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**<a> 2. Mini-publics: Design choices and legitimacy**

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**<b> Introduction**

Modern systems of governance that have depoliticised political life, privatised public resources, outsourced service provision and so on have served to distance citizens from the loci of power. These developments and others have contributed to the 'democratic malaise' evident in many industrialised democracies today and are comprehensively analysed by the co-editors in the introduction.

One response to this 'malaise' has been the creation of democratic innovations that aim to enhance (that is, widen and deepen) citizen participation in political decision making. The mini-public is one such innovation.

Aiming to harness the views and ideas of citizens, mini-publics consist of groups of citizens that engage in facilitated deliberations on an issue and make public recommendations. Bridging the gap between deliberative democratic theory and practice, they have the potential to give citizens deeper levels of engagement at the agenda setting, decision-making, and implementation stages of political processes. They may therefore contribute to more innovative policy solutions and more legitimate politics, as those affected by the decision have an input. Mini-publics may also improve implementation strategies, enhance democratic skills, and political education. Their success in achieving some or any of these hinges on their design and their links to 'empowered spaces', that is the institutions and actors that make political decisions (Dryzek, 2010).

Referring to a wide range of international examples, this chapter seeks to provide a definition of what is meant by a mini-public and critically examines both normatively and empirically the micro and macro design choices available to those involved in establishing them with regard to input, throughput, and output legitimacy.

**<b> Mini-publics: what are they?**

The term mini-public stems from Dahl's discussion of a deliberative 'minipopulus'. In his seminal work on 'Democracy and its Critics' (1989), he asks us to
Suppose an advanced democratic country were to create a 'minipopulus' consisting of perhaps a thousand citizens randomly selected out of the entire demos. Its task would be to deliberate, for a year perhaps, on an issue and then to announce its choices... One minipopulus could exist for each major issue on the agenda. A minipopulus could exist at any level of government – national, state or local. It could be attended ...by an advisory committee of scholars and specialists and by an administrative staff. It could hold hearings, commission research, and engage in debate and discussion… In these ways...the democratic process could be adapted once again to a world that little resembles the world in which democratic ideas and practices first came to light (Dahl, 1989).

Much of what Dahl argued for in the minipopulus has come to pass, albeit in a variety of formats, on diverse issues, and with varying degrees of success. Few, however, have achieved the scale he envisaged: some notable exceptions include, 21st Century Town meetings (see Lukensmeyer, 2013) and Deliberative Opinion Polls (DOP) (see Fishkin, 2009).

It is argued that advances in technology, growing levels of digital literacy and internet access can also help achieve this (Farrar et al., 2010; Liston et al., 2013).

Mini-publics are a contested entity, with multiple and often competing definitions. Goodin and Dryzek, describe them as a group of citizens that is 'small enough to be genuinely deliberative, and representative enough to be genuinely democratic' (2006) while Grönlund, refers to them as, '*forums in which lay citizens representing different viewpoints are gathered together to deliberate on a particular issue in small groups*' (2016). In their extensive review of the literature on mini-publics, Ryan and Smith (2014) note that definitions range from the expansive (Fung, 2003) to the restrictive (Fishkin, 2009), and offer their own 'intermediate' definition that characterises them as inclusive, representative 'sub-groups' that involve structured, facilitated deliberation (2014).

Citizens' assemblies, citizens' juries, consensus conferences, DOPs, and planning cells are all types of mini-public (see Elstub, 2014; Escobar and Elstub, 2017). They vary in size, DOPs are usually the largest and citizens' juries the smallest as summarised in Table 1, which also outlines how they differ in duration, selection method, activity, and output. Their use has become increasingly diffuse in recent decades and they can be found as far afield as Finland and Australia. Moreover, they haven't been confined to liberal democracies, as witnessed in the emergence of 'authoritarian deliberation' in China (He and Warren, 2017). The increased use of deliberative polls (both off line and on line) at the lower levels of Chinese government have addressed a range of topics from 'soft' ones like tourism development to 'hard' ones like land appropriation, while scholarship in the field discusses the DOPs potential to contribute to democratisation there (see Fishkin et al., 2010; Jiang, 2010; He and Warren, 2017). Regardless of location or regime type, mini-publics have in praxis taken a variety of forms on a wide range of issues at different levels of government (local, regional, national, supranational) and with varying degrees of impact.

They have also differed in terms of initiation, agenda, processes, and powers. Some have deliberated on policy. Citizens' juries, arguably the most widely used mini-public, have been used in a variety of policy contexts ranging from public health policy to environmental issues (see Timotijevic and Raats, 2007; Street et al., 2014; Roberts and Escobar, 2015). Others have discussed institutional, or wider issues, of what Olsen (2003) might refer to as 'constitutional gardening', for example, the Dutch Burgerforum (2006), Ireland's Convention on the Constitution (2012-2014) and Citizens' Assembly (2016-2018) (see Fournier et al., 2011; Farrell et al., 2017; Farrell et al., 2018).

Some have taken a bottom up approach, for example, Iceland's national forum (2009) and Estonia's Citizens' Assembly (2012) (see Landemore, 2015; Jonsson, 2015). Others have been more top down, for example, Ireland's Convention on the Constitution, Ireland's Citizens' Assembly and the Canadian Citizens' Assemblies, (see Fournier et al., 2011; Farrell et al., 2017; Farrell et al., 2018). They have also experienced differing levels of impact. Some, primarily those that are established 'outside' the political system, have faced challenges in having their recommendations responded to or acted upon, while government initiated processes, such as, the Canadian Citizens' Assemblies, have had their recommendations put straight to the wider citizenry in referendums, creating a more legitimate democratic process, by blending deliberative and direct democracy, and overcoming, as Saward argues, the deficiencies of each model (2001).

Despite their differences, mini-publics do have some features in common when it comes to format and process. All involve information gathering, (this may include presentations from academic/legal experts, stakeholders, witnesses) and small group-moderated deliberations that lead to some form of publicly presented opinion or recommendation.

All include some form of random sampling to recruit participants, as they endeavour to act as a microcosm of society (see table 1). In this way they differ from democratic innovations such as, participatory budgeting, direct initiatives and so forth. DOPs, the largest mini-public, tend to use simple random sampling. Smaller mini-publics, such as, citizens' juries, employ stratified random sampling techniques to ensure the sub group of lay citizens is broadly reflective of wider society in terms of gender, age, region, socio-economic status, and so on. Some have mixed, stratified random sampling with targeted recruitment, for example, Belgium's G1000 (2011) to ensure inclusive representation (see Caluwaerts and Reuchamps, 2016).

Reflecting on the various definitions and how they've developed in praxis, this chapter defines mini-publics as a democratic innovation, in which a sub group of citizens (some of whom may be randomly or quasi-randomly selected) engage with experts, witnesses, advocates, stakeholders, and one another, in facilitated informed deliberations on a given matter, and publicly present their opinions and/or recommendations to their commissioning body and wider society.

**<b> Mini-publics and deliberative democracy**

Mini-publics have been described by Elstub as 'the most advocated method to institutionalise deliberative democracy' (2014), where deliberative democracy (this is discussed in greater detail in **chapter X**), is a theory of political legitimacy that argues that citizens should be given a more 'central role' in political processes (Goodin and Dryzek, 2006). It contends that a political decision can be deemed legitimate if it can withstand scrutiny by those bound by it (Dryzek, 2007; Beetham, 2012) and involves equal participation, mutual respect, and reasoned argument (Rosenberg, 2007).

There is no commonly agreed definition of deliberative democracy (Mutz, 2008; Niemeyer and Dryzek, 2007). Yet despite their differences, theorists broadly agree on deliberative democracy's standard set of normative principles, equality, popular control, reasonableness and publicity (Held, 2006; Mansbridge at al., 2010; Parksinson, 2016).

Deliberations are inclusive to the extent that they are open to those affected by a decision and should not advantage the politically engaged, the more educated, and the better off. It is also argued that participants should have equal opportunities, and resources to influence the process and exercise popular control (Smith, 2009; Mansbridge et al., 2010). Another defining feature of deliberative democratic processes is the focus on 'reasonableness', where participants justify their positions in a truthful and respectful manner, and are open to changing their preferences when faced with the 'forceless force of the better argument' (Habermas, 1975: 108). Finally, these processes should be conducted publicly[i].

The focus on public 'reasonableness' by participants, is what differentiates deliberative democracy from other forms of democratic practice, such as, party competition, participatory democracy, and elite deliberation by political representatives and policy experts (Fishkin, 2009). Deliberative democratic theory focuses on 'how people arrive at the "right" preferences and conceptions of interest – preferences, that is, that are adequately

considered and have passed the test of controversial argument and dialogue' (Offe, 2014, p.435). It requires ordinary citizens to consider the arguments of differently situated and opinionated others, to present reasons for their own preferences, weigh up the arguments in 'a context of good information' (Isernia and Fishkin, 2014) and to be *'amenable to changing their minds and their preferences as a result of reflection induced by deliberation*' (Dryzek, 2000).

Arguably, mini-publics are not exclusively deliberative rather they endeavour to blend participatory and deliberative approaches to democracy, as reflected in their efforts to ensure inclusion, equality of voice and 'reasonableness'.

Both participatory and deliberative norms are captured in analyses of input, throughput and output legitimacy (Caluwaerts and Reuchamps, 2015; Suiter and Reuchamps, 2016), where:

- input legitimacy is determined by who deliberates, what they deliberate on and epistemic completeness (access to information);
- throughput legitimacy is influenced by the processes of participation, the decision making rules and contextual independence; and
- output legitimacy hinges on the link between the mini and maxi publics. It examines: political uptake of the recommendation(s); feedback loops between the 'empowered space' and the mini-public; and social uptake of the process.

**<b> Mini-publics: micro design choices and legitimacy**

To what extent can we say that mini-publics enable genuine deliberation and achieve input, throughput, and output legitimacy? The answer lies partly in how they are designed. How participants are selected, how they participate and how they develop recommendations, determine their success in achieving input and throughput legitimacy. This involves micro design choices, such as, recruitment, the communication mode, decision-making rules, agenda setting powers, the subject and scope of deliberation, group composition, how experts are chosen, facilitation methods used and framing (Fung, 2003; Bächtiger et al., 2014).

Input legitimacy hinges on who has been recruited, and how they've been selected. Recruitment can involve sortition, stratified random sampling, discursive representation (often referred to as opinion representation), target groups or a mixture of the above. The method chosen tends to depend on the size of the mini-public. Deliberative opinion polls typically recruit 100-500 participants (see Elstub 2014). Sortition/random sampling for larger groups such as these, have a greater probability of being a representative microcosm of wider society. Smaller mini-publics, such as, citizen juries and consensus conferences that, typically have 12-26 members, tend to employ quasi-random sampling techniques such as stratified sampling.

To facilitate inclusion and political equality, a mini-public may also decide to target a particular group, usually a minority, that would not in all probability be picked up through random or stratified sampling. For example, the British Columbian Citizens' Assembly (BCCA) having randomly recruited 158 participants (one male and one female per electoral district), realised that the process had produced no first nations' representative and added one male and one female member from this community (Fournier et al., 2011). Belgium's G1000 specifically allocated 10% of its seats to those identified as 'difficult to reach', and worked with grassroots organisations to ensure ethnic minority groups and homeless people were

included (Caluwaerts and Reuchamps, 2016). All of these techniques assume that those participating in a given mini-public are representative in a descriptive sense. However, there are others who advocate for discursive representation, the inclusion of all the relevant discourses on a matter. This employs Q method (discussed in **chapter Y**) to identify the various discourses, and may involve the random selection of discourse leaders to 'represent' them (Dryzek and Niemeyer, 2008). Interestingly, the Citizens' Assembly on Brexit (2017) blended both demographic and opinion representation in terms of how members had voted in the referendum on Britain's exit from the EU (Renwick et al., 2017).

Whatever method chosen, there is always an element of self-selection to the extent that there is no compulsion to attend. Some mini-publics have been more successful than others at providing facilities that encourage and support attendance namely honoraria, free travel and accommodation, as well as childcare. It is customary that participants' travel and accommodation expenses are covered. Payment of honoria, on the other hand, seems to vary from mini-public to mini-public. Both the Scottish citizens' juries on wind farms (Roberts and Escobar, 2015) and the Citizens' Assembly on Brexit paid members small stipends in recognition of their work (Renwick et al., 2017.) No such payment was offered to lay citizen members of the Irish Convention on the Constitution, or the Irish Citizens' Assembly.

Inclusion and political equality are not just about bringing someone to the table. They are also about ensuring equality of voice at that table, in keeping with Young's concepts of internal and external inclusion (2000). The communication mode, the role of the facilitator, the group composition, decision making rules, the choice of experts, framing and the use of technology (Bächtiger et al., 2014) all have important roles in this regard.

Successful deliberation does not require each person to speak for the same amount of time. Such rules would place a heavy burden on participants. Instead it requires that participants have opportunities to speak, to communicate with respect, to listen to differing opinions, to justify their own views, and to be open to changing their minds. Also, as Curato et al. observe, deliberative theory has 'moved in the direction of recognising the plurality of speech cultures' (2017, p.30). It can include narratives and rhetoric, but it should also include reasoning and justification at some stage in the process.

Facilitators have a vital role to play in such small group deliberations. They can ensure that all members have the opportunity to contribute, that the tone of the discussions remains respectful, and no one member dominates the proceedings. It is the facilitator who can assist the group 'reach its own goals' and in so doing ensure 'internal inclusion and pluralism' (Landwehr, 2014). Good practice sees participants rotated over the course of the small group deliberations. This involves them moving from group to group to facilitate exposure to different views and experiences to avoid group think and potential individual dominance.

The small group composition and the decision-making rules within them can have implications for voice within the process. For example, women are one cohort that may be disadvantaged in such processes, as they tend to speak less than men, thereby having less influence and authority (Hansen, 2006; Karpowitz et al., 2012; Karpowitz and Mendelberg, 2014; Gerber, 2015).

Karpowitz and Mendelberg highlight the gendered aspects of deliberation in small group settings, finding that women are disadvantaged, and that this affects 'everything from how long they speak, to the respect they are shown, to the content of what they say, to the

influence they carry, to their sense of their own capacity, and to their power over group decisions' (2014). Using controlled experiments, they assess the impact of group composition and formal procedures, such as, decision-making rules on female participation (Mendelberg and Karpowitz, 2007; Karpowitz et al., 2012; Karpowitz and Mendelberg, 2014). They discover that, group composition has an impact on gender deliberations, and if a process wishes to 'to avoid maximum inequality, avoid groups with few women and majority rule' (2012, p.545). Interestingly, recent empirical work on women's rates of participation in mini-publics disproves aspects of the 'gender gap' argument (Gerber et al., 2016; Siu, 2017; Harris et al., 2018).

Alternatives to majority rule include supermajorities and consensus. Traditionally, deliberative theorists have argued that deliberative processes should strive for consensus decisions. However, 'deliberative democrats have rarely endorsed consensus as an aspiration for real-world decision-making' (Curato et al., 2017), recognising that a focus on consensus may prevent minority inclusion and restrict the scope for discourse (Young, 2000). More recently, theorists claim that deliberation should strive for meta-consensus (Niemeyer and Dryzek, 2007; Curato et al., 2017), where meta-consensus is an outcome of authentic deliberation and is defined as agreement on the domain of reasons and considerations relating to the issue at hand, as well as the nature of the available choices (Dryzek and Niemeyer, 2006).

How the experts are identified and chosen, and the way in which their 'expertise' is presented, can have consequences for input and throughput legitimacy. Inclusive procedures give the members a role in identifying and selecting those they chose to present to them, for example, Danish Consensus Conferences (Smith, 2005). Those who provide expert evidence to mini-publics tend to come from the academic, legal, medical and/or public policy arenas.

Inclusive deliberations require that information is presented in clear plain language. Also participants should be given the opportunity to question those sharing their expertise. Mini-publics can use different formats to facilitate this. For the larger mini-publics, for example, in mini-publics of circa 100 or more members, participants can ask questions in the plenary sessions, and in some cases experts can be invited to join members during their private roundtable discussions, for example, Ireland's Convention on the Constitution. This allows additional time for expert questioning, and facilitates expert input as deliberations progress. It also gives those reluctant to speak up in a crowded room an opportunity to pose their question(s). Possible disadvantages to this approach are that one table/group in the room has more information than others, and the risk of expert 'manipulation' is increased in a more informal, in camera setting. Ways of mitigating the disadvantages may involve the expert interrupting the small group deliberations briefly to publicly share the additional information with the wider group, and incorporating feedback from the small group discussions to the wider plenary sessions into the programme.

Considering the role that diverse forms of speech can play in deliberations, it is not unusual for advocacy groups, and individual lay citizens who can share their stories of the 'lived experience' of a particular issue, to bring other perspectives to bear. As Young notes, narrative, rhetoric and greetings can facilitate inclusion, particularly of women and minorities, and in some cases a move from discussion to decision (2000). Ireland's Convention on the Constitution and Citizens' Assembly processes included evidence from advocacy groups and lay citizens . The weekend the Convention discussed the proposition to introduce marriage equality involved a panel discussion that included representatives of

different churches, as well as human rights and LGBT campaigning organisations. Those advocating for marriage equality invited the adult children of same sex couples to discuss their experiences, and to highlight their concerns about the lack of protection for their family under the Constitution[ii]. Similarly, young people under 18 were invited to address the Convention, the weekend they discussed reducing the voting age[iii], and members of the Irish diaspora highlighted their wish to have the right to vote in Irish elections via Panopto, the weekend that topic was addressed. Testimony was also part of the Irish Citizens' Assembly's deliberations. When considering the highly sensitive topic of abortion, its members requested that women who had terminated pregnancies were invited to share their experiences with them anonymously[iv].

Embedding expertise in sometimes tight schedules can prove a challenge for those designing mini-publics. The balance between providing sufficient, relevant and competing information in a concise, accessible manner, and allowing time for questions and small group deliberations can be tight (see Roberts and Escobar, 2015). It can be difficult for one day or indeed weekend events to achieve this, particularly if the topic for consideration is weighty and/or sensitive. An example of best practice is the BCCA. It involved a learning phase, where over the course of 6 weekends, the members heard evidence from a range of experts. This was followed by the public hearing phase that involved 50 public meetings across the province to gather public opinion on the issue, with the final phase focusing on small group deliberations (Fournier et al., 2011).

Another crucial issue when considering invited expertise, in terms of throughput legitimacy, is the diversity of the perspectives presented to ensure competing arguments are included. The need for a greater plurality of expert views was highlighted by international observers of Belgium's G1000 process, who found that 'the experts who introduced the three themes approached the matter from a somewhat 'left-wing' oriented perspective. Therefore, their input did not necessarily represent the full diversity of the viewpoints on these themes'[v]. However, they concluded that the results on the day did not indicate any undue influence from the experts[vi].

Other issues that can impact on the deliberation's framing are the topic(s) for discussion, how they are worded, and the degree to which the mini-public may deviate from, or reframe that issue to explore supplementary issues, or indeed request more time in which to do so. How technology is employed can also impact framing, for example, the algorithms used to synopsise on line deliberations.

Technology can play a crucial role in up-scaling deliberation and has been used innovatively in a number of mini-publics. The G1000 Belgian citizens' summit is an excellent example of an approach that blended online and face-to-face engagement. Beginning with a website to gather Belgian's views on the political issues that mattered most to them, it then clustered these into themes and asked people to vote on them. The top three were discussed at a one-day citizens' summit in Brussels that included over 700 randomly selected citizens. On the same day, people who were not selected to attend the event in Brussels could participate online either at home (G-homes), or offsite at civil society organised meetings (G-offs), using the interactive software Synthetron[vii]. Their opinions and recommendations were fed back into the main hall. Also members of the G-homes and the G-offs were part of the G32, the group of 32 members that took the recommendations from the one-day summit and developed them further over a number of weekends. The Estonian Citizens' Assembly process, similarly combined online and offline approaches to deliberation and participation, using a crowdsourcing website to gather information and opinion on five pre-

selected topics. It received 2000 original proposals and 4000 comments on them (Jonsson, 2015). These were categorised and deliberated upon by citizens, political representatives and experts in deliberative seminars, that culminated in 18 proposals that were 'handed over for further deliberation on the Rahvakogu (deliberation day)', at which 314 randomly selected citizens participated (Jonsson, 2015).

Concerns have been expressed that the use of the internet for political purposes can reinforce existing inequalities and the dominance of the technologically competent (Albrecht, 2006). There is also a gendered dimension, as men are more likely to participate in online political discussions (Miller et al., 1999). Bua finds that when it comes to online participation 'flooders' tend to be men, while women are more likely to lurk and not participate (2009). Another challenge is securing the inclusion of young people in knowledge creation, as policy making and sources of information become more complex (Margetts, 2009). Liston et al. advocate an approach to inclusion in e-deliberations, and highlight the specific role for the designer to ensure that the means used to engage the crowd are collaborative, intuitive, and relevant to people's needs and capacities (2013).

The discussion to date has focused on what has been termed the micro design aspects of mini-publics and how they relate to input and throughput legitimacy by considering who participates, how they participate and how they develop recommendations looking at both internal (voice) and external (representation) inclusion. It now turns to output legitimacy, the mini-public's relationship with the maxi-public, namely decision makers and wider society. This involves addressing, what has been referred to as, macro design choices namely: who initiates the mini-publics; who sets the agenda; levels of empowerment; responsiveness of the 'empowered' space; levels of dissemination to the wider citizenry; and monitoring and reiteration (Fung, 2003; Bächtiger et al., 2014).

**<b> Mini-publics: macro design choices and legitimacy**

Mini-publics have been established by a variety of actors, including: (a) supranational organisations, for example, EuroPolis DOP (2009), (Gerber, 2015; Gerber et al., 2016); (b) national governments, for example, Iceland's national gathering (2010), (Landemore, 2015); (c) regional governments, for example, the Canadian Citizens' Assemblies; (d) local governments, for example, the City of Greater Bendigo citizens' jury (2016)[viii], Australia; (e) public sector bodies, for example, the NHS Citizens' Assembly [ix], (2015) (Farmer, 2015); (f) civil society organisations, for example, the Citizens' Forum Portugal[x], (2016) (Serrano and Jardim de Oliveria, 2017) ; (g) academics, for example, Finnish mini-publics, (see Grönlund, 2016): and (h) a mixture, for example, Australia Citizens' Parliament, (Dryzek, 2009).

The initiator usually determines the agenda, and may decide how tightly the group need to adhere to it to it, or whether it may be expanded. Belgium's G1000, Estonia's Citizens' Assembly and Ireland's Convention on the Constitution, show how technology can be used, to a greater or lesser extent, to crowdsource the agenda (Jonsson, 2015; Jacquet et al., 2016; Suiter et al., 2016).

The initiator also determines the resources available to achieve many of the micro design elements, such as, the length of the mini-public, honoraria, childcare facilities, technology used, facilitator training, international expertise, the quality of the materials produced, regional meetings, public relations professionals, marketing and so on[xi]. These can influence

the maxi-public's perceptions of the openness, inclusivity and power of the process, if they are even aware of the process.

Studies of mini-publics are also concerned with their impact in wider political systems, that is, their relationship with the institutions that actually make political decisions[xii] (empowered spaces), and the public at large (Newton 2012; Bächtiger et al., 2014; Hendriks 2016). There is always the concern that mini-publics may be used as tokenistic consultative exercises, where decision makers cherry pick those recommendations that suit/are politically acceptable (Böker and Elstub 2015), and may be a way of deferring a decision on a contentious issue. Goodin and Dryzek note, that in terms of wider impact, mini-publics *'at most, and very rarely, …. have a politically (but not constitutionally) guaranteed place in policy making on a particular issue. The more usual case is that mini-publics lack formal power or authority in the macro-political system'* (2006). They outline pathways of influence that include: actual policy making, being taken up in the policy process, informing public debate, shaping policy/market testing, legitimating policy, confidence/constitution building, oversight and resisting co-option.

Mini-publics have varying degrees of success from the perspective of output legitimacy. In some cases, governments have pledged to put a forum's recommendations directly to the people, in the form of a referendum. This was the case for the Canadian Citizens' Assemblies. However, the regional government as initiator also determined the thresholds for success. In the case of the BCCA, its recommendation faced the challenge of achieving double supermajorities in the subsequent referendum. It achieved a simple majority in 77 of the Province's 79 ridings, but it only won 57.4% of the total vote, falling short of the required 60%. In contrast, many of the Irish Constitutional Convention's recommendations have been or are due to be implemented (Farrell, 2018)[xiii]. It led to the achievement of two world firsts. On May 22nd 2015, Ireland became the first country in the world to support the introduction of marriage equality by popular vote. It was also the first time a recommendation from a deliberative mini-public resulted in Constitutional change[xiv]. More recently the Irish Citizens' Assembly's recommendation to repeal and replace the 8th amendment to the Irish Constitution (the amendment relating to the abortion) passed a popular referendum [xv]. The Estonian case is also interesting, as its Parliament implemented 3 of the 15 proposals that stemmed from the citizens' assembly process (Jonsson, 2015).

Other mini-publics that may not be deemed successes in terms of recommendation implementation, have achieved impact in terms of increasing awareness of their process, and the uptake of that process by other groups, nationally and internationally. Belgium's G1000 process has influenced similar smaller deliberative mini-publics in Belgium and the Netherlands (Jacquet et al., 2016). Interestingly, Ireland's Convention on the Constitution and the subsequent Citizens' Assembly were heavily influenced by the 'We the Citizens' pilot Citizens' Assembly, which essentially proved to the political classes that deliberation could work in an Irish context (We the Citizens, 2011).

Research on deliberative democracy and deliberative mini-publics has developed an array of tools to measure deliberation and its impact on those who participate in such processes. The most notable is the Discourse Quality Index (DQI), which aims to operationalise and measure the core features of Habermasian discourse ethics, by coding discourses on participation, levels of justification for demands, respect and constructive politics (Steenberger et al., 2003; Steiner et al., 2004). It has been amended in recent years to storytelling (Steiner, 2012). Some other approaches to empirical analysis of deliberation include: Fishkin's

deliberative opinion poll (2009), and Stromer-Galley's measurement of deliberative content (2007).

Research in the field shows that citizens, as a consequence of deliberation, become more informed, and as a result more likely to change their positions on a given policy issue. They also find that deliberation has led to changes in opinion, voting intentions, interest in public dialogue, collective consistency, civic capacities and efficacy (Fishkin, 2009; Farrar et al., 2010; Farrell et al., 2013; Offe, 2014). Similarly, studies of small group deliberations in mini-publics, revealed high levels of deliberative quality in terms of respect, empathy, reason-giving and orientation towards the common good (Gerber et al., 2016), as well as increased trust in politicians and democratic institutions, and satisfaction with democracy (Grönlund, 2016,). This research has primarily, and often exclusively, focused on the impact the mini-public has on its members. Fewer findings exist on their impact on the wider citizenry. In their work on the Canadian citizens' assemblies, Fournier et al. (2011) found that few people knew something about the assemblies, and many were misinformed about their composition and processes. While Elkink et al.'s (2017) study of the Irish marriage equality referendum campaign found that respondents from the wider citizenry had good levels of awareness of the convention's composition, and a significant majority of them (77 per cent), knew that the convention had recommended a referendum on marriage equality. Interestingly, 'voters who were knowledgeable about the convention and the role that it played in bringing about the referendum were more likely to vote yes' (Elkink et al 2017).

Although examined separately in this chapter, primarily for ease of discussion, micro and macro design choices are in fact interlinked. For example, who initiates them and how prescriptive they are may impact on: recruitment; modes of discussion; group composition; decision-making rules; resources; empowerment; and responsiveness to recommendations. This analysis begs the question as to whether it is realistic,or even fair to expect high levels of impact from a mini-public. It is, after all, but one part of a wider democratic system of governance.

It is widely recognised that all deliberative norms cannot be met in any one institution at the same time and in the same place (Goodin, 2005; Parkinson, 2005; Warren, 2007; Smith, 2009; Mansbridge et al., 2012; Felicettie et al., 2015). This is captured in recent systemic analyses of deliberative democracy that recognise that 'the entire burden of decision-making and legitimacy does not fall on one forum or institution but is distributed among different components in different cases' (Mansbridge et al., 2012), where deliberation may be sequential across complementary institutions, at different stages in a policy process (Goodin, 2005; Parkinson, 2005; Warren, 2007). This systemic approach is not without its critics who argue that it risks being elitist and losing its 'normative moorings' (Owen and Smith, 2015, p.218).

**<b>Conclusion**

Deliberation is 'fragile' (Warren, 2007). In praxis it has to work within real word systems marked by asymmetries in power, wealth, knowledge, access to information and so on. As Bohman argues, it 'cannot assume that citizens are similarly situated or similarly capable of making use of their opportunities and resources.' (1997). Consequently, deliberative processes must be designed in such a way to satisfy the demanding requirements of political equality.

Acknowledging that a mini-public is but part of a wider democratic system of governance, it can nonetheless play a role in overcoming some of these asymmetries, through careful and considered design choices that embed inclusion (internal and external) and popular control at all stages in the process. Actors 'in and around deliberative processes' can play a part in addressing inequalities (Curato et al., 2017) through careful attention to recruitment (mixed methods that include some random sampling and targeted approaches might work best for external inclusion), as well as serious consideration of the tone, format and procedures of deliberative processes and system responsiveness.

For mini-publics to achieve their participatory and deliberative potential in terms of input, throughput and output legitimacy, political elites need to empower them by: properly resourcing them; permitting open agenda setting; committing to prompt and constructive responses to their output; and monitoring them. This will require the 'empowered space' itself to engage deliberatively with mini-publics.

**<b>Further Reading**

Elstub, S. and P. McLaverty, (eds) (2014), *Deliberative Democracy: Issues and Cases*, Edinburgh: Edinburgh University Press.

Escobar, O. and S. Elstub (2017), 'Forms of mini-publics', Research and Development Note, Canberra: newDemocracy.

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**<b> Notes**

[i] Scholars note that publicity can have perverse effects (Gutmann and Thompson, 1996; Chambers, 2004), an argument reflected to some extent in the examples discussed where closed, small group discussions facilitated open and frank engagement as well as affording privacy for participants to transform their opinions should that be the case.

[ii] See footage of the GLEN et al. presentation to the Convention, accessed 18 December 2017 at www.youtube.com/watch?v=LRcu-Qr0Xxk.

[iii] See footage of the NYCI presentations accessed 18 December 2017 at www.youtube.com/watch?v=YF3EXxc8OzE.

[iv] See the Feedback from the roundtable brainstorming session at the first weekend of the Citizens' Assembly https://www.citizensassembly.ie/en/Meetings/Feedback-on-Member-Brainstorming-in-First-Weekend1.pdf , accessed 19 September 2018.

[v] The author was a member of the international observer team.

[vi] The International observers' report, accessed 18 December 2017 at http://www.g1000.org/documents/7_The_G1000_report_by_international_observers_EN.pdf

[vii] See https://www.synthetron.com/wp-content/uploads/Synthetron-CASE-Citizens-crowdsourcing-Hybrid-meeting-The-G1000-case-vs-11112011.4JCCS-EN.pdf , accessed 19 September 2018.

[viii] For more information, accessed 13 February 2017 at www.bendigo.vic.gov.au/your-say/Have-your-say/Citizens-Jury.

[ix] For more information, see Farmer, H. (2016), accessed 13 February 2017, at www.involve.org.uk/blog/2016/02/04/full-reports-of-nhs-citizen-assembly-and-citizens-jury-now-published.

[x] For more information, see Serrano, M. and L. Jardim de Oliveria (2017), accessed 13 February 2017, at www.opendemocracy.net/democraciaabierta/manuel-nunes-ramires-serrano-louren-o-jardim-de-oliveira/citizens-forum-revisiting.

[xi] . For example, the Irish Convention on the Constitution had a limited budget (approximately €900,000) when compared with similar bodies such as the British Columbian Citizens' Assembly (Can$ 5.5 million) and the Dutch Burgerforum (€5.1 million).

[xii] The concept of coupling, that is the relationship between different parts of the deliberative system (see Mansbridge et al., 2012), has emerged in academic analyses of the impact of mini-publics with a discussion of how 'loose' or 'tight' these links between the mini-public and other sites, particularly empowered ones, within the deliberative system should be (see Hendriks, 2016; Setala, 2017)

[xiii] Including a third popular referendum on the removal of the offense of blasphemy from the Irish Constitution due on October 26th 2018.

[xiv] On the same day a referendum was held to reduce the age of presidential candidates. In the midst of the deliberation over marriage equality it had received little attention and following a lacklustre campaign was defeated by 73.1% against to 26.9% in favour

[xv] For background to the referendum see Harris, C (2018) Bridging Representative and Direct Democracy? Ireland's Citizens' Assembly https://www.hansardsociety.org.uk/blog/bridging-representative-and-direct-democracy-irelands-citizens-assemblies accessed 19 September 2018. For information on the referendum see RTE exit poll at https://www.rte.ie/news/2018/0525/965899-eighth-amendment/ accessed 19 September 2018.

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