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Title	When mini-publics and maxi-publics coincide: Ireland's national debate on abortion
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Publication date	2020-08-06
Original Citation	Farrell, D. M., Suiter, J., Cunningham, K. and Harris, C. (2020) 'When mini-publics and maxi-publics coincide: Ireland's national debate on abortion', Representation, 59(1), pp.55-73. https://doi.org/10.1080/00344893.2020.1804441
Type of publication	Article (peer-reviewed)
Link to publisher's version	10.1080/00344893.2020.1804441
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Download date	2026-11-06 03:05:49
Item downloaded from	https://hdl.handle.net/10468/10588

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When mini publics and maxi publics coincide: Ireland's national debate on abortion

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Abstract

Ireland's Citizens' Assembly (CA) of 2016-18 was tasked with making recommendations on abortion. This paper shows that from the outset its members were in large part in favour of the liberalization of abortion (though a fair proportion were undecided), that over the course of its deliberations the CA as a whole moved in a more liberal direction on the issue, but that its position was largely reflected in the subsequent referendum vote by the population as a whole.

Keywords

Citizens' Assembly, deliberative mini-public, abortion

* Earlier versions of this paper was presented at the general conference of the European Consortium for Political Research, Oslo, September 2017, and in a seminar presentation at the School of Politics and International Relations, Australian National University, Canberra, February 2019. This research (designated as the 'Research Leader for the Citizens' Assembly') was co-funded by the Irish Research Council and the Secretariat of the Irish Citizens' Assembly, in a grant awarded to David Farrell and Jane Suiter. We are grateful to the Chair and Secretariat of the Citizens' Assembly for giving us access, and to the members for responding to our surveys. We thank the editor and reviewers for their comments on earlier drafts.

When mini-publics and maxi-publics coincide: Ireland's national debate on abortion

Empirical research on deliberative democracy has moved through a series of stages, the most recent of which has entailed the study of real world deliberative mini-publics – small groups of randomly selected citizens, operating according to deliberative principles (including facilitated small-group discussions) and tasked with considering one or a number of important policy, institutional or constitutional reform issues (e.g. Elstub, 2010, 2014; Goodin and Dryzek, 2006). Among the various forms of DMPs citizens' assemblies are seen as 'democratically superior' (Elstub, 2014, p. 172). As Graham Smith (2009) notes '[n]o other randomly selected body has been given the level of influence in the political process' (p. 75).

This was the situation facing the Irish Citizens' Assembly in late 2016-early 2017 when it deliberated on the topic of abortion – a controversial topic over which political and public opinion was strongly divided. These were deliberations that occurred under the glare of publicity and over a sustained period of time (across five weekends) making this an unusual case for analysis. The abortion issue was complex, and one that engaged intimately with the wider democratic process. Abortion was more than the binary issue of no abortion (status quo) or abortion. The links with the wider democratic system were clear: the Citizens' Assembly's recommendations in early 2017, that were in favour of the liberalization of abortion, were passed on to a special committee of the parliament (Oireachtas), which in turn decided to recommend a referendum and, following the Assembly's lead, drew up details of possible subsequent legislation. The government and parliament concurred with the special committee, and a referendum was called in the summer of 2018, which saw the removal of the abortion ban.

The fact that this Citizens' Assembly was set up by, and run on behalf of, the government, that it was discussing a hot topic under the glare of publicity and that its recommendations were influential makes this an interesting case for study. This was a CA that had significant policy influence, but how legitimate was it as a process? We assess a key dimension of this, by examining how representative the CA was of wider public opinion. Representativeness is

an issue of some debate among deliberative democracy scholars, who promote quite different ideas on what it takes for a mini-public to be representative (Brown, 2018; Kuyper, 2016; Steiner, forthcoming; Urbinati and Warren, 2008). We address the representativeness of the CA in three stages by, first, examining the opening position on abortion of the members recruited to the Assembly, second, the dynamics of opinion formation resulting from the Assembly's deliberations, and third, the subsequent impact of the CA on the wider public. We show that, from the outset, the CA's members were in large part in favour of the liberalization of abortion (though a fair proportion were undecided), that over the course of its deliberations the CA as a whole moved in a more liberal direction on the issue, but that its position was largely reflected in the subsequent referendum vote by the population as a whole. We start in section 1 with an overview of the Citizens' Assembly and the context in which it operated. Section 2 reviews our theoretical expectations and sets out key hypotheses. Our analysis is developed in sections 3 and 4, followed by our conclusion.

1. The Irish Citizens' Assembly and the abortion question

The Citizens' Assembly was Ireland's second government-sponsored deliberative mini-public (Farrell, Suiter and Harris, 2019), which in common with the genre (Harris, 2019; Smith, 2009) was characterized by the random selection of its members (sortition) and the use of trained facilitators to enable a deliberative process. In this instance the 99 members (the 100th member being an independent chair appointed by the government) were tasked with making important recommendations on five key areas of policy and on whether to call a referendum should the subject be on a matter of constitutional change. Following common practice members were recruited randomly from the electoral register by a market research company, RED C. The selection of the 99 citizens was stratified based on four demographic targets: sex, age, social class and region, with the RED C recruiters cold calling door-to-door to select the 99 members, and – at the same time – 99 substitute members.

First on its agenda was the issue of whether to recommend the removal of a controversial 1983 amendment to the Constitution, the so-called 'Eighth Amendment of the Constitution', which gave explicit recognition to the right to life of an unborn child, effectively introducing a constitutional ban on abortion in Ireland. Having being inserted into the Constitution (as Article 40.3.3) in 1983 it needed a referendum to either repeal or replace it (Suiter et al.,

2018).[1] This question was considered by the Citizens' Assembly over a period of five weekends from November 2016 to April 2017. The reason it was selected as the first issue reflected the growing pressure in Ireland and internationally for action to deal with the abortion ban. In the light of the successful referendum on marriage equality in 2015 (Elkink et al., 2017), activists campaigning for the liberalization of abortion saw an opportunity to press the government – a new minority coalition government elected in 2016 – to once and for all move on this issue (Field, 2018; McGraw, 2018). With opinion polls indicating strong support for a liberalization of Ireland's abortion laws, the government felt forced to act. Needing the support of an independent member of parliament who prioritized this topic as a condition of her joining the coalition government, the minority government proposed that this be the first item to be discussed by the Citizens' Assembly.

The Citizens' Assembly followed the same modus operandi as its antecedent Ireland's Convention on the Constitution (Suiter, Farrell and Harris, 2016).[2] Briefing papers were circulated days in advance. The expert presentations were designed to be as objective as possible; though on occasion there were experts with differing perspectives pitched against each other. There were also presentations by advocacy groups and personal testimonials. The presentations were followed by question and answer sessions and then by small group roundtable discussion, facilitated by trained moderators. A secret-ballot vote was held at the end of the process with the members voting overwhelmingly to replace the article with a new provision explicitly authorising the Irish parliament to legislate for abortion and, of great surprise to watching pundits, for a very substantial liberalization of abortion provision.

2. Theory and hypotheses

We can envisage the operation of a citizens' assembly in a number of stages. The first of these is how it is established, which covers a number of themes such as the design of the CA, the recruitment of its members, the setting of its agenda, and so on (cf. Farrell, Curato, et al., 2019; Suiter and Reuchamps, 2016). Given our central interest in the representativeness of the CA, we focus on the selection process, and in particular on the attitudes of the sample

[1] The Irish Constitution can only be changed by a referendum. In recent years the numbers of referendums have increased significantly, in part a product of social modernization (Elkink et al., 2020; Gallagher, forthcoming), in part too reflecting the practice of Irish politicians to use referendums as a device to avoid taking difficult decisions themselves (McGraw, 2015).

[2] For more discussion of the Citizens' Assembly, its descriptive similarity to the wider population and the quality of its deliberations see Farrell et al. (forthcoming).

selected as members and whether their views on abortion were in line with wider public opinion. As we discuss, the sample was descriptively representative of the Irish population, which is as expected for a deliberative mini-public, but to what extent was it attitudinally congruent on the question of changing the constitution to introduce abortion (Parkinson, 2006)?

A second stage is the operation of the CA: how it is run as a process, the quality of the deliberation, how the views of members evolve over the period. We focus on the latter in this paper. By becoming members of the CA, these 'citizen representatives' were in a position to provide 'supplements to elected representative bodies' (Urbanati and Warren, 2008, p. 405), to operate 'as a sort of clearinghouse for expert knowledge' (Brown, 2006, p. 215). It is of interest, therefore, to track how the members' views on abortion developed across the five weekends of discussion.

A third stage, is what happens after the work of the CA has concluded. Its recommendations, as we have seen, were influential in the decision to call the abortion referendum as well as the wording of the question put to the wider citizenry. As scholars have noted a deliberative mini-public 'models what the electorate would think if, hypothetically, it could be immersed in intensive deliberative processes' (Fishkin, 1991, p. 81), it helps to bridge 'the gap between actual public opinion and well informed public opinion' (Park et al., 1998, p. 2). The paper concludes with some discussion about how the views of the Citizens' Assembly were reflected in the voting decision of Irish voters in the referendum that followed.

We start with the selection process. The principle underlying a deliberative mini-public is that the use of random selection (or sortition) should produce good 'descriptive representation', where the participants are seen as a good mirror of wider society (for more see Farrell and Stone, 2020). This is intertwined with the quality of deliberation, with the aim of ensuring the inclusion of all perspectives on a topic for reasons of fairness and epistemological completeness (James, 2008; Pearse, 2008). Citizens' assemblies are therefore seen to derive much of their legitimacy from their descriptive similarity to the wider population (Brown, 2006, 2018). There are, however, limits to how close one can get to this ideal, particularly when, as in this case, we are dealing with such a small sample (99 lay citizens), requiring the use of stratified random selection rather than pure random selection (Fishkin, 2018). This may result in a skewed sample. Filling pre-defined demographic quotas

inevitably means that not all traits are covered (e.g. education), or they're covered imperfectly (e.g. too many young participants recruited from urban areas). As Parkinson notes: 'not every group will have a black member, not every group will have someone from an isolated rural community, not every group will have a young mother on welfare' (2006, p. 79). This leads him to recommend that socio-demographic quotas should be filled equally rather than proportionate to the population.

But even if the socio-demographic quotas are filled correctly (as happened in this case) that does not necessarily mean that the views of the sample are in sync with those of the wider public – one reason why a number of recent deliberative mini-publics have also taken into consideration the political positions of potential participants, usually in the form of a question eliciting their views on the matter to be discussed (Paulis et al., 2020, p. 10).[3] For example, at its recruitment stage the Brexit Citizens' Assembly (2017) asked potential participants how they had voted in the Brexit referendum. This approach emphasises attitudinal congruence on the issue at hand, differing from Dryzek's (2001) discursive approach that includes all viewpoints and discourses on the matter.

With all this in mind, we turn, in the first instance, to an examination of the extent to which the Assembly members' views on abortion were in line with those of the wider population: the members may have been descriptively representative of the wider population, but were they attitudinally congruent on this topic? It is evident from opinion polls that the minds of most voters were already made up on this issue long before the 2018 referendum. For instance, in a survey of a representative sample of voters leaving the voting booths in the February 2016 general election, a clear majority of respondents favoured change: on an 11-point scale from 0 (total ban on abortion) to 10 (abortion freely available to all women), 46 per cent of respondents were in the 7-10 range; the mean was 6.07.[4] Similarly, a survey question on the issue put to a nationally representative sample during the period of the Citizens' Assembly's deliberations in early 2017 found a large majority in favour of 'repealing the 8th amendment' – 62 per cent were in favour. (This survey is discussed below.)

[3] Prominent examples of this include the 2017 citizens' assembly on Brexit (https://citizensassembly.co.uk/brexit/about/) and the 2020 Climate Assembly UK (https://www.climateassembly.uk/detail/recruitment/).
[4] https://static.rasset.ie/documents/news/rte-exit-poll-report.pdf

Thus, there is a possibility that from the outset minds were already made up among the bulk of Citizens' Assembly members that Ireland's abortion laws needed to be liberalised.

Earlier studies have found evidence that people of a liberal disposition are more inclined to engage with deliberative activities (e.g. Christensen and Schoultz, 2018; Jacobs et al., 2009; Karjalainen and Rapeli, 2015). There is reason to expect that this would be even more likely in this instance, not least given the high publicity around the time of the establishment of the Citizens' Assembly. The bulk of its members were recruited in October 2016. They were explicitly made aware of the issues they would be discussing and were also given a booklet outlining the main themes. In addition, during the recruitment process all potential members were asked if they had acted or intended to act in an advocacy role for any interest or lobby group campaigning on any of the issues to be considered by the Assembly. This was asked of potential members again during the validation phone call with the market research agency. Any potential members who answered yes to these questions were excluded from the process.

[Figure 1 about here]

While this approach to ensuring that the membership excluded advocates from either side made good sense from organizational and wider political-sensibility perspectives, there is a risk that it may have inadvertently resulted in some people choosing to exclude themselves from the process. This recalls the 'spiral of silence' argument first developed by Elizabeth Noelle-Neumann (1984), which relates to the tendency of people to remain silent when they feel their views are opposed to the majority. This argument is generally applied to survey research where the focus is on whether respondents to surveys may not give true responses; more recently there has been interest in the potential for some individuals who may be 'too shy' to even respond to surveys in the first place – seen by some as a factor behind polling errors in trying to predict elections and referendum results.[5] There are grounds for speculating whether this question of individuals' unwillingness to engage in certain activities (e.g. Scheufele and Eveland, 2001) – sometimes referred to as 'social desirability bias' – might also have occurred in this instance. Prospective members were informed that they would be discussing abortion, which is of course a contentious topic. In addition, there was significant media attention being paid to the Assembly and even more particularly to the

[5] E.g. https://qz.com/822398/hillary-clinton-might-not-win/

debate surrounding the 'repeal of the 8th amendment' (the core argument of those seeking abortion reform in Ireland). This media attention built significantly in October 2016 just around the time when the members were being recruited (see Figure 1). Research has shown that degree of perceived partisan bias in mainstream media coverage on an issue is positively related to the intensity of media indignation and levels of incongruity between one's own opinion and perceived majority opinion (Hwang et al., 2008). In this case we might expect that those who were liberal on abortion might have been more likely to sign up for the Assembly, while those who were conservative may have felt themselves out of step with the 'climate' of majority opinion (Noelle-Neumann, 1984), and hence less likely to sign up. This leads us to our first hypothesis:

H1 There was an inbuilt majority among the Citizens' Assembly members that, from the start of the proceedings, was already in favour of abortion reform.

Our second area of interest is about the dynamics of members' views over the course of the five weekends of deliberation. We believe it is important to examine this question as it provides an indication of how enlightened public opinion might evolve on the basis of the information and opportunity presented by a deliberative process (Fishkin, 2009), thus offering a clue to how more informed members of the wider public might react in the referendum that followed – a point we return to in our conclusion. As 'citizen representatives' (Urbanati and Warren, 2018, p. 405) or 'nonelectoral representatives' (Kuyper, 2016), the members of the Citizens' Assembly were asked to play an important role in what Kuyper refers to as the 'public space' (2016, p. 312), and therefore, as he puts it, it is 'empirically and normatively compelling' to examine the role of 'deliberative argumentation [in altering their] interests and positions' (2016, p. 321).

Our starting point flows from the first hypothesis over the inbuilt majority among the Assembly members who were in favour of liberalizing abortion. According to some authors this could have led to a situation in which dominant majority voices were able to drive the agenda (e.g. Mendelberg, 2006, cited in Farrar et al., 2009). For instance, Sunstein (2002) sets out a 'law of group polarisation', referring to the situation where there is a group with rather skewed views on a hot topic and the majority position drives things so that over time all converge on the majority position. This can result in a situation where 'groups often make more extreme decisions than would the typical or average individual in that group' (Sunstein,

2002, p.178), which is generally seen to occur for several reasons, such as a desire of members of the minority to win social acceptance or their greater exposure to the dominant argument (for discussion, see Farrar et al., 2009).

The fact that both Mendelberg's (2006) and Sunstein's (2002) studies were focused on juries, as opposed to DMPs, has left them open to challenge (Luskin et al., 2002; Setälä et al., 2010). In their work on group polarization and enclave deliberation on the contentious topic of immigration in a Finnish mini-public Grönlund et al. (2015) found no 'systematic patterns of group polarization in the like-minded groups' (p. 1013; also Strandberg et al., 2019). But, more significantly in terms of our research, depolarization led to more permissive views amongst those who were initially against immigration. This speaks to a wider debate about the liberalizing effect of deliberative processes, with some seeing it as the product of an inherent liberal bias in deliberation (e.g. Kuran, 1989) whereas others put it down to the participants simply becoming more enlightened (Dahl, 1989; for discussion, see Gastil et al., 2010).

Since we are assuming that there was an inbuilt majority in favour of liberalizing abortion, our expectation here is that the primary movement of opinion in the Irish Citizens' Assembly was from among those who were undecided or against abortion, in both instances moving in a more liberal direction. If this occurs, it might be seen to lend some support to the majority effect, as argued by Mendelberg (2006) and Sunstein (2002). But it could just as easily be a product of the liberalizing effect of deliberation.[6]

Our second hypothesis, therefore, is:

H2 Members who at the start of the proceedings were against abortion reform or undecided on the issue shifted towards a more liberal stance.

It should be noted that there were specific limitations on our research design. The topics for discussion (in this case the abortion topic) were set by the government, as were details relating to timescale and deadlines, and the resourcing of the operation. The Citizens' Assembly secretariat were responsible for recruiting the members, tendering for the

[6] We don't have the data to assess which of these perspectives might apply.

facilitation process and monitoring how that operated, and the detail of how the Citizens' Assembly would be run week-by-week. The expert advisory group, the steering group and the secretariat were responsible for selecting and briefing the expert witnesses, agreeing the schedule for each weekend of meeting, and the seating arrangements of the members. We were not privy to the details of any of this. Furthermore, our survey questions had to be agreed with the Chair and Secretariat. This, for instance, meant that we were not allowed to ask the members their views on abortion until the third weekend; more generally there were limitations on the length of our surveys and on certain questions that could be asked. In short, therefore, while this study has the considerable advantage of being a fascinating case study of an important process of national-level deliberation, as a research project it faced some tight constraints. This is reflected generally in the variables available to us, and particularly relating to our main question of interest – attitudes to abortion.

Our method of operation was to have paper-based surveys distributed to all members by the Assembly Secretariat on two occasions each weekend, the first on Saturday morning (our 'Saturday' survey) which were picked up by the Secretariat staff by the end of the first session that morning, and the second towards the end of Sunday session (our 'Sunday' survey). Even though these are not quite 'before-and-after' surveys as typically used in Deliberative Opinion Polls, we believe that they provide at least a good indication of members' views towards the start of their weekend of deliberations and towards the end.

3. Measuring the 'starting position' of the Citizens' Assembly members

We start with an analysis of the 'starting position' on abortion of the Citizens' Assembly members. The survey question asked of the members was: 'Can we ask what you think about the following statement: The current constitutional position on abortion should remain as it is'. The members were asked to indicate their position on a five-point scale ranging from 'strongly agree' to 'strongly disagree'.[7]

[Table 1 about here]

[7] While there could be grounds for arguing that someone opposed to constitutional change on abortion may not necessarily hold to a conservative, pro-life position, when we compare responses to this question with responses to a separate battery of abortion-related questions (which had binary agree/disagree options) it is clear that this is a good measure of a conservative position.

Table 1 reports the views of the members on this abortion question. We deal with the trends over time later, but for now we focus on the 'starting position' of members on the Saturday of week 3. Eighty-eight members responded to the Saturday survey in week 3: eight were opposed to change (conservative), 26 were undecided, and 55 were in favour (liberal) – the latter representing 62 per cent of members. The top row in Table 1 also reports the results of a question asked of a nationally representative survey that was implemented at the same time as the Assembly was deliberating on abortion,[8] giving an early indication of how the Citizens' Assembly members compared with the greater Irish population. This shows a small number of respondents who were against abortion reform (i.e. were on the conservative side) in the Citizens' Assembly compared to the poll: just 9 per cent of the members agreed or strongly agreed with the proposal that the constitutional position on abortion should remain as it is, whereas 23 per cent of the respondents in the national poll were against abortion reform.[9] Also apparent from these trends is the large number of undecideds – both in the national sample and among the Citizens' Assembly members – suggesting that many minds were still open on this issue.

As noted above, a limiting factor in our analysis is that our data on the 'starting position' of the members refer to the third week of the Citizens' Assembly. Given that we were unable to ask the members their position on abortion in the first two weeks, we needed to find alternative ways of trying to elucidate their starting position on this. Previous work on the moral position of respondents to Irish surveys led us to propose some alternative items that we were allowed to include in our surveys from week 1. One was particularly of interest: whether the members felt that 'The Constitution in its current form should be changed'. This has the same 5-point scale of responses. Given the focus of their discussions on the highly salient issue of whether to change the constitutional ban on abortion, there was good reason to anticipate a strong relationship between views on this general question on constitutional reform and the specific one on constitutional reform relating to abortion.

[Table 2 about here]

[8] The survey was implemented by Ireland Thinks, a market research company. A random sample of 1,029 adults (aged 18+) were surveyed by telephone between 27 February and 3 March 2017.
[9] It is notable that this opinion poll was not dissimilar to subsequent public opinion polls. Thirteen public opinion polls were conducted by five different polling companies over the period up to the referendum itself. The average across the polls included 65 per cent in favour of change and 35 per cent opposed. The result itself was also 65 per cent in favour, 35 per cent opposed (Field, 2018).

To test the robustness of this relationship we asked this general constitutional change question in our nationally representative survey. The survey revealed that there was a strong relationship between the two variables. As Table 2 reports, 89 per cent of the respondents who were in favour of 'repealing the 8th amendment' (i.e. the liberal position on abortion) very strongly agreed that 'the constitution in its current form should be changed'; and 72 per cent of those in favour of abortion reform were strongly in favour that the constitution in its current form should be changed. We also explored this relationship over the course of the Citizens' Assembly, comparing responses to the abortion question and the general constitutional reform question. As Table 3 shows, there is a strong clustering of Assembly members' views on the change-side for both questions. Although this is based on repeated measures of the same individual, the spearman correlation coefficient here is -0.54, suggesting that the two are highly correlated.

[Table 3 about here]

This allows us to explore how the Citizens' Assembly members compared with the overall population on the issue of constitutional change generally: Table 4 shows that the Citizens' Assembly members deviated from the overall population. In our national survey 22 per cent disagreed (disagreed or strongly disagreed) with constitutional change compared with 5 per cent of Assembly members; though again it is instructive to note the large numbers of undecided – 26 per cent in the national survey and 41 per cent of Assembly members. The table also reports the mean scores ('weighted agreement'), showing notably more agreement that the constitution should be changed among CA members in the first week (3.63) than the wider population (3.40), a difference that steadily increases as the weeks unfold.

[Table 4 about here]

Given the relationship between this general measure of attitudes to constitutional change and the specific constitutional reform question on abortion, this suggests that at the outset of its deliberations the Assembly had relatively few opponents to constitutional change in relation to abortion compared to the population as a whole. This would seem to lend support to the argument (H1) that the Citizens' Assembly had an inbuilt majority in favour of abortion from

the start of the proceedings, though the large proportions of undecided reveals a willingness to make up minds later among a substantial portion of the members.

4. The development of members' attitudes towards abortion over time

The next stage, then, is to examine how opinions developed on the abortion question over the course of the Assembly's work. The trends in Figure 2 are quite revealing. The graph on the top left summarises the overall trend over the course of six time points from Saturday in Week 3 to Sunday in Week 5. The Citizens' Assembly members, having started with a strong liberal position on abortion in week 3 (as we discussed in the previous section), by the end of the process had become even more liberal on average – albeit quite marginally so; the movement was towards a more liberal position though not quite to the furthest extreme. The remaining graphs in Figure 2 indicate that the reason for the change was due to large shifts among those who were undecided, and also among the small number of members holding to a conservative position, both sets moving in a more liberal direction.

[Figure 2 about here]

We can explore whether this change is significant or a function of random error by employing a statistical test. We compare the attitudes of individual members at the very start (Saturday of week 3) and at the very end of this period (Sunday of week 5) using a paired test, the Wilcoxon Signed-Rank Test. This form of test can decide whether the corresponding data population distributions are identical without assuming them to follow the normal distribution. In this case, we are exploring differences in non-normal responses to a likert scale question. Using the 74 cases that responded at both time points the test estimates a p-value of 0.026, indicating that the distributions are indeed significantly different.

In order to examine the trends more systematically, we employ a multi-level regression analysis[10] that seeks to account for how opinions shifted on the abortion question over time. It is important to employ a multi-level model to capture changes in individual respondents over time, particularly as there was a degree of membership turnover from one weekend to

[10] The multi-level model is grouped at the level of the individual members: the reason for this is because our sample consists of repeated observations of the same individuals.

the next.[11] To track changes in attitudes we control for the member's initial attitude, that is their attitude from the first meeting they attended.

[Table 5 about here]

Table 5 reveals statistically significant p-values in respect of the relationship between the 'session' (survey time point) and position on abortion (our dependent variable) while accounting for the individual member's starting position on abortion. The 'session' variable we use as a proxy for the effect of the Citizens' Assembly on the member, the accumulation of engagement with the Citizens' Assembly influencing their attitudes on the topic being discussed.

Interaction terms with categorical variables are often difficult to easily interpret as interactions cancel out main effects and significance is only interpreted with respect to their base level. The effects plots in Figure 3 more clearly convey the nature and significance of the relationship between an individual's starting position and their position on any given week. Those who were more undecided were more likely to change their view and broadly that change was in the direction of the more liberal perspective as the weeks wore on. There were few members with starting positions 1 or 2 (against abortion), and so the main driver of change in the Citizens' Assembly was in the shift among those who were undecided at the start of the process. These findings provide support for hypothesis 2.[12]

[Figure 3 about here]

The significant shift in views among those undecided on the issue raises a question over whether lower levels of knowledge or information may be an underlying feature.[13] We know from previous research that those with lower levels of knowledge tend to shift their opinions more than those with more knowledge (e.g. Herne et al., 2019; Suiter, Farrell and O'Malley, 2016; Zhang, 2018). In this instance, however, we found no evidence that those with lower self-reported knowledge changed their views more than other members. But we did find

[11] Over the course of the five weekends, an additional 24 members were recruited (Farrell et al., 2018).
[12] As a further test we replicated this analysis using our constitutional change question as a proxy for abortion, thus allowing us to track trends from the start of week one. This produced similar findings.
[13] We are grateful to one of our referees for this suggestion.

some evidence of a relationship with levels of education: those without a university level degree appeared to be more numerous among those who changed their mind.[14] This is shown by looking at the absolute change in the member's position between session 1 in week 3 and the final session in week 5, while controlling for the relative scope for changing position (that is, the absolute difference between the starting position and 1 or 5). The results in Table 6 reveal that those without a university degree were significantly more inclined to change their views. This is graphically displayed in the effects plot that follows in Figure 4.

[Table 6 and Figure 4 about here]

5. Conclusion: The Citizens' Assembly and the Maxi Public

The Irish Citizens' Assembly's deliberations on abortion show the challenges for a DMP in dealing with a hot topic in the full glare of publicity.[15] This certainly impacted on the recruitment phase, which saw the members being recruited in a context of intense media commentary on what they were about to discuss. Prospective members were directly informed about the topics they would be asked to deliberate on, foremost on abortion but also on the other topics that would follow. Our analysis indicates that those of a more conservative tendency on the abortion question seem to have opted to exclude themselves from the process, thus somewhat skewing the membership on this important issue. Though an important caveat is the large number of members who at the outset had not yet made up their minds on the issue. Our first hypothesis, therefore, is partially confirmed.

There may have been issues with the recruitment process, but in other respects the indications are that it was a well-run deliberative process (Farrell et al., forthcoming), which as we have seen, resulted in significant opinion shifts on the part of a number of the members. This was particularly evident among those members who started the process as undecided, and it was especially noteworthy in the case of those members with lower levels of education. Overall,

[14] A separate model including all demographics as controls (including age and gender) found no significant relationships.

[15] It is worth pointing out that the challenges also relate to the research that was commissioned to track and evaluate the process. For the organizers of government-sponsored Citizens' Assemblies of this type the primary duty is to ensure that the process works successfully (which was the case here). But this can lead to a tension with those charged with carrying out research and evaluation of the process, which in this instance impacted on the types of questions (and in some instances even the wording of the questions) that could be asked of the members.

there was a convergence in views among the membership as a whole towards a highly liberal position on the question – thus confirming H2.

The question that we now need to address is whether this outcome of the Citizens' Assembly reflected wider public opinion; whether the views on abortion of this mini-public were consistent with those of the maxi-public. Above we referred to Fishkin's well-known argument about how a deliberative mini-public 'models what the electorate would think if, hypothetically, it could be immersed in intensive deliberative processes' (Fishkin, 1991, p. 81; also Fishkin, 2009). This has led some to point to the limitations of deliberative mini-publics because by their nature they include only a small sample of people; the wider population has not been 'immersed in intensive deliberative processes', thus raising questions over whether ultimately DMPs may be pretty 'superfluous' (Lafont, 2020, p. 130). Another reason why this particular Citizens' Assembly might be seen as superfluous is the fact that (as discussed above) opinion polls showed that the majority of Irish voters already favoured some liberalization of abortion even before the start of the CA's proceedings. Therefore, did this mini-public have much of a role to play in influencing the maxi-public?

We would suggest that it did. The opinion polls may have indicated support for abortion liberalization, but as the media commentary indicated, the view was that this was far from a forgone conclusion. Certainly, the announcement of the results of the Citizens' Assembly deliberations on abortion in April 2017, which proposed a radical liberalization, were seen at the time as dramatic.[16] As one journalist remarked: 'The results were more liberal than most would have imagined likely'.[17] Another referred to the vote as a 'landmark call'.[18] There was every reason to expect a tough battle in the referendum to follow. The experience of previous Irish referendums on moral issues showed how easy it was for public opinion to be swayed by well-resourced No campaigns (Darcy and Laver, 1990). Furthermore, this abortion referendum campaign stood out particularly as the first major case in Ireland in which well-resourced groups, mostly funded by far-right Christian groupings in the US, made extensive use of social media to seek to influence the result (Field, 2018).

[16] https://2016-2018.citizensassembly.ie/en/The-Eighth-Amendment-of-the-Constitution/The-Eighth-Amendment-of-the-Constitution.html
[17] Ronan McGreevy, 'Oireachtas given a mandate to change the eighth amendment', *Irish Times.* 24 April 2017.
[18] Leah McDonald, 'Citizens' Assembly: 64% want abortion without restriction', *Irish Daily Mail.* 24 April 2017.

In the event, the referendum vote in the summer of 2018 was definitive. There was a near record turnout of 64 per cent. The electorate voted to repeal the 8th Amendment by a majority of 66 per cent to 34 per cent. Analysis of survey data gathered on polling day revealed strong support for abortion liberalization across a range of demographics, but most strongly among younger voters and those who are infrequent attenders of church (Elkink et al., 2020). As was the case with the Canadian Citizens' Assemblies (Fournier et al., 2008; Cutler et al., 2011), levels of knowledge were also a feature in the referendum vote: in particular those who had good objective knowledge of the Citizens' Assembly were significantly more likely to vote Yes – to a degree an indicator of enlightened citizens who were aware of the significance of the deliberative process that preceded the calling of the referendum (Elkink et al., 2020). Furthermore, in their analysis of this and other recent Irish referendums that were preceded by deliberative processes, Suiter and Reidy find that 'integrating a deliberative democratic structure into a mandatory referendum process can enhance referendum outcomes in the form of delivering correct voting' (2020, p. 13), by which they mean that the voters were better informed. In short, the overall views of the mini-public coincided with those of the maxi-public and, perhaps influenced the latter (at least the better informed members of the public).

There is a remaining issue, however, over whether the over-representation in the Citizens' Assembly of those with liberal views on abortion may be of concern from a legitimacy perspective. It is pretty apparent that the Citizens' Assembly was a well-run deliberative process that achieved high levels of satisfaction amongst its members with regard to the quality of the deliberations and the deliberative process (Farrell et al., forthcoming). And the selection of the Assembly members using stratified random sampling achieved representation in terms of the Parliamentary-defined relevant descriptive characteristics (age, gender, region etc.). But the recruitment process did not include a potential member's opinion on the 8th amendment as a selection characteristic. Arguably, this was a shortcoming that could be remedied for future citizens' assemblies.[19] Nonetheless, it did not fully detract from the Assembly's deliberative quality and representativeness. As Warren notes, a democratic body includes 'ways and means of representing all affected interests' (2008: 58). This is true of the

[19] For example, and as noted above, the 2019-20 UK Climate Assembly included attitudes to climate change as a selection criterion (more generally, see Paulis et al,, 2020).

Assembly: ‘conservative’ views within the membership and in the invited expert witnesses, civil society groups and personal testimonies ensured the inclusion of ‘conservative’ perspectives in the deliberations and that the range of perspectives within this group were represented.

It is perhaps a strength of the Citizens’ Assembly that despite the composition not being fully representative of the general population there was still significant evidence of attitudinal change. Substantial numbers of those that were undecided on the issue did change their view, particularly those with lower levels of educational attainment. It resulted in conclusions that were, definitively, the same as among the general public. Most significantly from a legitimacy perspective, it both expedited and informed a process that ultimately led to a successful popular referendum on the matter.

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Table 1: How the Citizens' Assembly members compared with the national sample on the issue of abortion

	"If there was a referendum tomorrow to 'repeal the 8th amendment' that is, to remove the 'right to life of an unborn child' how would you vote?"					
	In favour	Don't Know	Against	Rather not say	Sample	
National survey	38% (389)	23% (240)	23% (235)	16% (165)	1029	
	"The current constitutional position on abortion should remain as it is"					
	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Non response	Sample
Week 3 Sat	38% (34)	24% (21)	28% (25)	2% (2)	7% (6)	1% (1)	89
Week 3 Sun	51% (43)	24% (20)	14% (12)	5% (4)	6% (5)	1% (1)	85
Week 4 Sat	48% (39)	37% (30)	10% (8)	4% (3)	2% (2)	0% (0)	82
Week 4 Sun	56% (47)	23% (19)	15% (13)	2% (2)	1% (1)	2% (2)	84
Week 5 Sat	52% (47)	25% (23)	9% (8)	8% (7)	3% (3)	3% (3)	84
Week 5 Sun	62% (54)	24% (21)	5% (4)	2% (2)	3% (3)	3% (3)	87

Source: Surveys of Citizens' Assembly members; Ireland Thinks national survey, February-March 2017

Table 2: Relationship between general and abortion-specific constitutional reform questions in a survey of Irish citizens

	"If there was a referendum tomorrow to 'repeal the 8th amendment', that is to remove 'the right to life of an unborn child' from the constitution. How would you vote? (Weighted counts)					
		For	Against	% For	Rather not say	Don't Know
"The Constitution in its current form should be changed"	Strongly Disagree	8	18	30%	1	3
	Disagree	45	83	35%	32	36
	Neither Agree nor Disagree	74	57	56%	57	77
	Agree	170	65	72%	64	107
	Strongly Agree	93	11	89%	12	16

Source: Ireland Thinks national survey, February-March 2017; N = 1,029

Table 3: Relationship between general and abortion-specific constitutional reform questions in repeated observations of individual members of the Irish Citizens' Assembly

"The current constitutional position on abortion should remain as it is"						
		Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
"The Constitution in its current form should be changed"	Strongly Disagree	0	3	0	0	0
	Disagree	1	0	1	2	3
	Neither Agree nor Disagree	3	2	9	29	34
	Agree	2	0	11	13	40
	Strongly Agree	0	0	0	2	24

Table 4: How the Citizens' Assembly members compared with the national sample on the issue of constitutional reform

"The constitution in its current form should be changed"							
	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	Sample	Weighted Agreement
National survey	13% (133)	39% (405)	26% (265)	19% (196)	3% (30)	1,029	3.40
Week 1 Sat	16% (12)	37% (28)	41% (31)	4% (3)	1% (1)	75	3.63
Week 1 Sun	33% (24)	27% (20)	33% (24)	7% (5)	0% (0)	73	3.86
Week 2 Sat	19% (15)	38% (30)	36% (29)	5% (4)	3% (1)	80	3.68
Week 2 Sun	33% (26)	31% (24)	27% (21)	8% (6)	1% (1)	78	3.87
Week 3 Sat	27% (24)	30% (27)	37% (33)	2% (2)	3% (3)	89	3.75
Week 3 Sun	40% (34)	26% (22)	18% (15)	12% (10)	4% (3)	84	3.88
Week 4 Sat	33% (27)	38% (31)	22% (18)	6% (5)	0% (0)	81	3.99
Week 4 Sun	45% (37)	33% (27)	18% (15)	4% (3)	0% (0)	82	4.20
Week 5 Sat	40% (36)	33% (30)	19% (17)	7% (6)	2% (2)	91	4.01
Week 5 Sun	45% (38)	27% (23)	19% (16)	7% (6)	2% (2)	85	4.05

Table 5: Explaining evolving abortion position in terms of abortion position at the start of week 3

Random effects:

Groups	Name	Variance	Std.Dev.
identifier	(Intercept)	0.05848	0.2418
Residual		0.11222	0.335

Number of obs: 431, groups: identifier, 83

Fixed effects:

	Estimate	Std. Error	df	P-Value	
(Intercept)	1.001	0.413	419.3	0.016	*
Starting Position (2)	-0.041	0.553	418.8	0.941	
Starting Position (3)	0.767	0.473	418.8	0.106	
Starting Position (4)	2.074	0.448	419.0	0.000	***
Starting Position (5)	4.250	0.429	419.2	0.000	***
Session	0.048	0.104	409.8	0.643	
Starting Position (2) : Session	0.295	0.131	391.5	0.025	*
Starting Position (3) : Session	0.330	0.116	403.1	0.005	**
Starting Position (4) : Session	0.245	0.111	405.4	0.027	*
Starting Position (5) : Session	-0.132	0.107	407.7	0.216	

Signif. codes: 0 ‘***’ 0.001 ‘**’ 0.01 ‘*’ 0.05

Table 6: Education levels and absolute change in members' position on abortion

	Estimate	SE	P-Value	
(Intercept)	0.257	0.047	0.000	***
Scope for Change	0.372	0.053	0.000	***
University Degree	-0.131	0.065	0.042	*
Scope for Change : University Degree	0.026	0.073	0.721	

Signif. codes: 0 '***' 0.001 '**' 0.01 '*' 0.05

Residual standard error: 0.5069 on 385 degrees of freedom
(16 observations deleted due to missingness)
Multiple R-squared: 0.2307, Adjusted R-squared: 0.2247
F-statistic: 38.49 on 3 and 385 DF, p-value: < 2.2e-16

Figure 1: Mentions of the '8th amendment', 'citizens' assembly' and both in the Irish media, 2016

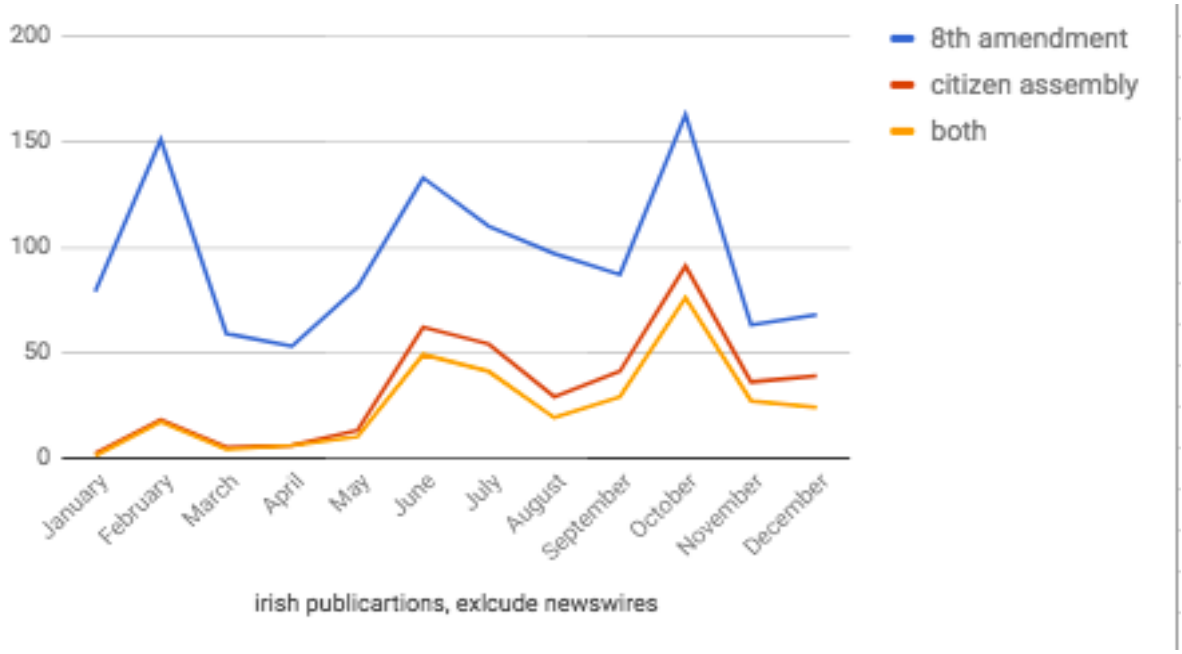


Figure 2: Trends on abortion from start of week 3 to end of week 5

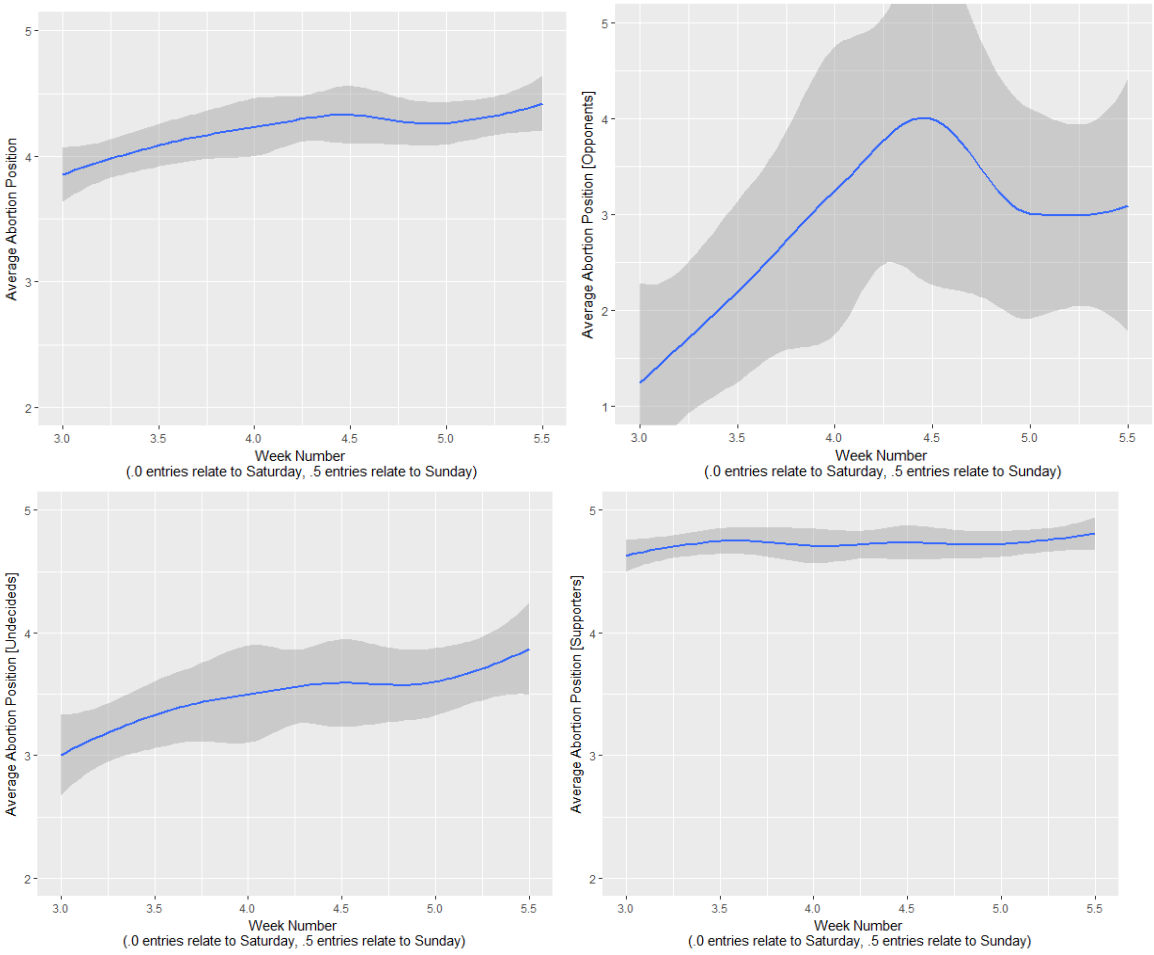


Figure 3: Effects plots of shifts in position on abortion based on members' starting positions on abortion in week 3

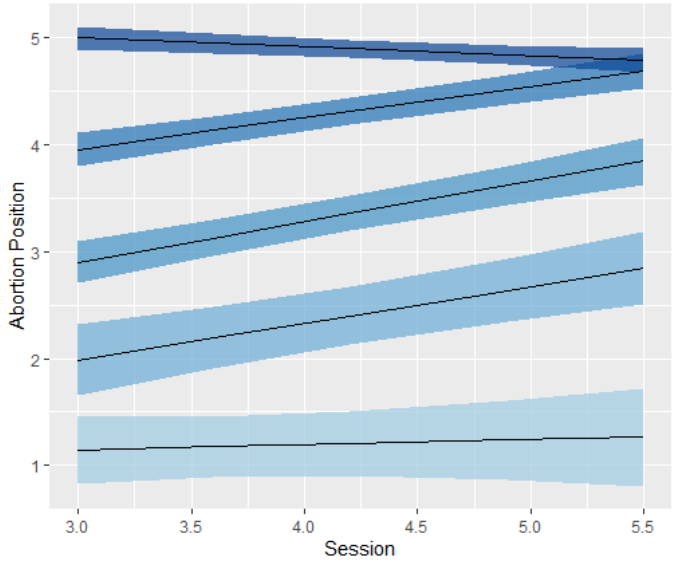


Figure 4: Effects plots of shifts in position on abortion based on members' starting positions on abortion in week 3 controlling for education

