DELIBERATIVE MINI-PUBLICS:
CORE DESIGN FEATURES

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ABSTRACT:

This working paper identifies core design features of a deliberative mini-public (DMP). It aims to provide clarity on what distinguishes a DMP from other forms of citizen engagement and participation by characterising its normative foundations and setting out its key features under a series of discrete headings that can be used as a resource by anyone designing, implementing, or studying DMPs.

Keywords: Deliberative democracy; mini-publics; citizen assembly

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CITATION DETAILS

PREFACE

The purpose of this document is to set out core standards that we, as academic specialists in the field, consider to be essential components for an event to be categorized as a 'deliberative mini-public.' As we witness the widespread application of deliberative forums around the world, we find it important to take stock of what it is that makes the design of deliberative forums distinct from other procedures of citizen engagement and public participation.

The genesis of this document was a roundtable discussion in the Gold Room of the Royal Irish Academy in Dublin on 10 May 2019. The meeting was hosted by David Farrell and Jane Suiter. The other participants were Nicole Curato, Brigitte Geißel, Kimmo Grönlund, Sofie Marien, Jean-Benoit Pilet, Alan Renwick, Jonathan Rose, and Maija Setälä.

Among the issues identified in the May 2019 discussion is a tendency to apply the term 'deliberative mini-public' (DMP) loosely to refer to a range of practices of public engagement. This is a cause for concern, for a DMP is a specific process anchored in the normative tradition of deliberative democracy. Beyond serving as an academic exercise, conceptual precision in defining DMPs is important in building a shared vocabulary among scholars and practitioners that recognises good practice consistent with normative principles of deliberation.

The group agreed to co-author a brief document with the aim of distinguishing DMPs from other forms of citizen-centric forms of engagement. David Farrell and Nicole Curato took the lead in drafting this document, with input from other colleagues. This is intended as a 'living document': we welcome engagement by other scholars of deliberative democracy whose names can be added to the list of authors as this document evolves.

Our intention is not to suggest that DMPs are superior forms of activities. DMPs are not a magic bullet and they are not the only ways to engage citizens. Other methods include public inquiries, town hall meetings, online consultations, and informal discussions—all of which have their place in a modern, innovating democracy. In this document we only focus on DMPs, which are distinguished from these other forms in quite significant ways.

This document is not intended to be a comprehensive handbook. Our aim is rather modest, which is to put forward a clear description of what it is that allows us to treat an activity as a DMP. We do this by setting out core design criteria under a series of discrete headings that can be used as resource by anyone designing, implementing, or studying DMPs.

DELIBERATIVE MINI-PUBLICS: CORE DESIGN FEATURES

There are good reasons to think that deliberative mini-publics (DMPs) are a promising response to today's crisis of democracy. As we witness political polarisation, voter apathy, mistrust in politicians, and the prevalence of disinformation, a procedure for a representative group of ordinary citizens to carefully deliberate about complex political issues has become an appealing proposition.

What are the core design features of a DMP? What are the normative principles in which these features are anchored? In this brief document, we map the minimum design features for an event to be classified as a DMP, explain the normative principles that justify the importance of these design features, underscore the diversity of approaches when designing these forums, and identify open questions that confront both scholars and practitioners of DMPs.

Most fundamentally (indeed, definitionally), a DMP has two core features:

- It is deliberative: participants reach their conclusions or recommendations after receiving information and engaging in a careful and open discussion about the issue or issues before them.
- It is a mini-public: its members constitute, so far as possible, a representative subset of the wider population.

The design elements below all serve to enhance these core features.

RANDOM SELECTION

Random selection, more than any other feature, is what delivers the 'mini-public' aspect of a DMP. Random selection is what separates DMPs from other deliberative participatory processes. Random selection is designed to bring a representative sample of citizens into the room, and in so doing, it is better than elected parliaments in mirroring the composition of society in formal spaces for deliberation (Farrell and Stone 2019). Random selection also enforces the principle of equality in the sense that everyone has an equal shot of being selected to participate in a DMP. It also brings the principle of inclusiveness to life by ensuring that it is not only 'the usual suspects' who attend a forum. The logic of jury selection is often used as a reference point in this regard.

Views differ on how 'pure' the random selection should be, whether it should be fully randomised, stratified, or whether efforts should be made to reach out and oversample traditionally excluded communities to uphold the principle of equity. And, of course, the degree of representativeness is also affected by the size and purpose of the DMP. The ideal size of DMPs continues to be a subject of debate, as deliberation scholars also flag the trade-offs between inclusion (involve as many people as possible) and deliberative quality (small group discussions are better focused than large ones).

Our position is not to suggest that one method of random selection is better than another. What matters most is that random selection is the method of selecting the membership of the DMP. This, we argue, produces a certain mindset in the room, which is very different to that resulting from a selection process governed by election, by the selection of interest group representatives or by merely allowing those most interested to turn up.

PURPOSE

There are different ways in which a DMP might be established. It could be an initiative from civil society, an academic research project, or something that is established by government (at whatever level). While the contents of this document could apply to all of these instances, in large part our focus is on the last of these.

Much about the design of a DMP is predicated on the purpose for which it has been established. This can affect such issues as its size, duration, management structure, decision-making process, and the manner in which its outputs are dealt with. For instance, if a DMP has been tasked with resolving a complex issue, which might entail multiple meetings over a period of time, it is likely to need a more elaborate management structure, including the involvement of the members in decisions over how it should operate, greater efforts to engage with the wider citizenry, and a method for dealing with its output that reflects the significance of the topic being discussed.

The purpose of the DMP may also feed into wider questions over how processes of this type can be convened at a larger scale. Around the world, DMPs have been used on a national scale, as in the case of the Irish Citizens' Assembly, on a regional level, as in the case of the German-speaking community in Belgium (the Ostbelgien Model), or on a local level, as in the case of citizens' assemblies on climate change in British local councils; there is even experience of DMPs at the EU-level. The diversity of these bodies suggests that they can be used for one specific issue or a suite of diverse issues. Some deliberative democrats have also envisioned a deliberative global citizens' assembly to address global issues like poverty reduction or responding to climate change (Dryzek, Bächtiger, and Milewicz 2011).

As authors of this document we share a common view that DMPs can make an important contribution to our system of representative democracy (see Setälä 2017). They can be a significant addition to the wider architecture of democracy, supporting it to innovate and adapt to new challenges in modern day society. DMPs are here to support and enhance our existing democratic system, whether it is by arriving at the 'best possible answer' to a given problem, serving as 'circuit breakers' for polarising political issues, or mechanisms for inclusion by bringing a diverse set of voices that would otherwise not have been heard without a carefully designed process. While the precise contributions of DMPs to representative democracies are subject to empirical investigation, there are normative reasons to justify possible roles for DMPs in democratic systems.

DURATION

A further feature relating to the purpose of DMP is its duration, which is heavily influenced by the complexity of the issue or issues being discussed and the size of the deliberative body. This might be seen in terms of a Goldilocks proposition: it should be long enough to allow adequate time for deliberation (which could be as little as one day on a simple matter, but which may require many days on more complex issues) but not too long that it results in members becoming overly socialized or affects the equality of opportunity to participate. Attrition can be a problem in DMPs, where some groups, depending on their demographic characteristics, ideological leanings or psychological dispositions, could drop out of time-consuming deliberations.

ORGANIZATION OF DELIBERATIVE SESSIONS

Having randomly selected the citizens, it is important that the DMP is organized in a way to ensure a well-run deliberative process. Several key features need to be present, including the following:

- *Proportion of time for small-group deliberation.* Clearly, the entire process of being involved in an DMP entails deliberation among participants and within the minds of participants themselves (internal deliberation), but at its core there are periods when the membership sits in small groups to discuss matters in some detail. It is important that adequate time in the schedule be provided for this. Citizens' Assemblies in British Columbia, Ontario and the Netherlands show that members believed it was in the small group discussions that the best learning occurred (Fournier et al. 2011).
- *Arrangement of members in round tables.* Arranging tables in this manner is one way to avoid the problem of knowledge hierarchies. They are important because they provide a visual cue of the importance of equality in the room and the need for participants to address each other. There may be occasions when the wider membership sits in plenary (such as occurred in the first citizens' assemblies), but for proper deliberation to occur the members need to be arranged in small group round tables. We suggest about seven to eight members to a table in order to balance diversity of voices at the table with encouraging participation.
- *Facilitation.* To ensure that all members are given equal opportunity to engage there need to be trained facilitators at each table. Facilitators can serve as a chair, the moderator, the mediator, and the facilitator for the group to reach the aims of deliberation (see Landwehr 2014).
- *Norms and procedures.* For deliberation to work, it is important that participants sign up to certain rules and procedures relating (inter alia) to reason giving, fairness, equality of voice, and openness to difference, among others. If time allows, it can be helpful to have the participants draw up these rules themselves, but at the very least there should be a discussion at the start of a DMP to set these out; and they should be reiterated on a regular basis throughout.

EXPERTS AND INFORMATION

One of the distinct qualities of a DMP as a form of citizen engagement is its emphasis on the epistemic function of deliberation. Unlike public consultations or opinion polls where decision-makers seek to obtain the views of ordinary citizens on an issue as they are at any given point in time, DMPs seek to arrive at well-considered views of participants when given the opportunity to gain information, weigh the evidence, and reflect on their implications for shared values.

DMP members gain information partly by engaging with each other and thereby learning about different people's perspectives, and partly by hearing from experts and sometimes laypeople people with relevant experiences. Expert knowledge is commonly conveyed in the form of short written material provided by experts in the subject-matter being discussed, the appearance of the experts as witnesses, and their availability to answer any questions. In short, the inclusion of experts is crucial to this process, but they are included for their expertise not as members of the DMP themselves. Care needs to be taken to ensure sufficient time for members to deliberate among themselves on the material provided by the experts (see above).

How experts are selected is also important. The DMP needs to have clear guidelines on how the most suitable experts for the topic are being considered, the independence of the experts (e.g. where there may be doubt over the potential to find suitably objective experts then thought might be given to balancing experts with different perspectives), and the process by which experts are selected. In some cases, DMPs have an advisory group tasked to vet experts and briefing materials. On contentious matters, this is essential.

Depending on the topic, there should be scope to bring into the room the voices of organized interests such as activists, advocates, non-government organizations, and any other parties that have an interest in the topic being discussed. Time should be made available in the schedule to allow these views to be heard, though with clear guidance to the members that these are not the voices of independent experts.

MANAGING THE PROCESS

A DMP needs some form of organisation, which – particularly in the case of larger DMPs – is likely to take the form of a management structure, which could include an independent Chair (appointed by the body that has established the DMP) and a professional secretariat. The management should ensure that they are adequately informed of the norms that underlie good deliberation by including suitable academic or professional expertise.

The role of the secretariat is to support the work and operation of the DMP, to ensure that it meets the objectives set out for it, and to ensure that it follows good deliberative practice. An important question that follows is—who manages the managers? To that end, the DMP might want to establish a 'steering group' consisting of representatives of the participants who can input their views as the process unfolds. As a design principle, we recommend that a budget line be included for an evaluation of the process itself by independent observers, who should be given adequate access to facilitate their evaluation. In part this can help serve as an independent quality control of the process (e.g. providing the secretariat with timely feedback from the members) and an audit of the robustness of the process as a deliberative exercise.

RECOMMENDATIONS BY THE DMP

At the end of the deliberative process the DMP needs to take a decision, which—again depending on its purpose—could be a single recommendation or a series of recommendations. An important principle here is that DMPs produce a recommendation, that there is more to a DMP than simply as a procedure that 'surveys' or 'polls' participants. Recommendations reflect participants' reasons and considerations during deliberations that led them to a collective outcome.

How DMPs come up with a decision varies. Some decide through a show of hands, through a secret ballot, or coming up with common statements that reflect shared views as well as points of disagreement; there could even be a combination of these methods.

Decisions that emerge from the DMP should be reflected in a wider report. In some instances, this report is drafted by the secretariat, so it is important to guarantee that participants have enough scope to provide input. In other instances, it is participants themselves who draft the report.

THE WIDER SETTING OF THE DMP

There are two dimensions of interest here: who sets the agenda and how the DMP's outputs are dealt with.

In the case of government-sponsored DMPs, one might expect that the government is setting it up to pursue its own political agenda. To safeguard DMPs from being hijacked by a predetermined agenda, it is important that, by design, DMPs are kept at arm's length from government. This means the DMP should maintain a credible level of independence as far as its organisation, design, and procedures are concerned. Moreover, as DMPs become more institutionalized in a political system, there should be scope to allow for citizen-led approaches to designing the agenda.

Also important is the question of how to deal with the outputs of a DMP. The academic community has no consensus on this matter. For some, a DMP is there primarily to support our existing system of representative democracy; therefore its recommendations should be advisory rather than binding. In this sense, DMPs should feed their input back into the wider political system. This can be in the form of a referendum or political debate in the relevant representative institution (such as the parliament or local council) as well as the broader public sphere. The risk, of course, is that the sponsor of the DMP has the power to ignore recommendations that do not appeal to their interests while cherry-picking more palatable outcomes and dismissing the rest. To minimize this risk, we would suggest that at the design stage there should be clear guidelines on how the DMP's recommendations will be dealt with, and these guidelines must be implemented to secure the integrity of DMPs.

Others, by contrast, argue that the recommendations of DMPs should be binding, at least if they are agreed by a sufficient proportion of the DMP's members (e.g. Gerwin 2018: 22). Their view is that, if we really think DMPs offer the best mechanism for arriving at conclusions on some matters, we should design the system accordingly.

A third group, meanwhile, consider the increasing popularity of DMPs as a gateway to more transformative democratic reform. Advocates of sortition, for example make a case for the creation of new institutions – such as The People's House – where members of one chamber of parliament are chosen by lottery (see Gastil and Wright 2019; van Reybrouck 2016).

While the role of DMPs in the wider setting remains an open question, it is crucial that DMPs are consequential. Whether DMPs are charged to make recommendations that legislatures are compelled to consider or whether their recommendations serve as one of many inputs in the policy process, it is important that DMPs are designed to be linked to the political system or be ready for 'macropolitical uptake' (see Goodin and Dryzek 2006). Otherwise they bear the risk of being accused as another tokenistic exercise in public engagement.

THE WIDER SETTING OF THE DMP

For DMPs to realise deliberative democracy's goal of creating a society that is sensitive to good reasons, DMPs must diffuse the effects to the broader public. Simply put, a citizens' assembly does not a deliberative democracy make (see Niemeyer 2014; Curato and Böker 2016).

There are at least three dimensions here: impartiality, transparency of the process, and wider engagement with members of the public. The organizers of a DMP should be impartial facilitators of citizen deliberation and should not favour any viewpoint at the outset. The organizers should ensure that a variety of viewpoints is considered in the deliberative process but the task of weighing arguments should be left to the DMP.

The legitimacy of a DMP is strongly affected by how openly and transparently it operates. At a minimum, it should have a well-organized website which might include (inter alia): the programme and schedule of the process, experts' briefing documents, submissions by interest groups, submissions by regular members of the public, and (where possible) videos, audio recordings, or transcripts of plenary sessions. Where relevant, DMPs' procedures and outputs must be open to public scrutiny not only to practice the principle of transparency but also to give those who did not take part in the DMP an opportunity to have access to credible information.

Depending on the purpose of the DMP (and, relatedly, the time allotted to it) time should be set aside in the schedule for 'backyard conversations' with the wider public. This provides an important feedback mechanism for the membership, a reality check on the topic being considered and on the recommendations that the members may be contemplating. For DMPs to serve a deliberative function in the broader polity, there need to be mechanisms to connect their procedures to those outside the DMP itself. Depending on the DMP's scale, these engagements can take the form of a publicly accessible report, short films, or media interviews by members of the DMP. DMPs are not discrete micropolitical processes but are part of a broader political system which they are trying to reform.

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