

Combined or Opposed? Institutionalization of Sortition and Referendum in Belgian Parliaments

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Since the latter half of the 2010s, several Belgian parliaments have initiated the institutionalization of participatory democratic mechanisms. These initiatives predominantly rely on deliberative formats in which randomly selected citizens—either exclusively or alongside elected officials—engage in structured deliberation. A pivotal issue within these frameworks is the role of broader popular vote mechanisms in linking *mini-publics* (deliberative citizen groups) to the *maxi-public* (the general population). During the preliminary debates that precede the institutional design of sortition-based systems, the question of popular consultation and referendums emerges recurrently.

The objective of this study is to analyze the ways in which parliamentarians engage with the concepts of referendum and popular consultation in the development of participatory processes grounded in sortition. Do members of parliament perceive sortition and referendums as mutually exclusive? Do they view voting and deliberation as compatible, and if so, under what conditions? What legal and institutional constraints affect the implementation of participatory models that combine deliberative practices with mechanisms of popular vote? The core research question is thus articulated as follows: how do Belgian parliamentarians mobilize the concept of referendum in the context of institutionalizing sortition?

This research examines parliamentary activities related to the institutionalization of sortition. The analysis focuses on two regional legislatures—the Walloon Parliament and the Brussels Parliament—where advocacy for sortition-based systems has been ongoing for approximately a decade. Both parliaments have had, since 2014, the legal capacity to organize popular consultations, a non-binding form of referendum. At the federal level, the study investigates the work of the House of Representatives and the Senate beginning in 2013, when the first proposal was introduced to incorporate random selection into the reform of representative institutions.

This analytical framework enables a deeper understanding of the democratic imaginaries articulated by parliamentarians who promote participatory mechanisms. By comparing parliamentary debates and proposals across different legislative bodies, the study identifies how the idea of referendums is mobilized—whether to support, delay, or contest the institutionalization of sortition. Ultimately, these findings contribute to a broader reflection on the concept of populism and its evolving relationship with democratic practice.

Sortition before deliberative democracy: Getting rid of corrupt elected representatives

On June 5, 2013, just under two years after the G1000 citizens' summit¹ and the same year as the release of the book *Contre les élections* by David Van Reybrouck², proposals aiming to institutionalize sortition were introduced into Belgian parliamentary debate through a motion

¹ CALUWAERTS D., REUCHAMPS M. (2014). « The G1000: Facts, figures and some lessons from an experience of deliberative democracy in Belgium ». In: CALUWAERTS D., REUCHAMPS M., JACOBS K., VAN PARIJS P., VAN REYBROUCK D., *The Malaise of Electoral Democracy and What to Do About It*, Re-Bel, Brussels, 10-33

² VAN REYBROUCK D. (2014), *Contre les élections*, Arles, Actes Sud

for a resolution submitted to the House of Representatives³. In this *motion for a resolution on the revision of the electoral system and the introduction of sortition for members of the Federal Parliament of the Kingdom of Belgium*⁴, the author explicitly challenges the foundational logic of representative government, arguing that it suffers from "the main disadvantage of entrusting decision-making power, not to the people themselves as the idea of democracy suggests, but to representatives elected by the population and to governments appointed at the second degree."⁵ The author subsequently contends that the population has been "dispossessed of its sovereign role" and "reduced to the right to vote." This diagnosis underpins a broader critique of the Belgian *partocratic* model, in which political parties are seen as monopolizing democratic authority⁶. From this perspective, the perceived expropriation of popular sovereignty by political parties leads the author to assert that the term "democracy is nothing but a lure,"⁷ and to claim that "the superb myth of the election and the idea of universal suffrage, an emancipating idea, do not keep their promises."⁸

Arguing that "the elective system carries with it corruption, lies and the formation of castes," the author advocates for the institutionalization of "sortition among citizens"⁹ as an alternative democratic mechanism. He revisits the etymological origin of the term democracy (*dēmokratía*, from *dēmos*—people—and *kratos*—power) to criticize the aristocratic logic embedded in electoral representation, lamenting that the practice of election has become "synonymous with democracy."¹⁰ This critique resonates with the position of Belgian historian and prominent sortition advocate David Van Reybrouck, who characterizes the current system as a manifestation of "electoral fundamentalism."¹¹

The author subsequently defends the democratic legitimacy of sortition, positioning it in explicit opposition to the aristocratic character of electoral systems. To substantiate this argument, he draws on the well-known Aristotelian distinction—later reformulated by Montesquieu and Rousseau—which associates sortition with democracy and election with aristocracy. Building on this theoretical foundation, the author proceeds to outline the institutional design and intended objectives of a sortition-based system. The motion ultimately advocates for a radical transformation of the political order: it calls for the complete

³ For an overview of proposals to institutionalize sortition in Belgium, see. GUSTIN A., GRANDJEAN G. & AERTS V. (in press), "L'institutionnalisation du tirage au sort au sein des assemblées parlementaires belges. I. Le cadrage par une élite culturelle et l'alignement des partis politiques", *Courrier hebdomadaire du CRISP* [forthcoming] ; AERTS V., GRANDJEAN G. & GUSTIN A. (in press), "L'institutionnalisation du tirage au sort au sein des assemblées parlementaires belges. II. Les parlements régionaux et communautaires", *Courrier hebdomadaire du CRISP* [forthcoming]; GRANDJEAN G., GUSTIN A. & AERTS V. (in press), "L'institutionnalisation du tirage au sort au sein des assemblées parlementaires belges. III. La Chambre des représentants et le Sénat", *Courrier hebdomadaire du CRISP* [forthcoming].

⁴ House of Representatives, *Proposition de résolution relative à la révision du système électoral et à l'instauration du tirage au sort des membres du Parlement fédéral du Royaume de Belgique*, no. 2860/1, June 5, 2013.

⁵ « Démocratie représentative », Vocabulaire politique du Centre de recherche et d'information socio-politique (CRISP), <https://www.vocabulairepolitique.be/democratie-representative/>

⁶ VERLEDEN F. (2019), *Aux sources de la partitocratie. Les relations entre les partis politiques belges et leurs parlementaires (1918-1970)*, Bruxelles, CRISP ; BAUDEWYNS P., BRANS M., REUCHAMPS M., RIHOUX B., VAN INGELGOM V. (dir.) (2022), *The Winter of Democracy. Partitocracy in Belgium*, Louvain-La-Neuve, Presses Universitaires de Louvain.

⁷ House of Representatives, *Proposition de résolution relative à la révision du système électoral et à l'instauration du tirage au sort des membres du Parlement fédéral du Royaume de Belgique*, no. 2860/1, June 5, 2013, p.4.

⁸ *Ibidem*, p.5.

⁹ *Ibidem*.

¹⁰ *Ibidem*, p.6

¹¹ VAN REYBROUCK D. (2014), *Contre les élections*, Arles, Actes Sud

replacement of both federal and regional elections by random selection, alongside the dissolution and prohibition of political parties¹².

Primarily articulated as a critique of electoral processes and political parties, the proposal notably omits any reference to referendums or mechanisms of popular consultation. The envisioned restoration of sovereignty to the people is framed solely within a democratic paradigm that promotes sortition as an alternative to party politics and systemic corruption.

The initial parliamentary motion advocating for sortition was introduced by MP Laurent Louis, who was originally elected under the banner of the far-right *Parti Populaire* before becoming an independent at the time the motion was submitted. By merging democratic claims grounded in sortition with an anti-corruption rhetoric targeting economic elites, Louis' motion situates sortition within a broader political imaginary characterized by anti-political or *dégagiste* democracy, as conceptualized by Nabila Abbas and Yves Sintomer.¹³

Scholars trace the genealogy of this political imaginary to the *Fronte dell'Uomo Qualunque* (Front of the Ordinary Man), a political party founded in 1945 in Italy by Guglielmo Giannini. Like Laurent Louis, Giannini began by denouncing the political elite as an oligarchic class. In his foundational text *La Folla*¹⁴, he advocated for a political system grounded in sortition, aligned with a "Saint-Simonian logic" that sought to "replace the government of men with the administration of things."¹⁵ Firmly opposed to representative government and political parties—perceived as bastions of corruption, self-serving elites, and factionalism¹⁶—proponents of this anti-political imaginary aim to "disengage the political oligarchy" and return decision-making authority to ordinary citizens. This valorization of the *homo communis* is also central to the rhetoric of Laurent Louis, who promotes a model of political amateurism in which "it's not diplomas, but the experience and common sense of citizens" that qualify individuals to hold political office¹⁷.

Importantly, this antipolitical imaginary transcends the ideological boundaries of the far right. It is closely connected to the concept of "citizenism," as theorized by Samuel Hayat, in which the people are conceived as a unified collective—devoid of partisan or ideological divisions—composed of autonomous individuals whose general will can be elicited either through direct consultation or through the random selection of a representative subgroup capable of deliberating in conscience¹⁸.

This *dégagiste* political imaginary can thus be appropriated by actors from widely heterogeneous—and in some cases ideologically opposed—political backgrounds. Movements such as the Five Star Movement in Italy, the *Gilets jaunes* in France, managerial or technocratic proponents including environmentalist Ernest Callenbach and former banker and Mastercard

¹² House of Representatives, *Proposition de résolution relative à la révision du système électoral et à l'instauration du tirage au sort des membres du Parlement fédéral du Royaume de Belgique*, no. 2860/1, June 5, 2013, p.18.

¹³ ABBAS N., SINTOMER Y. (2021), « Les trois imaginaires contemporains du tirage au sort en politique : démocratie délibérative, démocratie antipolitique ou démocratie radicale ? », *Raisons politiques* 2021/2, n°82, 33-54

¹⁴ URBINATI N., VANDELLI L. (2020), *La democrazia del sorteggio*, Turin, Einaudi.

¹⁵ ABBAS N., SINTOMER Y. (2021), « Les trois imaginaires contemporains du tirage au sort en politique : démocratie délibérative, démocratie antipolitique ou démocratie radicale ? », *Raisons politiques* 2021/2, n°82, p.46.

¹⁶ *Ibidem*, p.47

¹⁷ House of Representatives, *Proposition de résolution relative à la révision du système électoral et à l'instauration du tirage au sort des membres du Parlement fédéral du Royaume de Belgique*, no. 2860/1, June 5, 2013, p.16.

¹⁸ HAYAT S. (2018), "Les Gilets jaunes et la question démocratique", *Contretemps*, www.contretemps.eu ; ABBAS N., SINTOMER Y. (2021), « Les trois imaginaires contemporains du tirage au sort en politique : démocratie délibérative, démocratie antipolitique ou démocratie radicale ? », *Raisons politiques* 2021/2, n°82, p.47.

founder Michael Phillips¹⁹, as well as more recent grassroots initiatives like the *Collectif Citoyen*—which participated in the Belgian regional and federal elections of October 2024²⁰—may all be situated within this *dégagiste* imaginary centered on sortition. The *antipolitical* or *dégagiste* imaginary functions as a form of political *confusionism*²¹, obscuring traditional ideological boundaries and enabling alliances or discourses that traverse the conventional left–right spectrum.

In the case of Laurent Louis, the articulation of an antipolitical imaginary and the promotion of sortition can likely be understood in light of the influence exerted by teacher-blogger Étienne Chouard, with whom Louis shares controversial associations with far-right ideologue Alain Soral. Although Chouard gained prominence in radical left-wing online circles, his proximity to Soral and his references to various conspiracy theorists²² position him as a paradigmatic figure of the *confusionist* potential embedded in the antipolitical imaginary of sortition. A central figure in the “No” campaign during the French referendum on the European Constitutional Treaty, Chouard played a key role in the popular reappropriation—and reinterpretation “against its author”²³—of Bernard Manin’s seminal work *Principles of Representative Government* (1995)²⁴, easily launched by the book’s introductory sentence: “Contemporary democracies have emerged from a form of government that its founders opposed to democracy.”²⁵ Drawing on the history of Athenian democracy and the origins of representative institutions, Chouard contributes to the contemporary revival of sortition as a democratic practice fundamentally opposed to electoral mechanisms, which he characterizes as inherently aristocratic. His efforts have significantly facilitated the dissemination of sortition within various activist and ideological milieus, often transcending traditional political divides²⁶.

This reinterpretation of *Principles of Representative Government*—which runs counter to the original author’s intent, given that Bernard Manin, as a liberal scholar, normatively defended representative government as a balanced mixed regime combining aristocratic and democratic elements—is not exclusive to political actors aligned with the *dégagiste* imaginary of antipolitical democracy²⁷. Indeed, historian David Van Reybrouck, whose book *Contre les élections (Against Elections)* has become pivotal in popularizing the concept of sortition within political discourse, similarly adopts this critical re-reading of Manin’s work to advocate for the reintroduction of sortition. Van Reybrouck, a central figure in the deliberative G1000 experiment, has significantly influenced the political landscape, and his book has played a formative role in the emergence of sortition-oriented political movements. This book will play a major role in the development of political movements in favor of sortition, and in the defense of a different political imaginary of sortition, which is the basis for the majority of parliamentary initiatives promoting this democratic innovation.

¹⁹ CALLENBACH E., PHILLIPS M. (1985/2008), *A Citizen Legislature*, Exeter, Imprint Academic.

²⁰ OGER L. (June 3, 2024), « Élections : Le Collectif Citoyen prône une autre démocratie », Qu4tre, www.qu4tre.be.

²¹ CORCUFF P. (2020), *La grande confusion. Comment l’extrême-droite gagne la bataille des idées*, Paris, Textuel.

²² TOLMERE A. (2006), *Manifeste pour la vraie démocratie*, online.

²³ HAYAT S. (2019), « La carrière militante de la référence à Bernard Manin dans les mouvements français pour le tirage au sort », *Participations*, 2019/HS, 437-451.

²⁴ MANIN B. (1996), *Principes du gouvernement représentatif*, Paris, Flammarion ; Bernard Manin (1997), *The Principles of Representative Government*, Cambridge, Cambridge University Press.

²⁵ MANIN B. (1996), *Principes du gouvernement représentatif*, Paris, Flammarion, p.11.

²⁶ HAYAT S. (2019), « La carrière militante de la référence à Bernard Manin dans les mouvements français pour le tirage au sort », *Participations*, 2019/HS, 437-451.

²⁷ CHOLLET A., MANIN B. (2019), « Les postérités inattendues de *Principes du gouvernement représentatif*: Une discussion avec Bernard Manin », *Participations*, 23, 1, 171–192.

Sortition in Belgian parliaments: a cross-cutting deliberative history

Following this initial provocative motion for a resolution, which reflected an antipolitical imaginary, subsequent proposals for the institutionalization of sortition in Belgian parliaments emerged within a different political imaginary, predominantly articulated by ecologist members of parliament. Within this framework, the question of referendums became a central element in the debates surrounding the implementation of sortition.

A Walloon unanimity for the majority proposals, but popular consultation to temporize?

In the Walloon Parliament, the first formal proposal to institutionalize sortition emerged in 2015 through an amendment submitted by ecologist members of parliament. Concurrently, several members of the Socialist Party (PS) and Christian Democrat Party (CDH) majority introduced a motion for a resolution to establish a special commission on democratic renewal²⁸. The ecologist MPs' amendment advocated that this commission comprise an equal number of parliamentarians and citizens selected by lot. Framing their proposal within the context of widespread "democratic disenchantment, crisis of confidence in institutions, and the gap between citizens and their representatives,"²⁹ the authors cited the G1000 deliberative experiment as an illustrative precedent.

They further linked their amendment to related ecologist initiatives addressing various democratic reforms³⁰, including popular consultation—a consultative form of referendum³¹. Within this conceptual framework, sortition is explicitly connected to a broader agenda aimed at democratizing representative government, where sortition and popular consultation are conceived as complementary rather than antagonistic mechanisms. This initiative followed the constitutional reform, enacted a year earlier, which authorized the organization of popular consultations at the regional level in Belgium³². Consequently, debates concerning popular consultation and sortition appear partially intertwined, with popular consultation featuring prominently in deliberations regarding the future special commission on democratic renewal³³. Ultimately, after parliamentary debate, the amendment proposing the inclusion of citizens selected by lot in the commission was rejected by the majority.

Following the initial rejection, on February 25, 2016, ecologist members of parliament submitted a proposal to amend the internal rules of the Walloon Parliament, introducing the possibility of establishing mixed commissions composed of both citizens selected by lot and

²⁸ Walloon Parliament, *Proposition de résolution portant création d'une commission spéciale relative au renouveau démocratique*, no. 130/1, February 3, 2015.

²⁹ Walloon Parliament, *Proposition de résolution portant création d'une commission spéciale relative au renouveau démocratique. Amendments*, n° 130/3, February 23, 2015, p. 3

³⁰ Such as the reform of the control of the validity of elections, both at regional level and communal level, the abolition of electronic voting and gender balance in municipal and provincial colleges.

³¹ LEWALLE P. (1986), « Le référendum local », in F. DELPEREE (dir), *La participation directe du citoyen à la vie politique et administrative*, Bruxelles, Bruylant, p. 84.

³² Article 39bis: « À l'exclusion des matières relatives aux finances ou au budget ou des matières qui sont réglées à une majorité des deux tiers des suffrages exprimés, les matières exclusivement attribuées aux organes régionaux peuvent faire l'objet d'une consultation populaire dans la région concernée ». [With the exception of matters relating to finance or the budget, or matters which are settled by a two-thirds majority of the votes cast, matters exclusively attributed to regional bodies may be subject to popular consultation in the region concerned.]

³³ Walloon Parliament, , Commission des Affaires générales et des Relations internationales, *Compte rendu intégral*, no. 88, February 23, 2015, p. 11.

Walloon MPs³⁴. The authors intended this initiative to continue the work of the Democratic Renewal Commission, which had prioritized advancing citizen and participatory democracy³⁵. Sortition was identified as one of several potential mechanisms to explore³⁶. During committee debates, several members of the PS-CDH majority explicitly invoked the option of organizing regional popular consultations to temper enthusiasm for sortition. It was argued that the Walloon Parliament "is already an extremely open assembly in terms of participatory democracy," particularly due to the pending draft decree on popular consultation in Wallonia³⁷. This perspective was echoed by opposition right-wing MPs, who similarly referenced the authorization of regional popular consultations as a reason to oppose the institutionalization of sortition. Several deputies further invoked Article 33 of the Belgian Constitution—which stipulates that "All powers emanate from the Nation. They are to be exercised as prescribed by the Constitution"—to assert the legal impossibility of advancing proposals related to sortition at that time³⁸. Consequently, the vote on the proposal was postponed and ultimately not concluded during the 2014–2019 legislative session.

Within this context, references to citizen participation processes based on voting appear to serve both as a means of delay and as a justification for resisting proposals advocating participatory mechanisms grounded in random selection. Notably, between this proposal on sortition and the end of the legislature, a special decree establishing the legal framework for popular consultations was adopted on July 19, 2018³⁹.

Following the regional elections of June 2019, the political landscape in Wallonia shifted significantly with the entry of ecologist parties into the governing coalition, consolidating their central role in the institutionalization of participatory democratic mechanisms in Belgium. Nonetheless, the first formal proposal for the institutionalization of sortition in the new legislature was submitted not by a member of the governing majority but by opposition MP Marie-Martine Schyns (CDH)⁴⁰ on September 1, 2020. Her initiative was accompanied by a parallel proposal concerning popular consultation⁴¹. Drawing direct inspiration from the citizens' council model established by the Parliament of the German-speaking Community in

³⁴ Walloon Parliament, *Proposition de modification du règlement du Parlement de Wallonie visant à introduire la faculté de créer des commissions mixtes composées de citoyens tirés au sort et de députés wallons*, No. 415/1, February 25, 2016

³⁵ *Ibidem*, p.3.

³⁶ The Ecolo MPs group has tabled a note of proposals, aimed at taking up a series of options, relating to the development of citizens' panels, the participatory budget, the right of citizens to initiate legislation, the creation of joint commissions including citizens chosen by lot, the improvement of existing legislation on public participation and the strengthening of the legislative framework in this area of local popular consultation. (See *Walloon Parliament*, Session 2015-2016, Séance publique de commission, Compte-rendu intégral, no. 93, January 27, 2016).

³⁷ Walloon Parliament, Commission des Affaires générales et des Relations internationales, *Compte rendu intégral*, no. 28, November 7, 2016, p. 32.

³⁸ *Ibidem*, p. 32.

³⁹ This process will lead to the Walloon special decree of July 19, 2018 instituting the popular consultation (*Moniteur belge*, September 28, 2018); cf. also the amending special decree of May 2, 2019 (*Moniteur belge*, June 11, 2019) and the Walloon decree of May 2, 2019 on the organization of the regional popular consultation (*Moniteur belge*, June 18, 2019). On this subject, see GAUDIN T., JACQUET V., PILET J.-B., REUCHAMPS M. (2018), "Consultation populaire et référendum en Belgique", *Courrier hebdomadaire*, CRISP, no. 2390-2391, 37-38.

⁴⁰ Walloon Parliament, *Proposition de décret institutionnalisant l'assemblée citoyenne et le conseil citoyen*, n° 221/1, September 1st, 2020. This proposal is the subject of a rectification, submitted on September 2, 2020. Walloon Parliament, *Proposition de décret institutionnalisant l'assemblée citoyenne et le conseil citoyen. Document rectifié*, no. 221/1bis, September 2, 2020; Walloon Parliament, *Proposition de modification du règlement du Parlement de Wallonie visant à institutionnaliser les assemblées citoyennes et conseils citoyens*, no. 223/1, September 1st 2020.

⁴¹ Walloon Parliament, *Proposition de décret spécial modifiant les articles 2, 5, 6 et 7 du décret spécial du 19 juillet 2018 instituant la consultation populaire*, No. 222/1, September 1st, 2020.

2019⁴², Schyns explicitly mobilizes the arguments articulated in David Van Reybrouck's *Against Elections*, advocating for the creation of a "comprehensive participatory democracy mechanism" centered on a citizens' assembly and a citizens' council⁴³.

As an opposition MP, Schyns positions herself in favor of combining sortition and popular consultation within a broader architecture of participatory governance. The proposed decree seeks to empower citizens through a multi-phase participatory process: "It is a truly comprehensive citizen empowerment scheme in that the citizen reflects on a given subject through participation in the citizens' assembly and citizens' council (upstream), can submit a request for a regional popular consultation to the Walloon Parliament (in the middle), and gives his or her opinion directly on a policy proposed by popular consultation (downstream)."⁴⁴ This integration of deliberative and consultative mechanisms is further reinforced by provisions enabling citizens' assemblies and councils to propose the organization of popular consultations to Parliament⁴⁵. The combination of sortition-based deliberation—where randomly selected citizens debate alongside MPs—with consultative voting mechanisms for the broader public, is reaffirmed and refined in a subsequent legislative proposal. This latter text aims to grant deliberative commissions composed of MPs and citizens selected by lot the formal right of initiative to request the organization of regional popular consultations⁴⁶.

However, the opposition proposal aiming to combine sortition and popular consultation was ultimately not adopted. It was effectively pre-empted by a competing initiative: a proposal to amend the Rules of Procedure of the Walloon Parliament, specifically designed to establish deliberative commissions composed of deputies and randomly selected citizens⁴⁷. This latter proposal, introduced as part of the implementation of the 2019 regional policy declaration, eventually focused exclusively on the institutionalization of sortition-based deliberation⁴⁸. As a result, no explicit linkage was made between citizens' assemblies and mechanisms of popular vote within the adopted framework.

Thus, proposals concerning citizens' assemblies and those relating to popular consultation were conceptualized as parallel components of a broader democratization agenda, rather than being integrated into a unified participatory architecture. The institutionalization of mixed deliberative commissions marked a significant step, with a first pilot commission convened in 2023–2024 to deliberate on the following question: "*How can Walloons be involved in decision-making in a deliberative and permanent way?*"⁴⁹

Following the regional elections of June 2024 and the electoral defeat of the ecologist parties, a new center-right majority composed of the Mouvement Réformateur (MR) and Les Engagés

⁴² REUCHAMPS M., NIESSEN C., (2022), « Institutionalising Citizen Deliberation in Parliament: The Permanent Citizens' Dialogue in the German-speaking Community of Belgium », *Parliamentary Affairs*, Vol. 75,1, 135–153.

⁴³ Walloon Parliament, *Proposition de décret institutionnalisant l'assemblée citoyenne et le conseil citoyen*, n° 221/1, September 1st, 2020, p. 4.

⁴⁴ *Ibidem*.

⁴⁵ *Ibidem*., p.6

⁴⁶ Walloon Parliament, *Proposition de décret spécial modifiant les articles 2, 5, 6 et 7 du décret spécial du 19 juillet 2018 instituant la consultation populaire en vue d'octroyer un droit d'initiative aux commissions délibératives composées de députés et de citoyens tirés au lot*, no. 278/1, September 29, 2020.

⁴⁷ Walloon Parliament, *Proposition de modification du règlement du Parlement de Wallonie visant à consacrer la constitution de commissions délibératives entre députés et citoyens tirés au lot*, no. 248/1, September 15, 2020.

⁴⁸ Walloon Parliament, *Déclaration de politique régionale 2019-2024*, no 34/1, September 13, 2019

⁴⁹ Walloon Parliament, *Commission délibérative « Comment impliquer les Wallonnes et les Wallons dans la prise de décision, de manière délibérative et permanente, en s'inspirant notamment du dialogue citoyen permanent existant en Communauté germanophone qui procède par tirage au sort ? »*. Rapport présenté au nom de la commission délibérative, n° 1605/1, February 25, 2024

(formerly CDH) assumed power in Wallonia. The CDH parliamentarian who had previously played a key role in advancing proposals for integrating citizens' assemblies with popular consultation did not return to political office. In the new regional policy declaration, the majority briefly references the prior sortition-based deliberative experiment⁵⁰. However, the outcomes and procedural innovations of the Walloon deliberative mechanism are largely sidelined in favor of a single initiative: the organization of a popular consultation on the potential abolition of the provinces as political entities in Wallonia. Once again, the instrument of popular vote seems to be used in a gesture of prioritization, putting deliberative sortition-based mechanisms in the background.

Brussels Parliament: An inversed temporality between sortition and popular consultation

In parallel with the deliberations conducted in Wallonia, members of the Brussels Parliament also addressed the issue of sortition—achieving earlier institutional traction than their Walloon counterparts—and, more recently, that of popular consultation. On March 22, 2018, three ecologist MPs, then part of the opposition, tabled a proposal for a special ordinance aiming to introduce the possibility of establishing mixed commissions composed of randomly selected citizens and parliamentarians⁵¹. This legislative initiative mirrors the earlier proposal submitted in 2016 by ecologist MPs in the Walloon Parliament⁵². Although the proposal was referred to committee, it was not debated before the end of the legislative session.

Following the regional elections of June 2019, the entry of ecologist parties into the Brussels government enabled the advancement of participatory democracy mechanisms, culminating in a political agreement on the establishment of deliberative commissions. On November 28, 2019, a proposal to amend the Rules of Procedure of the Brussels Parliament was submitted by several majority MPs. This proposal aimed to formally introduce the possibility of convening deliberative commissions composed of both members of parliament and randomly selected citizens⁵³.

During parliamentary debates on this proposal, members of the PTB-PVDA (radical left) advocated for strengthening the binding nature of recommendations formulated by randomly selected citizens, notably through the possible use of referendums⁵⁴—despite the fact that such instruments remain prohibited under the current Belgian constitutional framework⁵⁵. Concerns regarding the implementation and concrete follow-up of citizen recommendations were echoed by several elected representatives from the MR party. A number of MPs expressed support for the development of popular consultation mechanisms in parallel with deliberative processes based on sortition⁵⁶. However, while the aspiration to enhance citizens' decision-making power

⁵⁰ Walloon Parliament, *Déclaration de politique régionale 2024-2029*, no 10/1, July 15, 2024.

⁵¹ Parliament of the Brussels-Capital Region, *Proposition d'ordonnance spéciale visant à introduire la faculté de créer des commissions mixtes composées de citoyens tirés au sort et de députés bruxellois*, No. 660/1, March 22, 2018.

⁵² Walloon Parliament, *Proposition de modification du règlement du Parlement de Wallonie visant à introduire la faculté de créer des commissions mixtes composées de citoyens tirés au sort et de députés wallons*, No. 415/1, February 25, 2016

⁵³ Parliament of the Brussels-Capital Region and Assemblée réunie de la Commission communautaire commune, *Proposition de modification du règlement visant à introduire la faculté de créer des commissions délibératives entre députés et citoyens composées de députés et invitant des citoyens tirés au sort à participer à leurs travaux*, no. 100/1 and no. 19/1, November 28, 2019.

⁵⁴ *Ibidem*.

⁵⁵ DESEURE B., GEENENS R., SOTTIAUX S. (2021), *Sovereignty, Civic Participation, and Constitutional Law. The People versus the Nation in Belgium*, Oxon, New-York, Routledge.

⁵⁶ Assemblée de la Commission communautaire française, *Compte rendu*, no. 81, March 29, 2023, p. 12.

may be shared across party lines, it continues to face structural limitations imposed by the constitutional order, which restricts citizen participation in decision-making to electoral processes⁵⁷.

The institutional dynamic observed in Brussels regarding the articulation between sortition and popular vote diverges somewhat from the Walloon trajectory. In Wallonia, a decree establishing popular consultation was adopted in 2018, prior to the creation of deliberative commissions. Conversely, in Brussels, the temporal sequence was inverted: mixed commissions enabling deliberation between randomly selected citizens and parliamentarians were instituted as early as 2020, despite the absence of any legislative framework governing popular consultations at that time. Consequently, deliberations on sortition prompted demands from several opposition MPs to complement these mechanisms with instruments of popular vote, within a logic of participatory complementarity. Rather than being framed as mutually exclusive, sortition and popular consultation were approached in a synergistic manner, each reinforcing the other as they became institutional priorities. This cumulative dynamic culminated in the adoption, in 2024, of a specific ordinance regulating the organization of regional popular consultations in Brussels⁵⁸.

By the end of the 2019–2024 legislative term, the trajectories followed by the Walloon and Brussels parliaments illustrate a significant shift in the institutionalization of sortition within the Belgian political system. While the initial proposal introduced by Laurent Louis in the House of Representatives in 2013 was embedded within an anti-political or *dégagiste* imaginary—characterized by a radical rejection of representative institutions and political parties—this logic is no longer present in the deliberative processes currently implemented at the regional level.

The deliberative paradigm of French-speaking advocates of sortition

In both the Walloon and Brussels parliaments, the various proposals to institutionalize sortition are part of a shared political dynamic. They frame participatory mechanisms as responses to a broader crisis of trust in democratic institutions—manifested, for instance, in the increasing use of blank ballots or in polling data reflecting public disillusionment. The authors of these proposals frequently draw upon academic references, notably the work of David Van Reybrouck⁵⁹ and the G1000 initiative, which is often cited as the foundational moment of Belgium’s new deliberative wave grounded in the rediscovery of sortition⁶⁰. These institutional designs consistently incorporate selection by lot, with the explicit aim of assembling groups that are socio-demographically diverse (in terms of age, gender, place of residence, and socio-professional background). While these groups do not achieve statistical representativeness due to their limited size, they are seen as more reflective of the population’s sociological realities than traditional elected bodies. The overarching objective is to convene citizens—either among themselves or alongside elected representatives—to engage in informed deliberation, supported by expert input⁶¹.

⁵⁷ Parliament of the Brussels-Capital Region, *Compte rendu intégral*, no. 10, December 12, 2019, p. 34

⁵⁸ *Moniteur belge*, May 25, 2024.

⁵⁹ VAN REYBROUCK D. (2014), *Contre les élections*, Arles, Actes Sud

⁶⁰ CALUWAERTS D., REUCHAMPS M. (2014). « The G1000: Facts, figures and some lessons from an experience of deliberative democracy in Belgium ». In: CALUWAERTS D., REUCHAMPS M., JACOBS K., VAN PARIJS P., VAN REYBROUCK D., *The Malaise of Electoral Democracy and What to Do About It*, Re-Bel, Brussels, 10-33

⁶¹ BÄCHTIGER A., DRYZEK J., MANSBRIDGE J., WARREN M. (2018) (ed.), *The Oxford Handbook of Deliberative Democracy*, New York, Oxford University Press.

At the conclusion of these deliberative processes, whether conducted through panels, assemblies, or mixed commissions, a report is produced containing a set of recommendations addressed to parliamentary representatives. These recommendations, however, carry no binding force and remain strictly consultative, leaving final decision-making power entirely in the hands of elected officials. Within the deliberative democratic imaginary, the popular vote is sometimes conceived as a consultative tool capable of bridging the gap between the *mini-public* (the selected citizens) and the *maxi-public* (the broader population). In practice, however, this function remains underdeveloped in both the Walloon and Brussels parliaments. Institutional progress on sortition thus tends to unfold in parallel with that of popular consultation, rather than through integrated mechanisms combining the two approaches.

The series of proposals aiming to institutionalize sortition markedly diverges from the antipolitical imaginary that characterizes Laurent Louis's initial motion for resolution. The experiments and legislative initiatives introduced in Wallonia and Brussels since 2015 align with a deliberative imaginary of sortition. This latter conceptualization foregrounds the deliberative virtues associated with theorists such as John Rawls⁶² and Jürgen Habermas⁶³. Proponents of deliberative democracy contend that "the democratic legitimacy of a decision is all the greater if it has been preceded by high-quality, transparent deliberation, including all parties concerned, based on mutual respect, allowing all participants equal influence in the discussion, excluding relations of domination and a lasting asymmetry of power relations."⁶⁴ Mechanisms grounded in sortition correspond directly to this normative framework, wherein the objective shifts from merely excluding corrupt elected officials to incorporating citizens from diverse sociological backgrounds—via panels, citizens' assemblies, or deliberative commissions—in order to foster the most comprehensive and pluralistic deliberation possible⁶⁵.

This differentiation in both objective and political imaginary from the antipolitical perspective is also evident in relation to the Athenian ideal of rotation in office that underpinned the ancient practice of sortition. The deliberative imaginary embraced by contemporary reformers and political entrepreneurs advocates for participatory mechanisms conceived as complementary or supportive to representative government, deliberately preserving the final decision-making authority with elected officials. Consequently, these participatory devices do not seek to radically alter the distribution of power or to fundamentally democratize representative institutions. Rather, they are framed as deliberative spaces intended to incorporate select citizens into political debate, thereby restoring public confidence and providing elected representatives with informed input to assist their policymaking.

However, this absence of transfer of decision-making power to citizens should not be interpreted solely as a predetermined outcome or an explicit political strategy. It can be partly explained by constitutional constraints that preclude citizens from exercising binding political

⁶² JOHN RAWLS J. (1971), *A Theory of Justice*, Cambridge, Mass., Harvard University Press, (1971) ; John Rawls (1993) « The Idea of Public Reason », in *Political Liberalism*, New York, Columbia University Press, 1993, p. 212-254.

⁶³ HABERMAS J. (1997), *Droit et démocratie. Entre faits et normes*, Paris, Gallimard.

⁶⁴ ABBAS N., SINTOMER Y. (2021), « Les trois imaginaires contemporains du tirage au sort en politique : démocratie délibérative, démocratie antipolitique ou démocratie radicale ? », *Raisons politiques* 2021/2, n°82, p.43.

⁶⁵ COHEN J., (1989) « Deliberation and Democratic Legitimacy », in A. Hamlin et P. Pettit (dir.), *The Good Polity*, Oxford, Blackwell.

authority outside of elections⁶⁶, thereby limiting the institutional possibilities for combining or running in parallel citizens' assemblies and referendums.

Belgian constitutional restraint: is democracy outlawed?

While the deliberative democracy imaginary helps explain why participatory processes often limit citizens to a consultative role, another crucial element must be considered. Indeed, case law from the Belgian Council of State appears to interpret the Belgian Constitution as prohibiting any form of direct and decisive political participation by citizens outside of elections. This constitutional interpretation effectively bars the use of referendums⁶⁷ and prevents granting binding decision-making authority to citizens' assemblies or commissions partially composed of citizens selected by lot⁶⁸.

The Council of State's position is grounded in its interpretation of Articles 33 (formerly 25) and 42 (formerly 32) of the Belgian Constitution⁶⁹, which state that "All powers emanate from the Nation" and that "They are to be exercised as prescribed by the Constitution." In response to several legislative proposals aiming to institutionalize referendums and popular consultations—a consultative form of referendum⁷⁰—the Legislation Section of the Council of State issued a landmark opinion on May 15, 1985, articulating its stance⁷¹. The opinion recalled that during Belgium's constituent moment at the National Congress of 1830, direct recourse to the people had been met with skepticism. It thus reaffirmed the "strictly representative" nature of the Belgian political regime⁷².

Interpreting the constitutional articles as affirming the principle of national sovereignty⁷³ rather than popular sovereignty⁷⁴, the Council of State characterizes the Belgian regime as "purely parliamentary,"⁷⁵ granting citizens entry into the sovereign body only upon being admitted to the ballot box⁷⁶. By locating sovereignty in the Nation—a political fiction realized through the formation of a representative parliamentary body⁷⁷—the Council affirms the primacy of elected

⁶⁶ VELAERS J., POPELIER P. (2006), « Le référendum constitutionnel en Belgique », in DIRIX Éric (éd.), *The Belgian reports at the Congress of Utrecht of the International Academy of Comparative Law*, Bruxelles, Bruylant ; BOURGAUX A.-E. (2023) « Tous les pouvoirs émanent-ils de la Nation ? Retour sur une souveraineté déboussolée », in VANDENBOSSCHE E., *Parlementaire soevereiniteit: een constitutionele utopie ?*, Bruges, die Keure, 1-32.

⁶⁷ GAUDIN T., JACQUET V., PILET J.-B., REUCHAMPS M., (2018), « Consultation populaire et référendum en Belgique », *Courrier hebdomadaire du CRISP*, 2390-2391, 5-62.

⁶⁸ Parlement wallon, *Proposition de décret institutionnalisant l'assemblée citoyenne et le conseil citoyen. Opinion of the Council of State*, no. 221/2, January 6, 2021.

⁶⁹ Article 33 : « Tous les pouvoirs émanent de la Nation. Ils sont exercés de la manière établie par la Constitution ». Article 42 : « Les membres des deux Chambres représentent la Nation, et non uniquement ceux qui les ont élus. »

⁷⁰ LEWALLE P. (1986), "Le référendum local", in DELPEREE F. (dir), *La participation directe du citoyen à la vie politique et administrative*, Brussels, Bruylant, p. 84.

⁷¹ House of Representatives, *Council of State, Opinion of 15 May 1985*, no 783/2

⁷² Council of State quoting WIGNY P. (1972), *La troisième révision de la Constitution*, Bruxelles.

⁷³ DUMONT H. (2018), "Le concept de démocratie représentative : de Sieyès à la Constitution belge de 1831", in BOUHON F. and REUCHAMPS M. (eds.), *Les systèmes électoraux de la Belgique*, Brussels, Bruylant, 2^eed., p.39.

⁷⁴ VELAERS J., POPELIER P. (2006), "Le référendum constitutionnel en Belgique", in DIRIX É. (ed.), *The Belgian reports at the Congress of Utrecht of the International Academy of Comparative Law*, Brussels, Bruylant, p. 619 ; BOURGAUX A.-E. (2023), "Tous les pouvoirs émanent-ils de la Nation? Retour sur une souveraineté déboussolée", in VANDENBOSSCHE E., *Parlementaire soevereiniteit: een constitutionele utopie?*, Bruges, die Keure, 1-32.

⁷⁵ Council of State quoting MAST A. (1950), *Overzicht van het grondwettelijk recht. Deel I*, Standaard Boekhandel.

⁷⁶ Council of State quoting ORBAN O. (1906), *Le droit constitutionnel de la Belgique*, Liège.

⁷⁷ KERLÉO J.-F. (2017), « Le droit parlementaire local : l'impensé juridique de la fonction territoriale du représentant de la Nation », *Revue française de droit constitutionnel* 109, 103-120.

representatives over direct popular sovereignty⁷⁸. Emphasizing the wording of Article 25 (now Article 33), which stipulates that powers “are to be exercised as prescribed by the Constitution,” and noting the absence of provisions for referendums in the Constitution, the Council explicitly prohibits popular votes⁷⁹. This reasoning was extended to the rejection of popular consultation as well⁸⁰. The Council of State has repeatedly reaffirmed this interpretation in subsequent opinions⁸¹. Consequently, a constitutional revision would be necessary to institutionalize referendums in Belgium⁸². Such a revision has already been carried out with respect to popular consultation at the regional level⁸³, as the Constitution was amended in 2014 to permit popular consultation within the regions⁸⁴.

The Council of State subsequently extended this constitutional interpretation to participatory mechanisms based on sortition. When asked to rule on a proposal for a decree institutionalizing a citizens' assembly and a citizens' council submitted to the Walloon Parliament⁸⁵, the Council accepted their institutionalization on the basis that these bodies did not constitute a new “mode” of exercising “powers.”⁸⁶ Such participatory processes are therefore deemed constitutional because “neither the citizens' assembly nor the citizens' council possesses any real decision-making authority; these bodies may only issue recommendations.”⁸⁷ Consequently, the Council of State imposes clear limits on participatory mechanisms, prohibiting them from conferring prerogatives that exceed a purely consultative role for citizens.

These constitutional interpretations developed by the Council of State, which prohibit referendums and restrict the decisive power of deliberative processes based on sortition, help clarify the varying degrees of institutionalization of such mechanisms within Belgian parliaments. The deliberative democratic imaginary—where participatory processes are conceived solely as complements rather than replacements of representative government⁸⁸—is

⁷⁸ HAYAT S. (2014), “La souveraineté populaire”, in HINCKER L. (ed.) (2014), *Citoyenneté, république, démocratie en France 1789-1899*, Paris, Atlande, 145-159.

⁷⁹ GEENENS R., SOTTIAUX S. (2015), “Sovereignty and Direct Democracy: Lessons from Constant and the Belgian Constitution”, *European Constitutional Law Review*, 11, 293-320

⁸⁰ House of Representatives, *Council of State, Opinion of 15 May 1985*, no 783/2

⁸¹ Flemish Parliament, *Voorstel van decreet houdende de inrichting van een Vlaamse volksraadpleging. Advies van de Raad van State*, no. 1176/2, January 16, 2003; Flemish Parliament, *Voorstel van decreet houdende instelling van een deelstatelijke volksraadpleging kaderend in de procedure van onderzoek. Advies van de Raad van State*, no. 1131/3, January 16, 2003; House of Representatives, *Proposition de loi portant organisation d'une consultation populaire sur le traité établissant une constitution pour l'Europe. Avis du Conseil d'Etat no. 37.804/AG [of November 23, 2004]*, no. 281/4, November 29, 2004.

⁸² UYTENDAELE M. (1994), “Le référendum constitutionnel en Belgique ou une réponse inadaptée à une question pertinente”, *Administration publique - trimestriel*, pp.109-114; VELAERS J. (2002), “Het referendum en de volksraadpleging in grondwettelijk perspectief”, in HUBEAU B., ELST M. (dir.), *Democratie in ademnood? Over legitimiteit, legitimatie et verfijning van de democratie*, Bruges, Die Keure, pp. 272-275; VANDE LANOTTE J. et al. (2015), *Belgisch publiekrecht*, Bruges, Die Keure, pp.208-212.

⁸³ GAUDIN T., JACQUET V., PILET J.-B., REUCHAMPS M., (2018), « Consultation populaire et référendum en Belgique », *Courrier hebdomadaire du CRISP*, 2390-2391, 5-62.

⁸⁴ Article 39bis: « À l'exclusion des matières relatives aux finances ou au budget ou des matières qui sont réglées à une majorité des deux tiers des suffrages exprimés, les matières exclusivement attribuées aux organes régionaux peuvent faire l'objet d'une consultation populaire dans la région concernée ». [With the exception of matters relating to finance or the budget, or matters which are settled by a two-thirds majority of the votes cast, matters exclusively attributed to regional bodies may be subject to popular consultation in the region concerned.]

⁸⁵ Walloon Parliament, *Proposition de décret institutionnalisant l'assemblée citoyenne et le conseil citoyen. Avis du Conseil d'Etat*, no. 221/2, January 6, 2021.

⁸⁶ *Ibidem*, p. 8-9.

⁸⁷ *Ibidem*.

⁸⁸ ABBAS N., SINTOMER Y. (2021), « Les trois imaginaires contemporains du tirage au sort en politique : démocratie délibérative, démocratie antipolitique ou démocratie radicale ? », *Raisons politiques* 2021/2, n°82, p.48.

thus substantially constrained by the existing constitutional framework. It is therefore plausible that some elected politicians might advocate for a more substantial transfer of political power to citizens if these constitutional barriers were removed. In other words, a more radical vision of democratizing representative government may exist among certain Belgian elected officials⁸⁹. However, realizing such a transformation would necessitate a constitutional revision, a process that can only be undertaken at the federal level, specifically within the House of Representatives and the Senate.

Sortition in federal chambers: strong Flemish nationalist opposition

While debates on sortition in the Walloon and Brussels parliaments have generally enjoyed broad cross-party support, the situation is markedly different at the federal level. In the House of Representatives and the Senate, Flemish nationalist parties have taken a clear and consistent stance in opposition to citizen participation mechanisms based on sortition, frequently making claims related to referendums to justify their resistance.

This opposition by Flemish nationalist parties to citizen participation schemes became evident as early as November 2019. At that time, French-speaking and Flemish Socialist and Liberal senators jointly requested an informational report on the “need to modernize our democratic system by supplementing representative democracy with greater citizen participation.”⁹⁰ The far-right Flemish nationalist party VB (Vlaams Belang) voted against both the request for the report and its subsequent adoption⁹¹, while the right-wing Flemish nationalist party N-VA abstained on both occasions, making them the only senators to do so.

As regards sortition in concrete terms, although several proposals were tabled by ecologist MPs in 2016⁹² and 2019⁹³, it was not until the formation of the De Croo federal government at the end of 2020 that significant progress was made. This coalition government—comprising Socialists, Liberals, Ecologists, and Flemish Christian Democrats—included in its government agreement a commitment to experiment with “citizens’ cabinets or mixed panels in the Chamber, bringing together parliamentarians and citizens chosen by lot.”⁹⁴ The participation of ecologist parties in the federal executive thus played a key role in advancing deliberative mechanisms at the national level.

This commitment materialized in a bill establishing the principles for selecting citizens by lot to participate in mixed commissions and citizens' panels initiated by the House of Representatives, tabled on November 17, 2022⁹⁵. The bill was adopted in February 2023,

⁸⁹ SINTOMER Y. (2023), *The Government of Chance. Sortition and Democracy from Athens to the Present*, Cambridge, Cambridge University Press.

⁹⁰ Senate, *Demande de rapport d'information sur la nécessaire modernisation de notre système démocratique en complétant la démocratie représentative par une participation accrue des citoyens*, No. 117/1, November 12, 2019.

⁹¹ Senate, *Annales*, no. 21, June 18, 2021, p. 34.

⁹² House of Representatives, *Proposition de modification du règlement de la Chambre des représentants visant à permettre la création de commissions mixtes composées de parlementaires et de citoyens tirés au sort*, No. 1977/1, July 13, 2016.

⁹³ House of Representatives, *Proposition de modification du règlement de la Chambre des représentants visant à permettre la création de commissions mixtes composées de parlementaires et de citoyens tirés au sort*, No. 179/1, July 16, 2019 ; House of Representatives, *Proposition de modification du règlement de la Chambre des représentants visant à permettre la création de commissions mixtes composées de parlementaires et de citoyens tirés au sort*, No. 737/1, November 12, 2019.

⁹⁴ "Accord de gouvernement", September 30, 2020, www.belgium.be, p. 82.

⁹⁵ House of Representatives, *Projet de loi établissant les principes du tirage au sort des citoyens pour les commissions mixtes et les panels citoyens organisés à l'initiative de la Chambre des représentants*, no. 2944/1, November 17, 2022.

despite opposition from Flemish nationalist parties (N-VA and Vlaams Belang), who rejected the inclusion of sortition-based mechanisms. Members of the PTB-PVDA abstained from the vote, arguing that the proposed legislation did not go far enough in granting substantive participatory roles to citizens within the institutional framework⁹⁶.

Following the model implemented by the House of Representatives, the Senate adopted in 2024 a law establishing the principles governing the random selection of individuals for participation in mixed commissions and citizens' panels initiated by the Senate⁹⁷. During the plenary vote, Flemish nationalist parties once again reaffirmed their opposition to mechanisms based on sortition, voting against the proposal⁹⁸.

During the parliamentary debates, representatives from the Flemish nationalist parties—Vlaams Belang (VB) and Nieuw-Vlaamse Alliantie (N-VA)—expressed strong opposition to the introduction of participatory mechanisms based on sortition. One VB member of parliament, invoking Laurent Louis's 2013 motion—which at the time had been widely dismissed as irrational—characterized the mixed commissions composed in part of citizens drawn by lot as a "senseless experiment which only admits that parliamentary democracy is dysfunctional in this country"⁹⁹. An N-VA representative went further, denouncing the proposal as "harmful to confidence in democracy and to those who genuinely wish to engage in democratic debate."¹⁰⁰ These elected officials firmly rejected sortition by appealing to two alternative sources of democratic legitimacy: elections and referendums¹⁰¹. Unlike in the Walloon Parliament, where the popular consultation was used to deprioritize or temporize the adoption of sortition mechanisms, the nationalist parties at the federal level employed the referendum as a direct counter-model to deliberative democracy. This antagonistic framing became particularly clear in the voting behavior of MPs: while Walloon and Brussels representatives who referred to popular consultation during debates on sortition generally did not vote against such proposals, nationalist MPs adopted a markedly different approach. VB deputies systematically opposed all proposals involving sortition, and N-VA representatives alternated between opposing them and abstaining.

Alongside the opposition voiced by Flemish nationalist parties, references to the referendum also emerged among elected representatives of the PTB-PVDA (radical left), albeit within a different framework. While generally supportive of proposals involving sortition, these MPs often qualified their approval by expressing reservations about the limited scope and effectiveness of such mechanisms. In their view, these initiatives do not fully meet the "democratic challenge," primarily due to the strict safeguards that prevent any binding force of citizen deliberation on political decision-making¹⁰². Accordingly, referendums are advocated

⁹⁶ *Ibidem*, p. 71.

⁹⁷ *Moniteur belge*, June 3, 2024.

⁹⁸ House of Representatives, *compte rendu intégral – séance plénière*, no 295, March 21, 2024, p.76.

⁹⁹ House of Representatives, Commission de la Constitution et du Renouveau institutionnel, *Projet de loi établissant les principes du tirage au sort des citoyens pour les commissions mixtes et les panels citoyens organisés à l'initiative de la Chambre des représentants. Rapport de la première lecture*, n° 2944/2, December 21, 2022, p. 5.

¹⁰⁰ House of Representatives, *Compte rendu analytique*, no. 231, February 9, 2023, p.40.

¹⁰¹ House of Representatives, Committee on the Constitution and Institutional Renewal, *Projet de loi établissant les principes du tirage au sort des citoyens pour les commissions mixtes et les panels citoyens organisés à l'initiative de la Chambre des représentants. Rapport de la première lecture*, n° 2944/2, December 21, 2022, p. 9.

¹⁰² House of Representatives, Special Committee on Reglement and Reform of parliamentary work, *Proposition de modification du règlement de la Chambre des représentants en ce qui concerne les commissions mixtes et les panels citoyens. Proposition de modification du règlement de la Chambre des représentants visant à permettre la création de commissions mixtes composées de parlementaires et de citoyens tirés au sort. Proposition de*

not as an alternative to deliberative processes, but as a complementary or parallel tool capable of strengthening citizen influence¹⁰³. This combinatorial vision is echoed by other members of the opposition. A deputy from *Les Engagés* (formerly CDH) explicitly called for going further by institutionalizing referendums at the constitutional level, arguing that such a reform is necessary to "complement citizen participation."¹⁰⁴ The aim of combining sortition and referendum is directly stated, since it is a question of "completing the work of upstream preparation, information, consultation and deliberation, following the example of the Swiss voting system, with a referendum"¹⁰⁵.

Thus, many opposition MPs regularly use debates on sortition as an opportunity to place the issue of referendums on the parliamentary agenda, advocating for their institutionalization either in combination with or parallel to deliberative mechanisms. This dynamic echoes developments in the Walloon and Brussels parliaments, where opposition parties frequently supported or abstained on sortition-related proposals, often justifying their positions by invoking a desire for deeper democratic reforms. However, it is important to underscore that, at the federal level, a form of explicit opposition has emerged—one that rejects sortition but support referendums. This opposition is particularly embodied by the Flemish nationalist parties, which represent the rightmost wing of the Belgian political spectrum. These parties have consistently voted against all initiatives aimed at institutionalizing sortition-based democratic innovation, claiming instead to defend electoral legitimacy and referendums in opposition to mechanisms based on sortition¹⁰⁶.

The relationship between citizen participation processes and parties often described as populist presents a particularly intriguing paradox. Indeed, the populist label implies a political orientation centered on the defense of "the people" as the legitimate source of sovereignty. In line with this, Cas Mudde's influential definition conceptualizes populism as a "thin-centered ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups, 'the pure people' versus 'the corrupt elite,' and which argues that politics should be an expression of the *volonté générale* (general will) of the people."¹⁰⁷ From this perspective, populism carries a democratic dimension, suggesting that mechanisms fostering direct citizen input—such as referendums or participatory processes—might align with populist demands for a more immediate and unmediated expression of the popular will¹⁰⁸.

This definition suggests that populist parties—of which Vlaams Belang (VB) is undoubtedly one, according to the scientific literature¹⁰⁹—possess an ideological background that is at least

modification du règlement de la Chambre des représentants en vue d'instituer des commissions mixtes composées de députés et de citoyens tirés au sort. Proposition de modification du règlement de la Chambre des représentants introduisant la faculté de créer des commissions délibératives composées de députés et de personnes invitées tirées au sort. Rapport, n° 3510/2, January 23, 2024, p.6.

¹⁰³ House of Representatives, Committee on the Constitution and Institutional Renewal, *Projet de loi établissant les principes du tirage au sort des citoyens pour les commissions mixtes et les panels citoyens organisés à l'initiative de la Chambre des représentants. Rapport de la première lecture*, n° 2944/2, December 21, 2022, pp. 19-20.

¹⁰⁴ House of Representatives, *Compte rendu analytique*, no. 231, February 9, 2023, p.68.

¹⁰⁵ *Ibidem*.

¹⁰⁶ *Ibidem.*, p.70.

¹⁰⁷ MUDDÉ C. ROVIRA C. (2017), *Populism: A Very Short Introduction*, New York, Oxford University Press, p. 6

¹⁰⁸ JACOBS K., AKKERMAN A., ZASLOVE A. (2018), "The voice of populist people? Referendum preferences, practices and populist attitudes", *Acta Polit*, 53, 517–541

¹⁰⁹ PAUWELS T. (2011), « Measuring Populism: A Quantitative Text Analysis of Party Literature in Belgium », *Journal of Elections, Public Opinion and Parties*, Vol 21, 1, 97-119.

partially democratic, privileging the people over a perceived aristocratic or technocratic elite¹¹⁰. Without falling into the simplistic etymological argument that democracy means "rule by the people," the concept of populism nonetheless implies a form of democratic affinity. In this light, Cristina Lafont and Nadia Urbinati have examined the ideological foundations of proponents of lottocracy, noting a shared narrative in which a pure, virtuous people stands opposed to a corrupt, unaccountable elite. By drawing this parallel, Lafont and Urbinati reveal a philosophical resonance between populist and lottocratic imaginaries: both challenge existing representative structures by invoking a more immediate, unmediated expression of popular sovereignty¹¹¹.

However, this theoretical affinity does not translate into political support for sortition among Flemish populist and nationalist parties. On the contrary, their opposition is often framed in agoraphobic rhetoric¹¹², which positions elections as the sole legitimate expression of democratic will. While these parties frequently invoke the notion of referendums, it is typically within a plebiscitary logic that echoes the tradition of Bonapartist regimes or in vague and imprecise terms as a political instrument¹¹³—where the direct appeal to the people serves to reinforce executive authority rather than to foster deliberative democratic engagement. The discourse of populist parties in support of referendums often reflects a political strategy rather than a genuine commitment to the democratization of political power. Despite their strong rhetoric in favor of direct democracy, populist actors rarely make substantial use of referendums once in power. Their professed support frequently functions as an electoral strategy or a symbolic gesture, while the concentration of authority around a central leader typically remains the prevailing mode of governance.¹¹⁴

Contemporary scientific definitions of populism—centered on a binary opposition between "the pure people" and "the corrupt elite"—thus appear ill-suited to account for the actual political and parliamentary behavior of so-called "populist" and Flemish nationalist parties. In this context, the concept of populism tends to obscure rather than clarify ideological distinctions within democratic thought, generating a kind of conceptual fog that hinders meaningful analysis of these parties' ideological positioning. Moreover, the symmetrical application of the term to characterize radical left-wing parties¹¹⁵ further contributes to this confusion, as it fails to find consistent empirical grounding in the legislative practices and institutional choices made by these actors. Rather than illuminating democratic dynamics, the label "populist" risks flattening the diversity of political ideologies and masking substantive divergences in how parties engage with democratic principles such as deliberation, representation, and participation

¹¹⁰ DE CLEEN B. (2016), « The Party of the People Versus the Cultural Elite: Populism and Nationalism in Flemish Radical Right Rhetoric about Artists », *JOMEC Journal*, Issue 9, 70-91. ; DE CLEEN B., VAN AELST P. (2016), "The Rise and Fall of Populism Research", in *Populist political communication in Europe. A cross-national analysis of 27 European countries*, New-York, Routledge, 99-110

¹¹¹ LAFONT C., URBINATI N. (2024), *The Lottocratic Mentality. Defending Democracy against Lottocracy*, New York, Oxford University Press.

¹¹² DUPUIS-DÉRI F. (2013), *Démocratie. Histoire politique d'un mot aux États-Unis et en France*, Montréal, Lux. ; DUPUIS-DÉRI F. (2016), *La peur du peuple. Agoraphobie et agoraphilie politiques*, Montréal, Lux.

¹¹³ GHERGHINA S., PILET J.-B., MITRU B. (2023), « Big ideas, little detail: how populist parties talk about referendums in Europe », *Contemporary Politics*.

¹¹⁴ GHERGHINA S., SILAGADZE N. (2020), « Populists and Referendums in Europe: Dispelling the Myth », *The Political Quarterly*, Vol 91, No 4, 795-805. ; GHERGHINA, S., PILET, J.-B. (2021), « Do populist parties support referendums? A comparative analysis of election manifestos in Europe », *Electoral Studies*, 74

¹¹⁵ WAUTERS B., PITTOORS G. (2019), "Populist Party Leaders in Belgium: an Analysis of VB AND PVDA-PTB", *Polish Political Science Review*, Vol 7, 1, 1-23.

In this context, it appears more appropriate to refrain from employing the concept of populism to describe these parties¹¹⁶. Instead, alternative terms such as far-right, ethno-nationalism, fascism, or authoritarianism better capture their nationalist, xenophobic, inegalitarian, and fundamentally anti-democratic political positions¹¹⁷. Indeed, Flemish nationalist parties advocate for a hierarchical and exclusionary conception of political power, wherein elected representatives hold exclusive authority and may only engage the populace through plebiscitary mechanisms, thereby sidelining more participatory or deliberative forms of democracy¹¹⁸.

Who are the real populists?

Given the conceptual ambiguity surrounding populism, it remains worthwhile to retain the term, as it holds both scientific and political relevance for understanding current demands for the democratization of representative government. However, a brief historical overview of populism makes it clear that the concept should no longer be used to describe the far right, for which more appropriate and established analytical categories already exist.

The earliest populist movements emerged in the late nineteenth century, notably in Russia and the United States¹¹⁹. In Tsarist Russia, the first self-identified populists, known as the *Narodniks* or “friends of the people,” were composed primarily of intellectuals who sought to emancipate the masses and promote their welfare¹²⁰. Viewing the peasantry as the principal agents of revolutionary change, the *Narodniks* advocated for the egalitarian redistribution of land and the establishment of self-governing village communes¹²¹.

In parallel with the early Russian populists, the People’s Party emerged in the United States as “an electoral coalition of the protest movements of the Southern Farmers’ Alliance, the Colored Farmers’ National Alliance, and the Knights of Labor.”¹²² In addition to advancing various demands for economic equality—such as the nationalization of transportation and communication systems and the implementation of progressive taxation¹²³—the People’s Party also advocated for institutional reform aimed at democratizing political action¹²⁴. This included greater citizen participation in decision-making processes through mechanisms such as initiatives, referendums, and recall elections, as well as enhanced accountability of elected officials¹²⁵.

These initial populist movements shared a common objective: reducing social and economic inequalities while advancing demands for a more democratic political order. Indeed, until the 1990s, the term “populism” was predominantly associated with movements situated on the left

¹¹⁶ COLLOVALD A., (2004), *Le "populisme du FN", un dangereux contresens*, Vulaines sur Seine, Editions du Croquant.

¹¹⁷ TARRAGONI F. (2019), *L'esprit démocratique du populisme*, Paris, La Découverte.

¹¹⁸ GHERGHINA S., SILAGADZE N. (2020), « Populists and Referendums in Europe: Dispelling the Myth », *The Political Quarterly*, Vol 91, No 4, 795-805.

¹¹⁹ CANOVAN, M. (1981), *Populism*, London: Junction Books.

¹²⁰ VERGARA C. (2020), « Populism as Plebeian Politics: Inequality, Domination, and Popular Empowerment », *The Journal of Political Philosophy*, 28, no 2, 222–246

¹²¹ VENTURI F. (1960), *Roots of Revolution: A History of the Populist and Socialist Movements in Nineteenth-Century Russia*, New York, Knopf.

¹²² VERGARA C. (2020), « Populism as Plebeian Politics: Inequality, Domination, and Popular Empowerment », *The Journal of Political Philosophy*, 28, no 2, 222–246 ; ABRAMOWITZ J. (1953), "The negro in the populist movement," *Journal of Negro History*, 38, 257-89.

¹²³ FRANK T. (2020), *The People, No: A Brief History of Anti-Populism*, New York, Metropolitan Books.

¹²⁴ GOODWYN L., (1978), *The populist moment: A Short History of the Agrarian Revolt in America*, New-York, Oxford University Press.

¹²⁵ TURNER F. (1920), *The Frontier in American History*, New York, Holt.

of the political spectrum¹²⁶. Since then, the appropriation of the concept to describe far-right movements has often entailed a misinterpretation of these earlier populist experiences—if not an outright refusal to acknowledge their historical foundations¹²⁷. In revisiting the evolution of historical populisms, several scholars have emphasized their democratic ethos as a means to operationalize the concept in a more rigorous and scientifically grounded manner¹²⁸. Antoine Chollet, for instance, proposes employing the concept of populism to characterize movements that position themselves within a dynamic aimed at democratizing representative government.
129

The renewed application of the concept of populism appears particularly relevant for analyzing and interpreting parliamentary debates on democratic innovations, as well as broader contemporary political and economic developments. In the aftermath of the subprime mortgage crisis, social movements across the globe mobilized by occupying public spaces to call for greater equality and democratic participation. This was exemplified by the Occupy Wall Street movement in the United States and the *Indignados* in Spain¹³⁰. In France, similar dynamics emerged somewhat later through various social mobilizations opposing neoliberal economic reforms—most notably the *Nuit Debout* movement and, subsequently, the *Yellow vest*¹³¹—both of which articulated demands within a populist register of democratization¹³².

These social movements have found political expression through various actors who, in some cases, explicitly draw upon the legacy of historical populisms—such as Elizabeth Warren and Bernie Sanders in the United States, the Podemos movement in Spain¹³³, and *La France Insoumise*, led by Jean-Luc Mélenchon in France¹³⁴. All of these political forces advance demands centered on egalitarianism and the democratization of existing institutional frameworks.

Such calls for the democratization of representative government are increasingly finding resonance within parliamentary arenas. In Belgium, a number of political actors are openly advocating for the opening up of political institutions to greater citizen involvement. On the specific issue of sortition, ecological parties, certain French-speaking Christian Democratic Members of Parliament, and the radical left party PTB-PVDA have promoted the implementation of participatory mechanisms as a response to the prevailing crisis of trust in democratic institutions. These parliamentarians, convinced that the solution lies in a deepened democratization of representative government, have particularly supported the combination of sortition-based systems with instruments such as referendums.

¹²⁶ CERVERA-MARZAL M. (2021), *Le populisme de gauche. Sociologie de la France insoumise*, Paris, La Découverte.

¹²⁷ MÜLLER, J.-W. (2016), *What Is Populism?*, Philadelphia, University of Pennsylvania Press.

¹²⁸ TARRAGONI F. (2019), *L'esprit démocratique du populisme*, Paris, La Découverte.

¹²⁹ CHOLLET A. (2023), *L'antipopulisme ou la nouvelle haine de la démocratie*, Paris, Textuel

¹³⁰ ASLANIDIS P. (2018) "Populism as a collective action master frame for transnational mobilization," *Sociological Forum*, 33, , 443–64.

¹³¹ CARPENTER M.-J., PERRIER B. (2023) , "Yellow Vests : Anti-austerity, pro-democracy, and popular (not populist) », *Frontiers in Political Science*, 5

¹³² GRUNBERG G. (2019), « Les " Gilets jaunes " et la crise de la démocratie représentative », *Le Débat*, 2, 204, 95-103.

¹³³ VERGARA C. (2020), « Populism as Plebeian Politics: Inequality, Domination, and Popular Empowerment », *The Journal of Political Philosophy*, 28, no 2, 222–246

¹³⁴ CERVERA-MARZAL M. (2021), *Le populisme de gauche. Sociologie de la France insoumise*, Paris, La Découverte.

Although constrained by the Belgian constitutional framework, these elected representatives appear to embody the nascent elements of a radical democracy ideal¹³⁵ in which citizens would possess genuine decision-making authority beyond electoral participation. The advocacy for combining deliberative commissions with the capacity to initiate binding referendums represents a discursive marker pointing toward this ideal.

Consequently, by examining their rhetoric and actions within the parliamentary sphere concerning democratic innovations, the concept of populism proves useful for interpreting their stance and elucidating the emerging political cleavages surrounding sortition and referendums. However, whether these positions will be further consolidated and translated into concrete policy remains an open question for forthcoming legislative sessions.

Conclusion

The democratization of representative government remains a contested issue among political representatives. The underlying assumption of the necessity to broaden political power to citizens, as well as the methods for achieving enhanced citizen participation, generate significant tensions. The institutionalization of sortition can reflect diverse democratic imaginaries and conceptions, each implying distinct practical arrangements. The introduction of the referendum dimension into these debates further complicates the landscape, expanding the range of possible institutional designs. Consequently, a close analysis of parliamentary proceedings is essential to grasp the core stakes and to illuminate the varying democratic imaginaries that underpin efforts to institutionalize citizen participation.

Regarding democratic imaginaries, it is insightful to trace the evolution underlying proposals for participatory processes based on sortition. Sortition first emerged in the House of Representatives through a provocative motion for a resolution rooted in a degagist imaginary of anti-political democracy. Random selection was presented as a democratic alternative to the aristocratic nature of electoral selection, echoing a revivalist interpretation of Bernard Manin's *Principles of Representative Government*—albeit read “against itself.” Over time, advocates of sortition aligned with a deliberative democracy paradigm, where sortition aimed to incorporate a broad diversity of citizens into inclusive deliberations, regarded as the foundation of democratic legitimacy. More recently, traces of a radical democratic ideology have surfaced in parliamentary discourse, though their translation into legislative proposals remains hindered by constitutional constraints. Given that the Belgian Constitution prohibits granting decision-making power to citizens outside elections, a constitutional revision appears necessary to advance the genuine democratization of representative government.

However, the constitutional framework is not the sole obstacle to the institutionalization of sortition. Indeed, the constitutional prohibition of referendums remains a central feature of the Belgian representative system. The idea of a referendum, or its consultative variant—the popular consultation—has therefore been mobilized in various political dynamics either in opposition to or in combination with sortition. In Wallonia, popular consultation was initially introduced as a competing instrument to sortition, serving as a form of temporization. Proposals from ecologists and Christian Democrats, supported by a now-retired MP, later entertained the possibility of institutionalizing a combination of sortition and popular consultation. Nonetheless, the aspiration to implement processes that combine deliberation and popular vote did not materialize fully in the Walloon and Brussels parliaments, where the parallel

¹³⁵ SINTOMER Y. (2023), *The Government of Chance. Sortition and Democracy from Athens to the Present*, Cambridge, Cambridge University Press.

development of sortition and popular consultation was favored. Originally seen as competing mechanisms, sortition and popular consultation have ultimately reinforced one another by jointly placing democratization at the forefront of the political agenda. This dynamic is exemplified in Brussels with the adoption of a popular consultation process. By the end of the 2019–2024 legislature, both Wallonia and Brussels will have institutionalized deliberative processes based on sortition alongside a tool for popular consultation.

However, the dynamic at the federal parliamentary level differs significantly. The presence of Flemish nationalist parties reveals a clear opposition to sortition. In this context, the plebiscitary referendum is mobilized as a principal source of democratic legitimacy alongside elections. The defense of the referendum thus primarily functions as a means to reject participatory processes based on sortition. This agoraphobic invocation of the referendum challenges the common qualification of Flemish nationalist parties as populist. While the polemical construction of populism might suggest that the far right shares an affinity with popular sovereignty, an analysis of parliamentary debates reveals that Flemish nationalists strongly resist the democratization of representative government.

The concept of populism should not be abandoned but rather reclaimed in light of its rich political history. Rooted in profoundly democratic movements, populism fundamentally represents calls for the democratization of representative government. In this sense, the concept can regain both its scientific and political relevance. It serves as a useful lens to understand how various political actors at the federal level mobilize the idea of the referendum. Often emerging from left-wing parties—but not exclusively—these actors leverage parliamentary debates on sortition to advocate for a broader democratizing agenda. This agenda typically involves supporting a combination of sortition and referendum, alongside calls for constitutional revision. These political forces can thus be understood as the contemporary heirs of historical populism. Against the backdrop of a widespread crisis of confidence in representative institutions, they argue that the solution lies in deepening democracy itself. In this context, combining sortition with referendums could be part of a viable path forward.