

# **Dynamics of instituting mini-publics** for a more participatory democracy

Jonathan Geib

IYTT WORKING PAPER No. 1
APRIL 2021

in connection with IYTT's INTERNATIONAL YOUTH CONFERENCE 2019



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The IYTT: INTERNATIONAL YOUTH THINK TANK is a Gothenburg-based initiative mobilizing youth from diverse backgrounds across Europe with the aim of promoting a democracy movement based on open society values. Activities center around annual youth conferences in which participants develop and present policy proposals for strengthening an open and democratic society, while being brought together variously with executives from industry, academia, culture, politics, and civil society. Participants publish their proposals in a conference report and, engaged afterwards as Youth Fellows, develop them further into policy briefs through the "IYTT Bottom-Up Policy Advise Loop", a learning process involving open deliberations with decision-makers, scholars, peers in the IYTT European Youth Panel, and laypersons.



# Dynamics of instituting mini-publics for a more participatory democracy

Jonathan Geib

#### **ABSTRACT**

This working paper foregrounds key dynamics to engage with when instituting deliberative processes called mini-publics with the aim of achieving a more participatory democracy. Minipublics are deliberative forums in which 20-500 citizens, randomly-selected and filtered to match the overall population, investigate, deliberate, and make recommendations on public issues in order to improve decision-making and inform public opinion. 'Instituting' such forums is understood in two (potentially combined) modes: as enacting a one-time minipublic process or as formally institutionalizing such processes. Appeals to both have ascended in democratic theory and practice as a countermeasure to rising democratic deficits, and been encouraged by the relative success of recent citizens' assemblies. The paper's theoretical framework is based on the prevailing 'systemic approach' to deliberative democracy, in which mini-publics are understood as one component/site interacting—in various ways and to various degrees—with others within a wider system. The framework is then given a normative orientation around the potential of mini-publics to better empower citizens and thus generate a more participatory and citizen-responsive democracy, understood as a combinatory participatory-deliberative democratic system. Discussion of key dynamics in engaging citizens, civil society, governance, the media, and so on, driven by empirical examples, is then sorted under propositions linked with the two modes of instituting: how ad-hoc mini-publics can better engage with wider system dynamics and, how mini-publics can be institutionalized dynamically.

#### **KEYWORDS**

mini-publics, institutionalization, participatory democracy, deliberative democracy, deliberative systems

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The views expressed in this paper are those of the author and do not necessarily reflect the views of the IYTT.

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# **Research framing**

This working paper is the result of a six-week research overview commissioned by the International Youth Think Tank (IYTT), a Gothenburg-based initiative established in 2019 to mobilize youth from diverse backgrounds across Europe with the aim of promoting a democracy movement based on open society values.<sup>1</sup> Its activities center around annual youth conferences involving a four-day program in which participants<sup>2</sup> (32 in 2019 and 24 in 2020's online conference) develop proposals for strengthening an open and democratic society while being brought together variously with executives from industry, academia, culture, politics, and civil society. Participants present and publish their proposals in a conference report, and the ambition is that thereafter, as Youth Fellows, they continue to develop these proposals into policy briefs with input from scholars via research overviews and from laypersons via study circles. This learning process will constitute the "IYTT Bottom-Up Policy Advise Loop".<sup>3</sup>

Research overviews respond to participants' stated desire to test and strengthen their proposals in relation to relevant existing research and practice. In this process, young people also gain familiarity with research approaches and methods while shaping research agendas through their ideas, concerns, and feedback.

The overview resulting in this working paper was initiated and shaped in relation to a proposal from the first conference report (Arvidsson et al., 2020) as well as by two intervals of dialogue with Youth Fellows engaged in the process. The remainder of this section specifies three key influences on the shape of the subsequent content: the Youth Fellows' proposal, the importance of involving young people in research and practice, and, the methodological approach.

# The overview's initial shaping

The 31 co-authors of *Towards an Open Society* (Arvidsson et al., 2020), the final report of IYTT's International Youth Conference 2019, consider each of its nine proposals as distinct but "interconnected" (p. 23) and unified by an urgent call to action—for "taking agency"<sup>4</sup> amid

<sup>1.</sup> International Youth Think Tank (IYTT). (n.d.). About Us. https://iythinktank.com/about-us/. 'Youth' are understood here as 18-24 years old.

<sup>2.</sup> Youth living across Europe are invited to apply through open calls. Applicants are assessed based on a personal presentation (e.g. in written, audio, or video form). IYTT's conferences have attracted and filter for geographic and demographic diversity (unpublished internal documents; see also: https://iythinktank.com/2019/10/01/199/ and https://iythinktank.com/2020/10/23/218-applicants/).

<sup>3.</sup> International Youth Think Tank (IYTT). (n.d.). https://iythinktank.com/our-method/.

<sup>4. 11</sup> Youth Fellows, also co-authors of the report, produced a video conveying the motivation behind their proposals. IYTT. (2020). *Claim Agency, Reclaim Democracy: Building our Future in Democracy*. 26 Nov. 3:35. https://jythinktank.com/2020/11/26/youth-fellows-video-displayed-to-a-global-audience/.

the flurry of crises of today's "age of radical transformation" (ibid.). Among them: human rights violations, data exploitation, authoritarian challenges to and failures of representative democracy, inequality, climate emergency, and advancing automation. Recognizing the threat to open society ideals of individual rights and liberty, diversity, and institutions which function to serve people, and that the future of youth will be drastically affected by ongoing inaction, the co-authors emphasize that "the urgency and extent of these issues raise questions about the political framework and its efficiency" (p. 3). This necessitates "reshap[ing] the rules of the game" as "previous generations should have done this, but they did not" (p. 23). Motivating their proposals is the aim of making institutions more adaptive to today's changes and their increasing pace, and thus more responsive to people who are themselves dynamically changing. Three guiding aims drive the proposals: "more democracy; extended and deepened accountability networks; and inclusivity of marginalised groups and voices" (ibid.). Each expands, reforms, and/or strengthens public sector institutions and regulatory approaches (in the domains of: education, law, representation, human rights, economics, supply chain disclosure, and taxes), aligning with growing recognition that it will take much more than individual behavioral changes to address massive planetary challenges.5

The overview resulting in this working paper was formulated in dialogue with the report's third proposal, "Reviving the Democratic Tree: Enhancing Participation and Accountability of Our Leaders" (Arvidsson et al., 2020, pp. 9–13).<sup>6</sup> This proposal addresses the representation crisis or the growing 'void' between citizens and their representatives (Mair, 2013), a vicious cycle driven by and resulting in reduced transparency, poor responsiveness to citizens' needs, less accountability, erosion of trust in democratic institutions, and disengagement of citizens from political participation. Proposed is a mechanism comprised of two complementary tools: informal local assemblies and a national civic committee, both supported through online platforms. Local assemblies would gather citizens to deliberate issues directly affecting them and communicate results directly to the relevant government level. The national civic committee would be comprised of a random group of citizens serving in a formal, independent institution charged with monitoring the legislature's work and producing reports, opinions, and recommendations in a manner highly visible to citizens. The contours

<sup>5.</sup> Particularly the crises of climate and biodiversity. See, for example, the UN's global assessment report: IPBES. (2019). Global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. https://ipbes.net/global-assessment.

<sup>6.</sup> The choice of this proposal was a collaborative one between the IYTT and the author, whose research on relations between participation and institutions resonated in overlap with the proposal (however from an adjacent open field: transdisciplinary-oriented architecture and urbanism research). See: Huybrechts, L., Benesch, H., & Geib, J. (2017). Institutioning: Participatory Design, Co-Design and the Public Realm. *CoDesign: International Journal of CoCreation in Design and the Arts.* 13(3). 148-159. doi:10.1080/15710882.2017. 1355006.

of the proposal have only been briefly sketched here, as the role of the overview is not to evaluate it, but rather to generate a wider context in which the proposal's main features and key themes can be better understood and further developed.

# Involving young people in research

Given paradigm shifts in theory on knowledge<sup>7</sup>, its production<sup>8</sup>, and its dissemination<sup>9</sup> which open up, multiply, blur, and hybridize these formerly discrete domains, normatively-oriented researchers have been impelled to broaden their engagement across disciplinary and sectoral boundaries in ways which respect and emphasize the "partiality, plurality and provisionality of our ways of knowing".<sup>10</sup> This push towards transdisciplinarity<sup>11</sup> aligns with the diverse tradition of Participatory Action Research (PAR), in which research and action take place *with* people rather than solely *about* or *for* them.<sup>12</sup> Global sustainable development policy, meanwhile, increasingly calls for more integration of democratic and participatory approaches.<sup>13</sup> Intensifying anxieties over the future and wide-ranging stresses in the present motivate the involvement of children and youth in particular. Recent accelerations of climate emergency and activism, inequality, threats to democracy, concerns over social media and large multinational corporations, recognition of rights of children and youth, attention to child-friendly cities, and so on signal that younger generations have much at stake.

# Methodological approach

This working paper is the result of a six-week research overview which surveyed literature and cases in relation to the Youth Fellows' proposal and two intervals of dialogue with Youth Fellows engaged in the process. Two formal meetings paired with longer feedback periods

<sup>7.</sup> Russell, J.Y. (2010). A Philosophical Framework for an Open and Critical Transdisciplinary Inquiry. In Brown, V.A., Harris, J.A., & Russell, J.Y. (eds.). *Tackling Wicked Problems Through the Transdisciplinary Imagination*. London: Earthscan. 32-60.

<sup>8.</sup> Gibbons, M., Limoges, C., Nowotny, H., Schwartzman, S., Scott, P., & Trow, M. (2010[1994]). *The New Production of Knowledge: The Dynamics of Science and Research in Contemporary Societies*. London: Sage.

<sup>9.</sup> Callon, M. (1999). The Role of Lay People in the Production and Dissemination of Scientific Knowledge. *Science, Technology and Society*. 4(1). 81-94. doi:10.1177/097172189900400106.

<sup>10.</sup> Russell, 2010, p. 37.

<sup>11.</sup> This refers to the German version of transdisciplinarity which involves nonacademic stakeholders and non-scientific knowledge perspectives, rather than the more academia-centered U.S.-based version. Pohl, C. (2018). Handling different knowledges and roles in transdisciplinary research? Lecture. *Mistra Urban Futures Research School*. https://www.mistraurbanfutures.org/en/video/mistra-urban-futures-research-school-chris tian-pohl-session-1.

<sup>12.</sup> E.g. in child and youth studies: Mitchell, R.C. and Moore, S.A. (2018). Transdisciplinary Child and Youth Studies: Critical Praxis, Global Perspectives. *World Futures*. 74(7-8). 450-470. doi:10.1080/02604027. 2018.1485435; and, in design, "from designing for people to designing with us" (p. 213): Thackara, J. (2006). *In the Bubble: Designing in a Complex World*. Cambridge & London: The MIT Press.

<sup>13.</sup> See: the United Nations' 2030 Agenda for Sustainable Development (2015). https://sdgs.un.org/2030agenda; and the New Urban Agenda (2016). https://habitat3.org/the-new-urban-agenda/.

involving further informal discussions: initially regarding the author's overview proposal and then regarding the working paper's first draft. The commission was conducted part-time over a period of four months, which enabled the feedback periods to be 2–3 weeks each.

The partly-participatory methodological approach and its associated methods were mixed and interpretive—aligning with the author's research background and the timeframe. <sup>14</sup> It shares characteristics with multiple review types in its attempt to narratively survey, describe, and analyze in a thematic and qualitative—rather than quantitative—way. <sup>15</sup> It understands the world and how we approach it as dynamic, complex, and multiple, and is normative in seeking to effect its change, while striving to obtain a provisional, partly-objective perspective. <sup>16</sup> Besides standard in design research, an interpretive approach is promoted in the field of deliberative democracy as particularly well-suited to the study of the "ambiguities, dynamics and politics" of complex deliberative systems (Ercan, Hendriks, & Boswell, 2015, p. 195). Crucial, in this view, is how deliberative forums are shaped by and shape the wider system. An interpretive approach enables focus on aspects of systemic interaction linked strongly with context and contingency and further provides a framework for hosting divergent and marginalized perspectives (thus having a critical deliberative capacity in itself).

The search process involved initial alternating inquiries into practice and theory: surveying cases of and literature on citizens' assemblies (including grey literature) as well as literature on related topics of democratic innovations, deliberative democracy, and participatory democracy. As they emerged, aspects of cases and key concepts became networked and clustered around branches related to: mini-publics<sup>17</sup> and their institutionalization, the systemic approach of deliberative systems and key dynamics, and a participatory perspective on deliberative democracy. These branches were then configured to direct focus on various dynamics of instituting mini-publics for a more participatory democracy.

<sup>14.</sup> Nevertheless, it draws on more systematic studies, for instance, the OECD's report (2020) which analyzed upwards of 300 representative deliberative practices, and Elstub and Escobar's scoping review of literature on democratic innovations (2019).

<sup>15.</sup> Grant, M.J. and Booth, A. (2009). A typology of reviews: an analysis of 14 review types and associated methodologies. *Health Information & Libraries Journal*. 26. 91-108. doi:10.1111/j.1471-1842.2009.00848.x.

<sup>16.</sup> This 'partial perspective'—a mix of subjectivity and limited objectivity—generates what Haraway termed "situated knowledge" (1988), discussed in: Law, J. (2004). *After Method: Mess in Social Science Research*. London: Routledge.

<sup>17.</sup> In brief (as the term will be introduced later) a mini-public is a forum which gathers randomly-selected citizens, demographically representative of the overall population (at the relevant scale), over a limited time (from a day to weeks/months) to learn about, deliberate, and make recommendations on a public issue in order to inform decision-making and public opinion. The Youth Fellows' describe their proposals as similar to citizens' assemblies in purpose (local assemblies and national civic committee) and similar in member composition (national civic committee).

# 1. Introduction: responding in full to democratic deficits

Our global predicament has compounded since the 1970s, in spite of the proliferation of democracies since the 1989 fall of the Berlin Wall. <sup>18</sup> The now forty-year march of neoliberalism honed to a techno-centrist consensus in the late 1990s, blanketing over fading ideological differences between political parties, further fragmenting electorates and emptying the zone of engagement between citizens<sup>19</sup> and their political representatives (Mair, 2013). This growing 'void' (ibid.) both expresses and exacerbates the 'democratic deficits' of poorly-performing democratic institutions: citizens are not sufficiently involved, nor are they well-represented when policies are not responsive to public opinion. <sup>20</sup> The United States, for example, can now be considered to operate in effect as an oligarchy rather than a democracy, as elite economic and business interests—rather than citizens—dominate public policy (Lafont, 2019, p. 1, citing Page & Gilens, 2014). A global democratic deficit can be seen in the UNDP *People's Climate Vote* (2021)<sup>21</sup>—"the largest ever survey of public opinion on climate change" (p. 6)—which found that two-thirds of people (64%, and 69% of those under 18) consider climate change a global emergency.

The global financial crisis of 2007–2008 provoked a louder questioning of the established order than even the alter-globalization movement of the 1990s, catalyzing a "wave of global indignation"<sup>22</sup> of anti-austerity protests and "networked social movements"<sup>23</sup> in the early 2010s, including the Arab Spring, the 15-M or *indignado* movement in Spain, and Occupy Wall Street in the U.S. Youth activism was characteristically prevalent in these movements and is said to have produced "a new politically active generation", an "indignant generation".<sup>24</sup> A confluence of various contextual factors had been—since at least the late 1990s—fueling a worldwide rise in popular protest and populism. In the context of Europe, Mair (2013) showed

<sup>18.</sup> In 1970, the Club of Rome published *The Predicament of Mankind: Quest for Structured Responses to Growing World-wide Complexities and Uncertainties – A Proposal.* (https://www.futureworlds.eu/wiki/The\_Predica ment\_of\_Mankind). The world, it was argued, faced a 'problematique', or complex of interrelated problems, in which it was counterproductive to make isolated attempts to solve individual problems. This document led the way to *The Limits to Growth* (1972), the club's first report, which warned against pursuing indefinite economic growth (http://donellameadows.org/the-limits-to-growth-now-available-to-read-online/). On the number of democracies, see: https://ourworldindata.org/democracy.

<sup>19. &#</sup>x27;Citizen' is understood throughout in a broad sense as anyone subject to governing laws and policies and thus having a deliberative democratic right to take part in processes to affirm or change them.

<sup>20.</sup> Included is the notion of 'structural' democratic deficits. Mair (2013), for instance, refers to a lack of popular representation being built-in to the political structure of the EU.

<sup>21.</sup> United Nations Development Programme (UNDP). (2021). Peoples' Climate Vote. 26 Jan. https://www.undp.org/content/undp/en/home/librarypage/climate-and-disaster-resilience-/The-Peoples-Climate-Vote-Results.html.

<sup>22.</sup> Antentas, J.M. (2015). Spain: the *indignados* rebellion of 2011 in perspective. *Labor History*. 56(2). 136-160. doi:10.1080/0023656X.2015.1029813. p. 137.

<sup>23.</sup> Castells, M. (2015). *Networks of Outrage and Hope: Social Movements in the Internet Age*. Cambridge: Polity. p. 3.

<sup>24.</sup> Antentas, 2015, p. 147.

that "fertile breeding grounds for populism" (p. 140) were being created by the expanding void between citizens and political elites and its associated flattening out of political differences through technocratic governance, marked by the long-term shift from citizens' involvement *in* politics via close, long-term attachment with political parties, to citizens' increasingly detached and short-term 'spectator view' looking *at* politics. At the same time, social media and its algorithms have opened the door to new augmented levels of fragmentation and distortion by passively facilitating mis- and disinformation. The COVID-19 pandemic (2020–), has exposed global interdependencies and disrupted and defamiliarized the status quo, evoking reimaginings of the future and potential shifts in the 'Overton Window of Political Possibility'.<sup>25</sup>

The term 'democratic deficit', however, underplays (yet still accommodates) the extent of recent distress over the state of democracy: "Democratic Fatigue Syndrome" (Van Reybrouck, 2016, Part II); the creeping "global recession of freedom and democracy" now "spiraling down"<sup>26</sup>; and warnings about a new insidious form of 'despotism' in which democratic language and mechanisms are cleverly and seductively deployed towards corrupt, oligarchic ends, destroying democracies from within and resulting in "phantom democracies" (Keane, 2020, p. 17). But, critics—often the same ones—also point to positive countertrends. At a fundamental level, rising discontent can equally be taken as "a sign of [democracy's] vitality as a normative ideal" (Landemore, 2020, p. xiii), illustrating the persistent desire of the people to challenge and gain power. Further, today's 'crisis of democracy' can be seen specifically as primarily a crisis of *representative* democracy, with the possibilities of deliberative democracy becoming increasingly explored but not yet adequately implemented. (p. 25)

While mounting concerns over democratic deficits have greatly inflamed populism, they have also driven a proliferation of discourse and practice around deliberation and participation: the late 1990s 'deliberative turn' in democratic theory (Goodin & Dryzek, 2006); its later 'empirical turn' in the 2000s; the blossoming of the field of 'democratic innovations' after Graham Smith's introduction of the term (2009); 'the participation age' (Baiocchi & Ganuza, 2017); and, what the OECD calls the current 'deliberative wave' (2020), owing much to the "game-changer" (Smith & Bechler, 2019a) of the Irish Citizen's Assembly (2016). Along with the latter, Landemore (2020) finds optimism in the cases of the Icelandic Constitutional Assembly

<sup>25.</sup> Usually shortened as the 'Overton window', it describes politicians' tendency to "only pursue policies that are widely accepted throughout society as legitimate policy options". https://www.mackinac.org/Overton Window. On the U.S. context see, for example: Wong, D. (2021). Trump's COVID-19 Response Made Progressive Policies Mainstream. *Politics in the Pandemic*. 4(1). https://www.ujpps.com/index.php/ujpps/article/view/129.

<sup>26.</sup> Diamond, L. (2016). Global Democracy Is Spiraling Down. Here's What That Looks Like—And What President-Elect Trump Should Do. Stanford, CA: Institute for International Studies. https://medium.com/freeman-spogli-institute-for-international-studies/global-democracy-is-spiraling-down-7b2206643ad4.

(2011), a crowdsourced policy process in Finland (2013), and the Great National Debate (2019) and Citizens' Convention on Climate (2019–2020) in France.<sup>27</sup>

# Mini-publics as a response to democratic deficits

'Mini-publics' have ascended in popularity in democratic theory and practice as an attractive countermeasure to rising democratic deficits, mainly as a way of improving policy responsiveness, but also as a form of citizen participation. The term is linked to Dahl's proposal, in 1989, of a 'minipopulus': "an assembly of citizens, demographically representative of the larger population, brought together to learn and deliberate on a topic in order to inform public opinion and decision making" (Escobar, 2017, p. 428). Mini-publics, while varying in form, similarly aim to be a demographic microcosm of the larger population. They are usually commissioned by a public authority, sometimes in collaboration with and/or in response to pressure from civil society. Good practice is for the process to be independently managed (OECD, 2020). The following further description draws primarily from Escobar and Elstub (2017). Mini-publics are distinguished from other deliberative processes by being comprised of randomly-selected citizens—anywhere from 20 to 500 (MacKenzie & Warren, 2012, p. 95)—typically chosen through 'stratified random sampling', a method which combines randomized selection (also known as 'sortition') with filters ensuring proportional representation of various demographic characteristics, e.g. age, gender, ethnicity, disability, income, geography, education, religion, etc. Such representativeness—at a scale appropriate to the range of those affected by the public issue(s) in question—is a core precondition of legitimacy. Landemore (2020) sees this as a new form of 'democratic representation' defined by its being "accessible to all on an equal basis" (p. 55), set in contrast with the exclusionary effects inherent in 'electoral representation'. The public issue is usually set by the initiator, but in some cases may be open to redefinition. Chosen citizens (who also self-select, as participation is not compulsory) then join a series of facilitated meetings over a time period dependent on the form of mini-public. Citizen participants are typically paid. Experts and stakeholders (potentially including laypersons) testify as 'witnesses' and are questioned by citizens, who afterwards continue deliberating the issue until they are able to agree on recommendations to vote on. The deliberation process is an almost wholly different paradigm from electoral representation, as participants are not meant to represent their own or others' pre-set positions but engage in a process to further develop their thinking in relation to a

<sup>27.</sup> Respectively: https://participedia.net/case/5316 (Ireland); https://participedia.net/case/131 (Iceland); https://participedia.net/case/1445 (Finland), and; https://participedia.net/case/5592 and https://participedia.net/case/6044 (France).

diverse range of positions and to the common interest.<sup>28</sup> Recommendations, usually in the form of a report, are then communicated to the relevant governmental level and to the public. Ideally, majority and minority perspectives are included (Patriquin, 2019, p. 33).<sup>29</sup> Mini-publics are typically 'one-offs', organized ad-hoc to address a specific issue and then disbanded, but calls to formally institutionalize them have grown louder. Mini-publics have shown that citizens, "when given time and resources to learn and deliberate" (Escobar, 2017, p. 430), can tackle complex issues and "produce considered recommendations" (ibid.) which can "crystallize latent public opinion, complement expert judgments, and formulate politically viable policy options" (MacKenzie & Warren, 2012, p. 95). Mini-publics' foregrounding of thoughtful consideration of evidence and reasoned deliberation takes on new relevance in light of the context and fever-pitch pace of mis-/disinformation and 'post-truth' politics (Bächtiger et al., 2018).

Due to the force of habit, vested interests in the present, and Western bias, 'democracy' is considered synonymous with the elections of representative democracy. Yet, as Van Reybrouck (2016) and Keane (2009) have shown with great clarity, elections have comprised only a 200-year fraction of democracy's almost 3,000-year history, while "assembly democracy" (ibid.) comprised the rest. Mini-publics fit broadly in the latter tradition, but are more precisely conceptualized within the vast but relatively recent paradigm of 'deliberative democracy' which ascended in democratic theory in the 1990s and continues to grow. It is grounded in the idea that "those affected by a collective decision have the right, capacity and opportunity to participate and deliberate in the making of those decisions" (Ercan & Hendriks, 2013, p. 424, citing Cohen, 1989). In this view, it is the process of citizen involvement in deliberation leading up to a political decision—not just citizens' right to vote (or consent to representatives to vote on their behalf)—that brings legitimacy to laws and policies. Deliberative democracy's emphasis on reciprocity, consensus, and finding previously unseen common interests—or "transformative talk" (Rose, 2009, p. 216, citing Barber, 1984) contrasts sharply with democracy seen primarily as a zero-sum struggle between competing self- and group interests or what Mansbridge (1980) called 'adversary democracy' (Rose, 2009, p. 214).<sup>30</sup> Although this contrast can be seen as complicated in more recent scholarship, the

<sup>28.</sup> Although participants may feel a sense of duty to represent a certain perspective, possible distortion in relation to the common interest is far less pernicious among a random sample of 'ordinary' citizens than among a sample of activists, experts, politicians, stakeholders, etc. with higher-stakes interests.

<sup>29.</sup> For details on the typical inner-workings of the process and their design, see: Harris, 2019; Patriquin, 2019; XR, 2019.

<sup>30.</sup> The theory of agonism (or agonistic pluralism) takes a similar perspective on democracy, critiquing consensus-focused approaches essentially for bracketing out a broader notion of the political—e.g. who decides who deliberates, and over what agenda—and for, relatedly, obscuring the ineradicable impact of power relations. See, for example: Mouffe, C. (1993). *The Return of the Political*. London & New York: Verso; Mouffe, C. (1999). Deliberative Democracy or Agonistic Pluralism? *Social Research*. 66(3). 745-758.

difference in overall framing remains: "the roots of deliberation can be found in friendship rather than competition" (p. 216).

Deliberation is defined in the ideal by Landemore (2020) as "an exchange of arguments among free and equal individuals" (p. 115). Bächtiger et al. (2018) trace a first and second generation of thinking which moved from a generic to a more nuanced, pluralist view which understood (or re-clarified) that, in deliberative argumentation, 'reason' and 'emotion' are interrelated. Deliberative quality in ancient assembly democracy undoubtedly varied, but was actually quite low in the case of the People's Assembly of Athens, characterized by "a succession of speeches by gifted orators" (Landemore, 2020, p. 132, citing Hansen, 1991). The more important common feature mini-publics share with ancient assembly democracy is the sortition mechanism—for example that of the Council of 500 in Athens—which opens inclusive and equal access to citizens. The normative ideal of the latter underpins what Landemore (2020) calls the 'intrinsic' argument for deliberative democracy (p. 6). An 'instrumental' argument (ibid.) also tends to be made as, again, deliberation has been shown to lead to better, more citizen-responsive decision-making (Curato et al., 2017). In her work on 'epistemic democracy', Landemore links the two arguments as "integral to each other" (2020, p. 7): it is the very diversity of perspectives—in mini-publics brought together by the sortition mechanism—which generates a greater 'cognitive diversity', which in turn "increases the chance of the group successfully solving collective problems" (p. 37), in comparison with a more homogenous group (see also: pp. 42, 170–171; Landemore, 2013).

Escobar and Elstub (2017) identify five forms of mini-publics: citizens' juries, planning cells, consensus conferences, deliberative polls, and citizens' assemblies. Each varies in origin, number of citizens involved, time commitment, activities, and the result and its communication. Within its wider framework, this paper primarily cites examples involving citizens' assemblies, which have been shown to be well-suited to taking on large, contentious public issues largely avoided by politicians (Renwick, 2017, p. 27). Having around 100–160 members, they are also large enough to achieve demographic representativeness (versus smaller citizens' juries), and their relatively long length—20–30 days spread over multiple months or a year—enables higher quality deliberation and thus more detailed recommendations, which are generally taken with greater weight due to the relatively large scale of this form of mini-public (in terms of number of participants and duration). A citizens' assembly is typically formally authorized by a governing authority although its recommendations are usually not binding. It may variously be initiated and/or run by one or a combination of: governing authorities, civil society organizations (including grassroots

http://www.jstor.org/stable/40971349, and; Rancière, 2010. Nevertheless, points of common ground could coalesce around the key role of transformative moments and principles of equality.

organizations), universities, groups of public intellectuals, and, in some cases indirectly by citizens through signature collection.

Smith attributes the explosion in interest in citizens' assemblies to the success of the Irish Citizen's Assembly (2016) (Smith & Bechler, 2019a). After a change of national government in Ireland, citizens' assemblies<sup>31</sup> were called by parliament "to break political deadlock" on issues including abortion, same-sex marriage, and climate change (The Extinction Rebellion[XR], 2019, p. 20). These assemblies showed that citizens "can be entrusted with complex, fraught, and profoundly divisive questions" and have their recommendations affirmed by the public in referendums (Landemore, 2020, p. 152).

While mini-publics have been used since the 1950s, the first use of a citizens' assembly model was the 2004 British Columbia Citizens' Assembly on Electoral Reform (BCCA).<sup>32</sup> It was set up by the provincial government of British Columbia to investigate changes to the provincial voting system, with the result sent to a referendum. Its 161 members met nearly every other weekend for almost a year (XR, 2019, p. 22). Their deliberation (among themselves and with other citizens) and internal research process involved fifty public hearings and 1,600 written submissions (Patriquin, 2019, p. 19). In the end, 93% of participants favored changing the system (XR, 2019, p. 22), and a new system was recommended. A referendum was then called, but failed by a narrow margin (achieving 58% of 60% necessary). However successful this mini-public was internally as an exemplary deliberative process, it was unsuccessful in terms of influence. The theoretical framework introduced in the following section provides a way to more clearly explain this.

# Responding in full: expanding to a systemic approach

In short, mini-publics respond *in part* to democratic deficits, but need to respond *in full*. This is the gist of the 'systemic approach' to deliberative democracy (also termed the 'deliberative systems approach'), a theoretical framework first laid out by Mansbridge et al. in 2012. This paper adopts the systemic approach, but gives it a further participatory orientation in Section 2. The systemic approach has established itself as the prevailing 'fourth generation' of scholarship on deliberative democracy (Elstub, Ercan, & Mendonça, 2016). Rather than exclusive focus on perfecting individual sites of deliberation, analysis is instead expanded to the connections and transmissions/translations between sites, agents, and discursive elements in a given context (Ercan, Hendriks, & Boswell, 2015), in other words, to a focus on "the interdependence of sites within a larger system" (Mansbridge et al., 2012, p. 1). Taking a

<sup>31.</sup> To put the 2016 Citizens' Assembly in a broader organizational context, see: https://www.citizensassembly.ie /en/previous-assemblies/.

<sup>32.</sup> https://participedia.net/method/4258. Citizens' Assembly: Origins and Development. para. 5.

systemic approach reveals that however high a mini-public's 'internal quality' (Curato & Böker, 2016, p. 176) of inclusion and deliberation, if poorly-connected outside itself—to the public, civil society, media, legislative bodies, etc.—it is likely to fail to garner influence and legitimacy. Thus low 'external quality' will contribute poorly to the wider system's deliberative capacity (ibid.).<sup>33</sup> Conversely, even a mini-public of poor or mixed internal quality could theoretically "co-develop" (pp. 184–187) with other components/sites to positive systemic effect.

The expansive perspective of the systemic approach recalls that of the first generation of scholars, most prominently Habermas (1996), who focused on normative theorizing on "the need for deliberative democracy to occur on a mass/system-wide level" (Elstub, Ercan, & Mendonça, 2016, p. 141), through ongoing interaction between processes shaping the public sphere and political decision-making processes. Some scholars conceived of deliberation in an ideal sense which privileged rational argumentation. This "rather limited notion of deliberation" (ibid.) was critically challenged by a second generation, who advanced a more pluralistic and grounded notion legitimizing other forms of communication such as "storytelling, rhetoric, and greetings" (p. 142, citing Young, 1996) and who contested the aim of consensus by drawing attention to power inequalities and instrumentalization. The trendline towards the arena of practice continued with the third generation's 'empirical turn' towards a narrower focus on the design and analysis of deliberative institutions—or individual sites of deliberation. In contrast, the systemic approach of fourth generation scholars widens the lens of analysis to focus on relations between multiple system components/sites, particularly between the 'micro-deliberation' conducted in mini-publics and the 'macrodeliberation' of public opinion (Ercan & Hendriks, 2013, p. 430). This recognizes "that most democracies are complex entities" (Mansbridge et al., 2012, p. 1) and thus "no one [deliberative] institution can be perfectly legitimate" (Parkinson, 2006, p. 165). While minipublics should still pursue and be evaluated in terms of internal deliberative quality, the systemic approach foregrounds how a wider range of components—including the mini-public as the primary reference point—interact and co-develop the quality of the larger deliberative system (Curato & Böker, 2016, p. 188).

As a systemic approach expects and encourages systemic diversity, it is capable of accommodating both reformist and radical components. But the very "conceptual openness" (Mendonça, 2016, p. 6) of the approach has attracted criticism that it defers excessively to the

<sup>33.</sup> With their concept of *institutioning*, Huybrechts, Benesch, & Geib (2017) suggested a similar reframing in the field of Co-Design and Participatory Design: from excessive focus on the scale of the participatory workshop to an expanded analysis considering how participatory workshop activity is shaped by and shapes institutions. See: Institutioning: Participatory Design, Co-Design and the Public Realm. *CoDesign: International Journal of CoCreation in Design and the Arts.* 13(3). 148-159. doi:10.1080/15710882.2017.1355006.

existing system, insufficiently considering its asymmetries of power (ibid.) and other "deliberative wrongs" (Owen & Smith, 2015, p. 11). Focus on actual deliberation between citizens is diluted as traditionally strongly-deliberative sites (e.g. mini-publics) are no longer the exclusive focus, but framed as distributed within a wider analysis which includes nondeliberative and weakly-deliberative components/sites. Mendonça calls for greater critical attention to three 'dangers' when taking a systemic approach. First, it may create or reinforce asymmetries by disempowering relatively weak actors, who may have fewer resources or be perceived less legitimately outside a mini-public, for instance, making less equal their 'deliberative'<sup>34</sup> contribution. (Mendonça, 2016, p. 4) Second, it potentially reduces legitimacy, as decision-makers are informed not by a coherent deliberation (from a single mini-public, for instance), but by an aggregation of discourses from multiple dispersed sites in a system, potentially very fragmented. (pp. 5-6) Third, it severely underestimates the challenge—or what Mendonça suspects is an "insurmountable problem" (p. 10)—of translation between components or 'discursive arenas' (p. 7). Mendonça argues that discourses are attached to their source contexts and, when translated, "certain feelings and worldviews" (ibid.) may fall away, fragmenting the overall content. Yet 'deliberation in the wild' will never escape these challenges, so these critiques serve to orient analysis and suggest mitigation measures. Mendonça emphasizes that improving a deliberative system generally requires promoting more overall connectivity and 'porosity' between components (though recognizing that not every connective relationship is productive and in fact may be counterproductive). Supported by examples from the Brazilian context, Mendonça proposes increased focus on "inducers of connectivity" which "link different processes and arenas of communication" (ibid.): bureaucrats, the media, and activists "who act as representatives in multiple venues" (p. 1). Again, these actors/processes may or may not be productive to deliberation, depending on when and how they generate connections, but, in any case, their role has been underestimated.

While the systemic approach already opens towards a citizenry-focused perspective, the following section gives it further normative orientation around the potential of mini-publics to better empower citizens and thus generate a more participatory and citizen-responsive democracy. Section 3 organizes discussion around two (potentially combined) modes of setting up or 'instituting' mini-publics: enacting a one-time mini-public process or formally institutionalizing such processes. In order to foreground key dynamics at play (or to be *kept* in play) when instituting mini-publics with the aim of achieving a more participatory

<sup>34.</sup> A potential problem of 'conceptual stretching' appears in the systemic approach when it takes as 'deliberative' *any* communicative exchange, rather than requiring the exchange to be between 'free and equal' individuals. 'Deliberative capacity' is perhaps a more useful term, as it portrays a continuum in reference to the guiding normative ideal of deliberation.

democracy, the discussion integrates concepts from the systemic approach on an as-needed basis and is driven by empirical examples.<sup>35</sup>

# 2. Participatory-deliberative democratic systems

Mini-publics can be seen as problematic to the extent they substitute for public opinion. Lafont (2019) makes a compelling philosophically-based critique against 'empowered minipublics', or those with decision-making power, arguing that they function as a "microdeliberative shortcut" (p. 109) which bypasses citizens' participation in public debate ('macro-deliberation'). Her critique appears largely precautionary, as very few mini-publics are actually 'empowered' in this way. Although mini-publics have been shown to accurately reflect 'considered public opinion' (or how citizens would decide on an issue if they had the chance to participate in a similar process of deliberation) Lafont holds that such shortcuts undermine the democratic ideal of self-government, specifically the Habermasian notion of democratic control, which "requires an ongoing feedback loop between processes of opinionand will-formation in the public sphere and political decisions taken by the political system" (p. 24). Her "participatory perspective" (ibid.) on democracy is predicated on all citizens having a chance to identify with and reflect on the laws they are subject to, rather than "blindly deferring" (p. 128) to others' decisions. Whether participation is 'thick' or 'thin', what matters for Lafont is its presence in some form, to enable connection of citizens with their government. Mechanisms which instead encourage disconnection avoid "the long road of participatory deliberative democracy" (p. 10), or of "changing the minds, hearts, and political will of our fellow citizens" (p. 86). This holistic perspective recognizes that policy which is out of alignment with "the underlying attitudes, beliefs, and value orientations of the majority of the population" (ibid.) cannot be sustained, due to, at the least, implementation and enforcement issues. Lafont cites the example of anti-discrimination policies failing to achieve their aims until "citizens become sufficiently knowledgeable so as to overcome their racist, xenophobic, or homophobic beliefs and attitudes" (p. 88). Thus, besides a right to participate in shaping public opinion and debate on the laws and policies one is subjected to, a participatory perspective also suggests, from both an activist and governance perspective,

<sup>35.</sup> A key resource for learning more about these examples is Participedia, "a global network and crowdsourcing platform for researchers, educators, practitioners, policymakers, activists, and anyone interested in public participation and democratic innovations". https://participedia.net/.

the centrality of *pedagogy, critical education*<sup>36</sup>, *and learning* in effecting transformations of that debate.

Though rejecting empowered mini-publics, Lafont's critique reinforces the broader view taken by the systemic approach and opens new citizen-centered perspectives. She proposes that "citizens should use mini-publics to empower *themselves*" (p. 11, my emphasis) in *contestatory, vigilant*, and *anticipatory* ways (pp. 146–159). Mini-publics whose recommendations disagree with majority public opinion can be used as evidence by those in the minority to better contest the majority and advance their cause. The same mini-public can alert the public to be vigilant to an issue and better inform themselves. Similarly, when a mini-public's recommendations agree with public opinion, but not with policy, this can alert the public to "scrutinize the political system" (p. 153). Mini-publics can also be used in an anticipatory way in cases where public opinion has not yet formed, to raise visibility of the issue. Lafont sees the "highest democratizing impact" in this use of mini-publics, specifically in the realm of "transnational political processes" (p. 158) such as international trade agreements. In these examples, mini-publics are aimed not just at securing better policy, but at improving the responsiveness of the whole system by opening to multiple uses and to all citizens.

Christiano's (2020) critique highlights Lafont's agreement that mini-publics improve the knowledge and democratic qualities of policy outcomes and speculates that mini-publics might "provide a better approximation of democratic ideals than any feasible attempt at large-scale democratic deliberation" (p. 108). Christiano wonders if the latter, the 'long road' of building an informed citizenry, "is simply not feasible or only feasible at very great cost" (ibid.), and counters the idealistic and "individualistic approach" (p. 109) of Lafont with a more pragmatic "collaborative conception of citizenship" (ibid.) which acknowledges that we act with partial information. Lafont would counter that we should not design ways to further fragment this, and qualify that her "not-fully-utopian" (Lafont, 2019, p. 23) ideal means evaluating mini-publics, for instance, "from the point of view of whether they would increase or decrease citizens' democratic control" (ibid.).

Lafont's analysis shows how mini-publics not empowered to make decisions<sup>37</sup> can still effectively intervene in the dynamics of what could be more descriptively called *participatory*-

<sup>36.</sup> The term 'critical education', as used by CAMINA (Critical and Alternative Methods & Ideas Network for Action), intends to be more accessible and inclusive than the terms critical pedagogy or popular education: "it allows us to include practices which might not align explicitly with the work of [Paulo] Freire, or might go by a different name or category (or no label at all), such as; intercultural education, peace education, global education or values education, among others". http://caminaproject.weebly.com/what-do-we-mean-by-critical-education.html.

<sup>37.</sup> Though Lafont does not accept, on principle, empowered mini-publics, her arguments for the systemic effects of mini-publics could apply to *any* mini-public, whether or not it was institutionalized.

deliberative democratic systems, in order to support a more citizen-responsive democracy. Her insistence on the mass participatory dimension of democracy gives a normative orientation to the systemic approach adopted here, which helps guide Section 3's inquiry into key dynamics to engage with when instituting mini-publics with the tandem aims of improving the wider public's deliberative capacity and improving policy-making.

# Opening to a wider perspective on deliberation and democracy

It is important to note that deliberative democratic theory, and therefore this paper, are largely positioned from and shaped by Western perspectives, and thus other perspectives are not heard, or are heard relatively faintly. While dominant traditions can often be shown to be heterogenous, involving multiple strains and contextual variations, and the distinction between West/non-West can similarly be complicated<sup>38</sup>, political imagination and innovation would be well-served by mutually learning from and building solidarity with non-Western contexts of deliberation and democracy.

The study of deliberation has until recently been "strangely self-limiting", mostly focused on "democratic states, developed and Western, over a short snatch of human history" (Sass, 2018, para. 2). Western biases have been reinforced by the persistent simplistic myth that democracy was born in ancient Athens, when in fact it had much earlier eastern roots, in governance through public assemblies across geographical areas that "correspond to contemporary Syria, Iraq and Iran" (Keane, 2009, para. 4).

Although there has been a "surging interest in non-Western political traditions" in political theory (Sass, 2018, Normative Justifications section, para. 4), studies engaging in this area operate largely in isolation from each other and at present offer only "a rough guide", with focus on South America's widespread "experimentation with deliberative governance" getting the most coverage. (Ideal Explanations section, para. 2)<sup>39</sup> A broader perspective engaging across current and previous cultures through comparative political theory is necessary to enrich understanding of the potentials and limits of deliberation, justify its normative ideals, connect with its common use across human groups, and to engage with globalization. (Sass, 2018)

In the domain of deliberative democratic theory and practice, Sass and Dryzek (2014) argue against "tak[ing] Western practices as a yardstick of democratic performance" (p. 20). They develop a contextualist approach which at the same time integrates a universalist

<sup>38.</sup> For example, see: Youngs, R. (2015). Exploring 'Non-Western Democracy'. *Journal of Democracy*. 26(4). Oct. 140-154. https://carnegieeurope.eu/2015/10/25/exploring-non-western-democracy-pub-61825.

<sup>39.</sup> For example, see: Pogrebinschi, T. (2018). Deliberative Democracy in Latin America. In Bächtiger et al. (eds.). Chapter 53.

understanding in order to seek "democratic potential wherever it appears" (ibid.), including in non- or even anti-democratic contexts. They call for an exchange about deliberative forms and conditions through the study of 'deliberative cultures', while at the same time establishing its commonality across cultures as "a universal human competence to reason collectively" (p. 4) held by cognitive scientists to be "important for human development and central to our evolutionary success" (ibid., citing Mercier, 2011). By taking a wider view not limited to political decision-making, Sass and Dryzek also see "deliberation about the use of power" as a "basic feature of political systems" (p. 4). Understanding both commonalities and differences requires "comparative and historical studies of diverse contexts" which inquire into how the character of deliberation "varies considerably across time and place", partly through cultural variation in its "meaning, significance, and consequence" and in associated political institutions (ibid.). Sass and Dryzek note recent scholarly interest in "new political contexts as different as China, Brazil, and India" (ibid.), analyze an Egyptian case in depth, and provide diverse examples from Botswana, Europe, India, Japan, Madagascar, the United States, Yemen, and elsewhere. Others have inquired into the variety and commonality of indigenous peoples' practices of political deliberation in relation to their exercise of rights to self-determination and self-government (e.g. Hébert, 2018).

Sass and Dryzek's (2014) focus on the relation between culture and deliberation—how deliberation is enabled, supported, and inflected by always-particularized cultures resonates with Lafont's (2019) warning against using mini-publics as a 'shortcut'. Political cultures enable functioning democracy, and the health of democratic institutions depends on a (particularized) "civic culture of public participation", not only on the "logically coherent political thought" (Sass & Dryzek, 2014, p. 6, citing Benhabib, 1988) of well-designed democratic frameworks, mechanisms, or institutions. Sass and Dryzek adopt a contextual, process-based view of culture as "multilayered and complex" (p. 20), involving "the webs of meanings, symbols, and norms in terms of which action is constituted" (p. 7). This view aligns with an 'expansive' definition of deliberation as "all communication concerning questions of political authority" (p. 8, citing Bächtiger et al., 2010 and Warren, 2007, my emphasis) including "rhetoric, silence, gossip, humor, ritual, the telling of stories, and what Mansbridge calls 'everyday talk' (but not command, deception, coercion, or private expressions that cannot reach others)" (ibid.). Taking a systemic approach enables Sass and Dryzek to seek insights about deliberation in unlikely contexts, by studying how "communicative acts which are not deliberative in intention can be deliberative in effect" (ibid.)—for example an activist intervention which later provokes reflection and public discourse.

Perhaps due to Western biases (focus on individualism, competitive debate, and immediate results), we tend to think of deliberation in terms of relations between speakers, missing the significance of *listening* as the other half of experience. Based on empirical study of practices

emerging in the Egypt-born Islamic Revival movement, Sass and Dryzek (2014) draw two insights: "the role of listener rather than speaker can be central to an ethic of deliberation" and "an ethic of listening provides one way of handling deep disagreement" (p. 13).

# Cultivating open-mindedness: from partisanship to participation

The party politics of today's representative democracy can be seen to fuel and depend on the close-mindedness of partisanship, arguably to a great extent.<sup>40</sup> In contrast, participation in mini-public deliberation has been shown to generate open-mindedness to a diversity of perspectives and solidarity with other participants. One of the key findings from deliberative democracy research is that "deliberation is the solution to group polarization" (Curato et al., 2017, p. 33). Given a diverse group, the structured facilitation of deliberation (typical of minipublics) is the decisive factor in shifting views "toward a generally more tolerant opinion", whereas unstructured deliberation produces more group polarization (ibid., drawing on Grönlund, Kaisa, & Setälä, 2015). A related key finding is that deliberative democracy can also work in "deeply divided societies" (ibid.). Mini-publics can create "mutual respect and understanding across discursive enclaves" (ibid.), and "promote recognition, mutual understanding, social learning about the other side, and even solidarity across deep differences" (ibid., citing Kanra, 2009 and Vasilev, 2015). Open-mindedness is a virtue Landemore (2020) seeks to cultivate in her proposed model of 'open democracy'. She argues that mini-publics encourage virtues of "a sense of honor or duty or even the fraternity and solidarity felt for one's fellow citizens" (p. 204) and can "promote feelings of identification and belonging" (ibid.), whereas these virtues are made secondary to competition in the paradigm of party politics. In her experience of the French Convention on Climate Change, Landemore was struck by the "love and affection among the randomly selected participants" and "the sense of personal responsibility toward each other and the larger public that these feelings, or others, seem to have promoted in most" (ibid.).

Crucially, open-mindedness and solidarity support scenarios of either agreement or disagreement. While scholars originally argued that deliberation should in theory aim for consensus—critiqued strongly by theorists of agonistic pluralism<sup>41</sup>—, this was not usually expected in practice. Achieving a 'meta-consensus' is today seen as most important (Harris,

<sup>40.</sup> Landemore notes that the strength of the link with partisanship is one of the likely "controversial claims" in her argumentation. (2020, p. 14) Though in theory the strength of such a link is not a given, in practice the empirical evidence becomes overwhelming in certain cultural contexts such as the U.S., where the partisan divide has doubled since 1994. See: Pew Research Center. (2019). *In a Politically Polarized Era, Sharp Divides in Both Partisan Coalitions*. Report. 17 Dec. https://www.pewresearch.org/politics/2019/12/17/in-a-politic ally-polarized-era-sharp-divides-in-both-partisan-coalitions/.

<sup>41.</sup> See, for example: Mouffe, C. (1999). Deliberative Democracy or Agonistic Pluralism? *Social Research*. 66(3). 745-758. http://www.jstor.org/stable/40971349.

2009, p. 50, citing Niemeyer & Dryzek, 2007 and Curato et al., 2017), defined as the result of "authentic deliberation" and "agreement on the domain of reasons and considerations relating to the issue at hand, as well as the nature of the available choices" (ibid., citing Dryzek & Niemeyer, 2006). This also implies a respect for the process and acceptance of the result. This more recent pluralistic understanding of deliberative democracy might then be more accurately termed 'participatory-deliberative' as it emphasizes the value of *participation in* deliberation, even if the process does not lead to consensus.

The notion of *participatory-deliberative democratic systems* aims to better convey and promote the pluralism and dynamism at play in a systemic approach. Escobar (2017) similarly appeals to "a more vibrant ecology of democratic participation" (p. 432) in which various forms of democracy—participatory, direct, deliberative, and representative—interact and combine in various ways. The added prefix 'participatory-' also clarifies the normative aim of engaging not just mini-publics participants, but engaging the wider citizenry towards a more participatory and citizen-responsive democracy.

# 3. Dynamics of instituting mini-publics

Enabled by the pluralism and dynamism encouraged by a *participatory-deliberative* systemic approach, two distinct (and potentially combined) modes of setting up or 'instituting' minipublics can be considered: enacting a mini-public as a one-time process or formally institutionalizing such processes. Background context regarding each mode will be given in turn. In the systemic approach taken here, the dynamics of relations between a mini-public—whether institutionalized or not—and other components in a system, particularly the public, are foregrounded. The crucial aspects to discuss are which dynamics to be aware of and how to engage them productively. Discussion is sorted under propositions linked with the two modes of instituting: A) How ad-hoc mini-publics can engage with wider system dynamics, and B) How mini-publics can be (formally) institutionalized dynamically. Although dynamics are partitioned into separate categories for clarity, their overlaps and interrelations will become apparent.

# A. How ad-hoc mini-publics can engage with wider system dynamics

While mini-publics should be held at the most local scale appropriate to the issue at hand, they should also reach out beyond the local. In their investigation of localism and deliberative democracy, Ercan and Hendriks (2013) find inward-facing concentration on mini-publics—as if they were islands. This tends to ignore "that local institutions are embedded in larger social and political and economic structures" (p. 431, citing Mohan & Stokke, 2000). This example of

scale more broadly suggests that interdependency (or 'co-development') calls mini-publics to engage with wider system dynamics.

One should be cautious, however, and careful not to lose one's normative orientation, as complex systems, such as political processes, by nature resist predictability and "it proves hard to trace the direct impact of any particular input" (Goodin & Dryzek, 2006, p. 238). On the other hand, this uncertainty conceptually unlocks multiple paths of impact beyond the rare case of a mini-public having formal decision-making power. Goodin and Dryzek (2006) outline several potential such paths: being taken up in the policy-making process; informing public debates; shaping policy by its 'market testing'; legitimating policy; building confidence and constituencies (psychological and socio-political); public oversight (especially if the minipublic is permanently instituted); and resisting co-option (through their strong deliberative dimension). Most of these appear in the following discussion in which key dynamics are clustered under three categories: engaging citizens; engaging expert and stakeholder witnesses, and; engaging 'all around'.

### **Engaging citizens**

Through connecting with the public and stimulating public debate – From the perspective of a systemic approach, it is not enough for mini-publics to focus on their own internal processes. They must play an active role as "brokers of knowledge" through what Niemeyer (2014) terms "deliberation-making" (cited in Curato & Böker, 2016, p. 177), or "distilling and synthesising relevant discourses" to the wider public. The aim should be to enrich and open up public deliberation rather than foreclose it by claiming to have settled an issue. Through foregrounding multiple well-considered and nuanced positions, they can help shape a 'metaconsensus', or a "public understanding on the range of legitimate positions" (ibid., citing Niemeyer & Dryzek, 2007) which would stimulate further reflection and deliberation, and thus improve a system's deliberative capacity (p. 178). A posture of openness must be balanced, however, with seeking a certain weight and standing such that a mini-public's recommendations would not be "undermined by partisan campaigners manipulating public debate" (ibid.).

To maintain internal deliberative focus, a limited number of mini-public participants and organizers could be given designated roles to engage the public. Riedy and Kent (2017) suggest appointing some participants as ambassadors who would act as a conduit to the public as media spokespersons and more informally, with the aims of "persuad[ing] and justify[ing] the legitimacy of the mini-public and its findings" (p. 120) and relaying public feedback back to the mini-public. A precedent for integrating new roles is seen in the City of Melbourne's model of using 'expert ambassadors' in combination with a citizens' jury as part

of Future Melbourne 2026 (2016), a six-month community engagement process. These ambassadors were highly involved throughout the process, including supporting jury participants "in a stewardship role" (p. 114).

Because a mini-public is co-dependent with a wider system, engagement strategies can vary profoundly, depending on the health of this system. Riedy and Kent's (2017) case analyses of the citizens' juries of Infrastructure Victoria (2015) found, for instance, that in the context of a "defective public sphere" (p. 116), it may be advisable to withhold the details of a mini-public's discussions from the public until it reaches a conclusion in order to avoid "negative political responses" (ibid.).

Mellier and Wilson (2020) compare two prominent 'climate citizens' assemblies', the Climate Assembly UK (CAUK) (2020) and the Convention Citoyenne pour le Climat (CCC) (2019–2020) called by French President Emmanuel Macron. They attribute much of the recent surge in interest in mini-publics to "the lack of confidence in, and poor track record of, conventional policymaking in tackling climate change" (para. 2). And, while they stress that addressing climate change "requires action far beyond what climate assemblies have proposed so far" (para. 22), they note that these citizens' assemblies recommended "far more ambitious" (para. 7) policies than politicians and cite "good evidence" that they have had "significant and immediate effect on the climate policy environment in London and Paris" (ibid.). At the same time, implementation of their recommendations is in question. Among the major differences foregrounded by Mellier and Wilson: CCC's engagement with the public far exceeded that of CAUK, to the point of generating a national debate. CAUK tightly controlled its boundary with the public due to its emphasis on being independent and representative of 'ordinary' people, and on its pre-structured role of being a process functioning strictly to "to inform political chambers (parliament)" on "predetermined policy options developed upstream by experts" (para. 14). Participants were "not encouraged" (para. 12) to speak to the media or do research between sessions: the process was "never designed to create a genuine national debate, and it didn't" (para. 19). By contrast, CCC was conceived as a political process "to influence policymaking" (para. 14), open to emergent development and exchange beyond its boundary. 42 Owing to these and a variety of other factors (in a complex system one cannot determine complete causality), a national debate was generated. A week after the CCC's final vote, French citizens were highly aware of the CCC (70 percent recognition). Further polling indicated public support for most CCC proposals (62%), thus creating " a very powerful mandate for change" (para. 18). Mellier and Wilson also point to its knock-on participatory effects: its generation of "a movement of people who engaged with the convention via the

<sup>42.</sup> Such a dynamic approach should, however, at the same time be sufficiently independent in terms of having "a robust and publicly defensible basis" for key decisions like agenda-setting, expect selection, and voting rules (Mellier & Wilson, 2020, para. 29).

media, discussed it with their friends and families, and are now putting pressure on their politicians to implement the recommendations" (para. 31).

Similarly, based on their case study analysis of the 2004 British Columbia Citizens' Assembly on Electoral Reform (BCCA) and subsequent failure of the referendum to pass, Fung, Warren, and Gabriel (2011) argue that the most critical issue facing citizens' assemblies is connecting with the broader public. They propose three strategies for better connecting: 1) through more extensively educating the public about the issue; 2) by building trust in the citizens' assembly as a representative body, and 3) by framing the citizens' assembly as an advisor to the legislature, rather than to the public.

Through engaging civil society organizations and movements – Mellier and Wilson (2020) also contrast CCC with CAUK in terms of the nature of their connection with and involvement of civil society. Civil society representatives in CCC had "a formal, active role in shaping the agenda", including its "framing question", while the input of similar representatives (of Greenpeace and youth organizations) on a citizens' advisory panel to CAUK was not integrated—as its framing question was pre-determined by parliamentary committees. Mellier and Wilson link the disconnect with civil society input to CAUK's less ambitious recommendations. (para. 11)

<u>Through strategic timing</u> – *When* a mini-public occurs can be crucial in stimulating public debate. Riedy and Kent (2017) suggest "build[ing] on deliberative moments" (p. 117) in which there are indications that public deliberation is already underway and the issues are familiar. A mini-public could then "play a contributory role", by facilitating the public to move towards a decision or by "reinvigorating stalled deliberation" (ibid.).

Through 'internal quality', including transformative involvement of citizens – Citizens given equal deliberative standing can manifest a critical transformative potential, an observation Landemore (2020) drew from her experience with the CCC and Great National Debate processes: "what citizens mostly bring to political decision-making is the ability to open or reopen questions closed or seen as closed by professional politicians and experts" (p. 21). This can also be linked with having the power to alter mini-public parameters, as when CCC participants were able to re-shape the process by adding another session with experts they had chosen (Mellier & Wilson, 2020). In a similar vein, a mini-public might be counted on to help reveal vested interests. Riedy and Kent (2017) encourage organizers to make transparent any "deeper political question behind the drive to hold a mini-public", as, in their case analyses, participants will "unerringly find their way" to this question anyway (p. 111).

<u>Through promoting itself as a legitimate source of information</u> – Mini-publics can help citizens decide "when to trust rather than participate" (MacKenzie & Warren, 2012, p. 99, citing

Warren, 1999). Here, the expansiveness of the systemic approach enables seeing a 'division of labor' across a system in which citizens necessarily must make choices about how best to use their limited "time, attentiveness, and knowledge" (p. 123). If mini-publics are perceived as having common interests with citizens and "credible knowledge" (p. 110) of the issue(s), they can aid citizens by functioning as "*trusted information proxies*" (ibid.) The more politically and technically complex an issue is, the more valuable such a proxy. (p. 116) A 'divided' mini-public which does not produce a clear result can also assist, but in the opposite way: by signaling citizens to follow an issue more closely—to participate. (p. 110)<sup>43</sup>

Legitimacy does not arise automatically from a mini-public's internal quality. It has to be *actively* sought and constituted through persuading the public that a mini-public's "conclusions are valid" and that its "recommendations are worth pursuing" (Curato & Böker, 2016, p. 178, citing Manin, 1987). This is a two-way process of accountability as it includes "a duty to justify, clarify, respond and change recommendations or collective decisions if need be" (ibid.).

Through prototyping participatory-deliberative democracy – The narrative about 'third generation' deliberative democracy scholars having *only* focused on the internals of minipublics is challenged by Curato et al. (2017), who instead find attempts "to better understand how lessons learned from small-scale deliberative forums can be scaled up to mass democracies and enhance the quality of political participation" (p. 32). They cite Dryzek and Lo's study (2015) as a contemporary example. It showed that building knowledge about how to increase deliberative quality in a mini-public—in one case through the use of "particular rhetorical moves" (ibid.)—is directly relevant to the challenge of public communication around the issue of climate change. Mini-publics could thus also be conceived as laboratories, prototyping communication strategies and incubating collaborations that can improve quality across a *participatory-deliberative* democratic system.

<u>Through an open posture</u> – A highly dynamic (and thus unpredictable) approach which one might take, depending on aims and context, would be to frame the mini-public with an open posture, so as to set conditions for potential "spill over" into broader political debates (Ercan & Hendriks, 2013, p. 32, citing Levine, Fung, & Gastil, 2005). The local assemblies of Porto Alegre in Brazil, for example, had the ostensible purpose of allocating municipal budget priorities, but also emerged as "sites for open-ended civic discussions" (ibid., citing Baiocchi 2003a, p. 53).

<sup>43.</sup> This is also termed "facilitative trust" (Smith & Setälä, 2018, Integrating Mini-Publics with Direct Democracy section, para. 3, citing Warren & Gastil, 2015, p. 566). Institutions providing such trust to the public "are hard to find as most bodies in the political realm are pushing particular partial interests and perspectives" (ibid., para. 5).

The dynamics of openness and closure in participatory-deliberative processes will forever be in need of careful navigation. Too much openness (too little structure) can allow existing power inequalities to be reinforced, especially at more local levels (Ercan & Hendriks, 2013, p. 428, citing Escobar, 2013). On the other hand, too much and too strict a structure can hamper debate, "leaving little space or time for alternative perspectives to emerge" (ibid., citing Hajer, 2005 and Maginn, 2007).

Through digital democracy – Digital participation can potentially bolster and up-scale any form of democratic innovation, connecting it with other domains through hybridization processes (Elstub & Escobar, 2019; Smith, 2019a; Tang, 2019). An example of a mini-public being shaped by digitally-enabled interaction with the public is the G1000 Belgian citizens' summit (2011–2012), organized by public intellectuals, in which citizens collectively brainstormed and prioritized the summit's three agenda items in advance through an online vote. While 700 citizens were randomly-selected to attend the one-day summit, those not selected could still participate from home or an offsite location using interactive software which threaded their feedback into the summit's main hall. Members from the summit and these outside channels then comprised a 32-member citizens' panel which met over three weekends for focused deliberation to further develop the summit's recommendations. (G1000, n.d.; Harris, 2019) The Estonian Citizens' Assembly Process (ECA) (2012–2014) similarly combined online and offline approaches, crowdsourcing agenda-setting to a combination of mass-input from citizens and a group of citizens, politicians, and experts who deliberated and synthesized 18 proposals for the assembly to further deliberate. (Jonsson, 2015)

Examples of pioneering digital democracy can be found in Spain and Taiwan. The emergence of Ahora Madrid, a self-described "confluence" (Mayne & Nicolini, 2020, p. 6) or alliance rather than a political party—and its historic victory in the 2015 municipal election which ended 24 years of center-right rule—"echoed and built off the anti-austerity *Indignados* movement that had swept through Spain in 2011" (ibid.) and its demands for more transparency, participation, and civic empowerment. Ahora Madrid's unconventional campaign was shaped emergently by citizens through self-organization supported by open digital platforms and open participatory spaces across the city, crowdfunding, and an approach of ongoing collective construction. Once in power, the new city council created a 'Participation Department' headed by Pablo Soto, "a well-known Spanish software developer" (Participedia, n.d., para. 6). Soto led the development of Decide Madrid<sup>44</sup>, an open-source online civic engagement platform which has since been adopted by administrations in 70 countries (Mayne & Nicolini, 2020, p. 14). Citizens (over age 16) can submit proposals which, if receiving support from 1% of the city's population (again, over age 16), must then be formally

<sup>44.</sup> https://participedia.net/case/5726.

studied by the city council (ibid.). The platform was also used for participatory budgeting (of 2% of the municipal budget) until municipal elections swung to the right in 2019 and many of Ahora Madrid's participatory innovations were subsequently eliminated or weakened (ibid.).

Digital democracy blossomed in Taiwan, particularly through the vision and work of Audrey Tang, now the country's official 'digital minister'. Tang aimed to increase the government's responsiveness by "crowdsourcing democracy" (Tang, 2019, para. 2), connecting government with civil society through technology with careful attention to the design of various online platforms and digital initiatives. <sup>45</sup> Public sector engagement with activists and "civic-minded hackers and coders" (para. 7) was formative. VTaiwan (2015–) is an advisory deliberative platform or "online-offline consultation process" aspiring to be "for the entire society to engage in rational discussion on national issues" and connect across a whole system of sectors and actors (vTaiwan, n.d.). Key to maintaining civility in online communication is the use of a digital tool which prevents direct replies to posts, instead users can choose between 'agree', 'disagree', or 'pass/unsure', a format which "reduces the likelihood of trolling and abuse" (Tang, 2019, para. 10). Real-time machine learning is used to clarify agreement and disagreement by clustering posts and responses, thus facilitating a "path toward consensus" (para. 11).

Although these initiatives have participatory and deliberative qualities, and are able to integrate and interact variously with mini-publics, they cannot be considered mini-publics to the extent they do not rely on a randomized selection of participants, and thus are particularly vulnerable to the 'self-selection bias'<sup>46</sup> often manifested in groups of volunteers. However empowering digital tools can be, actively designing for inclusion in 'e-deliberations' (Harris, 2019, p. 52) is still necessary as differentiated use of the internet along class, gender, and other lines will continue to manifest a 'digital divide' (Mansbridge et al., 2012, p. 21). Mindful of this, designers should engage people in accessible ways that are "collaborative, transparent, intuitive, and relevant to people's needs and capacities" (Harris, 2019, p. 52, citing Liston et al., 2013).

Connecting with the public via digital platforms also makes sense from the epistemic perspective advocated by Landemore (2020). She contends that crowdsourcing ideas can be seen as "a useful supplement" (p. 162) to traditional political engagement processes because it increases the quantity of ideas (and thus the 'cognitive diversity'). She observed this in the

<sup>45.</sup> Insightful discussion on how pivotal design is in our use of technology and its effects on society can be found in the podcast *Your Undivided Attention* from the Center for Humane Technology. https://www.humane tech.com/podcast. On digital democracy, see episode 22, "Digital Democracy is Within Reach". 23 Jul 2020.

<sup>46.</sup> Self-selection bias also occurs in mini-publics (participation is usually voluntary), though to a lesser degree since participants have been randomly selected and filtered to closely match the population. See Section 3B, p. 36.

Icelandic Constitutional Assembly (2011), even given over-representation of white, middle-aged males in use of the online crowdsourcing platform (ibid.).

Through supplementing demographic representativeness with discursive diversity – As part of Riedy and Kent's (2017) report on 'systemic impacts of mini-publics' for the Australia-based newDemocracy Foundation (nDF)—which draws on evidence from three nDF-supported minipublics (2015–2016)—they emphasize that demographic representativeness of participants must be combined with discursive diversity of participants and witnesses. They recommend an approach centered around the issue to be deliberated which would consider "who is likely to have an important stake" (p. 110) and which would use "additional demographic, attitudinal or lifestyle categories to ensure representation of these groups, even if this deviates from the community demographic profile" (ibid.).

#### Engaging expert and stakeholder witnesses

Mini-public deliberation is based on a learning process in which participants hear evidence and perspectives from witnesses and engage them through questioning. Witnesses may be chosen to share: a relatively 'neutral' specialist take on the issue at hand, advocacy of a particular position, or personal experience. Four types of witnesses are categorized by Lansdell (2011): 1) "knowledge experts: individuals with specialist scientific, technical or legal knowledge"; 2) "stakeholders: representatives from interested parties (lobbying or interest groups) that usually provide evidence advocating a certain perspective"; 3) "experiential publics: members of the public who have knowledge about an issue as a result of direct experience, and so who can share their personal insights", and; 4) "representative publics: members of the public who may have no particular knowledge or first-hand experience of the issue, but who might reflect some aspect of the wider public". (cited in Roberts & Lightbody, 2017, p. 4)

The issue of how to integrate witness input is identified as a "vexatious question" by Riedy and Kent (2017, p. 113), as it gets at a fundamental tension in the idea of a mini-public (echoing that of democracy): a tension between empowering the public to seek a better long-term public good by "wrest[ing] decision-making power *away from* stakeholders and vested interests" (ibid., my emphasis) and supporting the *informed* decision-making of that public.

Referring generally to mini-public witnesses using the shorthand term 'experts' is potentially problematic in its association with *technical* experts and thus potentially supporting reinforcement of the status quo—technical knowledge often being defined by, aligned with, and dependent on the way the system 'works' in the present, as well as how it has 'worked' in the past. But, as the status quo becomes increasingly untenable and our existing policy toolbox obsolete—but also to intentionally work against systemic injustices, and towards

'knowledge justice'—'counter-experts' and 'counter-expertise' (Williams & Moore, 2019, p. 256) ought to be integrated to a greater extent. Such an approach would more purposefully involve those whose knowledge perspectives challenge the "dominant epistemologies of scientific and engineering experts and people in power" (ibid.). They might include: marginalized and indigenous voices, cultural critics, activists, NGOs, non-Westerncredentialed experts, futurologists, alternative thinkers and practitioners, laypersons, or others with 'experiential expertise' and high capacity for creative and political imagination. At the same time, the climate crisis has justifiably vaulted hard science expertise into a key role in policy debates. Navigation here seems extremely perilous, between a plurality of potentially contradictory 'evidence-based' reasonings, many of which are essential to achieve the technical-environmental and economic dimensions of sustainability, for policy best practices, and for well-informed deliberation, but which will likely often come into conflict with evidence supporting social, cultural, and political dimensions. Appeals to expertise can slide into a mode of reinforcing the status quo and its hierarchies—both structural and assumed, including social and epistemological hierarchies—usurping and suppressing the fundamental democratic right to reconfigure those hierarchies through political intervention (whether regulatory, redistributive, or otherwise).

Through involving diverse perspectives in tandem with critical thinking training – Ensuring a diverse range of witness perspectives deepens participants' understanding and awareness of different aspects of the topic, reducing the tendency to be swayed by the perceived authority of any single expert or stakeholder. A more balanced view supports better deliberation. Riedy and Kent (2017) advise against allowing participants to choose experts, as they "are likely to choose presenters they are more familiar with and to miss perspectives" (p. 113). But, no matter how carefully-considered and balanced a given selection of witnesses is, power relations and witness biases are inescapable factors. As understanding of these factors can facilitate more informed deliberation, Riedy and Kent underline as the "most important innovation" (ibid.) related to witnesses that the facilitating organization nDF provided minipublic participants with "critical thinking training to improve their capacity to spot bias in the choice of expert witnesses, or the statements made by those witnesses" (ibid.). Other measures include: having participants check for "information gaps" in an initial list of experts generated by "a diverse Stakeholder Reference Group", supplementing it if necessary, and then choosing witnesses from the modified list, and; allowing participants to, at any time, request a "fact check" if concern arises about the reliability of witness statements (ibid.).

<u>Through more substantially involving those with 'critical knowledge'</u> – Again, given the state of the status quo, and aligned with the aim of seeking 'knowledge justice', it is arguably worth considering more substantially including those with 'critical knowledge' in the range of witnesses. This could include cultural critics, or researchers with a less 'neutral perspective',

for example those developing knowledge that when shared would have the effect of supporting minority or otherwise marginalized perspectives.<sup>47</sup> This could be a very efficient way of untangling and revealing the power relations and vested interests surrounding an issue and reasons for the status quo's dominance. Caution is required to make sure the logic of selection is driven not by activism but by the need to include diverse perspectives.

Through involving political and policymaking experts – Involving elected representatives, civil servants, and others with strategic awareness and political knowledge is similarly worth considering in pursuing systemic aims of: generating a stronger, more visible connection with those who will receive the mini-public's recommendations, and; generating greater transparency about political roadblocks or other factors affecting a policy issue—among the participants (generating better internal deliberative quality), and among the public (generating a more informed public debate). Here mini-public designers might be motivated by the fact that deliberation, or "democracy-as-public-reason" (Sen, 2003, cited in Sass & Dryzek, 2014, p. 5) has a much longer history and broader significance than "democracy-as-voting" (p. 5) in which it is not a given that politicians be separated from citizens in deliberation processes. The political culture of the Tswana ethnic group in Botswana, for instance, places a high value on the "public criticism" (p. 16) of calling public officials to account in deliberative forums, which can result in policy changes.<sup>48</sup>

Through closer involvement of stakeholders and experts – Concerns about the limited involvement of witnesses arise from both mini-public participants and from the witnesses themselves. In the cases analyzed by Riedy and Kent (2017), participants worried about the "brevity of engagement with speakers, the lack of guidance provided to the speakers, and the lack of an active role for experts in the jury deliberations" (p. 113). Witnesses should be properly briefed and have sufficient time to present and interact with participants. More closely involving stakeholders and experts "is more likely to support the wider spread of a deliberative stance" (p. 114), although care should be taken not to lose the coherency of the mini-public as a forum centered on deliberation between citizens and thus weaken its democratic and epistemic qualities.

<sup>47.</sup> The example that comes to mind is the research on inequality conducted by Thomas Piketty and colleagues. Technically, these witnesses fall under the category of 'knowledge experts', but the idea is to actively counteract natural biases towards status-quo-reinforcing technical knowledge.

<sup>48.</sup> Sass and Dryzek base their illustration regarding Tswana political culture on: Comaroff, J.L. and Comaroff, J. (1997). Postcolonial Politics and Discourses of Democracy in Southern Africa: An Anthropological Reflection on African Political Modernities. *Journal of Anthropological Research*. 53(2). 123-146, and; Maundeni, Z. (1997). Mutual Criticism and State/Society Interaction in Botswana. *The Journal of Modern African Studies*. 42(4). 619-636. See also: Sass, 2018.

### **Engaging all around**

In advising how to make climate citizens' assemblies more impactful, Mellier and Wilson (2020) assume they are already strategically and critically engaging 'all around' through involving "civil society, citizens, government, businesses, and the media" (para. 32) in setting the key parameters (the framing question, agenda, and voting method). This buy-in facilitates an expansion of awareness about the citizens' assembly, which—particularly with the involvement of the media—sets better conditions for generating a national debate.

Through engaging beyond meetings – To achieve an impact beyond a mini-public's internal deliberations, sustained communication with the public is crucial. The facilitating organization or members could "provide regular updates to the community" (Riedy & Kent, 2017, p. 119) between meetings, being careful to "avoid forecasting decisions to prevent political backlash" (ibid.). Communication after the completion of the mini-public is crucial to keep up what momentum of public deliberation has been generated (ibid.). These observations suggest that the design of a mini-public—in view of a systemic approach—should reach much beyond its traditional spatial and temporal boundaries.

Through transparently engaging the media – The OECD (2020) argues that as mini-publics become more frequently used, "effective public communication" (p. 109)—of the representativeness of a mini-public's members, the quality and content of its investigative and deliberative processes, and its recommendations—is critical to gaining legitimacy (p. 144, citing Mansbridge, 2018). Communication can also have long-term impact by functioning as "a mechanism for the broader public to learn about an issue as well as encourage it to participate more in public life in general" (p. 109). Having a dedicated position, such as "a press officer, media advisor, or director of communications" (p. 140), involved from the beginning is suggested. Transparency should be the main objective, and pervade all communications with the public, which should also be timely. This also extends to publicizing the relevant governing authority's response to the mini-public's recommendations, as well as evaluations of the process. Engaging with the media can be especially important for local mini-publics. Ercan and Hendriks (2013) cite studies showing that "local initiatives usually fail to resonate with broader publics as they are largely ignored by the mass media" (p. 433, citing Sintomer & Maillard, 2007).

Through strategic coordination with other scales – Especially with globalization and climate change, the local becomes more intensely shaped by larger scales. Citizens are attuned to a multi-scalar approach, as Ercan and Hendriks (2013) have found that "when given the opportunity, citizens and their communities willingly connect their local policy deliberations to the broader national and even global issues" (p. 432). Strategic timing can amplify benefits of coordination with other scales, such as in the model of 'glocal' mini-publics networked

across scales. The 2009 World Wide Views on Global Warming project (aka WWViews), initiated by the Danish Board of Technology and the Danish Cultural Institute, was "the first attempt to create a deliberative mini-public at a global scale" (Riedy & Herriman, 2011, p. 3) and involved 4,000 citizens in 38 countries deliberating simultaneously. The process was "timed to inject the voices of everyday citizens about global climate change action into the 2009 UN Climate Summit in Copenhagen (COP15)" (Ercan & Hendriks, 2013, p. 432, citing Riedy & Herriman, 2011).

Through combining methods and coupling components – Taking a systemic approach can encourage 'mixed methods' thinking which sees the potential of combining participatory and deliberative approaches to democracy. The latter was a key takeaway from the 2018 Innovations in Participatory Democracy Conference (Bozentko & Nicholson, 2018, para. 7). In this view, designing interaction between the 'thick engagement' of deliberation and the 'thin engagement' of participation can expand accessibility and impact (ibid.). Mini-public recommendations could be the starting point for open participatory processes or, conversely, participatory processes (in-person or digital) can feed into mini-public processes (ibid.). Hendricks (2015) suggests feedback could run both ways in a more dynamic model termed "multidirectional coupling" in which "different parts of the deliberative system might be linked in multiple ways to a diversity of relevant actors and institutions" (p. 56).

'Coupling' describes connecting components or sites across a system and includes "'processes of convergence, mutual influence and mutual adjustment' such that 'each part would consider reasons and proposals generated in other parts'" (Hendriks, 2015, p. 44, citing Mansbridge et al., 2012, p. 23). It is crucial, however, to be critical and strategic about who and what is being connected, where, why, and how (and especially how strongly)—it is not simply a matter of expanding connectivity. Hendriks (2015) cautions against the general suggestion by Mansbridge et al. (2012) "that loose coupling ought to be the goal because it avoids cooption and enables the system to self-correct" (p. 57), arguing that stronger or weaker connections may be desirable depending on context. Indeed, contexts of "distrust and domination" (ibid.) prone to co-option may be better engaged through 'loose coupling'. But, in other cases, 'tight coupling' may be required to ensure oversight and accountability, especially of decision-makers. Even 'decoupling' may be productive "for emergent social movements or marginalised groups that need to discover their own voice before they feel ready to influence other parts of the deliberative system" (ibid., citing Setälä, 2014). The latter echoes Lafont's (2019) advocacy for using mini-publics to advance a minority and/or marginalized perspective within the public debate.

<u>Through catalyzing further deliberative processes</u> – If mini-publics are unsuccessful in directly influencing policy-making, they may still have an indirect catalytic effect by influencing other

groups. Harris (2019) credits the G1000 process in Belgium (2011), for instance, with influencing smaller mini-publics in Belgium and the Netherlands (p. 54, citing Jacquet et al., 2016), as well as the pilot citizens' assembly of 'We the Citizens' (2011) for "prov[ing] to the political classes that deliberation could work in an Irish context" (ibid.), thus strongly influencing The Irish Constitutional Convention (2012–2014) and the Irish Citizen's Assembly (2016).

# B. How mini-publics can be institutionalized dynamically

Formally instituting mini-publics—institutionalizing them—in order to strengthen them and better influence decision-making is the prevailing recommendation of many assessments, the largest and most recent published in a report by the OECD, Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave (2020). It analyzed 289 case studies of 'representative deliberative processes' (including citizens' assemblies, citizens' juries, and other mini-publics)<sup>49</sup> which took place between 1986 and October 2019. It found that evidence and data "support[s] the idea that citizen participation in public decision making can deliver better policies, strengthen democracy, and build trust" (p. 3). The OECD's overarching recommendation is to work towards greater institutionalization of these largely ad-hoc, 'one-off' processes. Given rising interest among European public authorities, Smith forecasts that "their further institutionalization is only a matter of time" (2019b, para. 15). Because participants are better informed and the issues more considered in deliberative processes, the OECD finds that strengthening them through institutionalization can: 1) result in better policy outcomes; 2) give more legitimacy to those taking difficult decisions; 3) strengthen public trust "in government and democratic institutions by giving citizens an effective role in public decision making"; 4) "signal civic respect and empower citizens"; 5) "make governance more inclusive by opening the door to a more diverse group of people"; 6) "strengthen integrity and prevent corruption by ensuring that groups and individuals with money and power cannot have undue influence on a public decision", and; 7) "help counteract polarisation and disinformation" (2020, p. 125).

As it is highlighted that there is no 'one-size-fits-all' approach or design, three 'routes' to institutionalization are outlined: 1) create an permanent/ongoing structure for mini-publics; 2) set conditions under which public authorities must organize a mini-public, and; 3) set rules allowing citizens to demand a mini-public on a certain issue (p. 126).

<sup>49.</sup> The OECD's term, "representative deliberative processes" (2020, p. 16), will be subsequently referred to in shorthand as 'mini-publics'. A full database of the case studies is available here: https://www.oecd.org/gov/innovative-citizen-participation-and-new-democratic-institutions-339306da-en.htm.

The crucial qualifier for the view taken here is how to institutionalize mini-publics in a sufficiently dynamic way—which first of all takes a more participatory perspective by aiming to connect robustly with the citizenry and empower them to influence and be activated by the process—while also mitigating the potential downsides of institutionalization: stasis, powerconsolidation (generation of a new rigid status quo), decreased responsiveness over time, corruption, manipulation of participants, reinforced silencing of marginal voices, and so on. Patriquin (2019) makes a strong case for "permanent citizens' assemblies" with an advisory role<sup>50</sup>, through appeal to the dynamism of the Athenian model of democracy which showed "willingness to innovate" and "was constantly evolving, creating and revising rules as well as institutions" (p. 4). Patriquin shows that Athens uniquely based its governance on a high rate of rotation of participants, rather than on representation (pp. 1-9), and that this massparticipation and its enacted reforms challenged economic, social, and political hierarchies at a remarkable level: "Poorer, free men somehow forced their way into politics over the course of a couple of centuries, eventually managing to dominate public policy in a way that has gone unmatched in any society to this day" (p. 8).<sup>51</sup> In Patriquin's conceptualization, the stabilizing benefits of institutionalization (trust, legitimacy, public recognition) can scaffold the more dynamic potential of participation: cultural and political change.

# **Engaging citizens**

Through integrating the public in multiple ways – There are a number of insights to gain from the case of Madrid's City Observatory (2019) (El Observatorio de la Ciudad) "the world's first example of a permanent deliberative body" (Participedia, n.d., para. 1).<sup>52</sup> The City Observatory was a citizens' assembly instituted by Madrid's city council in 2019, but essentially disbanded less than a year later as a consequence of municipal elections swinging back to the right. The political party/'confluence' Ahora Madrid had campaigned to give the city back to its citizens, and after assuming power it initiated a range of participatory innovations, including a Participation Department, labs for citizen participation, the open-source online civic engagement platform Decide Madrid, a G1000 citizens' assembly (2017), neighborhood forums, and a permanent citizens' assembly, the City Observatory. (Mayne &

<sup>50.</sup> This seems a purely pragmatic reality for Patriquin, as to give assemblies decision-making power would require the next-to-impossible task of amending national constitutions. (2019, p. x) Similarly, Landemore (2020), while providing a compelling philosophical grounding for mini-public-based, "election-less democracies", sees them as only potentially viable in "new countries or online communities (e.g., crypto-currency communities) looking for a governance blueprint" (p. 142). Reforms of established representative democracies, she estimates, "will probably have to adapt a more hybrid model, grafting lottocratic [sortition-based] features onto preexisting electoral ones" (ibid.).

<sup>51.</sup> It bears repeating the inequalities of Athenian assembly democracy which were linked to an exclusionary structure in which "women, slaves, and foreigners (metics), with rare exceptions, could not gain citizenship" (Patriquin, 2019, p. 1).

<sup>52.</sup> See also discussion on the rise of Ahora Madrid in Section 3A, p. 23.

Nicolini, 2020) The assembly's charge was "to address and propose solutions to key issues for the well-being of citizens in Madrid" (Smith, 2019b, para. 8). The OECD (2020) describes the City Observatory in terms of its combination of digital, deliberative, and direct democracy (p. 129). The way these processes were designed to interact can be seen as an example of 'multidirectional coupling' (Section 3A, p. 29). Though the assembly was free to shape its own agenda and send its own proposals to local referendum, it was required—at each of its (minimum) eight annual meetings (only two meetings happened before the disbandment)—to discuss the most popular citizen proposal from the online platform Decide Madrid, and determine if it should be sent to a local referendum. (Smith, 2019b) In contrast to ad-hoc minipublics which emerge in relation to a specific issue, formally institutionalized mini-publics can be considered as an infrastructure to deal with *multiple* issues, so building-in connectivity with the citizenry to democratize agenda-setting is especially important. Landemore (2020) argues for institutionalized 'open mini-publics', highly-accessible to and well-integrated with the public, particularly through crowdsourcing platforms and referendums. (p. 21)

Through establishing itself – Through their institutionalization, mini-publics accumulate a history and public recognition fostering a "broad recognition of their role and purpose" (Patriquin, 2019, p. 20), which gives their recommendations more influence. The referendum resulting from the recommendations of the ad-hoc Ontario Citizens' Assembly (2007) failed in part due to the public's widespread lack of awareness and understanding about the assembly and the issue it deliberated (electoral reform). It also mistakenly believed "that assembly members had been hand-picked by the government" (ibid., citing Fournier et al., 2011, p. 134).

But institutionalization can be fragile, as anticipated by Smith (2019b) in relation to Madrid's short-lived City Observatory (2019). Smith pointed out that in Madrid, there was not "widespread support across the political spectrum" (para. 14) as there was in the context of the national-level institutionalization of the Ostbelgien Model (2019–) in Belgium (discussed in the following paragraph). The OECD (2020) emphasizes the need for an institutionalized mini-public to "gather buy-in from all stakeholders across the political spectrum so that it does not become wedded to one political grouping" (p. 129). To be sustained, institutionalization needs to not only be written into law, but to be anchored culturally, the latter having a great impact in shaping the political landscape: "without a shift in social norms to sustain and sanction continuity, the legal rules are subject to change" (ibid.). This again echoes Lafont's core argument, rooted in a participatory perspective, that, rather than substituting for public debate, mini-publics ought to serve to support it through informing and educating the citizenry. The City Observatory, however, along with Ahora Madrid's other democratic innovations, can also be seen to have served such a purpose—a wider, longer-term deliberative function—by making evident a perspective on how the city might be

governed differently, and by revealing the extent of cultural transformation that might be required to achieve this.

Through combining mixed degrees and scales of institutionalization – Achieving an unprecedented level of mini-public institutionalization is the 'Ostbelgien Model' (2019–)<sup>53</sup>, as it's termed by its designers, "a group of 14 international experts brought together by G1000, Belgium's leading platform for democratic innovation" (Van Reybrouck, 2019, para. 11). In 2019, the parliament of the German-Speaking Community of Belgium (Ostbelgien [Eastern Belgium]) established by law three new institutions: a permanent Citizens' Council (Bürgerrat), Citizens' Panels<sup>54</sup> (Bürgerversammlungen), and a permanent Secretariat, giving citizens (remunerated) roles in "agenda-setting, monitoring implementation, and developing recommendations for parliament" (OECD, 2020, p. 127). As of 2019, it was "the first place in Europe with a system whereby a permanent representation of citizens drawn randomly is organized next to the existing parliament" (G1000, n.d.).

With 24 randomly-selected citizens serving continuously, the permanent Citizens' Council is institutionalized to the greatest degree. Citizens serve 18-month terms (one-third rotating every six months) with mandates for agenda-setting and oversight. During its term, the council can call between one and three ad-hoc citizens' assemblies ('Citizens' Panels'), for which it decides the issues to be deliberated, the number of participants, and length. It also ensures that recommendations from the assemblies are "presented and debated in the parliament and receive a response from the relevant parliamentary committee and minister" (OECD, 2020, p. 127). The ad-hoc citizens' assemblies are a less continuous, yet still permanently-supported institution, comprised of 25–50 randomly-selected citizens who meet at least three times over three months. Each assembly "meets with members of parliament to discuss its proposals" and parliament "must provide an explicit justification for any recommendations it chooses not to implement" (XR, 2019, p. 23). Two further ways of combining processes are possible. Citizens can submit proposals—which have the support of 100 citizens—to the council for consideration. Parliamentary groups or the government can likewise submit proposals. Full-time officials, meanwhile, comprise the Secretariat, which is mandated to coordinate the selection processes for the council and the ad-hoc assemblies, service the council, and organize the assemblies. (OECD, 2020, p. 127)

The complicated structure of the Ostbelgien Model was designed to create a "division of labor" (Smith, 2019b, para. 13) in which the Citizens' Council sets the agenda by selecting issues for the citizens' assemblies to then examine and deliberate. A single mini-public combining these tasks was considered, but agenda-setting can be highly-political and, as

<sup>53.</sup> https://participedia.net/case/5770.

<sup>54.</sup> Van Reybrouck (2019) refers to them as citizens' assemblies.

Smith argues, "citizens might begin acting like politicians – engaging in horse-trading and negotiation, rather than deliberation" (ibid.). The power of mini-publics, Smith contents, comes from their "clear mandate" and on citizens taking "clear and unambiguous roles in the political process" (ibid.).

While the Ostbelgien Model serves a population of 76,000 citizens, larger populations would need to be served by multiple mini-publics. To ensure citizens a minimum level of equality of access (over time) to be selected as a member, Landemore (2020) proposes a system of partly decentralized power with mini-publics established at all scales. Besides addressing local issues, local assemblies could set the agenda for the national level. Mini-publics might be networked, Landemore suggests, in a way similar to the National Public Policy Conferences in Brazil<sup>55</sup>, described as "the world's largest participatory and deliberative experiment known to date" (p. 183, citing Pogrebinschi, 2013, p. 220). National conferences, which have been held since 1941 (exclusively on health-related issues until 1988), are informed by the aggregated results from municipal-, state-, and regional-scale deliberation, as well as by 'aggregated' participants—delegates from preceding scales go on to attend at the national scale. This design of mixed, networked scales involving millions of participants "is remarkable for its ability to translate bottom-up demands first formulated at the local level all the way up to the national level" (p. 183).

<u>Through infrastructure for ad-hoc mini-publics</u> – The design of the Ostbelgien Model (2019–) is notable for institutionalizing a link between ad-hoc mini-publics and a permanent mini-public (the Citizens' Council). It thus institutionalizes a supportive *infrastructure* for the former. This recognizes how important the whole apparatus of the process is to the quality of deliberation and its legitimacy (XR, 2019), while maintaining a certain agility to respond to emerging issues.

## **Engaging governance**

Through capacity to head off or mitigate conflicts – As was the case with the 2017 citizens' assembly on Brexit called *after* the 2016 referendum, ad-hoc mini-publics may be poorly-timed. While *any* such mini-public would likely be of little use "to a society that is already at war with itself" (Patriquin, 2019, p. 61), a permanent citizens' assembly that could have drawn on its capacity as a "trusted, long-standing, and well known" (ibid.) institution might have functioned as a 'preventative measure' to at minimum complexify the issue (versus the dichotomy of 'Leave'/'Remain') (p. 60).

<sup>55.</sup> https://participedia.net/method/5450.

Through a more direct and intervening role in decision-making – In practice and in perception, mini-publics play a largely consultative/advisory role in processes of political decisionmaking, even in institutionalized cases. While this role can certainly catalyze system dynamics, a more direct and intervening role in decision-making is worth strong consideration, however constitutionally-challenging (Patriquin, 2019, p. x). Smith and Setälä's (2018) evaluation of the debate found it "surprisingly rare to find arguments that mini-publics should be given decisive and binding power over collective decisions", given mini-publics' "combination of democratic and epistemic qualities" (para. 33). They refer to an earlier expression of Lafont's later critique (2019) which argues that mini-publics' sortition mechanism 'severs' the bond between voters and elected officials, a bond which is "necessary for democratic legitimacy" (para. 34, citing Lafont, 2015, p. 52). Smith and Setälä cast this critique as part of deliberative democratic theory's "fetish for electoral modes of authorization and accountability" (para. 35), asking why this is the case given the many failings of electoral representation and its history as an innovation by elites to prevent democracy-by-the-people (see also Van Reybrouck, 2016; Landemore, 2020). They counter that the sortition mechanism could achieve another form of democratic legitimacy linked to "characteristics of the institution" rather than reliance on "an electoral moment" (para. 36). To them it seems "premature to write off the possibility that mini-publics might play a more decisive role in a democratic system". (para. 37)

Although few examples exist, mini-publics might make decisions directly, subject—as any such decision—to accountability mechanisms of the wider deliberative system. These should include the 'right of referral'—citizens' right to possibly repeal an existing law or policy through referendum—and the right of citizens to propose laws through citizens' initiatives, which could be put directly to referendum or to the legislature for deliberation and vote. (Landemore, 2020, p. 204)

As mini-publics are by nature likely to reach a more authentic outcome (absent the degree of partisanship and deal-making found in electoral bodies), requiring more than a simple majority to trigger binding decisions seems both advisable and achievable. Activist-specialist Marcin Gerwin has collaborated closely with Polish mayors in designing and running many citizens' assemblies, and in securing agreement in Gdańsk that the mayor directly implement recommendations supported by 80% of the assembly. If the support falls between 50 and 80%, implementation is at the mayor's discretion. (Gerwin, 2018; Smith & Bechler, 2019a)

Smith and Setälä (2018) cite calls for additional legislative chambers, composed of randomly-selected citizens, and note that randomly-selected juries are already given decision-making power in many legal systems. They also note the use of deliberative polls "as decision-making bodies on local budgets" in China (para. 33, citing Fishkin et al., 2010).

A less direct, more interventionist approach is binding a mini-public to the public, bypassing legislatures. Smith and Setälä (2018) cover two approaches. A mini-public's recommendations (if achieving a threshold of consensus) could be sent directly to the public in the form of a referendum, as was the case for the Citizens' Assemblies on Electoral Reform in British Columbia (2004) and Ontario (2005-2006). The fact that these two referendums failed highlights that much depends on the the wider system. However, Smith has concerns about this approach: "you spend all this time in the deliberative space reaching a nuanced decision, and then throw it open to people who have not been through a similar process" (Smith & Bechler, 2019a, para. 15). In an alternate approach, the role of agenda-setting is reversed as a mini-public is called in response to a popular citizens' initiative ahead of a referendum. An example is the Oregon Citizen Initiative Review (CIR), in which a citizens' jury deliberates a popular ballot initiative in advance of the vote and "produces a one-page statement" which "assesses the issues at stake providing majority and minority arguments for and against the proposition" (Smith & Setälä, 2018, para. 28, citing Gastil, Richards, & Knobloch 2013). In a related example, adult citizens in the municipality of Gdańsk (population around 350,000) can request that the mayor run a citizens' assembly by collecting 1,000 signatures, and require it with 5,000 signatures (XR, 2019, p. 20). Enabling citizens to call a mini-public—rather than wait until the next election—can also be seen as a focused corrective to representational democracy when it performs poorly. In this regard, Patriquin (2019) proposes the use of citizens' assemblies amid an "unfolding policy disaster" (p. 67).

In these approaches, a mini-public is institutionalized in a primarily *active* sense: it intervenes in the wider public debate, either by activating or responding to the public. Using a minipublic to facilitate and catalyze such interaction aligns with Curato and Böker's (2016) "best measure" of a deliberative system: "the degree to which its separate components co-develop as a result of their own deliberative interactions" (p. 188).

### Re-engaging with democratic qualities

Grounded in the democratic qualities of inclusiveness and equality generated through the dynamic mechanisms of *sortition* and *rotation* of mini-public members, Landemore (2020) establishes her paradigm of 'open democracy' as a radical alternative to both electoral- and direct/participatory democracy. Here, consent to representation by others and people's exercise of power come together as a form of "citizen representation" in which "lay citizens represent other citizens" (p. 74, citing Warren, 2013).

<u>Through supporting correctives to self-selection bias</u> – Once randomly-selected, citizens still must choose whether or not volunteer as a participant in a mini-public. This creates self-

selection biases<sup>56</sup>, undermining the mini-public's core democratic qualities of inclusiveness and equality. The higher the degree of institutionalization and influence on decision-making, the greater the need to address these biases. Landemore (2020) notes that while incentives such as financial compensation should be considered, ultimately, *mandatory* participation—similar to legal jury duty—may be the only way to ensure adequate implementation of a minipublic-centered political system. (pp. 90, 97) As the selection mechanism is so crucial to a mini-public's democratic qualities and its legitimacy, further experimentation and research are required here. One route worth pursuing is suggested by the experience of the inventor of the citizen jury, Ned Crosby, who found that—after an initial process randomly selecting houses—"going door to door was very effective in convincing people to participate and minimizing the problem of people self-selecting out of the process" (p. 92). If validated through further research, this hints at the creation of a mediating infrastructure supporting 'deliberation liaisons'.

Through staggered rotating memberships – Institutionalized mini-publics' member composition should be continually renewed by rotating in new participants. Patriquin (2019) proposes that half of the members of his proposed permanent citizens' assemblies serve two years, while the other half serve four years, setting up a staggered pattern in which a mix of new and experienced members (limited to one term) is always present. New members would receive a few-day training period. (p. 26) Similarly, the permanent Citizens' Council in the Ostbelgien Model (2019–)(see also Section 3B, p. 33) consists of 24 randomly-selected citizens serving terms of one and a half years. Every six months, eight citizens are rotated out and replaced. (OECD, 2020, p. 127)

Landemore's model, in which institutionalized mini-publics could (eventually) replace electoral representation (2020, p. 142), weighs the odds of a citizen being able to participate in a mini-public with the "equal right to cast one vote among several million to choose a representative or a party that may or may not act on campaign promises" (p. 92), and finds them comparable, particularly if an adequate level of citizen participation in mini-publics is ensured. Size, scale, and frequency should be considered "if we want citizens to have a meaningful chance (though not necessarily a certainty) of being chosen over the course of their lifetimes" (p. 91). The Ostbelgian Model is cited favorably (serving a region of about 76,000 citizens), where each citizen has a 67 percent chance of being chosen over the course of their lifetime (ibid.).

<sup>56.</sup> For instance, MacKenzie and Warren (2012) cite evidence that members of the first citizens' assembly, the British Columbia Citizens' Assembly (2004), "were 'joiners' such as soccer coaches or Parent-Teacher Association members", although the member composition was still more diverse than a town-hall type forum.

Through guarding against manipulation - The key defenses of mini-publics against capture by special interests are sortition and transparency. Landemore (2020) discusses Abizadeh's (2020)<sup>57</sup> defense of his proposal to replace the Senate in Canada with a permanent citizen assembly which is "randomly appointed and regularly renewed" (p. 196). Although much of the comparative evidence is mixed or inconclusive, Abizadeh points out that sortition "inherently protects randomly-selected legislators from the influence of lobbyists, which for the most part takes place during election processes" (ibid.) Additionally, Abizadeh proposes various measures to strengthen protection against manipulation, principally "a legally enforced firewall" (ibid., citing Abizadeh, 2020, p. 12) requiring that contact between citizens' assembly members and lobbyists and other representatives occur only in "official and publicly transparent channels" and by ensuring adherence to "anti-corruption codes" via an "annual accountability audit of assembly members" (p. 196). Landemore notes the lack of examples of "demonstrated capture" of a mini-public process "by elected representatives, experts, bureaucrats, or lobbyists" (p. 197), and further the strength of mini-publics in achieving unexpected outcomes in relation to special interests, citing a national deliberative poll process in the U.S. initiated by the Texas legislature and organized by James Fishkin. Though the state of Texas is known as "the land of oil and gas lobbyists", the process "led to a 'renewable energy epiphany'" (ibid., citing Galbraith & Price, 2013) which was followed by the state "leading the way in renewable energies" (p. 197). This suggests that a mini-public's democratic qualities of inclusiveness and equality (rooted in its structural mechanisms of sortition and rotation) enable it to engage productively in a range of political contexts. Yet, as has been conceptualized in theory and evidenced in practice, for their impact to be sustained, a broader participatory-deliberative transformation of the citizenry must also be effected.

# Conclusion

Mounting concerns over democratic deficits have driven a proliferation of discourse and practice around deliberation and participation, culminating in today's veritable "deliberative wave" (OECD, 2020). This wave is marked by the expanding focus of democratic theory and practice on 'mini-publics', deliberative forums comprised of 20–500 citizens randomly-selected and filtered to match the overall population. Citizens hear witnesses, investigate, and deliberate on a public issue, then communicate recommendations to governing authorities and to the public. Forms of mini-publics include citizens' juries, planning cells, consensus conferences, deliberative polls, and citizens' assemblies. Mini-publics have been

<sup>57.</sup> See: Abizadeh, A. (2020). Representation, Bicameralism, Political Equality, and Sortition: Reconstituting the Senate as a Randomly Selected Citizen Assembly. *Perspectives on Politics*. doi.org/10.1017/S1537592719004 626.

shown to have the capacity to tackle complex, divisive issues in cooperative rather than competitive processes often characterized by mutual respect and open-mindedness rather than by adversarial relations and zero-sum thinking, and to produce well-considered recommendations which can lead both to better, more citizen-responsive decision-making and to stimulation of public understanding and debate.

Adopting the theoretical framework of the prevailing 'systemic approach' to deliberative democracy (also termed the 'deliberative systems approach') revealed that a mini-public and its impact co-develop with the wider system in which it is embedded. This suggested that connectivity between certain system components/sites—especially with the broad citizenry—and the dynamics of these relations, are paramount in consideration, and, when engaged productively, together can improve the overall system's deliberative quality. The wider perspective of the systemic approach brought a more participatory perspective in dialogue with a deliberative one. This was intensified through further emphasizing a normative participatory perspective until the wider 'system' could be conceived as a *participatory-deliberative democratic system*. Key dynamics to engage with when instituting mini-publics could then be prioritized based on their productive potential within such a system. The openness and pluralism of the framework enabled the discussion to accommodate consideration of two (potentially combined) modes of 'instituting' mini-publics: as enacting a one-time mini-public process or as formally institutionalizing such processes.

Discussion of key dynamics, and ways to engage with them, was sorted into two sub-sections for clarity, the first addressing how ad-hoc mini-publics can engage with wider system dynamics, the second addressing how mini-publics can be institutionalized dynamically. More precise key dynamics were clustered under broader categories. Common to both subsections was an emphasis on engaging citizens, pro-active engagement, and pursuing increased diversity and dynamism.

How ad-hoc mini-publics could engage with wider system dynamics was discussed in relation to three broad dynamics. First, engaging citizens through: connecting with the public and stimulating public debate; engaging civil society organizations and movements; strategic timing; 'internal quality', including transformative involvement of citizens; promoting itself as a legitimate source of information; prototyping participatory-deliberative democracy; an open posture; digital democracy, and; supplementing demographic representativeness with discursive diversity. Second, engaging expert and stakeholder witnesses through: involving diverse perspectives in tandem with critical thinking training; more substantially involving those with 'critical knowledge'; involving political and policymaking experts, and; closer involvement of stakeholders and experts. Third, engaging 'all around' through: engaging beyond meetings; transparently engaging the media; strategic coordination with other scales;

combining methods and coupling components, and; catalyzing further deliberative processes.

How mini-publics could be institutionalized dynamically was also discussed in relation to three broad dynamics. First, engaging citizens through: integrating the public in multiple ways; establishing itself; combining mixed degrees and scales of institutionalization, and; infrastructure for ad-hoc mini-publics. Second, engaging governance through: capacity to head off or mitigate conflicts, and; a more direct and intervening role in decision-making. Third, re-engaging with democratic qualities through: supporting correctives to self-selection bias; staggered rotating memberships, and; guarding against manipulation.

Again, as contexts vary wildly, there is no 'one-size-fits-all' design or approach to instituting mini-publics (OECD, 2020). However, through drawing on the systemic approach framework in connection with empirical examples, this paper has hopefully aided in developing an enhanced perception of the range of dynamics and of ways to engage with them, adaptable to a variety of contexts and supporting the aim of a more participatory democracy.

# About the author

Jonathan Geib is a Research Fellow at the International Youth Think Tank (IYTT), with a focus on youth participation and urban participatory processes. He was one of four moderators of IYTT's International Youth Conference 2020. His PhD was part of the EU Marie Curie network PhD project *TRADERS* (*Training Art & Design Researchers in Participation for Public Space*, 2014–2017)<sup>58</sup>, and based in Gothenburg at Chalmers University of Technology, in the Department of Architecture and Civil Engineering. Engaging with actors in the public sector and external art and design practitioners, he led and analyzed art-, design-, and culture-based participatory workshops focused on the city and urban development and involving children, youth, and/or seniors. His doctoral thesis, *Critical indirectness as a design approach in participatory practice* (2019), centered on developing capacities for critical wayfinding within the complexities of institution-linked urban participatory processes. He holds master's degrees in Urbanism & Strategic Planning (2013) and Human Settlements (2010) from KU Leuven, and a bachelor's degree in Architecture from The University of Texas at Austin (2002). From a transdisciplinary, practice-oriented research approach he strives to engage critically across the worlds of design, participation, urbanism, art, architecture, and governance.

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Mini-publics—carefully-designed and facilitated forums in which randomly-selected citizens investigate, deliberate, and make recommendations on public issues—have attracted increasing attention for having demonstrated their potential for beginning to tackle democratic deficits. How can they achieve greater impact by reaching outside themselves, especially in order to transform the wider public debate? This working paper foregrounds key dynamics to engage with when instituting—and institutionalizing—mini-publics towards the aim of a more participatory democracy.

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