

Institutionalising participation from below: from the shack to municipal elections in Commercy, France

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Abstract

Democratic innovations seeking to enable lay participation in politics tend to be designed by experts and policymakers. This chapter aims to show that this task can also be undertaken by a social movement and that this can yield results that are better suited to the unfolding of the democratic innovation. Contributing to the literature on social movements, democratic innovations and communalism, this chapter explores the process of grassroots institutional design in the French town of Commercy, since the beginning of the 2018 Yellow Vests movement until the municipal elections of March 2020. More specifically, it analyses how the movement tackled the issue of attendance to the citizens' assembly they were creating. Reflecting on the data from fieldwork that combined participant observation, semi-structured interviews and textual analysis, this article shows the extent to which the grassroots nature of the movement impacted the answers it brought to institutional design issues.

Introduction

Participatory democracy designs to engage individuals in existing institutions tend to be developed by experts and policymakers. What happens when grassroots politics reimagine spaces of participation? What are the institutions that movements themselves envision to allow the people to have a say over public life? The purpose of this chapter is to show how a local movement designed the institution that would enable individuals to exercise public power. Emerging from the Yellow Vests mobilisation against the rise of fuel prices on 17 November 2018, the assembly direct democracy movement in the French town of Commercy undertook this task. Heterogeneous in terms of its socioeconomic composition, its modes of organisations and its political orientations, the Yellow Vests movement nevertheless shared common criticisms of tax injustice leading to declining purchasing power, of political elites disconnected from the daily life of the majority, and of representative government as a mode of exercising power. This last criticism, reflecting the democratic aspirations of the Yellow Vests, was translated under many different forms and propositions by the thousands of Yellow Vests groups occupying roundabouts throughout France (Bedock et al., 2020; Gourgues, 2020). In Commercy, the local group first organised in popular assemblies at their shack, to then attempt to institutionalise this participatory space by presenting its own list to the French municipal elections of March 2020, with the sole purpose to give public power to the assembly gathering the town residents through city councillors' mandates.

In contrast to forms of participation designed by policymakers, coined by Warren (2014) under the term "governance-driven democratization", Commercy's experiment comprises a case of "democracy-driven governance" (Bua and Bussu, 2021), insofar as a grassroots movement envisioned a process through which people could exercise public power gained through popular mobilisation. Whilst the task of democratic innovation's institutional design is often left to policymakers or theorists, this contribution aims to show that it can also be undertaken by a social movement and that, when it happens, it can yield results that are better suited to the

unfolding of the democratic innovation. Contributing to the literature on social movements (Talpin, 2015; della Porta, 2020), democratic innovations (Elstub & Escobar, 2019; della Porta & Felicetti, 2019; Bua & Bussu, 2021) and communalism (Bookchin 2015), this chapter describes the process of grassroots institutional design that unfolded in Commercy. Theoretically, it focuses on a problem that any movement aiming to institutionalise democratic innovation encounters: that of attendance.

The problem of attendance arises when a democratic project seeks participation in the collective exercise of public power by the assembled people, instead of through electoral representation. Insofar as the new system would no longer rest on the legitimacy provided by electoral representation, it needs to put the conditions in place to ensure the democratic legitimacy of this new body, which includes facilitating *attendance* by individuals at the assembly. A basic premise that all participatory democrats can agree on is that individuals should have greater opportunities to participate in politics than voting at periodic elections. This, nevertheless, leaves open the question: How do we ensure that political participation beyond voting does not exclude individuals or groups (a fault representative government purports to avoid)? This chapter explores how social movement activists tackled the issue of “physical” attendance when designing a participatory institution: seeking to ensure that everybody could enter the assembly despite socio-economic, political and cultural constraints imposed by work, social reproduction tasks, mobility, the digital divide, etc.

This contribution is structured in three parts. The first establishes the theoretical framework. It connects the literature on social movements and democratic innovations, by specifying the communalist project from which this innovation stems and by showing the gap in the literature that this contribution addresses. The second traces the evolution of the experiment of Commercy, from the beginning of the Yellow Vests assemblies to the municipal elections, and relates this strategy to the literature. The third explores the problems, constraints and possibilities encountered by the movement as it attempted to engage in bottom-up institutional design. It analyses more specifically how actors, during this institutional design process, answered one of the numerous problems any direct democracy movement would face, that of attendance.

This contribution reflects on the data from fieldwork in Commercy that combined participant observation during meetings, assemblies and activities; two rounds of semi-structured interviews with 36 participants; participation in a two-day group interview of a dozen participants; and textual analysis of documents.

1. From social movement to democratic innovation: a communalist perspective

To fully grasp the complexity of how a social movement inspired by the ideas of communalism goes from occupying public space to engaging in grassroots institutional design, it is necessary to explore and combine literatures on social movements, democratic innovations and of communalism.

This case connects the study of social movements with that of democratic innovations, fields which are often separated despite some interactions (della Porta, 2020; Talpin, 2015). The demand for more participation made by social movements is not new (della Porta & Felicetti, 2019: 6). It has, at times, led to the creation of democratic innovations, defined as “processes or institutions that are new to a policy issue . . . and developed to reimagine and deepen the role of citizens in governance processes by increasing opportunities for participation, deliberation

and influence” (Elstub & Escobar, 2019: 11). Indeed, historically, democratic innovations have often been created in response to demands made by social movements to have a greater say in politics (Talpin, 2015). As such, social movements are increasingly considered as “promoters of democratic innovations” and “incubators of emerging ideas about democracy”, who are involved in “the ideation and implementation of innovations in institutional politics” and are playing a “key role in introducing democratic innovations . . . in public institutions” (della Porta, 2020: 7, 18, 156). In this contribution, I argue that, as well as stimulating the development of democratic innovations by the state, they can play a critical role in their design.

Most movements demanding democratic innovations share a constitutive trait: that of not having access to public power. To remedy this lack of power, they develop “created spaces”, defined as “the spaces which are claimed by less powerful actors from or against the power-holders, or created more autonomously by them” (Gaventa, 2004: 35). A crucial question concerning created spaces this contribution addresses is that of their institutionalisation. Indeed, “besides engaging in internal practices of democratic innovation, social movements are in fact also carriers of innovation in institutions” (della Porta, 2020: 15). This analysis takes seriously the endeavour to “institutionalise the forms of democratic organisation that arise from the ‘critical democracy’ of citizen mobilisations” (Bua & Bussu, 2021: 719), where a social movement of “critical democracy” mobilises “people normally excluded from political activity” in “resistance to elite governance” (Blaug, 2002: 106). Insofar as it “emerges through popular mobilisation” and “attempts to bring social movements into the state”, a movement of critical democracy can be qualified as one of “democracy-driven governance”, as conceptualised by Bua and Bussu (2021: 717), as opposed to “governance-driven democratization” (Warren, 2014).

Della Porta and Felicetti (2019: 3-4) find that that “the rootedness of citizen-led democratic experiments in popular mobilizations shapes their nature in profound and little explored ways”. This chapter addresses this gap by attempting to understand how the social movements’ experience of democratic practices affected institutional design. Focusing on democratic practices allows us “to look in new directions in institutional design” (Felicetti, 2021: 1589), where democratic innovations are “devised by civil society actors to respond to a popular need for countering a profound political crisis” (della Porta & Felicetti, 2019: 9). Indeed, “unlike top-down democratic experiments, in which institutions and the interests they pursue are of primary importance, bottom-up ones, which give citizens the central stage, spring from protest and respond to the need for radical democratic reform” (ibid.: 14).

The process designed by this social movement was never institutionalised, since it did not enter city hall. Therefore, this chapter cannot carry out the analysis of the input, throughput and output legitimacy of this democratic innovation (Caluwaerts & Reuchamps, 2015). However, what this contribution aims to do is to understand the problems, constraints and possibilities encountered by the movement when acting as “institutional designers” of this democratic experiment (della Porta, 2020: 158). While the results of some democratic innovations crafted by social movements have been explored (Caluwaerts & Reuchamps, 2015), the problems encountered by a social movement during design is rarely studied.

More specifically, it aims to understand how the movement reflected upon one of the biggest obstacles to the creation of democratic innovation: that of attendance. In representative government, political participation is materialised by representation through elections and the legitimacy of representatives stems from the fact that they are authorised by, and accountable to, the represented (Parkinson, 2006: 29-36). On the contrary, in assembly direct democracy,

political participation is secured by participation in the popular assembly which directly exercises public power. Such an assembly is deemed only possible at a small scale (Dahl, 1989: 214-215, 226; Parkinson, 2006: 27) as no room can hold the entirety of the people (Arendt, 1963: 236). As such, the problem of attendance is paramount to the legitimacy of the latter system because, if everybody is supposed to gather to exercise public power, and not everybody comes, then the absentees might not be represented, or rely on unelected representatives to make claims on their behalf. Their political participation, an essential feature of a democracy (Dahl, 1989), would suffer. This could threaten the legitimacy of the new system. Some argue that the problem of attendance has “enough force to stop the project as direct democracy” (Plotke, 1997: 25).

The difficulties encountered when involving participants in democratic innovations has been pointed out in the literature (Ryfe, 2002: 365). However, “participation in ‘invited spaces’ is framed by technocrats, whose interventions produce and limit what is possible” (Cornwall, 2004: 7). As such, the benefits of having the grassroots, rather than policymakers, reflecting on such an obstacle have not been identified. Nor has the way in which movements, during the development of their democratic practices, can act as “learning site” (Welton, 1993) and “producer of knowledge” (della Porta, 2020: 11) and that this, in turn, shapes the solutions that can be brought to this problem.

The transfer of democratic practices from the streets to the institutions has been analysed in the case of movement parties, defined as “coalitions of political activists who emanate from social movements and try to apply the organization and strategic practice of social movements in the arena of party competition” (Kitschelt, 2006: 280). The literature has explored how movement-party implementing democratic innovations are drawing from the political culture and practice of actors involved in the movement, in the case of *Ahora Madrid* (Consejero & Janoschka, 2022: 5), *Barcelona en Comú* (Bua & Bussu, 2021) or *Podemos* in Spain, and the *Movimiento al Socialismo* in Bolivia (della Porta, 2020). In the same way as these movement-parties, movements have also realised a shift of process: “as institutions remained closed and mobilisation in the streets declined, a ‘destituent’ process mutated into a constituent process, based on the ‘assault on institutions’, also through participation in the electoral process” (ibid.: 108-109). However, the constituent process of movements that are similar, but that explicitly reject political party organisation, seeking instead to create a platform for direct participation, has received less attention.

It is now crucial to clarify the political project followed by the movement at hand. Developing spontaneously under the form of popular assemblies functioning in direct democracy in the first days of the movement, the Commerc experiment presents common features with the theory of communalism. While most participants were first-time activists, some Yellow Vests had political experience or some theoretical knowledge, especially on communalism. They proposed elements of this theory when they saw that such propositions could give an articulated form to the democratic functioning and aspirations of the assembly, which were already present independently of any theoretical ideas. Also called libertarian municipalism, the political project of communalism has been developed by the American thinker Murray Bookchin (2015). This theory sees the municipality as the place where communities collectively manage their affairs – political, social and economic – through popular assemblies open to all residents of the commune. For matters going beyond the municipality boundaries, these autonomous entities organise themselves in a confederal model, that is, a network of councils composed of delegates that are recallable and strictly mandated by their assemblies to administer policies decided by them (Bookchin, 2015). Indeed, when there is a need to decide on a large scale, the task of

representation becomes inevitable (Dahl, 1989: 215). As such, communalism does not do away with representation, when understood generically as the making present of that which is absent (Pitkin, 1967: 8-9), but relies on imperatively mandated delegates to make present the already deliberated will of their respective assembly at the confederal level (Van Outryve, 2022). As such, communalism seeks to enable everybody who is subjected to a rule to deliberate and decide on it, thereby combining “deliberation of *all* those subject to a regime” through presence at the popular assembly, with large-scale decision through the delegation system, thereby preventing the lack of legitimacy traditionally attached to deliberative and direct democracy (Parkinson, 2004: 6). In order to bring about this society, one of the strategies communalism proposes is to radically restructure municipal institutions by running candidates for municipal elections who would, once elected, give power to the popular assembly by taking their mandates from this entity (Van Outryve, 2019). Such a strategy aims to do what representative government refuses: “to give an institutional role to the assembled people” (Manin, 1995).

Importantly, the direct democracy project carried by communalism goes beyond aiming to establish participatory governance. While democracy-driven governance attempts to “safeguard[e] critical spaces for social movements to act as a counterbalance to the administration” (Bua & Bussu, 2021: 731), direct democracy in a communalist sense aims to give the entirety of decision-making power to the people by institutionalising it, not simply ensuring it to act as a counterbalance. Indeed, insofar as it aims to radically change the logic of power by giving an institutional role to the assembled people, so that it can directly decide on public matters, communalism goes beyond only *involving* individuals in order to *improve* the quality of democracy. It rather aims to *give back* the entirety of public power to the people, without leaving any decision-making power to the elected representatives. As such, communalism fundamentally *alters* the paradigm of democracy, from a representative one to a direct one, rather than improve the functioning of existing democratic institutions. Communalism is also distinguished from the new municipalism (Roth, 2019). Indeed, the former is in radical opposition to the state and representative democracy and aims to establish the institutions of communal and confederalised popular self-government. Contemporary municipalist experiments, meanwhile, have difficulty in breaking away from the framework of municipal sovereignty to go beyond a form of participatory municipalism combining administration by renewed elected officials with a set of participatory devices (Cossart & Sauvêtre, 2020).

2. Direct democracy in Commercy: popular assemblies from the shack to municipal elections

Located in the Meuse region of Eastern France, Commercy is a small rural sub-prefecture of about 5,400 people. This working-class city, host of various industries, was an ancient military base. The population mainly voted for the left at the presidential elections, until the far-right candidate Marine Le Pen gained most votes during the first round of the 2017 elections. Locally, the town was governed by unaffiliated right-wing representative who arrived at city hall at the last 2014 elections, replacing a decades-long municipal rule by the socialists.

In Commercy, local assemblies were the privileged form of democratic organisation since the beginning of the Yellow Vests movement. Corresponding to the criticism of political abstraction of representative government that animates the movement (Jeanpierre, 2019: 157-162), the desire to anchor democratic mechanisms in lived experience is reflected in the daily general assemblies that the Yellow Vests had at the shack that they built in two nights in the main square after a few days of blockade. A place of “human warmth, contact, fraternity” in

the words of two retired participants, but also of meeting, debate and collective decision-making during daily general assemblies, the shack was the cornerstone of Commercy's direct democracy experience in its early days. These assemblies allowed everyone to express themselves, to be listened to and to vote by the majority rule on everything concerning the local movement, without institutionalised leaders. From this shack, the Commercy Yellow Vests called onto other Yellow Vests of France to refuse representation, elect delegates with imperative, recallable and rotating mandates and organise into popular assemblies. As such, the experience of Commercy reflected ideas of communalism as formulated by Bookchin (2015).

In March 2019, the mayor had the Commercy Yellow Vests' shack destroyed, despite their democratic mobilisation through a grassroots local Citizens' Initiative Referendum (CIR) aimed at gathering the population support. Resigned to adapt to the loss of its collective space, the movement was forced to adapt to the absence of a fixed place for the democratic organisation of its assembly, which led to dissociate the association of collective life and political life that the shack allowed. Part of the group then decided to institutionalise the assembly as a forum for discussion and to open it up to all residents of Commercy, even those who did not identify as Yellow Vests. This became the Commercy Citizens' Assembly (CCA). After several assemblies in May, June and September 2019, participants in the CCA mandated a group of people among them to present a list for the March 2020 municipal elections, marking a split in the Commercy Yellow Vests group with those who saw such an electoral strategy as "non-Yellow Vest". The list, entitled *Let's Live and Decide Together*, had only one program: direct democracy. In other words, its only electoral commitment was to give power to the CCA by linking the mandate of elected municipal officials to the decisions of the assembly – the electoral strategy of communalism (Bookchin, 2015; Van Outryve, 2019). As such, the members of the list, as pledged when they signed the "Charter of the elected person", would, if elected, endorse the assembly's decisions as their own in city council.

This shift shows that, as the movement and its assembly evolved, so did its relationship to the municipal government. Indeed, the municipal government was first seen as an enemy to the Yellow Vests' direct democracy project because they considered it "a central front line in the fight between [them] and the executive" (Jeanpierre, 2019), as evidenced by the destruction of the shack. However, the movement used this hostility from the mayor as a springboard to stimulate their direct democracy project. City hall progressively shifted from an enemy towards an institution to be conquered to allow the people of Commercy to decide. In the general movement by the Yellow Vests to relocalise politics (Jeanpierre, 2019), the seizure of power in a local representative institution was conceived as a strategy to bring about direct democracy through a radical restructuring of this institution. Such a "radical democratic reform" constituted the group's answer to the demands carried out by the Yellow Vests movement calling for direct democracy (Bedock et al., 2020). However, what separates the Commercy group from the rest of the Yellow Vests constituted in assemblies throughout the country is their strategy to institutionalise the "created space" (Gaventa, 2004) of "critical democracy" (Blaug, 2002) that emerged from the experiment of face-to-face assembly during the Yellow Vests movement. Indeed, the CCA aimed to bring in the institution the democratic practices of assemblies they developed in the streets to create a democratic innovation stemming from its own democratic practices as a social movement (della Porta, 2020: 15; Felicetti, 2021). Giving power to the assembly as the main deliberating and decision-making body of the municipality, that is to give "an institutional role to the assembled people" (Manin, 1995), through the elections would require to transfer the power devolved to elected municipal officials to the CCA. As such, the list's goal was to create and institutionalise a democratic innovation, by subverting and radically transforming existing institutions from the inside. In doing so, the strategy pursued by the list

is that of “interact[ing] with traditional institutions to transform them rather than adding to their legitimacy” (Bua & Bussu, 2021: 719). However, unlike movement parties, they did not form a party to do so. They used the vehicle of the list at the occasion of the elections, but only as a way to give power to the CCA gathering the residents of the city, not to remain structured as one, as that is incompatible with communalism’s commitment against representative government.

3. Giving an institutional role to the assembled people: an experiment of grassroots institutional design

Tensions surrounding grassroots institutional design

During the electoral campaign, intense and in-depth reflection were carried out by the list on the role and functioning of the assembly in the event of victory. These reflections occurred through the process of drafting a Local Constitution: an initiative to institutionalise the assembly, give it a role, operating rules, and elaborate its relation to the city council. Before turning to one of the solutions the movement found to the problems any movement seeking to establish direct democracy would face, and under which form it constitutionalised it in the Local Constitution, let us first dive into the genesis of this text to understand the stakes of this process.

The existence of these moments of reflection on the functioning of the assembly did not go without tensions within the group. While some preferred not to spend time on the technicalities of running an assembly that had not yet been born, and might never do, others wanted to take the time to develop a coherent and serious project, with a twofold aim. Firstly, they wanted to have a solid basis in case of an electoral victory to realise the promise made to the population to change the political system towards direct democracy in a communalist sense. This required to be able to think about the various scenarios that could threaten the proper functioning of direct democracy (e.g. the risk of a low rate of participation due to work, social reproduction tasks, mobility, the digital divide, or the ability to express oneself in public). Secondly, the members of the list wanted to explore whether the project was viable, so as to convince themselves and, in turn, be able to convince the population. As said by a female retired participant during a meeting on the functioning of the assembly (23.11.2019), “the more we believe in our project, in our objective, the more plausible we will be to share it”. Developing arguments to defend the direct democracy project in the eyes of the residents of Commercy was therefore a matter of being “credible” – an expression met numerous times during individual interviews and which is deemed by them as necessary to run for the municipal elections. Since the electoral campaign aimed to convince the residents that this system of direct democracy could work, it seemed important to be able to offer collectively thought answers to their concerns and questions about how this direct democracy programme could be realised, and how it could overcome obstacles.

Participating in participatory spaces: an obstacle to direct democracy

Once the institutional design endeavour was agreed upon, the list dived into the multiple problems surrounding the institutionalisation of the assembly, to which they gave solutions in the Local Constitution. Among these numerous questions – agenda-setting, articulation with the municipal council, effective participation, the articulation between procedural and substantive democracy through the establishment of safeguards – I will elaborate only one of them: the problem of participation, or attendance. Though it is interrelated with that of effective participation (Dahl, 1989: 109), as it touches to actors’ motivation to participate by making

their experience meaningful (Parkinson, 2006: 36-41), I only deal with the former to capture the full extent of how the movement tackled it.

In its preamble, the Local Constitution defines the assembly as follows: “The term ‘Citizens’ Assembly’ generally refers to all moments of debate and decision-making open to all residents, in the form of a physical meeting and by any other means (internet...). It offers to all the residents of Commercy the possibility to decide by themselves and for themselves”. As such, the assembly is open to all residents and does not have any mechanism of selection, whether elections or random selection. This lack of selection mechanism, and subsequent openness to all, however begs the question of participation, which has animated the CCA participants since its creation. They were indeed very well aware of the fact that, following the words of a female retired participant, “it is not easy to assemble people” and that the residents of Commercy constitute a “silent mass” that is necessary to “reach out to in order to give them the right to express themselves”, according to a female education worker participant.

During the first assembly (10.5.2019), gathering approximately 80 people in Commercy, a male Yellow Vest organiser of the assembly put in perspective the requirement that everybody should immediately participate in the assembly in order for the direct democracy project to work:

If we organise a popular assembly in Commercy or elsewhere, not everybody will come, but a small minority. The principle of the popular assembly is to open the possibility to decide, not merely participate in the debate, but participate in the decision. We open the possibility. Of course, seeing the formatting and the centuries of conditioning that we endured by delegating our power to others, it is not in eight days, nor even in one year or five that we would get a majority of people to decide. But the possibility will be open. So some people will come, people who would never have thought about it at first, or who were disgusted, but then who heard about the fact that they could come and vote on specific matters. We are starting a process, it is not a definitive solution that will revolutionise society overnight. We are entering into a process, that is the idea of direct democracy.

The answer of this participant contains several elements to understand how Commercy Yellow Vest activists saw their project as viable in tackling the problem of attendance. First, opponents of direct democracy often object that some individuals would not be willing to engage into the public sphere, but rather remain satisfied within the boundaries of their private one. The respondent argues that individuals’ political passivity under the current representative system is not a natural, almost necessary, aspect of human nature, but rather one cultivated by centuries of centralisation of the exercise of public power in the hands of political and economic elite. Far from an immutable essence, this conditioned feature of modern individuals could be changed over time by the “process” of direct democracy, thereby placing their endeavour as a long-term one. As such, they start from the premise that participation triggers a process of political education that will make participants competent to deliberate and decide collectively on political affairs, a premise shared by democratic theorists (Rousseau, 1968; Mill, 1910: 347-348; Pateman, 1970). It has proven difficult to test empirically on traditional modes of political participation (Pedersen, 1982), but has been attested in case-studies of specific democratic innovations (Talpin, 2011).

Second, in relation to the motivation of individuals to participate, the respondent argues that being invited to decide, and not only to debate, might intrigue and motivate people to join the assembly. To them, the best way to ensure attendance is to give real power to the assembly to decide on matters that are important in their lives (in this sense see Abers, 2003; Pateman, 1970: 45-50; Font et al., 2021; van der Does, 2022)

Third, the respondent makes an assertion that is crucial to the legitimacy of the project: that direct democracy remains legitimate even if not everybody attends the assembly, thereby contradicting the claim that “in direct democracy, everyone needs to attend” (Plotke, 1997: 25). Though having a community in which every single member takes part in the deliberation and decision on public affairs should certainly be the horizon for which communalist direct democracy projects strive, full attendance to popular assemblies might never be reached even after the adoption of measures to ensure participation (see below). As stated by the participant, fundamental to the project is that the doors of the popular assembly are open: that they are, Bookchin puts it, always “open to whoever lives in the neighborhood . . . for all who wish to attend and participate” (2015: 53-54). In the constitution, they nevertheless decided to set a minimal threshold of 30 people for the assembly to be able to convene (article 7). During a meeting on the functioning of the assembly (9.12.2019), they considered this number sufficient to ensure that an assembly would be legitimate to decide, since it “corresponds to the number of elected people at the municipal council”. However, this choice begs the question as to the democratic legitimacy of the decisions taken by the assembly in the absence of the principal-agent relationship provided by the elections. In the eyes of participants, there are at least three reasons rendering the assembly’s decisions legitimate, even if not attended by all: the fact that their political project would have been voted upon by the population should they win the elections (Van Outryve, forthcoming), the openness of the assembly to all who are affected by its decisions, and measures taken to enable their attendance.

Indeed, despite the questions of motivation and legitimacy surrounding the problem of attendance, participants are very well aware that measures need to be taken so that everybody can in fact attend, if they wish to. Such a question has been central during the reflections about the concrete functioning of the assembly, guided by the principle that they should organise the assembly “in such a way that they allow the participation of the greatest number of residents” (article 3). To this end, the group discussed various questions: that of the schedule to hold assemblies, especially for workers and people in charge of social reproduction tasks, that of older people and people who would have difficulty (financially or physically) to move, that of people who do not have time and that of the location of the assembly.

In relation to the problem of transport, they found inspiration in previous forms of daily tasks organisation in the town, and decided to organise a shuttle service to bring people to the assembly, as a municipal public service. Regarding social reproduction, a childcare service was proposed. Scheduling was also deliberated, since a unique time and date might not allow everybody to participate on a given question, resulting in the decision (6.2.2020) to organise “several assemblies at various times in the week”, later constitutionalised in article 3: “Similar meetings organised at different date and time can be considered in order to foster the participation of the greatest number of people”. As such, they envisioned to organise three assemblies for deliberation during a given period of time, and a subsequent one for decision. However, deeply convinced of the power of deliberation by their months of assemblies at the shack, they realised that organising several assemblies of deliberations would mean that people would not take part in the same exchanges of arguments, and, thereby, might take a different decision depending on the deliberative assembly they would have attended. To solve this, it was decided that a pre-vote video summing up the various arguments presented throughout the three deliberative assemblies would be disseminated before and during the decision assembly. For the people who would not have time to come to this last assembly, they thought of setting up an online application that would allow people to vote only after watching the pre-vote video. In order to develop such a digital application, they submitted a project called “local democracy application” to the Meuse department’s participatory budgeting. Two female retired

participants thought that technology could be “a very precious tool”, but were nevertheless wary of the digital divide, considered especially sharp in Commercy. Therefore, they proposed to duplicate every moment of vote: either people could vote online, or they could take a shuttle to city council.

Lastly, on the physical location of the assembly: participants deliberated that residents might feel excluded by holding assemblies in city hall, an imposing castle previously occupied by Polish nobility. Though this question has not been definitively answered, they nevertheless attached a great deal of importance to that matter, demonstrating their understanding of the stakes raised by the question of attendance in terms of the legitimacy direct democracy can pretend to.

The problem of participation rethought by the grassroots

What this contribution aims to show is that when social movements *themselves* design democratic innovation, we can think anew the problem of attendance, in at least three ways.

First, when activists aimed to institutionalise the assembly through the municipal elections, they built on their experience gained during the Yellow Vests movements. The knowledge mobilised during the design of the citizens’ assembly therefore stems from their democratic practices. As such, “democratic practices take their own specific forms in light of the contexts in which they emerge”, often to address the problems encountered by the movement (Felicetti, 2021: 1594). The practices of the general assembly, the desire to go beyond the Yellow Vests struggle to have a long-term citizens’ assembly, the necessity to overthrow the mayor and take city hall by giving the power to such an assembly, could not have emerged if it were not for the daily general assemblies at the shack, its destruction by the mayor and the need to gain access to power to put in place ideas developed during assemblies.

Moreover, this movement acted as a “learning site” (Welton, 1993) and a “producer of knowledge” of new notions of democracy (della Porta, 2020: 11). Because they were actors during the grassroots direct democracy experiment of the Yellow Vests of Commercy, the knowledge they mobilised for building institutions of direct democracy for the whole town is situated, and therefore better suited than abstract and disembodied knowledge used in governance-driven democratic innovations to overcome problems such as that of attendance through top-down design. Indeed, they produced knowledge “embedded in and embodied through lived, place-based experiences, [which] means they produce *different* kinds of answers from more abstract knowledge: knowledges that are situated and embodied, rather than supposedly neutral and distanced” (Casas-Cortés et al., 2008: 42-43). The solutions actors developed to the problem of attendance, suggests the possibility that knowledge relevant to institutional design solutions can emerge through participation, action and praxis. Not only were they the subjects of the democratic form of the assembly, but they also learned from it. As such, “they experiment with new ideas in their internal life, prefiguring alternative forms of democratic politics, and they spread these ideas within institutions” (della Porta, 2020: 13).

For example, having several assemblies deliberating on the same topic to enable participants with different schedules to attend the assembly is a solution built from their practice of having to deal with the question of attendance of assemblies during their struggle, as is their realisation of the need to multiply deliberation fora to overcome the issue that not everybody who wishes to participate on a given question, could in fact participate. Moreover, realisation that they would need to organise a video that would synthesise all arguments expressed during these

various deliberative assemblies came from their lived experience regarding how deliberation can change participants' opinions.

Second, the fact that this democratic innovation was designed by a movement anchored in social justice demands and constituted mostly of people in situations of precarity (Alexandre, 2019) enables us to think about the participation of traditionally excluded groups. Indeed, social movements have proven able “to broaden the social distribution of participants (Smith, 2009: 41 and ff) with greater involvement by the popular classes” (della Porta, 2020: 158). Since the Commercy Yellow Vests participated themselves in the democratic form of the assembly they later aimed at institutionalising, they were best suited to understanding the hurdles to individuals' participation in assemblies in this exercise of drafting a model for non-professional politicians, by non-professional politicians. They knew what enables working class people to participate in assemblies, because, unlike policy professionals, they themselves have encountered these issues to attend assemblies during the Yellow Vests movement. As such, their constant attention to the rhythm of the assembly, its schedule, the mobility to enable people to attend it, as well as the location of the assembly testifies to their will to facilitate *real*, rather than formal, participation. In this sense, though the discussion on the location of the assembly (within city hall or in other more sober municipal premises of the city) was not settled, their attention to this potential obstacle to popular participation attests to a motivation to not only open the assemblies' doors, but to establish the conditions for people to actually walk through them.

Third, how direct democracy social movements think about participation is qualitatively different than how policy-makers think about it. Indeed, “participation in ‘invited spaces’ is framed by technocrats, whose interventions produce and limit what is possible” (Cornwall, 2004: 7). As such, participation as understood by technocrats is different than that as understood by social movement. While the former sees it in terms of threshold for a democratic innovation to functionally work, the latter sees it as a long-term question (*ibid.*), since it is a way to alter the paradigm of how power is exercised, and how politics should be the everyday activity of all rather than the profession of the few. As stated by the respondent cited at length above, developing a participatory culture is a process that will take time, and which is constitutive of the ideal of direct democracy. The problem of attendance is therefore seen as one that would not be solved once and for all by technocratic solutions, but as one intrinsically linked with the paradigm of how public power is exercised. To be solved, it requires a change of paradigm through practices of direct democracy, through allowing people to learn that they can, and should, decide together. Despite aiming to find solutions to enable participation, and especially of traditionally excluded groups (working people, people in charge of reproductive work, people with mobility issues), thinking the problem of attendance through the necessity of a paradigm shift legitimates an initiative of direct democracy that would otherwise be discredited on the sole basis of attendance, as a prefigurative experiment from which can contribute knowledge towards the development of new radical forms of self-government.

Conclusion

Commercy Yellow Vests have created several forms of assembly direct democracy: daily general assemblies, local CIR, a citizens' assembly, followed by a project to institutionalise it through municipal elections in order to radically change the mode of exercising power from representative to direct democracy. The list suffered an electoral defeat in the first round of municipal elections on 15 March 2020 with 9.76 percent of the votes, and failed to reach the 10 percent threshold and to qualify for the second round by four votes. However, the process

undertook by the group in creating and institutionalising this democratic innovation provides an insight into the constraints faced and possibilities opened up by bottom-up institutional design. Castoriadis (1989) put the goal well: “to create forms of democracy that are not alienating, where people participate in modern society, that can only be the work of the people as a whole and not of a theorist”. In this vein, this chapter has suggested that social movements can be better situated to create democratic innovations and answer questions of institutional design, than policy-makers or theorists.

More specifically, this article shows the extent to which the grassroots character of the design’s authors impacted the answers they brought to institutional design issues. What this case-study points towards is that institutional design led by the grassroots can identify shortcomings and develop solutions that top-down policy-makers or thinkers might not. Indeed, because they learned from their experience of democratic practices during the social movement and developed situated knowledge, because they are from the same class as the majority of the people who would participate, because they see direct democracy as a long-term process and increasing participation as correlated to the unfolding of this process, this movement could develop contextualised solutions to the attendance problem affecting direct democracy. Further research on grassroots institutional design could reveal new solutions to democratic innovation design problems and enhance the emancipatory potential of social movements.

Bibliography

- Abers R. (2003). Reflections on What Makes Empowered Participatory Governance Happen. In A. Fung and E. O. Wright (eds). *Deepening Democracy*. London: Verso.
- Alexandre C. et al. (26 January 2019). « Qui sont vraiment les “gilets jaunes” ? Les résultats d’une étude sociologique », lemonde.fr.
- Arendt H. (1963). *On Revolution*. London: Penguin Books.
- Bedock C. et al. (2020). Une représentation sous contrôle : Vision politique et réformes institutionnelles dans le mouvement des Gilets jaunes. *Participations* 28(3): 221-246.
- Blaug R. (2002). Engineering democracy. *Political studies* 50(1): 102-116.
- Bookchin M. (2015). *The Next Revolution. Popular Assemblies and the Promise of Direct Democracy*. London & New York: Verso.
- Bua A. & Bussu S. (2021). Between governance-driven democratisation and democracy-driven governance: Explaining changes in participatory governance in the case of Barcelona. *European Journal of Political Research* 60: 716-737.
- Caluwaerts D. & Reuchamps M. (2015). Strengthening democracy through bottom-up deliberation. *Acta Politica* 50(2): 151-170.
- Casas-Cortés M.I., Osterweil M. & Powell D.E. (2008). Blurring Boundaries: Recognizing Knowledge-practices in the Study of Social Movements. *Anthropological Quarterly* 81(1):17-58.

- Final draft for the edited volume *Reclaiming Participatory Governance* (ed. by Adrian Bua and Sonia Bussu) – Routledge (2023)
- Castoriadis C. (1989). Une leçon de démocratie. Interview by Chris Marker. Available at <http://derives.tv/cornelius-castoriadis-une-lecon-de/>.
- Consejero F.M. & Janoschka M. (2022). Transforming urban democracy through social movements: the experience of Ahora Madrid, *Social Movement Studies*.
- Cornwall A. (2004). Introduction: New Democratic Spaces? The Politics and Dynamics of Institutionalised Participation. *IDS Bulletin* 35: 1-10.
- Cossart P. & Sauvêtre P. (2020) « Du municipalisme au communalisme », *Mouvements* 101(1) : 142-152.
- Dahl R. (1989). *Democracy and its critics*. New Haven: Yale University Press.
- della Porta D. & Felicetti A. (2019). Innovating Democracy Against Democratic Stress in Europe: Social Movements and Democratic Experiments. *Representation*: 1-18.
- della Porta D. (2020). *How Social Movements Can Save Democracy: Democratic Innovations from Below*. Cambridge: Polity.
- Elstub S. & Escobar O. (eds) (2019). *Handbook of democratic innovation and governance*. Cheltenham: Edward Elgar Publishing.
- Felicetti A. (2021). Learning from Democratic Practices: New Perspectives in Institutional Design. *The Journal of Politics* 83(4): 1589-1601.
- Font J., Pasadas S. & Fernández-Martínez J.L. (2021). Participatory motivations in advisory councils: exploring different reasons to participate. *Representations* 57(2): 225-243.
- Gaventa J. (2004). Towards participatory governance: assessing the transformative possibilities. In S. Hickey & G. Mohan (eds), *Participation: From tyranny to transformation*. London: Zed Books.
- Gourgues G. (2020). Peut-on ensauvager la participation ? Radicalité démocratique et Gilets Jaunes. *Réfractions* 45: 105-118.
- Jeanpierre L. (2019) *In girum. Les leçons politiques des ronds-points*. Paris: La Découverte.
- Kitschelt H. (2006). Movement Parties. In R. Katz and W. Crotty (eds). *Handbook of Party Politics*. London: Saige: 278-291.
- Manin B. (1995). *Principes du gouvernement représentatif*. Paris: Flammarion.
- Mill J. S. (1910). *Representative Government*. London: Everyman.
- Pateman C. (1970). *Participation and Democratic Theory*. Cambridge: CUP.
- Pedersen J. (1982). On the educational function of political participation. *Political Studies* 30(4): 557-568.

Plotke D. (1997). Representation is Democracy. *Constellations* 4(1): 19-34.

Pitkin H. F. (1967) *The Concept of Representation*. Berkeley and Los Angeles, University of California Press.

Roth L. (2019). (New) Municipalism. In M. Peters & R. Heraud (Eds), *Encyclopedia of Educational Innovation*. Springer: Singapore.

Rousseau J.-J. (1968). *The Social Contract*. London: Penguin Books.

Ryfe D.-M. (2002). “The Practice of Deliberative Democracy: A Study of 16 Deliberative Organizations”. *Political Communication* 19(3): 359-377.

Smith G. (2009). *Democratic Innovations. Designing Institutions for Citizen Participation*. Cambridge: CUP.

Talpin J. (2015). Democratic innovations. In D. della Porta & M. Diani (Eds.), *The Oxford Handbook of Social Movements*. New York: OUP.

Talpin J. (2011). *Schools of democracy. How ordinary citizens (sometimes) become competent in participatory budgeting institutions*. Colchester: ECPR Press.

Van der Does R. (2022). Citizen involvement in public policy: Does it matter how much is at stake? *Public administration*: 1-16.

Van Outryve S. (2019). Becoming Mayor to Abolish the Position of Mayor. Thinking the Line between Reform and Revolution in a Communalist Perspective. *Unbound: Harvard Journal of the Legal Left* 12 (55): 1-46.

Van Outryve S. (forthcoming). Des Gilets jaunes à l’Assemblée Citoyenne de Commercy : les enjeux politiques et constitutionnels d’une expérience de démocratie directe communaliste, *Participations*.

Warren M. (2014). Governance-driven democratization. In S. Griggs, A. J. Norval & H. Wagenaar (Eds), *Practices of freedom: Decentered governance, conflict and democratic participation*. Cambridge: CUP, 38-60.

Welton M. (1993). “Social Revolutionary Learning: The New Social Movements as Learning Sites”. *Adult Education Quarterly* 43(3): 152-164.