Power to the people – could a citizens’ assembly solve the Brexit crisis?

They led to radical change in Ireland’s view on abortion and spurred Texas to get behind wind power. Could a group of ordinary people do for Brexit what Theresa May can’t?

People from the ‘Yes’ campaign react as referendum results indicate voters had overwhelmingly backed repealing the 1983 constitutional ban on abortions. Photograph: Peter Morrison/AP

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In the summer of 1978, George Bishop and a team of researchers in Cincinnati, Ohio, conducted a poll on some of the big political topics of the day. One question went as follows: “Some people say that the 1975 Public Affairs Act should be repealed. Do you agree or disagree with this idea?” It turned out that 16% did agree, and 18% didn’t. This was surprising. There should have been no controversy about the 1975 Public Affairs Act because it did not exist.
The study, Pseudo-Opinions on Public Affairs, became a classic of political science. It has been rerun in different versions several times: in 1983, 1984, 1995 and 2013, always with similar results. Around a third of people will pretend to have an opinion, unless you make it easy to say “don’t know”. If you say that “President Obama” or “the Republicans” want to repeal the Public Affairs Act, even more opinions appear, along partisan lines. The study tells us something that no politician will ever say within earshot of the people who elect them: we often don’t know what we’re talking about, but we don’t like to admit it.

This doesn’t mean people are stupid. Quite the reverse. Stupid would be spending your time studying the minutiae of government legislation rather than working, caring for others, or enjoying life. After all, your opinion is just one of 47 million in the UK electorate, no matter how well informed you are. James Fishkin, a professor of political science at Stanford University and a leading advocate of “citizens’ assemblies”, a way of finding out what “the people” really want, when they take some time to think it over, calls this “rational ignorance”. Most of us simply don’t need to know how to run the country.

In November last year, Gordon Brown suggested that an assembly might resolve the Brexit crisis. Last month, Damon Albarn, Rowan Williams and a number of other public figures wrote an open letter to the Guardian in support, and the idea now has this newspaper’s backing. Fishkin calls it “embarrassingly simple”. You just put the country in a room and let them talk.

In 2016, for instance, when Ireland decided to reconsider its abortion laws, everyone braced for a fight. A bitter referendum 33 years earlier had given mothers and their unborn children equal rights to life under the eighth amendment of the constitution. It made legal abortions almost impossible in Ireland and created a national controversy that would not go away. To tackle the question, and four others, parliament established a citizens’ assembly of 99 randomly selected Irish citizens, who would reflect the national balance of age, gender, class and region. They would be chaired by a supreme court judge (now retired), Mary Laffoy. No politicians would be involved.

The first thing Neasa Keogh heard about it was a knock at the door of her house in Limerick. She had opinions on abortion, but had never been involved in politics in any way, besides voting. “I was politically motivated when politicians came to my door,” she says. “I had often thought: ‘We ought to do this, and we ought to do that.’ But I never did anything about it.”

Now 58, Keogh had just retired from her job as a primary school teacher and could spare the time, and her travel to Dublin would be paid. Citizens’ assemblies have to be transparent, however, and this would broadcast live online, which meant Keogh’s name would be made public. She remembered “the hatred and the viciousness” surrounding the eighth amendment in 1983. “I was a little bit nervous about being targeted by rightwing elements,” she says. But it was a chance to help her country, so she accepted.

The assembly would meet at the Grand hotel, Malahide, north-east of Dublin, for a weekend every month, and it would be 18 months before all five topics were completed. In addition to the 99 citizens, there would be 100 substitutes in case some dropped out, which several did. Essentially, Keogh was to be one member of a gigantic jury, weighing a country’s values rather than a person’s innocence or guilt.

On the morning of the launch event at Dublin Castle, another assembly member, Oisín
Herraghty, set off early on the drive from County Mayo. Now 47, Herraghty is a technical manager at an arts centre. Like Keogh, he had been approached on his doorstep. He agreed to take part right away, then more or less forgot about it. “I had the radio on in the car,” he recalls, “and the first item on the 8am news was the inaugural meeting of the citizens’ assembly. I thought: ‘Oh. That’s me. The first item on the news, this must be bigger than I thought.’” At this point, he hadn’t even told his family.

Mary Laffoy speaks during the citizens’ assembly set up to deliberate on Ireland’s strict abortion regime. Photograph: PA

The scale of the responsibility, and the honour, hit Keogh at the event itself. After short speeches from Laffoy and Enda Kenny, who was then the Taoiseach, they heard from three lawyers and academics about the history of social change in Ireland. “Sometimes you go to things and you think it’s all a bit of a show, but it was all so genuine and heartfelt,” says Keogh.

Sessions began in earnest the following month. Although 199 people may be a microcosm of Ireland’s 4.8 million citizens, it is still far too many for a productive conversation, so they were split into groups. Keogh found herself part of a table of six, with a balance of men and women and one person from each age band. Each table also had a facilitator and a note-taker. The facilitator policed the conversation, according to a page of guidelines. During expert presentations, if a citizen felt nervous about asking a question, the facilitator would ask it on their behalf.

They heard from medical experts, priests and advocates from both sides. More than 13,000 submissions were received from members of the public, and the assembly members themselves requested to hear some other points of view. At the end of each meeting, they had to write a short report, to satisfy the chair that they had understood what they had heard. Before each session, they were given background information to read. They were not shown abortion images, but were otherwise spared no details. It was hard work. It was hard in many ways.

Keogh had voted against the ban on abortion in 1983, and considers herself fairly liberal, but she remembers being asked: Do you think the unborn does not have an equal right to life? “That
was like a belt to the solar plexus,” she says. “I’m a mother of three children ... I found that very, very difficult.”

The final meeting to consider abortion began on Saturday 22 April 2017. Most of the weekend was spent voting in private booths, and the results astonished Ireland. The assembly decided overwhelmingly to change the eighth amendment, and 64% recommended that parliament allow abortion without any restriction, up to either 12 or 22 weeks. Although it had been written off by some as a way to smother the controversy, the assembly ended up being far more radical than anyone expected, and more than many thought Ireland was ready for. A referendum was duly held to find out. Herraghty followed the campaign. “I heard people on both sides pushing their views,” he says, “and I’d find myself going: ‘Hang on a second. That’s not true. Check your facts. That’s not actually true.’” On 25 May 2018, the country approved the changes by 66% to 34%, just a touch above the margin at the Grand hotel.

This might confirm some people’s suspicions about citizens’ assemblies. Isn’t it just what you would expect to happen when you lock people in a hotel with a bunch of, no-doubt, liberal experts? Well, it might be, but experts aren’t the only people an assembly has to hear from. In Ireland, the citizens themselves demanded more firsthand experience from those affected by the abortion ban. Accordingly, they heard a selection of audio recordings from six women, some of whom had travelled for abortions, some of whom had decided against it. In Limerick, some people told Keogh about their abortions, which they had kept secret for years. Assemblies can take the voice of ordinary people into the heart of politics.

At the same time, they can solve the “echo chamber” problem by making people talk to others who don’t share their opinions. “That was drilled into us,” Keogh says. “That people had their views. Everyone had to be listened to. I found myself at tables where I had nothing in common with people, but we were still able to come to some consensus, or decide: ‘We can’t agree on that.’ I met wonderful people. I met people like I’d never met in my life.”
state of Texas organised what it called a “deliberative poll”, which actively chose to pay a premium to generate power by wind instead of fossil fuels. (Texas still leads the US in wind power.) In 2006, a citizens’ assembly recommended electoral reform in the Netherlands. In 2011, the Japanese government commissioned a deliberative poll on nuclear power and the future of the pension system. In Gdansk, Poland, a citizens’ assembly met in 2016 to consider flood prevention, and they have tackled other subjects, such as migration, since. (Sadly, the pioneering mayor behind it, Pawel Adamowicz, was murdered at the weekend.)

Nonetheless, the process remains obscure, even in Canada, where local and national assemblies are common, and where they are sometimes called “reference panels”. “One day a letter showed up at my house,” says Syd Burdett, 27, from British Columbia, “and it was like: ‘Hey, we want people for this reference panel about pharmacare. We’ll pay for you to come out to Ottawa for a week.’” The national government wanted a sample of 35 people from across Canada to tell it how to pay for medicines. Burdett had been about to quit his job in a convenience store anyway. On a whim, he accepted.

As things stand, people have free medical care for everything except prescriptions outside hospitals. As a result, some do without the medicines they need. A pharmacare system would fix that, and save lives, but at a cost. Burdett says he had a vague idea of what a reference panel was, but had heard nothing about this one. When he arrived at the hotel in Ottawa, after a five-hour flight, he enjoyed it very much. “It reminded me a lot of being at university,” he says. “It was an academic experience, in a way.”

Over the week, Burdett’s group heard from academic, medical and commercial experts. One woman brought her new baby, who behaved very well. Discussions were quite technical at times, but nothing was impenetrable. “I think by the end of the week people had a pretty good understanding,” Burdett says. At last, they did recommend pharmacare, paid for by higher taxes.

You can see why assemblies are winning the love of politicians. When something necessary but unpopular must be done, such as raising taxes, they move the responsibility on to the people who stand to suffer, who have no reason to lie, no votes to win, no need to pretend that they hold all the answers. At the same time, assemblies bring more authority than some decorative consultation, and more clarity than a referendum. Indeed, in England, they are already on the way.

Rebecca Weight is 31 and works at a museum in London. She subscribes to online surveys so she wasn’t surprised when an email arrived last year, asking if she would be willing to spend two weekends in a hotel in Birmingham, discussing the future of adult social care. She would be paid £300, plus expenses. “I’ve done focus group-type things,” she says. “It seemed it might be similar to that, but maybe something with a little bit more meaning.” It turned out to be the country’s first true citizens’ assembly, commissioned by the House of Commons.

On 27 April 2018, Weight set off to join the other 46 citizens. “It was a real cross-section of people,” she says. “I was quite surprised by how diverse the group was.” They had dinner, got to know each other, and the next day the problem of adult social care in England was set out before them. It turned out to be quite simple. “There wasn’t enough money to pay for it,” says Weight.
Like every participant I spoke to, Weight found it challenging and enjoyable. She would have liked to hear more firsthand experience of the care system, but, overall, she felt they got enough from the many experts to form a reliable opinion, if not to become expert themselves. In the end, the assembly recommended paying for universal adult social care with higher taxes.

It remains to be seen what the authorities will do with the wisdom of Burdett and Weight, and their fellow citizens. In Canada, the federal government responded with the Hoskins Commission, which will report this summer with a pharmacare plan. In England, the Commons committees behind the assembly have adopted most of its suggestions. A government green paper will follow this year.

Would an assembly help to resolve Brexit? A trial run took place in October 2017, at a hotel in Manchester. Organised by the charity Involve, the assembly brought together 25 leave voters, 22 remain voters and three people who did not vote. After two weekends, they chose to leave with a trade deal and preferential access for EU citizens, but not free movement. If they couldn’t get such a deal, they wanted to remain in the single market, with free movement under tight controls. Recommending what he called “a new kind of royal commission”, Gordon Brown spoke in November of “a dialogue about the difficult issues from migration to sovereignty and our long-term economic future, empowering all voices to be heard”.

This sounds marvellous, but if an assembly is to work, particularly on something as divisive as Brexit, we must foresee and understand the scepticism that will greet it. Matthew Taylor is the chief executive of the RSA, and has promoted deliberation in politics since the 90s. He often meets doubts about whether citizens’ assemblies are fair, which is reasonable, given how little known they are. In particular, people doubt whether they are really representative, whether ordinary voters can grasp complex issues, and whether the process can be run impartially.

“That’s why you have to take the plunge and do it,” Taylor says. “It’s only when you’ve done it and people see, that they go: ‘Oh, right. I can see that these people genuinely do represent the country.’” This is why Taylor believes it would be so important for a Brexit assembly to be open and televised. It would look like a stitch-up at first, in some eyes, but experience elsewhere shows it would earn its own legitimacy over time. The outcome need not be binding, but if a government chose to act against it, it would have to explain why. This way, politics could at last move forwards.

Herraghty still doesn’t talk much about his time at the assembly, but it came up by chance at work the other day. For the first time, he told his colleagues: “I was a member of that.” They looked at him, amazed. “It was fantastic,” he said. “One of the best experiences in my life.”