirely up to élites, who could after all have designed a completely new solution and applied it to both chambers, the level of respect for the will of the people, or at least as much of it as could be divined through the imperfect instrument of an abrogative referendum, was clear. In the referendum, turnout reached 77.1%, and the Yes side won with 82.7% of the vote (Salvato 1995).

Trying to gauge output legitimacy is a different matter, since Italian voters were about as turned off of politics as is humanly possible during this period. It is, however, noteworthy that in the years that followed, Segni and other reformers succeeded in getting two other electoral reform proposals to the referendum stage; both failed thanks to insufficient turnout for the results to be considered valid (Fabbrini 2001, Sanchez 2002, Renwick, Henretty and Hine 2009). The system itself did survive, though (the 1999 referendum missed the turnout threshold by an incredibly narrow margin), and the party system even began to approach some degree of bipolarity (Fabbrini 2001, Gambetta and Warner 2004). For at least a little while, then, Italian voters were receptive to the new direction established in 1993.

Later, in 2005, Berlusconi would execute an electoral reform that could be read as a blatant power-grab but was more likely a last-ditch survival effort, much like the French reform of 1985

---

[5] For more on the incipient bipolarity of the Italian party system, see Scheiner and Tronconi, 2011; Campus, 2006; Bellucci, 2008; Renwick, Hanretty and Hine, 2009; Giannetti and Grofman 2011.

(De Virgilio and Kato 2011); one of the reform's own designers would later call this incoherent new system "*una porcata*," a "load of crap" (Brown 2008). While at its root it was a return to the days of proportionality, it featured an extra rule that guaranteed the largest coalition an absolute majority of seats, along with a number of other rules thought to be aimed at giving the centre-right the advantage—and pandering to Berlusconi's coalition partners (Campus 2006, Massetti 2006, Bellucci 2008, Bull and Newell 2009, Mastropaolo 2009, Renwick, Hanretty and Hine, 2009). Even referenda aimed at undoing this cynical grab-bag of changes could not reach the required turnout threshold, suggesting that Italian voters are suffering from some long-term democratic-reform fatigue, or at least apathy (Fabbrini 2001, Renwick, Hanretty and Hine 2009).

The threat with a successful élite reform, especially when it is seen to be illegitimate or manipulative, is that it may leave voters feeling worse about the system, or it may simply convince them that it is not worth caring; in 2000, Berlusconi actively promoted this idea by encouraging voters to "do something else" instead of voting in the referendum (Fabbrini 2001). While a certain level of flux is probably par for the course in Italian politics, repeated failures to bring closure to the electoral reform issue (or in the case of the 2005 Berlusconi reforms, outright backsliding towards the old "hyper-proportional" system) threatens to produce a level of apathy like that in France, for example, where tactical, self-serving electoral reform is a weapon fired so frequently the citizens no longer flinch at the sound (Criddle 1992, Knapp and Wright 2006).

The recent history of Italian electoral reform shows the contrast between reform supported and accepted by citizens that is nonetheless only somewhat effective, and reform by élites that is guaranteed to succeed but that has next to no legitimacy and that is actively detrimental to democracy. If process type had an independent effect in Italy, it was minimal in 1993, since the systemic crisis meant voters would have accepted just about anything different from the *status quo*. Perhaps it should have been negative after 2005, when responsiveness, participation and inclusiveness were missing from the reform process, potentially from democracy itself. But instead, apathy seems to have been the rule. The 2006 defeat of Berlusconi was likely going to happen whichever system was in place, and "[s]everal decades of no alternation in government have prevented the public from thinking about elections in terms of rewards and punishments" (Campus 2006, 519). Thus the defeat cannot be read as an indictment of the electoral law, but despite the widespread criticism of the law, mostly among academics and élites (Massetti 2006), the most salient feature of public opinion was a lack of strong response to the reform, despite its mediocre design (Renwick, Hanretty and Hine 2009). If there is a lesson to draw, it is perhaps that Italian voters have not always been terribly concerned with the substance of electoral reforms—even in 1993, when they left the reform's completion to élites—but that increasingly their response to the process as it has been executed is simply to tune it out.

Last Past the Post: Britain

While the discussion of Italy described first an élite success, then years of élite failure punctuated by an élite success that undid the previous one, the case of Britain is less a litany of failures than

one long, slow failure, with a seeming flurry of activity at the end of the last decade, ending in a confirmation that SMP in Britain is not going anywhere for some time. Despite evidence from other Westminster countries that this parliamentary system is compatible with many different electoral systems, despite the use of mixed systems to populate regional and European assemblies, and despite a long tradition (Gay 1998) of debate over voting rules in Britain—dating back to Mill and Bagehot (Benoit 2006)—the British electoral rules have been stubbornly resistant to change.

Voters in Britain are no strangers to throwing rascals out, and in 1997 they did so again, ejecting a Conservative dynasty and electing a "New" Labour Party that had, perhaps inspired by years spent on a divided opposition bench, promised a commission to study the potential for a change to more proportional voting rules in the name of a better, more responsive democracy (Labour Party 1997).[6] The result was informally known as the Jenkins Commission, whose mandate was broad enough that it could consider any system or any possible hybrid—and the fruit of whose labour, a recommendation of a modified, mixed version of the Alternative Vote called AV Plus, was allowed to gather dust for about a decade (Independent Commission on the Voting System 1998). While that is where the latest flirtation with voting system reform begins, the formation in May 2010 of David Cameron and Nick Clegg's Conservative and Liberal Democrat coalition, the defining agreement of which featured electoral reform heavily (BBC News 2010a, 2010b), would constitute the beginning of the end, with the long-awaited referendum in 2011 marking the end of the end.

While the re-emergence of electoral reform as a salient issue after years of its being ignored by the previous government may have been a result of coalition dynamics, the agreement on an unmodified version of AV could easily have been an extension of those dynamics coupled with yet another "safe" outcome; just as reformers in Italy could settle on the "photocopy solution" as the least objectionable option, so could British reformers leverage the status of at least some of the Jenkins report as prior art—and more zealous reformers could view AV as a first step towards the proportional Single Transferable Vote system (Bogdanor 2011a, 2011b). It is possible that the AV Plus option, which featured a two-vote ballot structure and compensatory regional lists (since the Jenkins Commission had considered pure AV to be too disproportional), was too complicated to agree on during the Conservative and Lib-Dem coalition negotiations. While the goals of the Jenkins Commission were broad proportionality, stability of government, more voter choice, and maintaining the link between voters and parliamentarians (Gay 1998, Independent Commission on the Voting System 1998), the goal of the Conservatives and Liberal Democrats was, at least in the short term, getting a coalition together, with the Lib-Dems' concerns about the democratic deficit a more long-term bugbear (BBC News 2010a, 2010b, Bogdanor 2011b). Agreeing on simple AV instead of a more complex proposal, and placing no obligation on the partners to support it, seems to have been an expedient solution. This was the

---

[6] While Curtice (2009) considers SMP's performance in Britain in terms of representation and accountability, its defects when viewed through the CDA's lens of participation, responsiveness, and inclusiveness are clear.

closest the Conservatives could get to acting as veto players, but in the end, a more or less apathetic public with no cause to act urgently exercised the veto for them. 42.2% voted; the Yes vote was 32.1% and the No vote was 67.9% (Electoral Commission 2011). After so many years, reform had, by any traditional measure, failed.

We turn now to an evaluation of this case that considers independent effects of process type through input and output legitimacy. The Jenkins Commission had featured a level of public input typical of a Royal Commission, which is about the most public input one can expect in an élite process, barring a referendum at the end (or the beginning, depending on the country). Nothing had put electoral systems on the public's radar, and with a political culture accustomed to winner-take-all rules and alternation in power, results would be perceived as anomalous only were the system to act in an unusual fashion, such as producing a wrong-winner election or a highly lopsided majority. Therefore, the public meetings did not feature high turnout, and frequently were dominated by people who were already "true believers" for one side or the other (BBC News 1998). Public support was limited to a few dedicated electoral reform advocacy groups, but broader public interest did not kick into high gear until electoral reform was in the news again, itself a result of a kingmaker party's attempts to use its position in a hung parliament to force an old policy bugbear onto the agenda, albeit in a compromised format as opposed to the Single Transferable Vote (STV) system they really wanted (Bogdanor 2011a). As a result, coordination was difficult, and the public had trouble lining up behind an alternative to SMP.

As far as output legitimacy, reformers could not point directly at the Jenkins report as a safe and accepted solution, instead being forced to tout what from their own perspective was a watered-down option, which could have given the impression that this was a clear political compromise. Meanwhile, this was the option being offered in place of the *status quo*, SMP, which Renwick (2012) notes had not produced any election results in the last several years that British voters would see as particularly anomalous. Therefore, a public with little appetite for change and reason to be suspicious was faced with a proposal that neither party offering it really wanted (Bogdanor 2011a, 2011b). Once again, electoral reform failed for years to capture the public's interest, and this time, when it became an issue again, suspicion and dissatisfaction with the alternatives—directly related to the process by which the proposal for a referendum on AV was arrived at—were among the nails in the reform's coffin. When elites with no real reason to support reform nonetheless insist upon a referendum, it can be read as support for a democratically-legitimate process from start to finish, as a mere posture coupled with the hidden expectation that the reform will never be enacted, or in this case, simply a half-hearted effort born of coalition negotiations.

One further vulnerability of élite reforms is highlighted in some of the reasoning surrounding the landslide No vote. Many No voters were seeking to punish Nick Clegg and the Liberal Democrats (Blighty 2011, Grice 2011). This suggests, as will be seen in the BC case, that the method of reform itself (as well as its designers or proponents) may be used as a heuristic; Whiteley *et al*. (2011) explicitly articulate this view. The reform was doomed in part by the

electorate's urge to express dissatisfaction with the Lib Dems, showing that process also matters in élite cases, not just Citizens' Assemblies. Where the public has not much information about the proposed reform, or is somewhat apathetic about electoral reform itself, and the *status quo* bias reigns (Whiteley *et al*. 2011), heuristics like this become critical.

<u>Some Assembly Required: British Columbia</u>

The final case to be treated in this paper is the prototype case for using democracy to fix democracy (Warren and Pearse 2008). The British Columbia Citizens' Assembly on Electoral Reform is one of only three "true" Citizens' Assembly cases (the other two are Ontario and the Netherlands) available for an investigation of whether the Assembly process has its own effects on the quality of democracy. If such effects are present in any of those cases, they should be present here; since this was the first Citizens' Assembly on Electoral Reform, its novelty alone should have gotten it sufficient attention to have an influence on how citizens view their democracy. While the Assembly's proposal to replace SMP with STV failed in two referenda, the process itself is well worth investigating to see what it did for the state of democratic debate in British Columbia.

The Assembly plan has its genesis in two provincial elections that returned anomalous results. The first was in 1996, when the BC Liberal party received a plurality of the popular vote, yet the New Democratic Party (NDP) won a majority of the seats in the legislature (Ruff 2004, Warren and Pearse 2008); within a few years, Liberal leader Gordon Campbell would add to his party's electoral platform a promise that, if elected, his government would commit itself to considering electoral reform using an entirely new process, a deliberative body composed of citizens whose proposed reform would be put to the people in a referendum. When the Liberals did finally win in 2001, they came to power on the strength of election results so lopsided that 57.6% of the vote gave them 77 of 79 seats, leaving the NDP, who had polled at 21.6%, only two seats (Ruff 2004).[7] The Liberals did make good on their commitment, and by 2003 had appointed former Simon Fraser University president (and former BC Liberal leader) Gordon Gibson to draw up a process by which the Assembly could be created and do its work (Ruff 2004, Herath 2007). With minimal legislative modification, the proposal was accepted and political scientist Dr. Jack Blaney was appointed the Assembly's chair (Ruff 2004, MacDonald 2005, Herath 2007, Warren and Pearse 2008).

Gibson's framework was intended to keep the process as free as possible from influence by political élites (Warren and Pearse 2008, Herath 2007). The Assembly's recruitment process semi-randomly culled 158 members from the initial body of potential recruits—one man and one woman from each of 79 ridings. The result was a stratified sample more or less reflecting the province's demographics, to which two members from indigenous communities were added to remedy the original selection process's biggest representative deficiency (Herath 2007, Warren

---

[7] Meanwhile, the Greens polled over 12% and were completely shut out of the legislature.

and Pearse 2008). Its terms of reference were widely noted to be tightly focused on the voting system itself, without consideration of ancillary rules; members would have to address directly whether SMP should be replaced, and if so, what its replacement should be (Ruff 2004, British Columbia Citizens' Assembly on Electoral Reform 2005, MacDonald 2005, Herath 2007, Warren and Pearse 2008, Thompson 2008). Any voting system was fair game, but only one alternative could be recommended, and it would have to be constitutionally sound and compatible with a Westminster parliamentary system. The Assembly was also required to consider the possible effects of a new system on British Columbia's system of government. Its work would fall roughly into three phases—a Learning Phase, a Public Hearings phase, and a Deliberation phase. By the end of the first of these, the members had settled on three values that would form the basis of their deliberations: local representation, proportionality, and voter choice (British Columbia Citizens' Assembly on Electoral Reform 2005, MacDonald 2005, Herath 2007). The Assembly would produce a report containing its recommendations, subsequently to be put to a referendum requiring a 60% supermajority for the Yes side to trigger implementation (Ruff 2004).

The Assembly would answer its two critical questions with a *yes*, recommending that SMP be replaced because of its negative impact on the quality of democracy, and that STV be the system recommended to replace it (British Columbia Citizens' Assembly on Electoral Reform 2004). The surprising decision to recommend STV has been analysed repeatedly (MacDonald 2005, Blais, Carty and Fournier 2008), and likely comes down to a shift in perceptions regarding the relative merits of Mixed-Member Proportional (MMP), the initial front-runner, and STV. MMP's perceived suitability in terms of proportionality decreased as the Assembly process went on and perceptions of STV's performance on local representation and voter choice improved (Blais, Carty and Fournier 2008). In the end, the Assembly's members by and large came to support STV because MMP was not as good as they had thought it was, while they felt they had underrated STV; this sentiment was reinforced when the design process for MMP turned out to be much more difficult and frustrating than that for STV (Lang 2007). The Assembly's (2004) technical report would recommend an instance of STV designed just for use in British Columbia, unsurprisingly dubbed "BC-STV."

With a recommendation fresh from the Assembly, the referendum process could begin. The Assembly, however, had been designed and operated under a sort of "political quarantine" (Ratner 2008) and the political parties were kept out (Thompson 2008) of the referendum campaign. Meanwhile, the Yes and No sides, with no official body to promote either, were restricted in terms of resources and influence. This limited the sources of information for BC's voters and deprived them of opinions from precisely those they expected to shout them from the rooftops, even as countless current and former politicians from elsewhere, including a Nirvana alumnus, weighed in (Cutler *et al.* 2008). In the end, the 2005 referendum, held concurrently with that year's provincial election, featured a turnout of 61.48%, with the Yes side coming in at 57.69%, barely missing the 60% supermajority requirement (Elections BC 2005). In 2009, a

follow-up referendum was held concurrently with that year's election; 55.12% of the electorate voted, only 39.09% of them supporting STV this time (Elections BC 2009). The Assembly's proposal had run out of time. A traditional analysis would stop here, and deem the process a failure.

But was it? Obviously it fulfilled the function for which it had been designed, but the question of whether it had its own effect on democracy despite the failure of STV remains. Reviewing this case in terms of input and output legitimacy, we find much more here than in élite-centric cases; this should come as no surprise. The process by which the Assembly was staffed, detailed above, featured a remarkable level of citizen participation, but most remarkable is that the deliberation over electoral design, and over whether reform was needed at all, was left entirely to citizens. But Lang (2007), foreshadowing the focus of this study, poses critical questions regarding how public (*i.e.* free from elite influence) such assemblies are, and whether they do a better job of making (potential) policy than traditional methods. As Lang asks, was it for real? James (2008), for example, critiques the Assembly's underrepresentation of some visible minorities as well as less-educated citizens, but a self-selection process did occur as the initial candidates were winnowed down; Warren and Pearse (2008) note that Assembly members tended to be "joiners" (that is, they were more likely to be involved in community organisations), and in a process dependent on self-selection it is difficult not to over-represent civic-minded fixtures of the community.

The process gave unprecedented autonomy to citizens in terms of deciding whether reform was warranted as well as electoral design, and even, to some extent, how to structure the deliberation itself; full agenda-setting power, however, was outside its grasp (Lang 2007, 2008, Thompson 2008). Thompson (2008) notes just how different this is from a blue-ribbon panel appointed by the political executive and thereby open to cherry-picking; the Assembly's independence from elite influence is striking. The most persuasive critique that the government might have stacked the deck would be that elites chose the experts who would educate the Assembly members about electoral systems—Lang (2007, 2008), however, notes that when the final presentation was made in favour of SMP, the crowd seemed almost hostile, having adopted a philosophical stance almost directly at odds with the values (such as adversarialism and winner-take-all politics) the presenter associated with plurality electoral rules (see also Ratner 2005 and Cutler *et al.* 2008). In the end, the unexpected recommendation of STV should make it clear that a predictable choice (either retaining SMP or recommending MMP) was not a foregone conclusion; the Assembly had sufficient autonomy to make a decision few could have predicted. This one, to return to Lang's memorable phrase, was for real.

In terms of output legitimacy, the Assembly's work enjoyed widespread legitimacy, even if education about the content of that work and its implications at the ballot box in 2005 was less-than-ideally disseminated. Blais, Carty and Fournier (2008) argue that the Assembly's deliberation process did indeed produce sound, reasoned institutional design in line with the values the members had set out as guidelines. Cutler *et al.* (2008) argue that, had it been made by

an élite body, the recommendation of STV would have had much less public support, showing that support for the Assembly's recommendation had two surprisingly conflicting tendencies. They also note that citizens who supported the recommendation but did not know much about STV tended to be populists, and supported the proposed change because ordinary citizens "just like them" had suggested it; on the other hand, more elitist (or, to be fair, simply non-populist) voters who supported the Assembly's choice did so because they believed it to be reasonable and logical and trusted the members' training and expert knowledge. The process itself was acting as a heuristic to help people with or without a lot of information about electoral systems to decide whether the proposal was legitimate and worth supporting.

That support ultimately failed. It remains to consider whether the Assembly had a lasting independent effect—Ratner (2005) cites one of its members describing the process as a "checkup" for democracy. If the 2009 referendum results are any indication, the appetite for electoral reform in BC has faded dramatically, though this alone is not sufficient to settle the issue. We should look to how the process was received after the first unsuccessful referendum. How did the public evaluate a process in which veto players stayed out of the way for the most part, guaranteeing dispersal of power, but which still failed? The reaction could have taken two broad forms: if negative, largely a sense that the process was doomed to failure from the start, and if positive, simply an indication that *this time*, the pro-reform side had failed to coordinate sufficient support, but that there might still be a next time. In other words, without losers' consent (Blais 1993, Anderson *et al*. 2005), this might be seen as yet another frustrating case of reform manipulated to death by élites, whereas with losers' consent, it would be a fair experiment in democracy, now concluded. And again, as Cutler *et al*. (2008) suggest, this reform would have gotten much less support than it did if it had been an élite project.

Ferejohn (2008), concluding Warren and Pearse's remarkable edited collection on the Assembly, claims that the process served as proof of concept that élites can be kept out of some decision-making processes, and that an independent citizen body can be used for deliberative purposes and come to a knowledgeable decision even when the topic is somewhat arcane, as with electoral systems. That in itself constitutes a salutary effect on the quality of democracy, showing that even a discouraged and uninterested public can rouse itself to make important decisions about democracy. Indeed, the experiment was repeated in Ontario and even the Netherlands, and other Canadian provinces scurried to add more public input to their respective efforts at examining democratic institutions (Wilson 2009), suggesting that if nothing else, the BC Citizens' Assembly set a valuable precedent regarding how much citizen involvement there should be in the work of electoral reform. In short, it has set the bar higher. But the positive independent effects of the Assembly are not limited to its ability to reproduce itself. The 2000s were a decade of much discussion and debate over electoral systems and their place in ensuring a healthy democracy, both in Canada and elsewhere (Wilson 2009, Cross 2010); the BC Citizens' Assembly not only set a precedent for a deliberative solution to institutional reform, but added to the growing *public* awareness of electoral systems, and to the salience of electoral reform as a

political issue. An élite reform perceived to be cynical and manipulative could certainly get citizens talking, but not in the same tones and not with the sort of enthusiasm the BC process engendered.

Conclusions: What Have Citizens' Assemblies Done for Democracy Lately?

Though many more cases are available for study, these furnish a small sample of the possible outcomes of the politics of electoral reform, permitting a first look at the kinds of independent effects electoral reform processes can have. As noted, they can be positive and negative. But they prompt would-be reformers to consider more than just whether a given path to reform is likely to get their pet electoral system adopted, and now that we have hints of these possible independent effects, it is not just electoral system designers who must account for possible downstream consequences for the quality of democracy. Or, looked at another way, veto players may shut down a reform process, to the great frustration of reformers, but they cannot as easily shut down discussion about electoral systems in particular and the sort of democracy we want in general.

Though further investigation is possible, we can see the beginnings of a picture of the value added by a Citizens' Assembly. Losers' consent and closure, even if temporary, for the electoral reform debate is possible as the Assembly gives a sense that the decision was mulled over by the public, even if in reality it was only a small sample. More discussion of electoral institutions and how they affect democracy is also likely; if the debate is already occurring, an Assembly might add to it, and if the discussion is more muted, an Assembly could draw attention to it and get more people talking. We have seen that good work can be done on some political issues without élites, and reasonable and well-regarded decisions can be made on these issues by ordinary citizens (with the benefit of a crash course on the topic at hand). Finally, a Citizens' Assembly can produce proposals that would enjoy less public support if produced by élites, even if the proposals were the same (Cutler *et al*. 2008). And even if those proposals are not accepted in the end, the Citizens' Assembly process seems to leave behind a pleasant aftertaste, showing people that their democracy can work, and settling arguments over electoral systems for the time being.

While these are some kinds of value-added bonuses of Citizens' Assemblies that merit further study, what about the élite path to reform? Certainly the ability of élites to complete a reform when no grassroots-centric process has done so seems relevant. Indeed, élites do have some democratic legitimacy if they happen to be elected officials, and it is unfair to characterise all élites as in it merely for themselves when some do have genuine concern for the quality and function of democratic institutions—some are true democratic-deficit-slayers, and may have the citizens' best interests at heart. Nonetheless, élites sometimes fail, and even when they do succeed, this paper's claim that *any* path to reform may have consequences beyond implementation or veto requires that we also ask what independent effects élite processes may have. Élite processes can have an advantage in expertise, but trust in the expertise of the BC Citizens' Assembly was widespread, and it seems doubtful that even legislators pay as much attention to the nuances of the comparative study of electoral systems as did Assembly members.

And while an élite reform might get people talking about democratic institutions, it might still be the victim of apathy or backlash; as in Britain, an uninterested or suspicious or dissatisfied public can scuttle an élite reform, too, should there be a referendum requirement, and some more cynically motivated reforms (like Italy's *porcata*) could cause a backlash, though in Italy's case it seems mostly to have sent a message to voters that it is not worth the time or frustration to care about the electoral system anymore—in fact, Berlusconi stated as much when asking voters in the 2000 referendum to go do something other than voting. Especially striking is the indication, following Cutler *et al*. (2008), that voters with low information about a reform may use whatever process produced that reform as a heuristic when deciding whether or not to support it, or care about it at all.

For the moment, it appears that Citizens' Assemblies cannot get the job done, though if and when our sample of them increases in size, this may change, and the contributors to Warren and Pearse's (2008) treatment of the BC Assembly seem by and large to think that when electoral reform comes back on the agenda in Canada and its provinces, the use of Citizens' Assemblies or similar deliberative methods will be all but assured. As such, it is a safe bet that this path to reform will get another shot. But despite the record of grassroots-centric approaches to reform, we can see the potential for salutary downstream consequences; a reform proposal and the process that spawned it can affect participation, responsiveness, and inclusiveness from beyond the grave, so to speak, because input and output legitimacy are not affected by the veto points that can shut down the reform proper. On the other hand, élite-centric processes, the go-to option for the busy reformer, may have hidden costs that have not received much attention given the superior track record of élites on implementation, but which still bear consideration; in this paper a few have been identified.

Citizens' Assemblies may have been widely praised for their novelty and innovation, but there is more to them than a shiny new toy for reformers, and there are reasons to use them beyond optics; they do have the potential to add value to democracy even if the recommended reforms fail. If we prefer this model, it should be for practical reasons, not optics, and we now have a framework for determining just that. Similarly, we now have cause to look at élite reforms more closely, and consider more than just their ability to get a reform implemented. Yes, they often succeed, but we may now ask, at what cost? It does not matter much that the reform itself was a success if the process leaves citizens feeling even more cynical and discouraged about their democracy than they did before, and even the future success rate of élite reforms could be jeopardised by the tendency to use the reform process as a heuristic. The investigations in this paper serve as first steps so that for future reformers, the critical decision of which path to go by will be an informed one.

References

Anderson, C. J., Blais, A., Bowler, S., Donovan, T., and Listhaug, O. (2005). *Losers' Consent: Elections and Democratic Legitimacy*. Oxford: Oxford University Press.

Bardi, L. (1996). Anti-party sentiment and party system change in Italy. *European Journal of Political Research* 29, 345-363.

BBC News. (1998). The commission with a mission. *BBC News*. 29 October 1998. http://news.bbc.co.uk/2/hi/uk_news/politics/189965.stm.

BBC News. (2010a). Election: Cameron makes offer to Lib Dems on government. *BBC News*. 7 May 2010. http://news.bbc.co.uk/2/hi/uk_news/politics/election_2010/8667938.stm.

BBC News. (2010b). Election 2010 Timeline: How coalition was agreed. *BBC News*. 13 May 2010. http://http://news.bbc.co.uk/2/hi/uk_news/politics/election_2010/8677552.stm.

Bellucci, P. (2008). The parliamentary election in Italy, April 2006. *Electoral Studies* 27, 185-190.

Benoit, K. (2006). Duverger's Law and the study of electoral systems. *French Politics* 4, 69-83.

Blais, A. (1988). The classification of electoral systems. *European Journal of Political Research* 16, 99-110.

Blais, A. (1991). The debate over electoral systems. *International Political Science Review* 12, 239-260.

Blais, A. (2000). *To Vote or Not to Vote: The Merits and Limits of Rational Choice Theory*. Pittsburgh: University of Pittsburgh Press.

Blais, A. (ed.). (2008). *To Keep or to Change First Past the Post?* Oxford: Oxford University Press.

Blais, A., and Carty, K. (1990). Does proportional representation foster voter turnout? *European Journal of Political Research* 18, 167-181.

Blais, A., Carty, R. K., and Fournier, P. (2008). Do citizens' assemblies make reasoned choices? In M.E. Warren and H. Pearse (eds.), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*, 1-19. New York: Cambridge University Press.

Blighty (Britain). (2011). The AV Referendum: No hope for AV, say the polls. *The Economist*. 4 May 2011. http://www.economist.com/blogs/blighty/2011/05/av_referendum

Bogdanor, V. (2011a). AV is a paltry alternative for reformers. *The Guardian*. 22 February 2011. http://www.guardian.co.uk/commentisfree/2011/apr/11/av-referendum-weapon-of-choice.

Bogdanor, V. (2011b). AV referendum: The weapon of choice. *The Guardian*. 11 April 2011. http://www.guardian.co.uk/commentisfree/2011/apr/11/av-referendum-weapon-of-choice.

Boix, C. (1999). Setting the rules of the game: The choice of electoral systems in advanced democracies. *American Political Science Review* 93(3)*,* 609-624.

British Columbia Citizens' Assembly on Electoral Reform. (2004). *Making Every Vote Count: The Case for Electoral Reform in British Columbia* (technical report). http://www.citizensassembly.bc.ca/resources/TechReport(full).pdf.

Brown, S. (2008). Italian court okays referendum on election law. *Reuters*. 16 January 2008. http://www.reuters.com/article/2008/01/16/italy-election-referendum-idUSL1685828620080116.

Bull, M.J., and Newell, J.L. (2009). The general election in Italy, April 2008. *Electoral Studies* 28(2), 337-342.

Cairns, A. C. (1968). The electoral system and the party system in Canada, 1921-1965. *Canadian Journal of Political Science* 1, 55–80.

Campus, D. (2006). The 2006 election: more than ever, a Berlusconi-centred campaign. *Journal of Modern Italian Studies* 11(4), 516 – 531.

Colomer, J. (2004). The strategy and history of electoral system choice. In J. Colomer (ed.), *Handbook of Electoral System Choice*. New York: Palgrave Macmillan.

Colomer, J.M. (2005). It's parties that choose electoral systems (or, Duverger's laws upside down). *Political Studies 53 (3)*, 1-21.

Corbetta, P., and Parisi, A.M.L. (1995). The referendum on the electoral law for the Senate: Another momentous April. In C. Mershon and G. Pasquino (eds.), *Italian Politics: Ending the First Republic*. Boulder: Westview Press.

Courtney, J.C. (2004). *Elections*. Vancouver: UBC Press.

Cox, G.W. (1997). *Making Votes Count: Strategic Coordination in the World's Electoral Systems*. New York: Cambridge University Press.

Criddle, B. (1992). Electoral systems in France. *Parliamentary Affairs* 45(1), 108-116.

Cross, W. (2010). Constructing the Canadian Democratic Audit. In W. Cross (ed.), *Auditing Canadian Democracy*. Vancouver: UBC Press.

Curtice, J. (2009). Neither representative nor accountable: First-past-the-post in Britain. In B. Grofman, A. Blais, and S. Bowler (eds.), *Duverger's Law of Plurality Voting: The Logic of party Competition in Canada, India, the United Kingdom and the United States*, Studies in Public Choice 13 (pp. 27-45).

Cutler, F., Johnston, R., Carty, R.K., Blais, A., and Fournier, P. (2008). Deliberation, information and trust: The British Columbia Citizens' Assembly as agenda setter. In M.E. Warren and H. Pearse (eds.), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. New York: Cambridge University Press.

De Virgilio, A., and Kato, J. (2011). Party competition under new electoral rules in Italy and Japan, 1994–2009. In D. Giannetti and B. Grofman (eds.), *A Natural Experiment on Electoral Law Reform*, *Studies in Public Choice* 24, 13-33.

Donovan, M. (1995). The politics of electoral reform in Italy. *International Political Science Review* 16(1), 47-64.

Downs, A. (1957). *An Economic Theory of Democracy*. New York: Harper and Row.

Duverger, M. (1954). *Political Parties*. London: Methuen.

Elections BC. (2005). Report of the Chief Electoral Officer on the 38th Provincial General Election, and Referendum on Electoral Reform, May 17, 2005. http://www3.elections.bc.ca/docs/rpt/2005-CEOreportRefOnElectoralReform.pdf.

Elections BC. (2009). Report of the Chief Electoral Officer on the 39th Provincial General Election and Referendum on Electoral Reform, May 12, 2009. http://www3.elections.bc.ca/docs/rpt/2009-GE-Ref-Report.pdf.

Electoral Commission. (2011). UK-wide referendum on the Parliamentary voting system. 7 May 2011. http://www.electoralcommission.org.uk/elections/results/referendums/uk.

Ezrow, L. (2010). *Linking Citizens and Parties: How Electoral Systems Matter for Political Representation*. New York: Oxford University Press.

Fabbrini, S. (2001). Has Italy rejected the referendum path to change? The failed referenda of May 2000. *Journal of Modern Italian Studies* 6(1), 38–56.

Farrell, D.M. (2001). *Electoral Systems: A Comparative Introduction*. New York: Palgrave.

Ferejohn, J. (2008). Conclusion: The Citizens' Assembly model. In M.E. Warren and H. Pearse (eds.), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. New York: Cambridge University Press.

Gambetta, D., and Warner, S. (2004). Italy: lofty ambitions and unintended consequences. In J. Colomer (ed.), *Handbook of Electoral System Choice*. New York: Palgrave Macmillan.

Gay, O. (1998). Voting systems: The Jenkins report (Research paper 98/112, 10 December 1998). Home Affairs Section, House of Commons Library. http://www.parliament.uk/documents/commons/lib/research/rp98/rp98-112.pdf.

Giannetti, D., and Grofman, B. (2011). Introduction: Long-Run Consequences of Electoral Rules Change: Comparing Italy and Japan. In D. Giannetti and B. Grofman (eds.), *A Natural Experiment on Electoral Law Reform*, *Studies in Public Choice* 24, 1-11.

Grice, A. (2011). Reformists turn on Clegg after landslide defeat in voting referendum. *The Independent*. 7 May 2011. http://www.independent.co.uk/news/uk/politics/av/reformists-turn-on-clegg-after-landslide-defeat-in-voting-referendum-2280327.html

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

Hooghe, M. and Deschouwer, K. (2011). Veto players and electoral reform in Belgium. *West European Politics* 34(3), 626-643.

Independent Commission on the Voting System. (1998). The Report of the Independent Commission on the Voting System. Prepared 29 October 1998. http://www.archive.official-documents.co.uk/document/cm40/4090/contents.htm.

James, M.R. (2008). Descriptive representation in the British Columbia Citizens' Assembly. In M.E. Warren and H. Pearse (eds.), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. New York: Cambridge University Press.

Katz, R.S. (1995). The 1993 parliamentary electoral reform. In C. Mershon and G. Pasquino (eds.), *Italian Politics : Ending the First Republic*. Boulder: Westview Press.

Katz, R.S. (2006) Electoral reform in Italy: Expectations and results. *Acta Politica* 41, 285–299.

Kingdon, J.W. (1984). *Agendas, Alternatives, and Public Policies*. Boston: Little and Brown.

Knapp, A., and Wright, V. (2006). *The Government and Politics of France* (Fifth edition). London: Routledge.

Koff, S.Z., and Koff, S.P. (2000). *Italy, from the First to the Second Republic*. London: Routledge.

Labour Party. (1997). New Labour: Because Britain deserves better (1997 electoral manifesto). http://www.labour-party.org.uk/manifestos/1997/1997-labour-manifesto.shtml.

Lang, A. (2007). But is it for real? The British Columbia Citizens' Assembly as a model of state-sponsored citizen empowerment. *Politics & Society* 35(1), 35-69.

Lang, A. (2008). Agenda-setting in deliberative forums: Expert influence and citizen autonomy in the British Columbia Citizens' Assembly. In M.E. Warren and H. Pearse (eds.), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. New York: Cambridge University Press.

Lijphart, A. (1994). *Electoral Systems and Party Systems: A Study of Twenty-Seven Democracies, 1945-1990*. Oxford: Oxford University Press.

Lijphart, A. (1999). *Patterns of Democracy*. New Haven: Yale University Press.

Lipset, S.M., and Rokkan, S. (1967). Cleavage structures, party systems, and voter alignments: An introduction. In S.M. Lipset and S.Rokkan (eds.), *Party Systems and Voter Alignments: Cross-National Perspectives*. New York: The Free Press.

MacDonald, J. (2005). *Randomocracy: A Citizen's Guide to Electoral Reform in British Columbia*. Victoria: FCG Publications.

Mair, P. (2002). Comparing party systems. *Comparing Democracies 2: New Challenges in the Study of Elections and Voting*. London: Sage.

Massetti, E. (2006). Electoral reform in Italy: From PR to mixed system and (almost) back again. *Representation* 42(3), 261-269.

Massicotte, L. (2012). Bound to fail? Electoral system reform in Canada. Paper presented at the "Duty and Choice: Participation and Preferences in Democratic Elections" conference held in honour of André Blais, Montréal, 20-21 January 2012.

Mastropaolo, A. (2009). The political context: 2006-2008. In J.L. Newell (ed.), *The Italian General Election of 2008: Berlusconi Strikes Back.* New York: Palgrave Macmillan.

McGuinty, D. (2004) Remarks by Dalton McGuinty, Premier of Ontario at the Dialogue on Democracy Conference. Proceedings from the *Dialogue on Democracy* Conference, 18 November 2004. Office of the Premier. Retrieved from http://www.premier.gov.on.ca/news/event.php?ItemID=5485&Lang=EN

Mershon, C. and Pasquino, G. (1995). Introduction. In C. Mershon and G. Pasquino (eds.), *Italian Politics : Ending the First Republic*. Boulder: Westview Press.

Milner, H. (1999). The case for proportional representation in Canada. In H. Milner (ed.), *Making Every Vote Count: Reassessing Canada's Electoral System*. Peterborough: Broadview Press.

Milner, H. (2004). Political drop-outs and electoral system reform. In H. Milner (ed.), *Steps Toward Making Every Vote Count: Electoral System Reform in Canada and its Provinces*. Peterborough: Broadview Press.

Nadeau, R., and Blais, A. (1993). Accepting the election outcome: The effect of participation on losers' consent. *British Journal of Political Science* 23(4), 553-563.

Nevitte, N., and Kanji, M. (2002). Authority orientations and political support: A cross-national analysis of satisfaction with governments and democracy. In R. Inglehart (ed.), *Human Values and Social Change: Findings from the Values Surveys.* Koninklijke Brill NV, Leiden: The Netherlands (reprinted from Comparative Sociology).

Norris, P. and Crewe, I. (1994). Did the British marginals vanish? *Electoral Studies, 13 (3)*, 201-221.

Norris, P. (1995). Introduction: The politics of electoral reform. *International Political Science Review* 16, 3-8.

Rae, D. W. (1971). *The Political Consequences of Electoral Laws.* New Haven: Yale University Press.

Rahat, G. (2004). The study of the politics of electoral reform in the 1990s: Theoretical and methodological lessons. *Comparative Politics* 36(4), 461-479.

Rahat, G., and Hazan, R.Y. (2011). The barriers to electoral system reform: A synthesis of alternative approaches. *West European Politics* 34(3), 478–494.

Ratner, R.S. (2005). The BC Citizens' Assembly: The public hearings and deliberations stage. *Canadian Parliamentary Review* 28(1), 24-33.

Ratner, R.S. (2008). Communicative rationality in the Citizens' Assembly and referendum processes. In M.E. Warren and H. Pearse (eds.), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. New York: Cambridge University Press.

Renwick, A. (2010). *The Politics of Electoral Reform: Changing the Rules of Democracy*. Cambridge: Cambridge University Press.

Renwick, A. (2012). The evolution of electoral reform debates: The UK since 1945. Paper presented at the EPOP 2012 conference. (Cited with permission.)

Renwick, A., Hanretty, C., and Hine, D. (2009). Partisan self-interest and electoral reform: The new Italian electoral law of 2005. *Electoral Studies* 28, 437-447.

Riker, W. H. (1976). The number of political parties: A re-examination of Duverger's Law. *Comparative Politics, 9 (1)*, 93-106.

Riker, W. H. (1982). The two-party system and Duverger's Law: An essay on the history of political science. *American Political Science Review* 76(4), 753-766.

Riker, W. H., and Ordeshook, P. (1968). A theory of the calculus of voting. *American Political Science Review* 62(1), 25-42.

Ruff, N.J. (2004). Electoral reform and deliberative democracy: The British Columbia Citizens' Assembly. In H. Milner (ed.), *Steps Toward Making Every Vote Count: Electoral System Reform in Canada and its Provinces*. Peterborough: Broadview Press.

Russell, P. H. (2008). *Two Cheers for Minority Government: The Evolution of Canadian Parliamentary Democracy.* Toronto: Ermond Montgomery.

Salvato, R. (1995). Documentary appendix. In C. Mershon and G. Pasquino (eds.), *Italian Politics : Ending the First Republic*. Boulder: Westview Press.

Sanchez, O. (2002). An open-ended transition: The effects of electoral reform in Italy. *Journal of European Area Studies* 10(2), 259-281.

Savoie, D. J. (1999). *Governing from the Centre: The Concentration of Power in Canadian Politics.* Toronto: University of Toronto Press.

Scheiner, E., and Tronconi, F. (2011). Electoral reform in Italy and Japan: Unanticipated outcomes? In D. Giannetti and B. Grofman (eds.), *A Natural Experiment on Electoral Law Reform*, *Studies in Public Choice* 24, 97-113.

Sharman, C. (2008). Political legitimacy for an appointed Senate. *IRPP Choices* 14(11).

Shugart, M.S. and Wattenberg, M.P. (eds.). (2001). *Mixed-member Electoral Systems: The Best of Both Worlds?* Oxford: Oxford University Press.

Skogstad, G. (2009). Western Canada and the "illegitimacy" of the Liberal-NDP coalition government. In P. H. Russell and L. Sossin (eds.), *Parliamentary Democracy in Crisis.* Toronto: University of Toronto Press.

Spafford, D. (1970). The electoral system of Canada. *American Political Science Review* 64(1), 168-176.

Taagepera, R. and Shugart, M.S. (1989). *Seats and Votes: The Effects and Determinants of Electoral Systems*. New Haven: Yale University Press.

Tanguay, A.B. (2009). Reforming representative democracy: Taming Canada's "democratic deficit." In J. Bickerton and A.-G. Gagnon (eds.), *Canadian Politics* (Fifth Edition). Toronto: University of Toronto Press.

Thompson, D.F. (2008). Who should govern who governs? The role of citizens in reforming the electoral system. In M.E. Warren and H. Pearse (eds.), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. New York: Cambridge University Press.

Ware, A. (1996). *Political Parties and Party Systems*. Toronto: Oxford University Press.

Warren, M.E., and Pearse, H. (2008). Introduction: democratic renewal and deliberative democracy. In M.E. Warren and H. Pearse (eds.), *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. New York: Cambridge University Press.

White, G. (2005). *Cabinets and First Ministers*. Vancouver: UBC Press.

Whiteley, P., Clarke, H.D., Sanders, D., and Stewart, M. (2011). Britain says NO: Voting in the AV ballot referendum. Paper presented at the EPOP 2011 conference. http://www.exeter.ac.uk/media/universityofexeter/research/microsites/epop/papers/Whiteley%2c_Clarke%2c_Sanders%2c_and_Stewart_-_Britain_Says_NO.pdf

Wilson, E. (2009). *Picking Winners: Provincial Electoral Reform Efforts, 2003-2009*. Calgary: Canada West Foundation.